



## MONITORING AND DOCUMENTATION DEPARTMENT OCTOBER - DECEMBER 2009 FIELD REPORT

### Introduction

This is the fourth quarterly field report of 2009 by Al-Haq's Monitoring and Documentation Department (MDD), covering the period from October to December 2009. Al-Haq's field reports cover human rights abuses and violations of international humanitarian law committed by Israel, the Occupying Power in the Occupied Palestinian Territory (OPT), namely the West Bank, including East Jerusalem, and the Gaza Strip. The report also covers human rights abuses committed by the Palestinian National Authority (PNA) in the West Bank and those committed by the *de facto* Hamas authority in the Gaza Strip.

Since 1967, Israel has occupied the OPT, despite numerous binding United Nations Security Council resolutions ordering it to withdraw. Consequently, Al-Haq's monitoring and documentation activities have traditionally been directed towards the violations committed by Israel, the Occupying Power. However, following the creation of the PNA in 1994 and the establishment of Hamas' *de facto* authority over the Gaza Strip in June 2007, Al-Haq also monitors and documents violations perpetrated by the PNA and Hamas' Executive Forces (EF). To the extent that the PNA and Hamas exercise some control over parts of the OPT, they are responsible for enforcing law and order through effective and lawful measures.

Each field report highlights a particularly important and disturbing trend observed by the MDD during the reporting period. The field reports are based on first-hand information gathered by Al-Haq's trained field workers. The field workers visit sites of alleged violations; they draw maps, draft reports and take sworn statements (affidavits) from victims and eyewitnesses. The information they collect comprehensively covers a broad range of violations, including, but not limited to, killings, house demolitions and imposed curfews. The affidavits excerpted or referenced in the field reports are available on Al-Haq's web site ([www.alhaq.org](http://www.alhaq.org)), as samples of those gathered during the reporting period.

### The Human Rights Situation since the Outbreak of the Second *Intifada*

The violations committed during this reporting period must be analysed within the broader context of the deteriorating human rights situation since the outbreak of the second *Intifada* on 29 September 2000 and Israel's persistent failure to adhere to its obligations under international human rights and humanitarian law in the OPT. The situation has become especially bleak in the Gaza Strip, where Israel has, since June 2007, imposed a continuing blockade on the Hamas-ruled territory, and in December 2008, launched a devastating 22-day military offensive referred to as "Operation Cast Lead" in which over 1400 Palestinians were killed, 1,172 of whom were civilians. Al-Haq's lack of presence in Gaza Strip before June 2007 has resulted in an inability to compile comprehensive statistical information dating back to the start of the second *Intifada*, similar to that obtained for the West Bank. However, Al-Haq has been able to thoroughly document the effects of "Operation Cast Lead," and has produced a special report on the Operation, which is available on Al-Haq's web site.<sup>1</sup>

According to Al-Haq's documentation, from the outbreak of the second *Intifada* until the end of December 2009, **1,898** Palestinians were killed by Israeli Occupying forces in the West Bank, **370** of whom were children, and **103** of whom were female. It is estimated that **313** Palestinians were killed in targeted assassinations. During the same period, Al-Haq documented the demolition, for punitive reasons, of **573** houses<sup>2</sup> in the West Bank (of which **504** were totally demolished, **63** were partially demolished and **6** sealed off), leading to the forcible displacement of **3,351** Palestinians. Israel has also carried out a large number of administrative house demolitions, i.e. demolitions purportedly carried out because the houses were built without the required license. Since the beginning of 2004, **644** Palestinian houses in the West Bank have been administratively demolished, **317** of which were in East Jerusalem.

<sup>1</sup> See <http://www.alhaq.org/pdfs/gaza-operation-cast-Lead-statistical-analysis%20.pdf>.

<sup>2</sup> The term home/house refers to each individual housing unit, accommodating a family, or in the case of an industrial or commercial building, to each industrial unit/commercial shop.

## The Human Rights Situation from October to December 2009

### Highlighted Trend: Home Raids

During this reporting period Al-Haq field workers documented a particularly high number of home raids by the Israeli Occupying Power against Palestinians in the West Bank. These raids have been accompanied by extra-judicial killings, arbitrary arrests and detentions as well as theft and destruction of property.

In a particularly disturbing set of incidents that occurred on 26 December 2009, three Palestinian men were killed in **extrajudicial killings** during three coordinated home raids in Nablus governorate. In addition to the egregious violations of the right to life that occurred (the details of which will be covered in a later section of the report), the raids resulted in a number of other serious violations. In one incident, 20 soldiers raided the house of Ghassan Abu-Sharkh, forcing his family to wait outside on the street for an hour after he was killed while they searched the house. The soldiers **arbitrarily detained** Ghassan's brother, Jihad, subjecting him to beatings as they held him in an armoured patrol vehicle for a few hours before releasing him (see [Al-Haq Affidavit No. 5174/2009](#)).

On the same night in Nablus Governorate, Israeli occupying forces raided the home of Ra'ed al-Sarkaji. After her husband was killed in front of her, Ra'ed's wife, Tahani, was detained in a room with her children for the duration of the raid. Despite being injured by shrapnel, she was denied medical treatment by the soldiers who had injured her. As is typical of most raids, the soldiers caused extensive **destruction of property** to much of the home, damaging furniture, doors, windows, and walls (see [Al-Haq Affidavit No. 5176/2009](#)).

The home of 'Anan Subuh was also raided by Israeli soldiers in Nablus that night. More than five families were forced to vacate their homes at around 2:30 am as Israeli occupying forces launched an intensive armed attack on 'Anan's building. 'Anan's brothers and male neighbours were held and questioned about his whereabouts and his brother, Jamal, was left handcuffed and blindfolded in a room for several hours during the raid. All of the homes in 'Anan's building sustained extensive damage, including destroyed windows, damaged furniture, and bullet-ridden walls (see [Al Haq Affidavit No. 5175/2009](#)).

In addition to the destruction of property, **theft** is also recurrent during home raids.

On 13 December 2009 in Hebron Governorate, five families, consisting of 18 people, were awakened by Israeli occupying soldiers and forced to leave their building at gunpoint. Soldiers searched the house, causing damage and destruction to furniture and household goods. Sums of 7,000 NIS and JD 1,200 were stolen from one of the bedrooms, along with two gold bracelets and a cellular phone (see [Al Haq Affidavit No. 5168/2009](#)).

"When we entered the house, we saw great destruction. [...] The main wooden door of our bedroom was also destroyed, and so was the washing machine. In the two children's rooms, pieces of furniture were thrown on the ground, clothes were torn apart, and a Pentium 4 computer was destroyed. In the kitchen, all contents, including glassware and 12 pots were completely destroyed [...] In addition, about 20 kilograms of flour was spilled on the ground and mixed with about ten kilograms of sugar and about ten kilograms of salt."

Extract from [Al-Haq Affidavit No. 5114/2009](#)

Given by Sundus Khaled Najjar, resident of the Bourin village, Nablus Governorate, West Bank

Soldiers searched the house, causing damage and destruction to furniture and household goods. Sums of 7,000 NIS and JD 1,200 were stolen from one of the bedrooms, along with two gold bracelets and a cellular phone (see [Al Haq Affidavit No. 5168/2009](#)).

The **ill-treatment of children** is common during home raids. One typical incident occurred on 13 October 2009, when a family of eight, including four young children, was awakened at 2:00 am by sound grenades and stone-throwing. The entire family, including the children, was detained outside at gunpoint and forced to stand, with their arms raised, against a wall for over an hour while soldiers entered and searched the house, destroying much of its contents. The father, Mursi, was arrested and detained arbitrarily by the Israeli army (see [Al Haq Affidavit No. 5114/2009](#)).

In another incident on 23 October, in Jenin Governorate, Israeli soldiers conducted a house raid on the homes of two brothers, 'Abd and Bassam Abu-'Ubeid. Nine members of the family, including two young children, were detained outside their homes in the middle of the night. 'Abd was ordered to remove his clothing and beaten by three soldiers. The children were forced to sit by a wall with their hands above their heads for the duration of the home raid (see [Al Haq Affidavit No. 5119/2009](#)).

## The Occupying Power

During the reporting period Israeli occupying forces carried out three **extrajudicial killings** in targeted house raids in Nablus. Ghassan Abu-Sharkh was shot as he was descending the staircase, unarmed and fully visible to approximately 20 soldiers who had gathered in the stairwell of his building. Soldiers fired at least four shots at Ghassan, fatally wounding him. Soldiers refused to call an ambulance, and left his body lying in the same place he had been shot for the duration of the home raid (see [Al-Haq Affidavit No. 5174/2009](#)).

Ra'ed al-Sarkaji was killed and his wife, Tahani, injured when Israeli occupying troops surrounding their home opened fire on them as they came out of their bedroom, unarmed. One of the soldiers fired a bullet directly into Ra'ed's forehead from a short distance, causing him to fall onto his wife. When the firing ceased, soldiers approached the couple and from a distance of about one meter, a soldier opened fire on Ra'ed, shooting at least four bullets directly into his body (see [Al-Haq Affidavit No. 5176/2009](#)).

'Anan Subuh was the third Palestinian killed in Nablus that night. Israeli soldiers carried out a home raid on his family's building and launched an intensive armed attack that lasted several hours. After the soldiers left the area, 'Anan was found dead on the first floor of his building, his bloodied corpse covered with a blanket (see [Al-Haq Affidavit No. 5175/2009](#)).

"Under the spotlights, my husband and I went out of the bedroom [...] I walked behind my husband and we reached the small yard [...] Due to the lights, we were exposed and directly seen by the soldiers. During this time, a soldier who was positioned on the roof at a distance of approximately six or seven metres south of our location opened fire and hit my husband in the forehead. As soon as he sustained the bullet wound, blood spurted from his head. Parts of his brain scattered on my body. He fell backward in my lap without saying a word. I also felt a bullet or more hit my right leg and we both fell on our backs on the ground. While soldiers continued to open fire, I shouted for an ambulance."

**Extract from [Al-Haq Affidavit No. 5176/2009](#)**

Given by Tahani Farouq al-Sarkaji, resident of al-Nasr Street, the old city of Nablus, Nablus Governorate, West Bank

The use of **excessive force** by Israeli soldiers remains a constant feature of life in the Occupied Territory. Such incidents occurred in contexts involving Israeli soldiers, navy officers, and border police in regions across the OPT and leading to violations of the rights to life, health, and work and sometimes resulting in the destruction of property.

"The other workers and I sat down to rest. During this time, 'Awni and another worker continued to plough the land with a tractor. Suddenly, occupying troops who were positioned behind the Israeli border fired a bullet towards them. The bullet hit and damaged a wheel of the tractor. My neighbour 'Awni decided that we all should leave the land, fearing that the Israeli troops would open fire again and injure one of us. [...] I went to the second tractor in order to drive it to a safe place further away. As I sat in the driver's seat and drove the tractor for a distance of almost one metre, the Israeli soldiers opened intensive fire on us. I sustained bullet wounds in my feet and fell on the ground.

**Extract from [Al-Haq Affidavit No. 5151/2009](#)**

Given by Mahmoud Muhammad al-Shawish, a resident of Beit Hanoun town, Northern Gaza Governorate

In one incident on 15 November 2009 Israeli soldiers opened fire on farmers while they were ploughing a field east of Beit Hanoun, about 850 meters from the Eastern Gazan border with Israel. A tractor was damaged by the gunfire, and one of the farmers, Mahmoud al-Shawish, sustained serious bullet wounds to both of his feet while he tried to move the tractor out of range of the bullets. According to Al-Haq's documentation, collected from farmers' testimonies, Israeli occupying forces often open fire on farmers working close to the border area. Such excessive use of force both violates the physical integrity of farmers and prevents them from ploughing their land (see [Al-Haq Affidavit No. 5151/2009](#)).

On 12 October 2009 near the town of Yatta, in Hebron Governorate, Nader Hreizat, his son, and an Israeli-Palestinian Bedouin were transporting Palestinian workers when they were pursued in a high speed chase by a Hummer driven by Israeli soldiers. After abandoning their vehicle and running away to hide, they witnessed the Israeli soldiers douse their car with a substance and set it on fire. Related incidents were reported in the area on the same day. Soldiers were witnessed chasing and attacking several cars, causing damage to at least two other vehicles (see [Al-Haq Affidavit No. 5099/2009](#)).

In another particularly alarming example of the use of excessive force, on 4 October Ashraf Abu Suleiman, a 15-year-old secondary school student, was shot whilst walking near the northern Gaza border with Israel. After sustaining a bullet wound to his neck, he was beaten, arrested and detained. While being treated for his injuries, an Israeli officer threatened to shoot him, demanding to know whether he was a member of Hamas. Ashraf was released only after the Israeli occupying forces verified his information. He suffered fractures in his fourth and fifth vertebrae, leaving him unable to move his feet and body. After being hospitalised for four days, Ashraf was transferred to another hospital to undergo rehabilitation (see [Al-Haq Affidavit No. 5093/2009](#)).

In an incident in Hebron Governorate, 21-year-old Wasim Mawada was seriously injured when he was shot by Israeli occupying forces as he fled the scene of a crime. It was later alleged by the Israeli occupying authorities that he had stabbed two female Israeli settlers at a petrol station near Kiryat 'Arba settlement. Despite being surrounded by four soldiers who could have arrested him, Wassim was shot several times and was not offered medical assistance by ambulances present at the scene. He was left lying on the ground, unattended, for over 15 minutes (see [Al-Haq Affidavit 5201/2009](#)).

A number of incidents of **beating and harassment by soldiers** were reported by Al Haq's fieldworkers during the reporting period. On 18 December 2009, while walking to his home in the old city of Hebron, 22-year-old Ahmad Jamal was accosted by six soldiers from the Israeli army's Golani unit. After asking for his ID, a soldier forced Ahmad to stand against a wall and proceeded to hit him on the head several times with a dagger. When Ahmad fell to the ground, the other soldiers began kicking him, while the first soldier pressed his knee into Ahmad's back and continued to hit him with the dagger. Ahmad sustained contusions and received stitches to close four wounds in his head (see [Al-Haq Affidavit No. 5167/2009](#)).

"At that moment, Israeli troops began to open fire on me from the two tanks and a military jeep. After I turned back, I felt that something had hit my neck. I felt dizzy and fell on the ground. Having checked myself, I saw that I was bleeding heavily from my neck and located two holes from which blood was flowing. I also felt that my feet and body were heavy. At that moment, I saw police dogs advancing towards me at great speed from the area of the border, followed by a tank. A black dog reached me, tore my clothes apart and attacked my left foot. I fought with it for a short while before I took out my cellular telephone from my pocket and hit the dog with it forcefully. I tried to get up and escape from the dog, but I fell on the ground and lost my balance because of the bullet wound in my neck. At that time, the tank arrived. A soldier got out and kicked me forcefully on my mouth. Then, the soldier carried me to the tank, which drove towards the border."

**Extract from Al-Haq Affidavit No. 5093/2009**

Given by Ashraf Bassam Abu-Suleiman, a resident of Jabalya Camp, Northern Gaza Governorate, Gaza Strip.

"Then, the two soldiers started to punch, slap and kick us on all parts of our bodies, whilst demanding that we confess to who had described one of them as a pig. I should note that none of us had uttered that word. About two minutes later, six infantry soldiers passed by. Suddenly, a soldier ran towards Labib Abu-Heikal, whose face was turned against the wall, and kicked him forcefully on his back. I heard Labib moan of pain because of the severe strike. After the infantry troops resumed their way, the two soldiers continued to assault us for approximately 15 minutes. We were beaten continuously during the first five minutes and sporadically for the rest of that time."

**Extract from Al-Haq Affidavit No. 5126/2009**

Given by Hazem Wa'el Sharabati resident of Tal-al-Rumeida neighbourhood, Hebron city, Hebron Governorate, West Bank.

On 20 October, Israeli soldiers stationed at the Tal-al-Rumaida checkpoint in Hebron Governorate delayed four teenaged boys from passing through the checkpoint as they made their way home. When the boys called out to the soldiers to let them pass, the soldiers accused them of calling one of the soldiers a pig. The boys were ordered to line up against a wall and were then beaten by both soldiers. Another soldier who was passing by ran at the group and kicked one of the boys forcefully on his back. The boys were later released, suffering multiple injuries and contusions (see [Al-Haq Affidavit 5126/2009](#)).

In another incident Sa'd Marwani was attacked by around six off-duty soldiers as he was leaving his house to perform evening prayers on 27 December 2009. Sa'd was handcuffed by two soldiers who arrived from a nearby checkpoint, and was kicked,

beaten and dragged towards the checkpoint by a large group of off-duty soldiers. When Sa'd's son, Nasr, attempted to assist his father by attacking one of the men beating him, he was beaten and dragged alongside his father to a nearby checkpoint. Sa'd and his son were both arrested and detained by Israeli police and charged for attacking soldiers (see [Al-Haq Affidavit 5205/2009](#)).

“After the victim had run for a distance of 25 metres, I saw two soldiers stand in front of him and behind him. They opened fire on the victim and he fell on the ground. The victim remained lying on the ground for about 15 minutes and received no medical aid despite the fact that ambulances had arrived at the petrol station within five minutes of the first incident of gunfire. As the victim lay stretched on the ground without being offered first aid, a grey Mercedes car approached him and its driver drove over the body of the victim back and forth three times. Meanwhile, those who had been present at the petrol station shouted at the driver. The soldiers and persons present in the petrol station then forced the driver out of the Mercedes car whilst the victim was underneath it and took him to a place, which I do not know.”

**Extract from Al-Haq Affidavit No. 5201/2009**

Given by Rudayna Bader Jaber resident of Wadi al-Baq'a area, Hebron city, Hebron governorate, West Bank.

**Settler violence** remained a persistent feature of this reporting period. In an incident in Hebron Governorate on 26 November 2009, Israeli soldiers stood by and watched as an Israeli settler purposely drove his car over the injured body of Wasim Mawada, who had been shot 15 minutes earlier by Israeli soldiers while fleeing the scene of a crime. The settler managed to drive his car back and forth over Wasim's injured body three times before he was stopped by onlookers (see [Al-Haq Affidavit No. 5201/2009](#)).

In another incident, on 13 December 2009, 15-year-old Nabil Abu-Rajab, was assaulted by a group of four young settlers, who attacked him in front of two Israeli border guard officers stationed at a checkpoint near the Ibrahimi Mosque in Hebron. Nabil suffered an injury to his knee, bruises to his face and a scratch to the cornea of his right eye, where one of the settlers had hit him with a rock.

The border guards who witnessed the incident did nothing to stop the attack and tried to prevent neighbours from taking Nabil to the police station (see [Al-Haq Affidavit No. 5169/2009](#)).

During the reporting period, Al-Haq's fieldworkers continued to document **movement restrictions**, which invariably impact a number of other rights, including the right to work and the right to health. In particular, during this period, the restrictions affected the Palestinian olive harvest, which takes place annually in October and November. Al-Haq has produced a special report on the effects of violence and repression during the olive harvest this year, which is available on Al-Haq's web site.<sup>3</sup>

One of the most serious violations of freedom of movement during the harvest was documented on 11 October 2009, when 400 villagers from the town of Beit Sourik were prevented from reaching their agricultural lands by the Israeli occupying authorities, who denied them access through the designated Wall gate. One of the villagers, Rashed Muhammad, has been unable to obtain a permit to access his land since 17 December 2008, leaving him unable to tend to his land or harvest his trees (see [Al-Haq Affidavit No. 5102/2009](#)).

Other notable incidents on movement restrictions also infringe on Palestinians' **right to health**. For example, on 15 October, a 52 year old woman from Gaza suffering from a cartilage disorder was denied a permit to travel to a hospital in Jerusalem for medical treatment. After obtaining the necessary documents, Tharifa al-Katnani was instructed to travel to the Erez crossing. She was stopped for over eight hours, questioned, and sent home when an Israeli officer accused her of lying about the purpose of her travel. She continues to require medical treatment and has applied for another permit. She is waiting to hear if she will be denied again (see [Al-Haq Affidavit No. 5150/2009](#)).

“After they closed the door from the outside, they demanded that I sit down. I sat down in front of the television screen, which showed pictures and shots of members of the Hamas Movement, as well as security officers of the Gaza government, while they were assaulting wedding parties in areas north of the Gaza Strip and beating children and civilians in the Gaza Strip following the military takeover. [...] Having inquired why I would leave the Gaza Strip to Israel, I said I was sick and wanted to leave for Jerusalem, not for Israel, in order to receive medical treatment. I presented my medical papers and patient transfer report. However, the officer accused me of paying a bribe to obtain the patient transfer report in order to enter Israel. [...] Later, the officer inquired as to why my husband was present in the West Bank. I said he suffered from a heart attack and that he has been subject to ongoing treatment for some time at the Nablus Specialist Hospital. The officer said, “Everything you have said is a lie. You will not obtain the permit and I will return you to Gaza. When your husband comes back to Gaza, you can enter Israel and receive medical treatment. Now, get out of this place.”

**Extract from Al-Haq Affidavit No. 5150/2009**

Given by Tharifa Rashid al-Katnani, a resident of al-Rimal neighbourhood, Gaza city, Gaza Governorate, Gaza Strip.

<sup>3</sup> See: <http://www.alhaq.org/etemplate.php?id=493>

In another incident on 5 October 2009, 56-year-old Ahmad Naser from Central Gaza Governorate was denied a permit to travel for medical surgery. After obtaining the required documents and travelling to the Erez crossing, he was extensively searched and questioned for a number of hours. An Israeli intelligence officer threatened to not grant Ahmad a permit if he did not cooperate and collaborate to provide information on people in Gaza. Ahmad was later taken to a room where he was forced to watch images of Hamas supporters and police as they assaulted people in Gaza. He was then released and told to return home, without having obtained a permit. Despite the validity of the patient transfer to Jordan expiring on three separate occasions, he has yet to hear a response from the Israeli authorities (see [Al-Haq Affidavit No. 5159/2009](#)).

“In 2008 officers from the Israeli Building and Licensing Authority came to my building and served me a summons, stating that I should cease construction of the building and report to the Israeli authorities in Beit Eil. [...] On the set date, I went to Beit Eil and had a short interview, which lasted for several minutes, with a number of officers. They requested a construction licence, but I said I did not have it. Therefore, they told me to apply for a licence because the area, where my building was located, was classified as Area C according to the Oslo Agreements. [...] I started the procedures of applying for a licence and retained an Israeli female lawyer called Bati. However, the lawyer did not report to me. I called her after my building had been demolished. She said that she had received a demolition decision from the Israeli authorities, but she had forgotten to tell me.”

**Extract from [Al-Haq Affidavit No. 5177/2009](#)**

Given by Mu'tasem Mahmoud 'Odeh, a resident of Qusra village, Nablus Governorate, West Bank.

**Demolitions of residential and commercial buildings** continued during the reporting period, and Al-Haq documented 16 cases of demolitions for lack of license. In an incident that took place on 23 December 2009, Israeli soldiers demolished a commercial building in Nablus. The building, owned by Mu'tasem Odeh, was valued at NIS 150,000 and contained his business interests, including a grocery store. During the demolition, Israeli occupying forces imposed a curfew on the town, preventing both Mu'tasem and his family from reaching the property to salvage valuables. Mu'tasem was in the process of trying to obtain a permit for the building, which had been located in Area C, and had hired an Israeli lawyer who failed to inform him that she had received a demolition order for the building (see [Al-Haq Affidavit No. 5177/2009](#)).

The Palestinian National Authority and the Hamas De Facto Authority in Gaza

To the extent that the PNA exercises some control over parts of the West Bank and the Hamas de facto government exercises control over the Gaza Strip, they are respectively responsible for enforcing law and maintaining order using effective and lawful measures. As a result of the ongoing conflict between the governing authorities of the West Bank and Gaza, many of the human rights violations documented during this reporting period continue to be situated in the context of the tension between the opposing political factions in the OPT.

Members of the PNA in the West Bank as well as officials of the Hamas *de facto* authority in the Gaza Strip continue to employ systematic policies of **arbitrary arrest and detention**, often involving the subjection of Palestinians to **abuse** and **ill-treatment**, which sometimes amounts to **torture**. While Al-Haq's monitoring department has noticed a significant decrease in the number of reported cases of ill-treatment and torture against Palestinian prisoners by the PNA in the West Bank since September 2009, some cases persist.

"(I informed the interrogators that I suffered from a disc disease in the spine as well as from infections in the stomach. Over 21 consecutive days, I was subjected to interrogation twice every day. Each interrogation session lasted from ten minutes to a maximum of one hour. [...] On the 21<sup>st</sup> day of my detention, and after five days of hunger strike, I started to eat again. As a result, I felt severe pain in my stomach. As I cried out in pain, they brought me a physician from the Military Medical Services, who gave me an injection. Due to an improper diagnosis, however, my health condition deteriorated further. They threatened to relocate me to the Juneid Prison of the Palestinian Authority in the city of Nablus and made the necessary preparations to do so. They also told me that I would not receive any medical attention or treatment there. An interrogator said to me that my fate would be death in the midst of my severe pain. Meanwhile, I vomited blood and suffered from an indescribable pain in the stomach."

**Extract from Al-Haq Affidavit No. 5165/2009**

Given by Abd-al-Fattah Muhammad Naser, a resident of Qabatiya town, Jenin Governorate, West Bank.

"Police officers got out of the car, pointed their weapons at the masked individuals, and demanded that they take off their masks and identify themselves. "We are members of the al-Qassam Brigades." I heard a masked individual reply. [...] "Where is Khaled Faraj, whom you kidnapped?" the Commander asked a masked individual, who was confused and stepped back. "The unworthy is thrown on the ground between the trees." The masked individual answered and pointed towards Khaled's place. Then, the masked individuals left the area in their car. I quickly hurried to the place where my brother Khaled was and found him lying on the ground between the trees. He was unconscious and his body covered with blood. Assisted by the police officers, my brother Wisam and I carried him to the police vehicle and were driven to the al-Shifa' Hospital. There, doctors admitted Khaled to the intensive care room and told us that he was in critical condition. My brother Khaled stayed inside the room for six hours and then regained consciousness. Then, he stayed at the hospital for three days and returned home. Now, he is confined to bed and unable to move because he had been beaten by the masked individuals of the al-Qassam Brigades."

**Extract from Al-Haq Affidavit No. 5106/2009**

Given by 'Ala' Mahmoud Faraj, a resident of al-Rimal neighbourhood, Gaza city, Gaza Governorate, Gaza Strip.

One incident occurred on 30 October 2009, when Muhammad Nasar was arrested by officers of the Palestinian Military Intelligence Agency. He was detained for 27 consecutive days, during which time he was not brought before any court or permitted any contact with a lawyer. On day 16 of his imprisonment, Muhammad went on hunger strike for five days. When Muhammad resumed eating he became severely ill, experiencing intense pain in his stomach. Interregators denied him effective medical treatment and threatened to continue to deny him proper treatment until his death unless he confessed to the location of his gun. Muhammad was released after admitting the location of the weapon. Only then was he admitted to hospital and given emergency surgery to repair a severe perforation in his stomach wall (see [Al-Haq Affidavit No. 5165/2009](#)).

Al-Haq's researchers have also documented incidents of **kidnapping** and **beating** by the Hamas Al-Qassam Brigades. On 19 October, five armed men wearing masks stopped members of Khaled Faraj's music band as they drove home

from a wedding party, abducting Khaled from the vehicle and driving away. A Hamas police commander helped track down the masked men and recovered Khaled, who was unconscious and covered in blood. Police assisted in bringing Khaled to hospital but made no attempt to arrest the offenders, who claimed they were members of the Al-Qassam Brigades, allowing them to escape with **impunity** (see [Al-Haq Affidavit No. 5106/2009](#)).

Particularly evident during this period was the practice by both PNA and Hamas officials of **harassment** and **intimidation**, including **home raids**, subjecting individuals and their families to arbitrary and unlawful interference with their privacy and homes. On 13 October 2009, Mu'taz al-Suweiti's home in Hebron was raided and searched by 30 PNA security officers. The officers scattered the contents of the rooms and cupboards, throwing them on the ground. One of the officers inadvertently dropped some mattresses on Mu'taz's two-year-old nephew Isma'il, who was asleep in one of the rooms.

"Before they left, almost two hours later, the security officer who was dressed in the civil uniform served me a summons to report to the Military Intelligence agency in the city of Hebron on Sunday, 14 October 2009. I requested that he return my ID and other cards but he refused and said that I could retrieve them when I went to their office. At around 11:00 am on the allotted date, I went to the Military Intelligence headquarters in Hebron. [...] The officer who interviewed me demanded that I report to the Intelligence headquarters on 8 November 2009 and did not return my ID card. At around 11:00 am today, I went to the Intelligence headquarters in Hebron again. However, I was told that there was not an officer to interview me because they had been busy with President Mahmoud Abbas' visit to the governorate of Hebron on that day. They demanded that I report to them on the following Sunday."

Extract from [Al-Haq Affidavit No. 5147/2009](#)

Given by Mu'taz Sharif al-Suweiti, a resident of Beit 'Awwa town, Hebron Governorate, West Bank.

Other incidents of harassment included the arbitrary confiscation of ID cards, which ultimately results in restrictions on **freedom of movement**, as Palestinians are not able to travel through West Bank checkpoints without an ID card. During the search of his home, Mu'taz al-Suweiti was ordered to hand over his ID card, which the officers retained. Despite twice reporting to the Military Intelligence office in Hebron as ordered, PNA security officers have yet to return his card. Without his ID card, Mu'taz is unable to move throughout the West Bank freely, and will not be able to sit his university exams (see [Al-Haq Affidavit No. 5147/2009](#)).

In another incident involving infringement on freedom of movement, Hamas authorities in Gaza prevented Ibrahim al-'Aqqad from travelling through the Beit Hanoun crossing on 21 October 2009. As the chair of the Palestinian youth football team, Ibrahim was unable to participate in the Asia finals in Nepal on 25

October. Ghuneim was told that Hamas' Internal Security Agency had denied him permission to cross the border. Hamas border officials retained Ibrahim's ID card and told him he must retrieve it from the Internal Security headquarters in Khan Younis (see [Al-Haq Affidavit No. 5214/2009](#)).

During this reporting period, Al-Haq fieldworkers documented new violations of **freedom of expression** and **right to assembly** by Hamas authorities in Gaza. On 9 November 2009, Sakhr Abu-al-'Oun and 30 journalists arrived at the ROTUS restaurant in Gaza city, where they had organized a conference hosted by the International Federation of Journalists, on the topic of "Ethical Journalism and Developing Media Standards in Palestine". Upon their arrival, they were informed that the event could not take place. The night before, the restaurant manager had received a phone call from Hamas' Government Media Office banning the conference because the organizers had failed to obtain a permit from the authorities. Sakhr and 30 other journalists held a sit-in demonstration in front of the restaurant protesting the prohibition. Sakhr was summoned to report to the Government Media Office later that day so that the officers could inquire about the conference supervisors (see [Al-Haq Affidavit No. 5215/2009](#)).

"We were informed that the ROTUS Restaurant's management board had received a telephone call on Sunday evening, 8 November 2009, from the Government Media Office in Gaza, stating that the conference would not be held because organisers had not received a permit from the official authorities. Consequently, about 30 journalists held a sit-in demonstration in front of the entrance to the restaurant in protest against this measure. It constituted an assault on our freedom of expression and right to peaceful assembly, which are safeguarded by the Constitution."

Extract from [Al-Haq Affidavit No. 5215/2009](#)

Given by Sakhr Midhat Abu-al-'Oun, a resident of al-Rimal neighbourhood, Gaza city, Gaza Governorate, Gaza Strip.





**MONITORING AND DOCUMENTATION DEPARTMENT**  
**01OCT- 31 DEC 2009**  
**STATISTICS**

**THE WEST BANK**

**KILLINGS BY THE OCCUPYING POWER**

<b>Total number of killings</b>	<b>4</b>
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**Special Types of Killings**

Death in custody	0
Targeted assassination	3
Death at checkpoints	-
Women	-
Children	1

**Killings by District**

Bethlehem	-
Hebron	1
Jenin	-
Jericho	-
Jerusalem	-
Nablus	3
Ramallah	-
Toulkarem	-
Inside Israel	-
<b>Total</b>	<b>4</b>

**Killings by Age Group**

12 or younger	-
13-17	1
18-25	-
26-35	1
36-50	2
Over 50	-
<b>Total</b>	<b>4</b>

### Killing by Perpetrator

Israeli Occupying Forces	-
- Soldiers	4
- Special undercover units	-
- Snipers	-
Israeli Border Guards	-
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	-
Collaborators	-
Others	-
<b>Total</b>	<b>4</b>

### Situation during Killing

Normal/calm	3
Incursion	-
Demonstration and stone-throwing	1
Armed clashes	-
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	-
Curfew	-
Raid	-
<b>Total</b>	<b>4</b>

### Methods of Killing

Live bullet	4
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	-
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	-
Medical Obstruction	-
Others	-
<b>Total</b>	<b>4</b>

## HOUSE DEMOLITIONS BY DISTRICT

### Punitive House Demolitions

Bethlehem	-
Hebron	-
Jenin	-
Jericho	-
Jerusalem	-
Nablus	-
Ramallah	-
Toulkarem	-
Qalqiliya	-
<b>Total</b>	<b>-</b>

### House Demolitions for Lack of Licence

Bethlehem	-
Hebron	5
Jenin	-
Jericho	-
Jerusalem	10
Nablus	1
Ramallah	-
Toulkarem	-
<b>Total</b>	<b>16</b>

## CURFEWS BY DISTRICT

District	Hours
Bethlehem	-
Jenin	-
Nablus	2
Toulkarem	22
Jerusalem	-
Ramallah	-
Hebron	-
Jericho	-
<b>Total</b>	<b>24</b>

## GAZA STRIP

### KILLINGS BY THE OCCUPYING POWER

<b>Total of Killings</b>	<b>6</b>
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<b>Special target groups</b>	
Targeted assassination	-
Women	-
Children	1

#### Killings by District

Gaza	1
North Gaza	3
Rafah	-
Khan Younes	-
Central district	2
<b>Total</b>	<b>6</b>

#### Killings by Age Groups

12 or younger	-
13-17	1
18-25	3
26-35	-
36-50	2
Over 50	-
<b>Total</b>	<b>6</b>

### Killing by Perpetrator

Israeli Occupying Forces	-
- <b>Soldiers</b>	<b>3</b>
- <b>Special undercover units</b>	-
- <b>Snipers</b>	-
Israeli Border Guards	<b>3</b>
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	-
Collaborators	-
<b>Total</b>	<b>6</b>

### Situation During Killing

Normal/calm	4
Incursion	-
Demonstration and Stone-Throwing	-
Armed clashes	1
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Curfew	-
Succumbed to injury sustained during Operation Cast Lead	1
<b>Total</b>	<b>6</b>

### Methods of Killing

Live bullet	5
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	-
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	1
Medical Obstruction	-
Others	-
<b>Total</b>	<b>6</b>