



## MONITORING AND DOCUMENTATION DEPARTMENT OCTOBER – DECEMBER 2006 FIELD REPORT

### Introduction

This is the fourth and last quarterly field report of 2006 by Al-Haq's Monitoring and Documentation Department, covering the period from October to December 2006. 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. Each field report highlights a particularly important and disturbing trend observed by the Monitoring and Documentation Department during the reporting period.

Since 1967, Israel has occupied the West Bank, including East Jerusalem, and the Gaza Strip, together constituting the Occupied Palestinian Territory (OPT), despite 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, Al-Haq also monitors and documents human rights violations perpetrated by the PNA.

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, curfews, and deportations. 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 field reports do not cover the Gaza Strip, since Al-Haq currently has no fieldworkers there.

### 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.

According to Al-Haq's documentation, from the outbreak of the second *intifada* until the end of December 2006, Israeli forces killed 1,717 Palestinians in the West Bank, 327 of whom were children, and 95 of whom were women or girls. It is estimated that 280 Palestinians were killed in targeted assassinations. During the same period, Al-Haq documented the demolition, for punitive reasons, of 508 homes in the West Bank (whereof 472 were totally demolished and 36 were partially demolished), leading to the displacement of 3,171 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, 404 houses have been demolished for lack of licence, 180 of which were in East Jerusalem.

Since the outbreak of the second *intifada*, the Occupying Power has almost completely eliminated the already limited authority of the PNA in the OPT. After the establishment of the current Palestinian government in March 2006, Israel's withholding of PNA tax revenues, arrests and revocations of ID of PNA officials and destruction of ministerial buildings, as well as major international donors' cessation of aid to the PNA, have rendered it unable to pay the full salaries of its civil servants and carry out its basic functions. These factors have exacerbated the PNA's inability to uphold law and order in the OPT.

## The Human Rights Situation from October to December 2006

### Highlighted Trend: Wilful Killings

Israeli forces carried out numerous wilful killings of Palestinians, including targeted assassinations, particularly in the northern West Bank. Several of these wilful killings were carried out during demonstrations, arrest raids or armed clashes. However, most instances of wilful killings occurred in the total absence of armed clashes, and included the firing of live ammunition at the backs of Palestinians who were fleeing, or crossing checkpoints (see Al-Haq Affidavit No. 3243/2006).

"[The soldier] fired one bullet. This was accompanied by the voice of someone crying in pain. I immediately looked around to find the man who was in pain a few metres north of the soldier's position. He had nothing in his hand. Other soldiers fired two more bullets at him, which hit him on the left part of his waist and chest. Then, the man fell down on his face, and his body trembled twice without bleeding or moving significantly. I was only four metres away from the man and the soldier. The man was on the ground for approximately 15 minutes without being approached by any of the soldiers."

**Extract from Al-Haq Affidavit No. 3243/2006**

Given by Ya'qoub Ibrahim Nassar (resident of Madama village, Nablus Governorate, West Bank)

In several instances, Israeli occupying forces responded to (alleged) stone throwing by firing rubber coated metal bullets and/or live ammunition, leading to injury and sometimes death of Palestinian civilians, including children (see Al-Haq Affidavit No. 3296/2006).

"[The soldier] fired several bullets consecutively. A few seconds later, I saw Wahib falling from the second floor entrance to the yard of the ground floor (a distance of approximately six metres). He had two empty buckets, which we used in our work, in his hands. Wahib was covered with blood; he fell on the left part of his waist. I immediately asked the soldier, "What did you do? What was his fault to deserve this? He is just a builder, who works with me in bleaching." The soldier said, "Wasn't he throwing stones?"."

**Extract from Al-Haq Affidavit No. 3296/2006**

Given by Nabih 'Uthman Naji (resident of Kufr al-Dik village, Salfit Governorate, West Bank)

In one particularly disturbing incident, two Palestinians lying wounded and incapacitated on the floor of a building were summarily executed at point blank range by a soldier (see Al-Haq Affidavit No. 3238/2006). In another incident, soldiers shot dead a woman attempting to aid a wounded man who was lying on the ground (see Al-Haq Affidavit No. 3260/2006).

In most of the cases of killings during the reporting period, no official Israeli investigation was launched. Investigation of criminal acts

perpetrated by members of the Israeli occupying forces against Palestinians, particularly with regard to the use of lethal force, is largely insufficient or non-existent. The Israeli military refuses to investigate killings of Palestinians that take place in a context of armed conflict, a concept which it defines very broadly. Indeed, Israeli authorities have only investigated approximately two percent of the more than three thousand cases of killings since the outbreak of the second *intifada* on 29 September 2000.

The Israeli occupying forces did announce the opening of investigations into a few cases of wilful killing perpetrated during the reporting period. However, in the past, when such military investigations have been opened, they have not been pursued in a speedy, effective, independent and impartial manner. The practical difficulties of investigating inside the OPT are not sufficient to explain their many shortcomings. In effect, Israel provides impunity for those of its agents responsible for the wilful killings of Palestinians.

"I saw the soldier who was standing next to Salim Sa'id's head take his pistol out and direct it towards Salim Sa'id's head. At point blank range, and right in front of our eyes, the soldier fired two bullets into Salim Sa'id's head. Then from half a metre away the same soldier directed his pistol towards Mahmoud Abu-Hasan's head and fired three bullets. I felt as if I was having a horrible nightmare. I could not believe that the soldier executed the injured youths while they were still alive and were not making any attempt to run away or making any suspicious movements. They were not even armed."

**Extract from Al-Haq Affidavit No. 3238/2006**

Given by Muhammad Jamil al-Qabala (resident of al-Yamoun town, Jenin Governorate, West Bank)

## The Occupying Power

**Food, health and education.** The severe reduction in the PNA's financial resources, caused by Israel's withholding of more than half a billion USD in PNA tax revenues and the cessation of aid to the PNA by major international donors, further limited access to health services, medicine and adequate food. Daily life showed many signs of severe economic depression. The strike in the public health

sector led to further services becoming unavailable, affecting even emergency care; this strike was suspended on 1 December. Schools were also severely affected by the strike in the public education sector, preventing the vast majority of students from attending school; this strike was suspended on 11 November. These problems prompted many to turn to alternative health care centres and educational institutions, which struggled to meet demand. The "temporary international mechanism" set up by some donor countries continued to provide limited payments to employees in the public health sector, and began to also cover the education sector.

"Our land was swallowed by the Wall, and in order to access our land, we needed to acquire a permit from the official Israeli bodies. So we had no choice other than to ask for this required permit. However, permits are not given to all family members. For instance, although my husband Isma'il has applied several times for a permanent permit, it has been refused, and although I have a permit to access our land through the only eastern gate, which is located approximately five kilometres away from the village's mixed school, it is a journey of suffering, especially because the Israeli soldiers do not abide by the opening and closing hours of the gate."

**Extract from Al-Haq Affidavit No. 3257/2006**

Given by Halima Ahmad Mara'ba (resident of Ras 'Atiyya village, Qalqiliya Governorate, West Bank)

"[My daughter] wanted to continue her studies at university. This was also my wish, so I undertook the trying task of going from one friend or relative to another to try to collect the required university fees for the first term for my daughter. I managed to collect them and she entered al-Quds Open University in Toulkarem with no certainty about her ability to continue the following semester, knowing that governmental salaries may remain unpaid."

**Extract from Al-Haq Affidavit No. 3215/2006**

Given by Nash'at Salah al-Fani (resident of the Southern Neighbourhood, Toulkarem Governorate, West Bank)

**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 olive harvest season. Movement restrictions were particularly severe in: the northern West Bank, where young men without special permits were prohibited from travelling 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, when many Muslims go to pray in East Jerusalem. Passage through gates in the Wall, where they exist, continued to be difficult and unpredictable (see Al-Haq affidavits 3256/2006 and 3257/2006).

The Occupying Power, which controls all access to the West Bank, continued to implement a policy of **denial of entry** into the West Bank for foreign passport holders. The number of such cases is estimated to be in the tens of thousands since early spring, 2006. The affected individuals have been separated

"The last time I saw my wife was on 23 May 2006 when she left Ramallah. Because I have been prohibited from leaving Palestine since 29 April 2004 according to an Israeli military order, I only meet my wife, who now resides in the USA, on the internet. Due to her age my wife cannot work, especially because she suffers from pain and infection in her feet and right hand. At her age my wife needs love and unity with the family that she raised."

**Extract from Al-Haq Affidavit No. 3312/2006**

Given by 'Adel Ibrahim Samara (resident of Ramallah city, Ramallah Governorate, West Bank)

from their families, jobs and places of education. Those who are allowed to enter the West Bank are frequently granted short visas of one month or as little as one week. Consequently, those who still remain in the West Bank are effectively encouraged to overstay their visa to avoid being denied re-entry, thereby further restricting their movement as they cannot pass through any Israeli checkpoint inside the West Bank. Others are simply dissuaded from even trying to enter.

"My son and my husband tried to bring the olive harvest which they gathered from our land to the house after the evening prayer, but the soldiers refused this and ordered the driver to leave the harvest far away. Then there was a discussion which led to a fight and the soldiers, who were ten in number, attacked my son, who is 18 years old, and my husband. The soldiers threatened to shoot at my son, which required the intervention of me and my other son Mizher, who is 16 years old. We were all pushed back by the soldiers, who used the barrels of their weapons and sticks against us."

**Extract from Al-Haq Affidavit No. 3248/2006**

Given by Zahra Muhammad al-Masalma (resident of Beit 'Awwa village, Hebron Governorate, West Bank)

**Harassment, humiliation and beatings**

continued to be endured by Palestinians, especially when attempting to pass through checkpoints. Beatings were carried out by Israeli soldiers or border police, in some cases using sticks and guns. Most beatings occurred at checkpoints, but there were also several instances of beatings during arrest raids or during Palestinian protests against occupation policies.

**House demolitions** continued to be carried out throughout the West Bank, either on the pretext of the absence of a building licence (administrative house demolitions – see Al-

Haq Affidavit 3268/2006) or as part of Israeli raids (punitive house demolitions). In Toulkarem, a building containing five flats and one shop was demolished because a wanted person was thought to be inside. There were also some instances of Israeli soldiers occupying the houses of Palestinian families for several hours, confining the family members to one room of the house, while the soldiers used the other rooms (see Al-Haq Affidavit 3219/2006).

The occupying forces continued, although with decreased intensity, their campaign of raiding various organisations throughout the West Bank, generally confiscating computers and/or files in the process. In some cases, the raids were accompanied by **property destruction** and/or the forced closure of the organisation. There were also instances of attacks on residential houses involving destruction of property. In one documented case, Israeli soldiers intentionally scattered the olive harvest of a family (see Al-Haq Affidavit 3258/2006).

"The soldier took a knife out of his pocket and cut open the four olive bags that were on the backs of the donkeys. Then, he asked us to go and stand a few metres away. The other soldier came and further cut open the olive bags using the same knife, which he got from the first soldier. As a result, olives fell on the ground. This was not quite enough for them so they also threw olives on the ground using their hands. They continued doing this for several minutes."

**Extract from Al-Haq Affidavit No. 3258/2006**

Given by Mustafa Isma'il 'Abd-al-Jawad (resident of Tel village, Nablus Governorate, West Bank)

Throughout the West Bank, there was continued **land destruction and/or confiscation** in order to either expand or enclose existing Israeli settlements, or build Israeli infrastructure, most notably the Wall, which cuts deep into the West Bank in several locations. There was also continued creeping 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 (see Al-Haq Affidavits 3225/2006 and 3226/2006).

"During the olive picking season, I was able to reach my plot of 50 dunums after obtaining verbal permission from an officer belonging to the Israeli administration located at 'Atarot crossing. To reach my land I had to pass through one gate in the Wall. However, I was prevented from reaching my other plot of 15 dunums for so-called security reasons. It is worth noting that this year's harvest gave me only 12 tins of olive oil. The amendments to the Wall's route do not mean anything for me or for my family. Both the new and old routes cut my family off from our lands. Only five dunums were left for us inside the village, which we use for buildings."

**Extract from Al-Haq Affidavit No. 3225/2006**

Given by 'Ali Muhammad Mazra'awi (resident of Beit Sourik village, Jerusalem Governorate, West Bank)

There were further incidents of Israeli settler violence against Palestinians, including children, in the West Bank, particularly in the Nablus and Hebron areas. Settlers harassed, obstructed or physically attacked Palestinians, notably while the latter were picking olives during the olive harvest. There were

“In the afternoon, when I was about to drink a glass of water, I was suddenly struck strongly on my head, and as a result I lost my balance. I looked behind me to find three settlers wearing civilian clothes. One of these settlers was holding an iron bar in his hand, and another was holding a machine gun with a scope. I don't remember what the third one was holding. Then, I started to lose my balance again and fell to the ground. Before I fainted I felt them beating my body with a tool that I was unable to identify. I also felt blood coming from my head.”

**Extract from Al-Haq Affidavit No. 3307/2006**

Given by Hammad 'Abd-al-Hamid Wahdein (resident of Beit Ummar town, Hebron Governorate, West Bank)

also numerous incidents of settlers wounding Palestinians with live ammunition or detaining Palestinians for several hours before releasing them. Settlers also confiscated or destroyed Palestinian property, including farming equipment and sources of livelihood such as olive trees and livestock. While Israeli occupying forces sometimes intervened to stop such incidents, the investigation thereof remained insufficient. This amounts to systemic refusal to prevent or punish criminal behaviour, thereby effectively encouraging it.

Following the arbitrary arrests of Palestinian officials during the two previous reporting periods, one more Palestinian official was arrested – Public Works and Housing Minister 'Abd-al-Rahman Zidan. The majority of those officials previously arrested remained in detention at the end of 2006.

Over 700 Palestinians remained in administrative detention during the reporting period. Under this practice, the Israeli authorities detain a person on the basis of “secret evidence,” without formal charges or trial, for indefinitely renewable periods of up to six months. One of Al-Haq's fieldworkers, Ziyad Hmeidan, was originally detained at Qalandiya checkpoint in May 2005 and placed under administrative detention in June 2005. On 14 November 2006, his administrative detention was once again renewed for a further four months from 19 November 2006 until 18 March 2007. The extension was upheld at a review hearing on 20 November 2006, and on appeal on 26 December 2006. In both instances, the extension of his administrative detention was confirmed on the basis of the same previous “secret evidence.” In a letter written in December, Ziyad described the conditions at the Ketziot prison where he is detained. The detainees live in overcrowded conditions, receive inadequate food and medical facilities, and are subjected to repeated inspections, punishments and fines. Ziyad has now spent more than a year and a half in administrative detention, without knowing the reasons for his detention or being able to defend himself against unspecified accusations.

### The Palestinian National Authority

Al-Haq also monitors the Palestinian National Authority's (PNA) respect for international human rights standards in the OPT. To the extent that the PNA exercises some control over parts of the OPT, it is responsible for enforcing the law through effective and lawful measures. The reporting period witnessed a marked increase in the level of **vigilantism**, in which people use illegal coercive methods to achieve their goals. The problems were most acute at the beginning of October, in response to events in Gaza, and in the middle of December, following the announcement of new elections by the President of the PNA. Overall, the situation was the worst in the northern West Bank. The city of Hebron also suffered from a marked decline in the respect for law and order.

The first two days of October were marked by heavy clashes between Fateh and Hamas supporters throughout the West Bank, and especially in Nablus. Many buildings and vehicles were attacked and/or set on fire, resulting in **property destruction** of both public and private property, including the offices of the PNA Prime Minister in Ramallah. The remainder of the reporting period witnessed more incidents of such property destruction, particularly around the middle of December.

There were also several incidents of armed militants forcing people to shut down their offices or shops in order to observe a general strike. These **enforced strikes** were sometimes accompanied by intimidating gunfire. In Jericho, on 2 October, a man was shot dead, seemingly by accident, after he refused to close his restaurant.

There were also several incidents of **kidnapping**, including that of the Palestinian Deputy Minister of Finance. The victims were all released after some hours and suffered no ill-treatment or injury.

In October, there were several cases of injuries or **killings**, in which unidentified gunmen, often masked, opened fire on Palestinian individuals. In at least one case, unknown gunmen shot repeatedly at the feet of a man with the apparent intention of severely wounding him. Towards the end of the reporting period, several people, including innocent bystanders, were killed during armed clashes. Other killings were related to violent family feuds.

The PNA remained unable or unwilling to effectively uphold law and order. In one documented incident, PNA law enforcement officials used excessive violence when attempting to bring a stolen car to a halt:

"The police car stopped and four officers got out of the car. They surrounded the car and I saw them firing at it from a distance of less than two metres. Then I saw the driver opening the door and leaving the car while two police officers were following him and shooting at him as he was running away. As for the other two policemen, they were trying to arrest the others who got out of the car. After a while, many citizens arrived at the site of the event. I saw a police officer beat one of those who had been in the car, and who was bleeding from his head."

**Extract from Al-Haq Affidavit No. 3251/2006**

Given by Zahran 'Abd al-Sami' al-Ja'bari (resident of Hebron city, Hebron Governorate, West Bank)



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NGO in Consultative Status with the Economic and Social Council of the United Nations

تتمتع الحق بصفة استشارية لدى المجلس الاقتصادي والاجتماعي في الأمم المتحدة



## MONITORING AND DOCUMENTATION DEPARTMENT OCTOBER – DECEMBER 2006 STATISTICS

### KILLINGS BY THE OCCUPYING POWER

Total number of killings	45
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#### Special Types of Killings

Death in custody	14
Targeted assassination	10
Assassination in custody	6
Death at checkpoints	2

#### Special Types of Victims

Women	4
Children	8

#### Killings by District

Bethlehem	4
Hebron	3
Jenin	16
Jericho	1
Jerusalem	-
Nablus	16
Ramallah	-
Toulkarem	4
Israel	1

#### Killings by Age Group

Under 13	-
13-17	8
18-25	18
26-35	14
36-50	3
Over 50	2

### **Killing by Perpetrator**

Israeli Occupying Forces	
- Soldiers	<b>38</b>
- Special undercover units	<b>3</b>
- Snipers	-
Israeli Border Guards	<b>1</b>
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	-
Collaborators	-
Others	<b>3</b>

### **Situation During Killing**

Normal/calm	<b>24</b>
Incursion	-
Demonstration and stone-throwing	<b>4</b>
Armed clashes	<b>4</b>
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	-
Curfew	-
Raid	<b>13</b>

### **Methods of Killing**

Live bullet	<b>41</b>
Fragmented bullet	<b>1</b>
Rubber-coated metal bullet	-
Explosives and small missiles	<b>2</b>
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	-
Medical Obstruction	<b>1</b>



## HOUSE DEMOLITIONS BY DISTRICT

### Punitive House Demolitions

Bethlehem	1
Hebron	-
Jenin	1
Jericho	-
Jerusalem	-
Nablus	-
Ramallah	-
Toulkarem	10

### House Demolitions for Lack of Licence

Bethlehem	-
Hebron	3
Jenin	2
Jericho	-
Jerusalem	8
Nablus	2
Ramallah	-
Toulkarem	5

## CURFEWS BY DISTRICT

District	Hours
Bethlehem	-
Jenin	-
Nablus	-
Toulkarem	13
Jerusalem	-
Ramallah	-
Hebron	-
Jericho	-
<b>Total:</b>	<b>13</b>