



## MONITORING AND DOCUMENTATION DEPARTMENT JULY - SEPTEMBER 2007 FIELD REPORT

### Introduction

This is the third quarterly field report of 2007 by Al-Haq's Monitoring and Documentation Department, covering the period from July to September 2007. Al-Haq's field reports cover human rights abuses committed by the Israeli Occupying Power and the Palestinian National Authority (PNA) in the West Bank, including East Jerusalem, and Gaza. Each field report highlights a particularly important and disturbing trend observed by the Monitoring and Documentation Department concerning the ongoing violations of human rights and international humanitarian law during the reporting period.

On Wednesday, 19 September the Israeli Security Cabinet unanimously voted to declare the Gaza Strip an "enemy entity," ostensibly paving the way for the imposition of collective penalties on the 1.5 million Palestinian civilians living in the Gaza Strip. These include intensifying the already severe border closures, limiting the provision of essential supplies, and dramatically reducing the supply of electricity, all of which will exacerbate the existing dire humanitarian crisis.

On 14 July 2007, President Abbas took further steps to consolidate the position of the emergency government by allowing the Prime Minister and his cabinet to resign, and then immediately re-appointing them as an 'interim' government. It is this 'interim' government that currently constitutes, for practical purposes, the PNA, although it exercises no control in the Gaza Strip. Hamas, which is in full control of the Gaza Strip and has refused to accept the dismissal of Ismail Haniyeh and the current government or accept the legitimacy of the successive emergency and 'interim' governments, has repeatedly called President Abbas' actions unconstitutional and illegal.

In the days and months following the take-over both the 'interim' government in the West Bank and the *de facto* Hamas government in the Gaza Strip have continued to act without due regard for the rule of law or fundamental human rights guarantees.

The field reports are based on first-hand information gathered by Al-Haq's Monitoring and Documentation Department, covering a broad range of human rights abuses, including comprehensive coverage of killings, house demolitions and curfews. Al-Haq's specially trained fieldworkers visit sites of alleged human rights violations, draw maps, draft reports and take sworn witness statements (affidavits) from victims and eyewitnesses. The affidavits excerpted or referenced in 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 human rights violations committed during the reporting period must be analysed in the broader context of the deteriorating general human rights situation since the outbreak of the second *intifada* on 29 September 2000, and Israel's persistent failure to apply international human rights and humanitarian law in the OPT. Al-Haq has only recently dispatched a fieldworker in Gaza and therefore does not have comprehensive statistics similar to those of the West Bank.

According to Al-Haq's documentation, from the outbreak of the second *intifada* until the end of September 2007, Israeli occupation forces killed 1,796 Palestinians in the West Bank, 346 of whom were children, and 93 of whom were females. It is estimated that 294 Palestinians were killed in the course of targeted assassination operations. During the same period, Al-Haq documented the demolition, for punitive reasons, of 547 homes in the West Bank (whereof 491 were totally demolished and 55 were partially demolished, and two totally sealed), leading to the displacement of 3,276 people. Israel has also carried out a large number of administrative house demolitions on the pretext that the houses were built without the required licence. Since the beginning of 2004, 498 houses have been demolished for lack of licence, 220 of which were in East Jerusalem.

## The Human Rights Situation from July to September 2007

### Highlighted Trend: Children Killed in Gaza

In a period of 10 days during the reporting period, Al-Haq's fieldworkers documented the death of four children in Gaza at the hands of Israeli occupying forces.

On the evening of 29 August 2007, three children aged between 10 and 12 lost their lives in Beit Hanoun. Young Yihiya, Mahmoud, and Sara were playing outside in open area when a loud explosion ended their lives. Eyewitnesses describe the area of the explosion as approximately six kilometres from an Israeli military installation on the opposite side of the Wall separating Gaza from Israel. Shelling in the area from Israeli occupation forces is unfortunately a regular occurrence. (see Al-Haq Affidavits 3792/2007 and 3793/2007).

"I heard the sound of a strong explosion in the vicinity of my house. I went out to identify its source. I stood at the door of my house which is located on an open piece of land, where I saw my neighbour 'Abd-al-Mu'ti standing in front of Abu-'Afana's courtyard about 150 metres from my house. I saw two persons lying on the ground in front of him. I felt worried about my cousins, the three children Yihiya, Mahmoud, and Sara Abu-Ghazal, because I had just seen them playing and looking after the sheep in front of Abu-'Afana's courtyard, a grassy piece of land called Abu-Halawa that is used for cattle. I hurried to the place where I saw my neighbour Abd-al-Mu'ti carrying the child Yihiya Ramadan Abu-Ghazal, 12 years old, the son of my uncle Ramadan Abu-Ghazal, and blood was coming from his head and abdomen."

#### **Extract from Al-Haq Affidavit No. 3793/2007**

Given by Mousa 'Abdallah Salam Abu-Ghazal (Beit Hanoun Governorate )

In one incident, Israeli occupying forces opened fire on a group of unarmed Palestinian youths who were catching birds near the Karni crossing in Gaza. On the morning of 8 September 2007 seventeen-year-old Ramzi Hilles went with his three friends to catch birds approximately 300 meters away from the Wall separating Gaza from Israeli territory. Then, without any warning, Israeli occupation forces opened fire on them, hitting Ramzi in the thigh. His friends tried to come to his aid but were prevented from doing so by continuous fire for over 30 minutes. By the time medical personnel were able to reach Ramzi, he was found to have already bled to death. (see Al-Haq Affidavits 3790/2007, 3791/2007, and 3795/2007).

"I saw a big concrete blockage in front of the commercial crossing point where I found shelter, but Ramzi fell down on the ground. He was at a distance of one meter from me and he was holding his right thigh while he was exposed to the soldiers. He shouted loudly "Help me!" I tried to approach him to pull him behind the concrete blockage, but I could not because the soldier was shooting at me whenever I tried to move out. I tried three times to get close to Ramzi but each time the soldier fired at me."

#### **Extract from Al-Haq Affidavit No. 3791/2007**

Given by Nedal Ziyad Rajab Hilles (resident of al-Shuja'iyya District, Gaza Governorate )

### Israeli Occupying Forces

Al-Haq's fieldworkers document 22 incidents of killings of Palestinians by Israeli occupying forces during the reporting period. While a number of the killings occurred during exchanges of gunfire between Israeli occupying forces and Palestinian gunmen, at least seven instances of wilful killing occurred in the total absence of armed clashes. A large number of killings, including targeted assassinations, were carried out by Israeli undercover units using civilian vehicles with Palestinian plates. (see Al-Haq Affidavit 3755/2007).

"At that moment, while I was giving the coffee to the four men in the first car, I heard the sound of a sliding door followed by shouts of "Stop! Stop!" I looked at the second car and saw five Israeli soldiers wearing the full olive green military uniform and carrying modern and sophisticated short weapons and machine guns. I also saw that they were wearing black shoes. These soldiers got out of their yellow car while aiming their guns at the grey Mazda, and directed heavy fire at it. The distance between me and the Mazda was only around a metre and a half. The Israeli soldiers were wearing military helmets. The driver of the Volkswagen did not leave the car. Heavy fire at the Mazda continued while I managed to get away from the Israeli shooting."

**Extract from Al-Haq Affidavit No. 3755/2007**

Given by 'Abd-al-Rahman Ahmad Mahmoud Abu-Zeina (resident of al-Marah quarter, Jenin Governorate, West Bank)

There were continued instances of Palestinians being killed while in the custody of the Israeli occupying forces. In one incident, occupation soldiers corralled a Palestinian behind their humvee and beat him to death. According eye-witnesses, one soldier grabbed the Palestinian man and pulled him behind the Humvee and three additional soldiers followed. The beating lasted for approximately 15 minutes. (See Al-Haq Affidavit 3706/2007 and 3707/2007).

**Movement restrictions**, in the form of checkpoints and various kinds of road blocks, continued to deny or delay access by Palestinians to their families, places of employment or worship, educational institutions, agricultural lands and markets, with especially harsh consequences during the grape harvest season. Movement restrictions were particularly severe in the northern West Bank, where young men without special permits were prohibited from traveling south; the Jordan Valley, which can only be reached with a special permit or with an ID indicating Jordan Valley residency; and the areas located between the Green Line and the Annexation Wall, most notably in and around occupied East Jerusalem. Palestinians with West Bank IDs, even those with valid permits, were repeatedly denied access to occupied East Jerusalem, especially during Ramadan which began 13 September, when many Muslims go to pray in East Jerusalem.

The manned checkpoints located throughout the West Bank not only prevent Palestinians from moving freely, but they also constitute a recurrent setting for **ill-treatment**. Al-Haq received new reports of Palestinians being subjected to delays, humiliation and beatings by Israeli forces at checkpoints. The motivation behind these beatings was generally hard to identify, with most of them appearing to be purely gratuitous. Suspicions of Palestinians trying to avoid going through checkpoints also seemed to motivate several of the beatings, which could be linked to the increase in checkpoints in the West Bank during the reporting period. Indeed, most of the beatings occurred at permanent or flying checkpoints, or in their vicinity. (See Al-Haq Affidavit 3831/2007)

"At the beginning, only one soldier, the driver, had been standing outside the Humvee next to the driver's door. This soldier, the driver, was the one who dragged Jihad behind the Humvee. Then three soldiers came out of Humvee wearing the green Israeli military uniform and carrying what I believe were small M16s. These three soldiers immediately went behind the Humvee, after which one of them fired two bullets. We thought that he had shot at Jihad, but we couldn't see in which direction he aimed. After this, I saw the four Israeli soldiers beating Jihad using approximately 80 centimetre-long white batons, as well as the butts of their guns. At the time, Jihad was lying on the ground. I then saw him stand up, but he fell back down because of the beating."

**Extract from Al-Haq Affidavit No. 3706/2007**

Given by Mousa Ahmad Husein Suleiman (Tqou' village, Bethlehem Governorate, West Bank)

"As I was standing waiting for one of them to order me to proceed towards them, the white-skinned soldier shouted in Arabic and in Hebrew, which I slightly understand, telling me to go to the back. He said it three times. I asked him how he wanted me to go to the back when there were dozens of people behind me. Immediately and without any notice, he slapped me on the face with his right hand. Then the other two soldiers came and started beating me with their hands and feet all over my body."

**Extract from Al-Haq Affidavit No. 3813/2007**

Given by 'Amid 'Aref Shafiq Najjar (resident of Yitma village Nablus Governorate, West Bank)

Throughout the West Bank, there was continued **land confiscation and/or destruction** in order either to expand or enclose existing illegal Israeli settlements or build Israeli infrastructure, most notably the illegal Annexation Wall. When completed, the length of the Wall (722 km) will be more than twice the length of the Green Line (315 km) – the 1949 Armistice Line separating Israel and the West Bank – as it cuts deep into the West Bank in several locations. There was also continued confiscation of land in the areas between the Green Line and the Wall, where severe movement restrictions continued to result in the inability of Palestinian land owners to farm their land.

“According to the Wall plan, my land in Breis’a (1.5 dunums) which are located one kilometer and 500 meters from my home will be bulldozed for the construction of the Wall (northwest of my home in al-Walaja). As for my land in al-Natouf, it will be withheld behind the Wall. These three pieces of land are the only thing I possess and all of them are going to be confiscated and bulldozed for the benefit of the Separation Wall or will be located behind it.”

**Extract from Al-Haq Affidavit No. 3777 /2007**

Given by Irqiyya al-Haj ‘Abdallah Muhammad al-A’raj (resident of al-Walaja village, Bethlehem Governorate, West Bank)

The Wall has had a devastating impact on the lives of Palestinians located on the eastern side of the Wall, also those on Western side have been further isolated from the life they knew before the Wall. Al-Haq’s Jenin fieldworker documented the story of the Wishahiya family as an example of one family’s struggle for survival. (See Al-Haq Affidavit No. 3788/2007, extract below)

“We were living a natural and quiet life. However, the situation has changed since the Israeli occupation started in 2002 with the construction of what is called the Separation Wall. They finished building the section in our village in 2003. The Wall was built one kilometre north of our home and it isolated us from our village ‘Anin. We were isolated west of the Wall and became separated from the village. When the occupation finished building the Wall, we were given permits to pass through an iron gate located around two kilometres north of our home. At that point, the suffering of my family began. This Gate is numbered 214 and it is a seasonal gate. It opens only on Monday and Thursday during olive picking season (four months) each year. We tried to pass through this gate many times so as to go to the village, but the Israeli soldiers prevented us from passing and so we were obliged to walk very long distances to reach the village. Currently, we have to go from our isolated home beyond the Wall to Barta’a village located 22 kilometres southwest of our village. From there we pass through Barta’a gate No. 356 to Jenin and from Jenin we go to ‘Anin.

To sum up, we have to go a distance of about 60 kilometres to go from our isolated house to our village, ‘Anin, compared to two to three kilometres before the construction of the Wall or ‘Anin Gate number 214. Imagine that the travel from our home to our village costs us 150 shekels. Furthermore, the Israeli soldiers continuously raid our house, search it and harass us with the aim of forcing us to leave our home for good.

Five months ago, specifically in April 2007, an Israeli military force came, along with an Israeli officer called “Basem” (it seems that he is Druze). He was in his early thirties and was of medium size and had brown skin. I have seen him several times at ‘Anin Gate during unsuccessful attempts to pass through the gate to ‘Anin village. He suggested to us that we leave the house in exchange for a piece of land located to the east of the Wall near ‘Anin and facilitation of the building of another house there. We absolutely rejected this suggestion.”

**Extract from Al-Haq Affidavit No. 3788 /2007**

Given by Mithal ‘Oda Ibrahim Wishahiya (resident of ‘Anin, Jenin Governorate, West Bank)

Properties belonging to religious institutions have not been immune from destruction either. In August, Israeli occupation forces began uprooting hundreds of trees on the land of the Kreimizan Monastery in order to clear land for the Annexation Wall. (See Al-Haq Affidavit No. 3777/2007)

**Illegal settlements** continue to be one of the main features of Israel's occupation. These settlements impact not only those whose lands have been confiscated to build them, but also those who live in their vicinity. Al-Haq's Salfit field worker documented the impact waste runoff from the Ara'el settlement on various villages in the Salfit area through an interview with the Director of the Health and Environment Department in the municipality of Salfit. (See Al-Haq Affidavit 3739/2007, extract below)

**Settler violence and harassment** against Palestinians in the West Bank, continues to be a common

"This waste-water has an adverse impact upon the Palestinian residents because it contaminates the vegetables and fruit which people eat, in addition to the milk and meat that people consume from animals which have been fed on the vegetation from contaminated land. Many diseases such as Hepatitis A, Amoeba, cancer and others are caused by the waste-water.

In the same area there is the Burqin industrial settlement. This settlement includes between 80 -120 factories for plastic, leather dying, fibre glass, aluminium and steel founding, batteries and electronics manufacturing and weapons factories. The waste-water from this settlement causes huge and serious contamination of the soil and water and this contamination reaches humans through food and water and consequently causes diseases, especially different types of cancer to all parts of body. The stagnant water coming out from the settlement becomes a gathering place for insects such as flies, mosquitoes.... Many cases of people affected by this disease have been reported in the area, especially in Burqin."

**Extract from Al-Haq Affidavit No. 3739/2007**

Given by Ashraf Muhammad Mustafa Zuhud (resident of Salfit Governorate, West Bank)

occurrence. During this reporting period a particularly disturbing development was documented involving incidents that occurred in what was supposed to be an "evacuated" settlement which had been abandoned in conjunction with the "disengagement" of Gaza. (See Al-Haq Affidavit 3756/2007) In many cases, Palestinian farmers working on their land in the vicinity of settlements were attacked and beaten by settlers with impunity, or prevented from accessing their land.

"One month after the evacuation, we were shocked by the return of the settlers to the evacuated settlement. At that time, the Israeli army closed the main road and the street which connects Jenin to the rest of the Palestinian cities and villages. Israeli military patrols were intensively deployed on Jenin-Nablus Street and the Israeli army prevented any Palestinian from passing, allowing the settlers to reach Homesh settlement under the protection of the Israeli army. The whole area became as if it were a closed military area. The settlers were praying their special prayers and threw big stones on Silet al-Dhaher since the settlement is located on a hill and the town is at the bottom of that hill. On each occasion, the settlers would stay from one to a maximum of five days in the area and then they would leave. But recently, and specifically during the last month, they have been coming to the settlement on a daily basis. For 12 days, that is to say since 8 July, the settlers have been living day and night in the settlement under the protection of the Israeli army. This act has aroused our fear and renewed our suffering and our lives have been again put in severe danger as a result of the settlers' practices.

The most dangerous threat that we are exposed to is the cutting off of water since our town gets its water from a reservoir located on the land on which the settlement was built. When the settlers returned back to the settlement, they intentionally closed the water pipes that connect the reservoir with the village. Moreover, the settlers broke the water pipes and sealed it with stones, soil and empty bottles, etc..., depriving the residents of Silet al-Dhaher of water."

**Extract from Al-Haq Affidavit No. 3756 /2007**

Given by 'Abd-al-Latif Muhammad Sa'id Ghanem (resident of Silet al-Dhaher , Jenin Governorate, West Bank)

The **humanitarian crisis** in Gaza has continued to worsen during this reporting period. As a result of the increased restrictions on Gaza border crossings, an increasing number of **food** items have experienced shortages on the local market. The costs of these items have increased dramatically as well, due to increases to restrictions on goods entering Gaza. Palestinians' access to quality **health care and medicines** also continues to be impacted by the closure. The only exit for Gazan patients referred for medical treatment outside the Gaza Strip since the closure of the Rafah crossing is Erez checkpoint.

### The Palestinian National Authority and Hamas de facto authority in Gaza

In the months that have followed the Gaza take-over, Hamas has effectively assumed the function of a *de facto* government and restored stability. However, due to its total economic and diplomatic isolation, the functions of this *de facto* government don't extend beyond ensuring a minimum of law and order. By virtue of the control it does exercise over the lives of Palestinians in the Gaza Strip, Hamas and its Executive Forces (EF) are bound by international human rights obligations.

Like their counter-parts in the Gaza Strip, in the West Bank both the 'emergency' and 'interim' governments have continued to exercise functions of government within the limits imposed by the occupation. As such the West Bank government is also bound to uphold international human rights standards. Both Hamas in the Gaza Strip, and the interim government in the West Bank, have clearly failed to do so.

The most widespread violations that continue to be committed in both the Gaza Strip and the West Bank are the **arbitrary detention, and ill-treatment** often amounting to **torture**, of members of the rival political factions. In particular Al-Haq has documented particularly egregious practices by the Hamas EF and Hamas's armed wing, the al-Qassam Brigades. In the Gaza Strip Al-Haq has documented at least one case of an alleged execution during detention. Late at night on 9 July 2007, 42 year old Khalil Abu-Dalfa and his brother Walid were taken from their home in Gaza City by masked gunmen. The men were taken to detention facility, blindfolded, their hands bound and subjected to repeated interrogations, while being subjected to position abuse and severe beatings. The interrogators accused the men of collaborating with the Israeli authorities. Upon his release, Khalil was informed that his brother was dead. He immediately travelled to the hospital morgue where the body of his brother had been taken. The body apparently showed signs of a rope being fastened around his brother's neck. (See Al-Haq Affidavit 3667/2007, also 3705/2007, 3733/2007, and 3732/2007)

In the West Bank, Al-Haq has documented numerous cases of persons with alleged affiliations to Hamas being arrested, interrogated and subjected to position abuse and severe beatings by PNA security forces. In one instance the treatment of the victim by the security forces resulted in the aggravation of a back condition that may result in permanent disability. In other instances the victims of the beatings and other abuses had presented themselves voluntarily for questioning to the Palestinian security services. (See Al-Haq affidavits 3759/2007, also 3703/2007, 3720/2007, 3849/2007, 3798/2007)

"Then two men led me to another place and beat me with clubs on my back and legs, I was screaming. My diabetes flared up, I asked for water and then collapsed on the ground. One of the men gave me a sip of water but it was not water it was tea from the bottom of a glass. After six hours of interrogation, two men dragged me to the elevator and brought me two floors down. I was put in a cell. Before they left, one of them told me that it is better for me to confess. Then he uncovered my eyes and untied my hands and left me for about three hours. In the cell, I felt that it was over and at the same time I heard my brother Walid shouting out under torture."

**Extract from Al-Haq Affidavit No. 3667 /2007**

Given by Khalil Suleiman Khalil Abu-Dalfa (resident of al-Nasr quarter, Gaza Governorate )

"The interrogator told me that residents from Far'on had given evidence against me. I was taken back to the cell where I said the sunset prayer. At 9:30 pm the same day, a member of the Preventive Security entered the room and subjected me to shabeh by making me stand while my hands were tied behind my back and the black mask was on my head, with my feet spread apart. This situation continued until 6:00 am of the second day, Friday, 24 August 2007. This means that I was kept in this position for ten continuous hours without sleeping and with severe pain in my back. I was sweating because the weather was very hot and there was no ventilation in the room and there was no fan. My suffering was severe and my pain incredible. During shabeh, the guard came every 15 minutes to see if I was standing or not, and this prevented me from sitting."

**Extract from Al-Haq Affidavit No. 3759 /2007**

Given by 'Umar Mahmoud 'Umar Ahmad, (resident of Far'on village, Toulkarem Governorate )

In the West Bank under both the emergency and 'interim' governments, the PNA has also acted to suppress all opposition to its rule, engaging in practices that mirror those of Hamas in the Gaza Strip. As evidence of recent blows to **freedom of association and assembly** in the West Bank, on 10 September Palestinian security forces in the West Bank used force to disperse a pro-Hamas controlled Student Council conference. Journalists covering the event were attacked and their cameras were seized. (see Al-Haq affidavit 3785/2007) Also in September, in a move feared by Palestinian civil society since the passing of a presidential decree on 20 June on civil society organisations, 103 West Bank NGOs were given orders to be dismantled for reasons unspecified to them.

## MONITORING AND DOCUMENTATION DEPARTMENT JULY - SEPTEMBER 2007 STATISTICS

### KILLINGS BY THE OCCUPYING POWER

Total number of killings	22
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#### Special Types of Killings

Death in custody	4
Targeted assassination	3

#### Special Types of Victims

Women	1
Children	8

#### Killings by District

Bethlehem	1
Hebron	3
Jenin	8
Jericho	-
Jerusalem	-
Nablus	5
Ramallah	1
Toulkarem	3
Israel (in prison)	1

#### Killings by Age Group

Under 12	1
13-17	7
18-25	9
26-35	2
36-50	2
Over 50	1



### **Killing by Perpetrator**

Israeli Occupying Forces	
- Soldiers	<b>15</b>
- Special undercover units	<b>5</b>
- Snipers	-
Israeli Border Guards	-
Israeli Policemen	-
General Security Services	-
Settlers	<b>1</b>
Armed Israeli civilians	-
Collaborators	-
Others (inside prison)	<b>1</b>

### **Situation During Killing**

Normal/calm	<b>11</b>
Incursion	-
Demonstration and stone-throwing	-
Armed clashes	<b>4</b>
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	-
Curfew	<b>1</b>
Raid	<b>6</b>

### **Methods of Killing**

Live bullet	<b>13</b>
Fragmented bullet	<b>4</b>
Rubber-coated metal bullet	-
Explosives and small missiles	-
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	<b>2</b>
Sharp instrument	-
Missile	-
Medical Obstruction	-
Others	<b>3</b>

## HOUSE DEMOLITIONS BY DISTRICT

### Punitive House Demolitions

Bethlehem	
Hebron	-
Jenin	-
Jericho	-
Jerusalem	-
Nablus	11
Ramallah	-
Toulkarem	6

### House Demolitions for Lack of Licence

Bethlehem	1
Hebron	-
Jenin	-
Jericho	-
Jerusalem	4
Nablus	1
Ramallah	-
Toulkarem	2

## CURFEWS BY DISTRICT

District	Hours
Bethlehem	-
Jenin	-
Nablus	96
Toulkarem	15
Jerusalem	-
Ramallah	-
Hebron	5
Jericho	-