

MONITORING AND DOCUMENTATION DEPARTMENT JANUARY - MARCH 2009 FIELD REPORT

Introduction

This is the first quarterly field report of 2009 by Al-Haq's Monitoring and Documentation Department, covering the period from January to March 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. In addition to Israeli violations, 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 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 violations perpetrated by the PNA. In addition, since Hamas' take-over of the Gaza Strip in June 2007 and assumption of *de facto* authority, Al-Haq also monitors violations perpetrated by Hamas and its Executive Forces (EF).

Each field report highlights a particularly important and disturbing trend observed by the Monitoring and Documentation Department during the reporting period. The field reports are based on first-hand information gathered by Al-Haq's Monitoring and Documentation Department, and cover a broad range of violations, including, but not limited to, comprehensive coverage of killings, house demolitions and curfews. Al-Haq's specially trained fieldworkers visit sites of alleged violations, draw maps, draft reports and take sworn statements (affidavits) from victims and eyewitnesses. The affidavits excerpted or referenced in the field reports are available on Al-Haq's web site www.alhaq.org, as samples of those gathered during the reporting period.¹

The Human Rights Situation since the Outbreak of the Second Intifada

The 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 respect its obligations under international human rights and humanitarian law in the OPT. As Al-Haq only assigned a fieldworker to Gaza in June of 2007 and a second fieldworker in August 2008, it has not compiled comprehensive statistics similar to those obtained for the West Bank, which date back to the start of the second intifada. In light of Israel's military offensive "Operation Cast Lead" carried out on the Gaza Strip during the reporting period, this report features a special section on violations committed during this offensive, and includes comprehensive statistics of Palestinians killed.

According to Al-Haq's documentation, from the outbreak of the second intifada until the end of March 2009, **1,881** Palestinians were killed in the West Bank, **366** of whom were children, and **103** of whom were female (including girls). It is estimated that **310** Palestinians were killed in targeted assassinations. During the same period, Al-Haq documented the demolition for punitive reasons, of **572** homes¹ in the West Bank (whereof **504** were totally demolished, **62** were partially demolished and 6 sealed off), leading to the forcible displacement of **3,351** people. Israel has also carried out a large number of house demolitions on the pretext that the houses were built without the required license (administrative house demolition). Since the beginning of 2004, **592** houses have been demolished for lack of license, **285** 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. Israel's destruction of ministerial buildings, arrests of PNA officials and unlawful withholding of PNA tax revenues have severely limited the ability of the PNA to carry out its most basic functions, including upholding law and order. The effects of many of these policies were exacerbated following the victory of Hamas in the democratic Palestinian elections of 2006, and continue to affect the *de facto* Hamas government in the Gaza Strip, a government that is plagued by economic and diplomatic isolation and whose administrative functions are therefore limited. By virtue of the control it does exercise over the Gaza Strip, Hamas is responsible for ensuring law and order and is bound by international human rights and humanitarian law obligations.

SPECIAL SECTION: THE GAZA STRIP – "OPERATION CAST LEAD"

¹ The violations described in a small number of the affidavits appearing in this report occurred slightly before the current reporting period (January-March 2008). As these violations were either not covered in the last report (October-December 2008), or because their effects are ongoing, they are referred to in the current report.

The following special section summarises human rights violations committed by Israeli forces during “Operation Cast Lead,” a wide-scale military offensive launched by the Israeli Occupying Power on the besieged 1.5 million civilian population of the Gaza Strip on the morning of 27 December 2008 and continuing until 17 January 2009.² As these violations were not covered during the previous field report (October-December 2008), they are referred to in the current report. Israel’s excessive and indiscriminate use of force, in flagrant violation of the most fundamental principles of international humanitarian law, resulted in extensive death and destruction across the Gaza Strip, which the United Nations (UN) Secretary-General, Ban Ki Moon, described as “shocking and alarming.”³

The 22-day operation led to a death toll of over 1,400 Palestinians, an estimated 80% of whom were civilians, including women and children, as well as the wounding of approximately 5,000 more and the destruction of civilian infrastructure whose scale was unprecedented in Gaza. Such structures included schools, mosques, hospitals, farms, civilian homes and United Nations compounds.

During the offensive Israeli occupying forces regularly used Palestinian civilians as **human shields**, particularly in the course of home-to-home searches. In a typical example, on 3 January 2009, Israeli soldiers raided the home of Majdi Abd-Rabbo in Jabaliya, in the northern Gaza Strip, forcing him and his neighbour at gunpoint, to walk protectively in front of the soldiers while they were searching several houses in the neighbourhood. Majdi was then compelled to enter a house in which Palestinians had been killed during armed clashes with the Israeli army, to strip the corpses of their weapons, and to take pictures of all rooms and people inside the house (see Al-Haq [Affidavit No. 4677/2009](#)).

“I opened the door, I saw 20 to 25 Israeli soldiers. They carried M16 rifles and were in green military uniforms. My neighbour, Mahmoud Thaher, was in front of them with the soldiers pointing their guns at his back. A soldier pointed his rifle at me and ordered me to strip and turn around. After he searched me, soldiers stormed into my house [...] A soldier then pointed his weapon at my back and ordered me to step into my house in front of him. The soldiers searched the house thoroughly, and in doing so damaged pieces of furniture and threw contents on the ground. After they had searched the first and second floors, they led me to the roof [...] The soldiers then forced me and Mahmoud to walk in front of them in the midst of gunfire.”

Extract from Al-Haq Affidavit No. 4677/2009

Given by Majdi al-'Abed Abd-Rabbo, a resident of Jabaliya, Northern Gaza Governorate, Gaza Strip

Occupying forces further carried out **arbitrary mass arrests** throughout the Gaza Strip, usually in the form of **arrest raids**. These were typically accompanied by home searches, causing damage and destruction to the homes of those arrested and/or searched. In most cases, detainees were further subjected to **torture** and other forms of **ill-treatment**, such as in the case of Majed 'Abd-Rabbo. On 5 January, Israeli soldiers abducted Majed and 30 other Palestinians, from their homes in Jabaliya, in the northern Gaza Strip. Majed, falsely accused of being an “unlawful combatant”, was detained for 20 days. During his detention, Israeli forces blindfolded, hand-cuffed, beat and tortured Majed, for example by subjecting him to the *shabeh* method, which involves being forced to remain in painful stress positions for prolonged periods of time (see Al-Haq [Affidavit No. 4701/2009](#)).

A further example of Israel’s unlawful conduct during “Operation Cast Lead” was its **indiscriminate use of white phosphorus** in civilian areas. This highly inflammatory substance causes serious injury and death

“Soldiers handcuffed and blindfolded me, put me into a small cell and shut the metal door. I stayed inside this cell, handcuffed and blindfolded, for eight consecutive days. I tried to stretch my legs, but could not. Meanwhile, the occupying army interrogated me for ten hours every day. I was forced to sit on a short iron stool fixed to the ground. During interrogation, the blindfold was removed. A soldier also fastened my feet with a metal chain, measuring about 60 centimetres in length. He painfully stretched my legs with the chain and tightened it with an iron cable that was fixed to the ground. My hands were shackled with metal handcuffs and hung on a wall with a metal chain. At first, I was subjected to this method of *shabeh* for two hours everyday”

Extract from Al-Haq Affidavit No. 4701/2009

Given by Majed Muhammad 'Abd-Rabbo, a resident of Jabaliya, Northern Gaza Governorate, Gaza Strip

when it comes into contact with the skin, is inhaled or swallowed. White phosphorus munitions caused the death and/or injury of numerous civilians and damage to civilian infrastructure, including, homes, schools, and an UN facility. The total number of Palestinians injured or killed by Israel’s use of white phosphorus is not known. Hospital records remain poor as they were overcrowded with the injured and dead during the military offensive and lacked the diagnostic tools to determine the cause of burns.

² For more information on Israel’s legally flawed and thus untenable claim of having acted in self-defence, kindly refer to Al-Haq’s position paper “Operation Cast Lead and the Distortion of International Law”, available at <http://www.alhaq.org/pdfs/OperationCastLeadandtheDistortionofInternationalLaw.pdf>.

³ Al-Jazeera, “Ban demands probe into Gaza attacks”, available at: <http://english.aljazeera.net/news/middleeast/2009/01/200912013138315261.html>.

"Myself, my family, and my daughter Manar's family immediately went to Asma' Bint Abu-Bakr School in al-Shate' refugee camp west of Gaza City, where we were registered as displaced persons on some UNRWA lists [...] I heard the sound of a very strong explosion very close by. It shook the classroom where my family and I were staying [...] Half an hour later, I realised that my son and his cousins were late. My son Hamada, who is 20 years old, went out to look for them and bring water for his thirsty mother. About half an hour later, he came back and said he heard that three persons had been killed in the explosion that I had heard earlier. As he was worried about 'Abed, Husein and Rawhi, he went to al-Shifa' Hospital where he was immediately able to identify the torn corpses of my son 'Abed as well as the bodies of Husein and Rawhi."

Extract from Al-Haq Affidavit No. 4660/2009

Given by Samir 'Ali al-Sultan, a resident of al-Salatin neighbourhood, Beit Lahiya, Northern Gaza Governorate, Gaza Strip

A particularly widespread and disturbing trend observed during the recent offensive was Israel's **excessive use of force** when carrying out attacks, which was often coupled with the failure of Israeli forces to take necessary **precautions in attack**. While the Occupying Power in some cases dropped leaflets requesting residents to evacuate their homes, these leaflets did not contain any information with regards to where they should flee. In fact, leaflets were often dropped almost simultaneously in different areas, leaving Palestinians in the besieged Gaza Strip with nowhere to run, as Israel denied them the possibility to flee abroad during an all-out war on the territory.

In many cases, residents of the concerned areas would flee their homes to find refuge at a relatives' or friends' home, only to flee again or be killed when their area of refuge would also come under attack.

On 5 January, Israeli forces hit the Asma' Bint Abu-Bakr School, in al-Shate' refugee camp west of Gaza City. The school is operated by the United Nations Works and Relief Agency (UNWRA) and was intended to provide shelter to internally displaced Palestinians. The attack killed 19-year-old 'Abed al-Sultan and his two 22-year-old cousins Husein and Rawhi, who were seeking refuge in the school (see Al-Haq [Affidavit No. 4660/2009](#)).

In another incident, on 14 January 2009, during an Israeli air strike on the Tal al-Hawa neighbourhood, the family home of 15-year-old Amira al-Qirem was hit, injuring her in her right leg and killing three of her family members, namely her 14-year-old brother 'Ala, her 16-year-old sister Ismat and her father (see Al-Haq [Affidavit No. 4724/2009](#)).

On the same day, an Israeli air strike killed 'Izz-al-Din Mousa, his wife Samira and their four children, critically injuring their fifth son Mahmoud, while they were in their home in the al-Sabra neighbourhood (see Al-Haq [Affidavit No. 4659/2009](#)).

"I woke up in panic at the sound of a very strong explosion near our house [...] I saw my father stretched out on the ground. Another person was also lying beside him. Blood was spilled all over the ground and their bodies were torn to pieces, with flesh scattered around. My brother and I sat near our father and cried and screamed. I did not believe what I saw. My sister 'Ismat told me to stay there with our father while she and 'Ala' went to go get an ambulance [...] I heard another sound of whistling behind doors in my house, which was immediately followed by an explosion. I felt I would die out of intense horror and anxiety for my sister and brother. I remained lying on the ground beside the corpse of my father. I stayed there for four hours and cried. 'Ala' and 'Ismat did not come back [...] My sister 'Ismat, brother 'Ala', and my father had been killed by shells from occupying tanks."

Extract from Al-Haq Affidavit No. 4724/2009

Given by Amira Fathi al-Qirem, a resident of the Tal al-Hawa neighbourhood, Gaza Governorate, Gaza Strip

"Suddenly, I heard the sound of a very strong explosion. I saw fire erupt in all parts of the house. I was terrified and shocked. Doors of the rooms including those of the sitting room broke apart. Columns of fire and smoke rose from the house [...] I opened my eyes and saw my sister, Um-Wahid. She was stretched on the ground near the house door. Beside her was her husband, Abu-Wahid. Both were dead, their corpses burnt. As I could not see anything and out of tremendous shock, I stepped over Abu-Wahid's corpse [...] I saw Muhammad, whose corpse was scorched, torn into two pieces, and whose left arm was amputated. I also saw Nour; her corpse was charred and torn into two pieces. The right side of her head was missing. Then, I saw Mahmoud; he was wounded and lying on the ground. He had been about to enter the sitting room, where I had been sitting. His arms were torn to pieces and his abdomen was open."

Extract from Al-Haq Affidavit No. 4659/2009

Given by Munir 'Afif al-Jarrah, a resident of al-Sabra neighbourhood, Gaza Governorate, Gaza Strip

Israel further deployed excessive use of lethal force when carrying out **targeted assassinations**, such as in the case of Hamas official Nizar Rayyan. On 1 January 2009, Israeli forces targeted Rayyan's house, in the densely populated Jabaliya refugee camp in Gaza city, killing him, 15 members of his family, including 11 of his children, injuring numerous neighbours and destroying ten adjacent houses.

"My sons Salim and 'Abdallah told me that the occupying forces had shelled and completely destroyed our house. Five days later, we started to search for flats to rent, as the place where we were staying was not suitable for residence. We rented five flats in various parts of the city. After the occupying forces declared the ceasefire on 18 January 2009, I went to see my house. It was completely destroyed. Hundreds of houses and farms in my neighbourhood and other adjacent neighbourhoods along the Egyptian border had also been destroyed."

Extract from Al-Haq Affidavit No. 4756/2009

Given by Hasan 'Abd-al-'Aziz 'Afana, a resident of al-Barazil neighbourhood, Rafah Governorate, Gaza Strip

Israel's disproportionate use of force further resulted in the **destruction of civilian infrastructure** such as schools, farms, mosques and homes. An estimated minimum of over 2,600 houses were totally destroyed and more than 8,400 houses sustained major damage, leading to the **internal displacement** of a large number of Palestinians throughout the Gaza Strip. In a typical example, on 7 January 2009, Israeli air strikes in al-Barazil neighbourhood in Rafah Governorate, destroyed the home of Hasan 'Afana. A few days earlier, missiles had destroyed his farm, as well as a large number of neighbouring homes along the Egyptian border, leading to the displacement of numerous residents (see Al-Haq Affidavit No. 4756/2009).

The al-Sultan family, for example, was forced to flee their homes in Beit Lahiya in the northern Gaza Strip,

after the Israeli army had dropped leaflets requesting the evacuation of the area. The family fled three times from three different places in which they had sought refuge before they arrived at the Asma' Bint Abu-Bakr School. The school, intended to provide shelter to displaced civilians, was nonetheless hit by the Israeli army, thereby denying Palestinians any safe haven from attack. After three weeks of living on school benches, the al-Sultan family found their homes completely destroyed and, like many others, were forced to live in tents provided by international organisations (see Al-Haq Affidavit No. 4660/2009).

During the offensive, Israeli forces also **attacked medical personnel** and damaged **medical institutions**, such as hospitals, all of which are afforded special protective status under international humanitarian law. In a notable example, on 4 January 2009, an Israeli tank fired a shell at paramedic 'Ala' Sarhan and his colleague 'Arafa 'Abd-al-Dayem as they were attempting to relieve an injured 17-year-old boy in Beit Lahiya. The shrapnel of the tank shell severely injured 'Ala', and killed 'Arafa as well as the injured boy. Another boy, whom the medics had carried into the ambulance earlier, lost his legs as a result of the firing (see Al-Haq Affidavit No. 4696/2009).

In another incident, Israeli soldiers who were positioned on the rooftops of civilian homes in the al-Amal neighbourhood in Khan Younes Governorate fired at two paramedics as they were attempting to retrieve the body of a 35-year-old civilian. The two men, one of whom suffered an injury in his thigh, were wearing orange-coloured uniforms with the clearly visible emblem of the Palestinian Red Crescent Society, which identified them as medical personnel (see Al-Haq Affidavit No. Affidavit No. 4704/2009).

On 14 January 2009, Israeli tanks and aircraft shelled the al-Wafa' Hospital in Gaza City, causing severe damage to the infirmary (including to walls, computers, furniture and medical equipment), and completely destroyed the fourth floor of the hospital, which housed a kindergarten (see Al-Haq Affidavit No. 4753/2009).

"Arafa and I returned and picked up another injured boy. Khaled was reversing the ambulance towards us so that we could put the injured boy onboard when suddenly, I heard the sound of a very strong explosion. We were hit by an Israeli tank shell. Shrapnel scattered and smoke rose in the area. I was injured in my feet and could no longer feel them. I shouted for Khaled to help me and told him I was injured. I then fell unconscious. I came around at al-Shifa' Hospital, where doctors told me I had undergone an urgent surgical operation on my feet. They almost had to be amputated. I was also informed that my colleague 'Arafa 'Abd-al-Dayem died several hours after he had been admitted to hospital. The boy whom 'Arafa and I had been carrying was killed as well. He was from the family of Abu-al-Jidyan. The other boy, called Tha'er Hamdan, whom we had put onboard the ambulance, had his legs amputated. I do not know why the Israeli occupying army targeted the ambulance while we were trying to evacuate injured civilians. I should note that at the time of the attack the street was completely void of any persons."

Extract from Al-Haq Affidavit No. 4696/2009

Given by 'Ala' Usama Sarhan, a resident of Jabaliya refugee camp, North-ern Gaza Governorate, Gaza Strip

The Human Rights Situation from January to March 2009

Highlighted Trend: Movement restrictions

Restrictions on Palestinians' **freedom of movement** remained one of the most widespread forms of human rights violations during the reporting period. Checkpoints, a number of which are now run by private security companies contracted by the Israeli Ministry of Defence, and various kinds of roadblocks, prevented Palestinians from moving freely within the West Bank, hindering their access to family, places of employment or worship, educational institutions, agricultural lands and markets.

The Annexation Wall, 87% of which is built on land confiscated from Palestinians, further restricts Palestinian movement. The Wall divides the West Bank into enclaves, preventing Palestinians from reaching their land and/or homes while creating irreversible facts on the ground, which necessarily undermine the right of the Palestinian people to self-determination. In many areas, the only way for Palestinians to reach their lands and homes is by passing through **gates in the Wall**, which requires permits issued by the Israeli military authorities (see Al-Haq [Affidavit No. 4669/2009](#)).

"This land lies inside the wire coil fence that was erected in the area over five years ago, where they are completing the building of the annexation and expansion wall with electric sensors and surveillance cameras. Since that time, we have been deprived from reaching our land except at specific times and after receiving a permit from the Israeli occupying authorities, which only ever happens during the olive harvesting season. At those times, we go to our land through the gates that have been built in the Wall constructed on these lands, and then, only after much trouble and harassment."

Extract from Al-Haq [Affidavit No. 4669/2009](#)

Given by Ramadan Yousef 'Amer, a resident of Massha village, Salfit Governorate, West Bank

Palestinian movement is further restricted through the imposition of curfews on specific areas, villages or whole towns by the Israeli army. On 26 January in the Bethlehem district, for example, Israeli forces imposed a curfew on Housan village, closing the entrance to the village off with dirt barricades and declaring the area a closed military zone until the next day (see Al-Haq [Affidavit No. 4628/2009](#)).

Closely linked with movement restrictions is **ill-treatment at checkpoints**. In a typical example on 8 January 2009, and without any prior warning, Israeli occupying forces shot Khaled al-Haddar in the face as he was approaching the **flying checkpoint** set up on Road 60, leading to Yatta, near Hebron. The bullet penetrated Khaled's face, smashing his jaw and teeth and tearing apart his lower tongue. Khaled continues to suffer from pain and speech difficulties (see Al-Haq [Affidavit No. 4747/2009](#)).

"We saw an Israeli Border Guard jeep parked in the middle of the detour road. We also saw a line of cars and trucks waiting for Israeli Border Guard officers to allow them to cross into the town of Yatta. My brother and I waited in the car for more than 15 minutes. Although the Israeli Border Guard officers did not allow any car or truck to cross, they allowed a number of passengers who got out of their vehicles, to cross on foot. [...] At a distance of 100 metres east of the road, a Border Guard officer saw our car. He kneeled and pointed his weapon at us. I did not see any other cars or anybody on the road west of the area, where the Border Guard jeep stopped, and I did not care because there was no justification for him to open fire. Suddenly, when we reached the entrance to the detour road, I heard the sound of an explosion on the rear door window of the car. I heard the sound of two bullets that were fired. I felt I was wounded in my face. Blood gushed out and I thought I would die."

Extract from Al-Haq [Affidavit No. 4747/2009](#)

Given by Khaled Muhammad al-Haddar, a resident of Yatta, Hebron Governorate, West Bank

In another example, on 25 February 2009, at Huwwara checkpoint, the southern entrance to the city of Nablus, Israeli soldiers verbally and physically assaulted 'Ammar Kiono, beating him and spraying pepper spray in his face while laughing at him (see Al-Haq [Affidavit No. 4802/2009](#)).

At the same checkpoint, on 20 January, soldiers detained Na'im 'Awwad in a small room, where he was blindfolded, handcuffed and beaten. When his brother Mahmoud went to check on Na'im, a soldier severely and gratuitously beat Mahmoud with a rifle against his head. As a result, Mahmoud fell unconscious, sustained a bone fracture in his skull, and suffered internal bleeding in his head, which affected his ability to speak.

Earlier that day, soldiers had detained Fawzi 'Awwad (Mahmoud and Na'im's brother), at the same checkpoint under the false pretext that he was carrying a forged ID (see Al-Haq [Affidavit No. 4643/2009](#)).

In the Gaza Strip, as a result of Israel's unlawful blockade, the movement of goods and people to and from the territory remained severely restricted during the reporting period. Israel continued to deny patients the permission to leave the territory in order to seek medical treatment unavailable in the area abroad and prevented medical workers and journalists from accessing the Strip. The prolonged closure of Gaza's border crossings resulted in a deficiency of essential commodities and services, such as basic food products, fuel, electricity, cash and medicine, exacerbating the already dire humanitarian crisis there.

The Occupying Power

Al-Haq fieldworkers documented an increased number of violations by the Israeli Occupying Power against Palestinian children. In the West Bank, predominantly in the Hebron and Nablus areas, there were continued incidents of Israeli **settler violence** against, and intimidation of Palestinians, particularly children. Settlers physically attacked and injured Palestinians, including with weapons, and destroyed Palestinian property. In a typical example, in Bourin village, in Nablus Governorate, Israeli settlers levelled approximately 100 *dunums* of land planted with wheat and malt crops and continuously physically prevented the Palestinian owners from accessing their land, thus depriving them from their main sources of livelihood (see Al-Haq [Affidavit 4768/2009](#)).

A disturbing example of settlers attacking Palestinian children is that of 13 year-old Adham Ghneimat. On 12 February 2009 Israeli settlers physically assaulted the young boy while he was enjoying a picnic with his cousins in Sourif, in Hebron Governorate. The settlers severely beat Adham and drove their motorcycles over his feet several times before taking him to the settlement of Bat 'Ein where they called the police and falsely accused Adham of having stolen from them (see Al-Haq [Affidavit No. 4749/2009](#)).

Another case of settler violence against Palestinian children documented by Al-Haq fieldworkers is that of 16-year-old Yousef Mousa, and his 17-year-old colleague Muhammad Qandil. The two boys were attacked, chased and shot at by a group of Israeli settlers as they were on their way to the water springs in the vicinity of Qaryout village in Nablus Governorate on 19 January 2009. As a result of the attack, Yousef sustained a bullet wound in his arm (see Al-Haq [Affidavit No. 4641/2009](#)).

"We realised that they were settlers, and thus were terrified. We immediately ran in the direction from which we had come. As we were running for about 100 metres or less, we could hear heavy shooting close to us. It was heavy at times and light at others. I would look behind me while running in order to find out what was going on. As I was looking, I saw the previously mentioned persons running after us. Some of them were carrying long weapons, aiming and shooting at us. We continued to run for a distance of around 400 metres until they stopped, though they continued to shoot at us intermittently. My colleague and I continued our escape through the fields. After running for around 700 metres, and while the shooting still continued, my colleague and I lay face down, a few metres away from each other, seeking refuge from the bullets. About a minute after we lay down, I felt that I had been shot in the back of my right arm, above the elbow. My arm started bleeding. We got up so that we could run further away, as we were concerned that they would reach and kill us."

Extract from Al-Haq [Affidavit No. 4641/2009](#)

Given by Yousef Mu'in Mousa, a resident of Qaryout, Nablus Governorate, West Bank

Investigation by Israeli occupying authorities of incidents of settler violence remained insufficient to a degree amounting to a systematic refusal to prevent or punish criminal behaviour, thereby effectively encouraging it.

Al-Haq fieldworkers also continued to document cases of **harassment and beating by Israeli soldiers**, most of which appeared purely gratuitous (see Al-Haq [Affidavit No. 4748/2009](#)). In a notable incident in Housan in Bethlehem Governorate, Israeli occupying forces beat 17-year-old Mahmoud al-Z'oul unconscious while they were raiding his family home (see Al-Haq [Affidavit No. 4688/2009](#)).

On 13 March, residents of Bourin village, accompanied by a small number of international peace activists, were assaulted by Israeli soldiers as they were on their way to the village lands. The soldiers fired tear gas and sound grenades towards them and beat three peace activists, damaging and confiscating some of their property. The week prior to this incident, Israeli soldiers had assaulted the Bourin villagers, as they were peacefully demonstrating against the confiscation of their land. The soldiers dispersed the demonstration using tear gas and slightly injuring several Palestinians (see Al-Haq [Affidavit No. 4768/2009](#)).

Another incident of dispersing a demonstration, in violation of the right to peaceful assembly and under the use of force, occurred on 3 February, in Sa'ir, in Hebron Governorate. Israeli forces beat, and fired rubber coated steal bullets as well as tear gas at villagers who were protesting against the destruction of their lands. Several Palestinians were injured (see Al-Haq [Affidavit No. 4685/2009](#)).

During the reporting period a large number of demolition orders were issued by Israeli authorities and 14 new cases of **house demolitions**, most of which in East Jerusalem, were documented. The demolitions were carried out either for punitive reasons or under the pretext of a lack of building licence, which in most cases is virtually impossible for Palestinians to obtain from the responsible Israeli authorities. In a typical example, on 2 February in the neighbourhood of Ras Khamis, in East Jerusalem, occupying forces demolished the home of Mahmoud al-Khatib, constructed on his rightfully owned land, without prior notification or issuance of a demolition order (see Al-Haq [Affidavit No. 4657/2009](#)).

Throughout the West Bank, Israeli forces continued their policy of **land destruction and/or confiscation** in order to either expand or enclose existing illegal Israeli settlements or build Israeli infrastructure, most notably the Annexation Wall, which cuts deep into the West Bank in several locations. 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. In a notable example, on 31 January 2009, Israeli bulldozers levelled the land of Ramadan ‘Amer, in Massha village, in Salfit Governorate, uprooting approximately 60 olive trees, which were ‘Amer’s main source of income (see Al-Haq [Affidavit No. 4669/2009](#)).

In another example on 3 February, Israeli occupying forces levelled the land of Rawhi Jaradat in Sa’ir, Hebron Governorate, uprooting numerous olive trees, on the pretext that this land had been seized and declared Israeli state land in 1982 (see Al-Haq [Affidavit No. 4685/2009](#)).

Moreover, Israeli soldiers continued to carry out **arbitrary arrests**, including of children. For example, on 17 January 2009, Israeli occupying soldiers handcuffed, blindfolded and arrested, 16-year-old and severely ill, Ahmad ‘Awad while they were raiding his family home in Beit Ummar, Hebron Governorate (see Al-Haq [Affidavit No. 4748/2009](#)). In another case, on 26 January, in Housan village in Bethlehem Governorate, Israeli forces arrested 14-year-old ‘Umar al-Z’oul from his home without charge (see Al-Haq [Affidavit No. 4628/2009](#)).

“I was at home when I saw diggers, military vehicles, cars belonging to the Israeli Planning Authority, civilian cars and Israeli police cars. At around 10:00 am, they arrived at the 12 dunums piece of land belonging to my brother and I. This land lies around 300 metres to the east of Bypass Road No. 60 and is cultivated with olive trees. The state of Israel claims that the land was seized in 1982 and that it has been state land ever since. This group of Israeli vehicles toured an area of around 100 dunums surrounding our land. My house lies on the eastern side of our land. One of the bulldozers demolished the 200 metre stone fence that belonged to Haj Amin Yousef Jaradat, Haj Kamel Yousef Jaradat, and Yousef Ismail Yousef Jaradat. The other bulldozer helped in demolishing it and uprooting olive trees from our land. Individuals dressed in civilian clothes spread out and uprooted trees with their hands, while the bulldozer uprooted those trees that they were unable to uproot by hand. They also uprooted trees that belonged to the people whose stone fence was demolished.”

Extract from Al-Haq Affidavit No. 4685/2009

Given by Rawhi Hashem Jaradat, a resident of Sa’ir, Hebron Governorate, West Bank

Regularly, those arrested were subjected to **ill-treatment**, in some cases amounting to **torture**. 17-year-old Mahmoud al-Z’oul, for example, was abducted from his home and detained at Ofer military prison, where he

was physically abused. The day after Mahmoud’s arrest, the soldiers went back to his family home and arrested his two brothers, 19-year-old Yihya and 15-year-old Omar, under the false accusation that they had thrown stones (see Al-Haq [Affidavit No. 4688/2009](#)).

“The soldiers started wrecking and destroying the contents of the house. I could hear the sounds of breaking and smashing the contents. [...] We discovered that the soldiers had stolen an amount of 1000 NIS from my bedroom, which my wife had in her purse. Everything was messed up in the house, the closets were destroyed, and several doors were broken. The food items in the kitchen, such as oil and olives, were thrown on the floor and mixed up together. The house was largely ruined along with all of its contents, as you can see. The thing that terrorised us the most, especially my younger sons, was the dogs they had with them. The soldiers were holding these dogs and were always close to us. I was concerned that they would release them to attack us. Fortunately, this did not happen. My son ‘Ala-al-Din never comes home, and hence I am astonished that the Israeli occupation forces still continue to raid our home on a regular basis.”

Extract from Al-Haq Affidavit No. 4735/2009

Given by Sha’ban Shafiq Zyoud, a resident of al-Sila al-Harithiyya, Jenin Governorate, West Bank

Israeli soldiers also carried out **home raids**, typically accompanied by **destruction** and sometimes **theft** of property of the Palestinian residents. On 25 February, Israeli soldiers raided the home of Sha’ban al-Harithiyya, under the pretext of looking for his son ‘Ala-al-Din, who is “wanted” by the Israeli Occupying Power for his alleged membership in a Palestinian armed group. During the raid, the soldiers first forced the family to wait outside in the cold and then locked them in the bathroom while they searched their home with dogs, stole a sum of 1,000 NIS, and destroyed furniture. Under the same pretext, Israeli forces have

been raiding Sha’ban’s house almost every month for the last three years (see Al-Haq [Affidavit No. 4735/2009](#)).

On 26 January 2009, Israeli soldiers raided and searched the home of the al-Z’oul family in Husan, in Bethlehem Governorate, as well as those of numerous other families in the neighbourhood (see Al-Haq [Affidavit No. 4628/2009](#)).

Al-Haq's fieldworkers further documented several incidents of **wilful killings** of Palestinians by Israeli occupying forces. While a number of the killings occurred during exchanges of gunfire between Israeli occupying forces and Palestinian gunmen, most instances of wilful killing occurred in the total absence of armed clashes, and often involved **excessive use of lethal force** by Israeli soldiers.

In a notable example, on 2 February 2009, Israeli military forces stopped three Palestinian cars on a road east of Khirbet Janba, in the Hebron area, at gunpoint. When the soldiers jumped out of their hiding place in order to stop the third car, it drove for a few metres before coming to a halt. Immediately and without prior warning, the soldiers fired at the car, killing the driver. The soldier who shot the Palestinian later falsely claimed that he had acted in self-defence (see Al-Haq [Affidavit No. 4680/2009](#)).

In another incident, on 16 January, in Hebron City, Israeli occupying forces dispersed a demonstration, firing tear gas and rubber-coated steel bullets, injuring several Palestinian stone-throwers and killing one Palestinian demonstrator with a bullet to the head (See Al-Haq [Affidavit No. 4608/2009](#)).

Furthermore, there were continued instances of Palestinians being killed by Israeli occupying forces in the course of search and arrest raids. In a particularly disturbing incident on 5 February, masked soldiers stormed the home of 'Ala' al-Din Abu-al-Rub in Jenin Governorate, and shot him dead with several bullets to his face. The soldiers only verified Ala's identity after having killed him at close range and without any prior warning. After ordering the family to leave the house, and preventing them from taking out 'Ala's corpse, the soldiers detonated explosives in the house, severely damaging its internal walls and burning all the contents, including 'Ala's corpse (see Al-Haq [Affidavit No. 4664/2009](#)).

"Around seven Israeli soldiers in full military uniform, which is well known to us with its dark green colour, entered carrying long, black guns. A number of them were wearing black masks, and some had night goggles on their foreheads, making them look very scary. Everything happened in a matter of seconds. The moment the soldiers entered the room, they aimed their guns at 'Ala' al-Din and shot several bullets at him. 'Ala' al-Din could barely turn towards the door to see what was going on before he had been shot. Several bullets hit his face, cheek and various parts of his body, which caused 'Ala' al-Din to fall over directly on top of me. I got up and sat on my knees next to 'Ala' al-Din. The occupying soldiers shot ten to 15 bullets the moment they stormed the house and the room, without issuing any prior notice or warning, and then the shooting stopped completely. When 'Ala' al-Din was shot, he was not holding any weapons. He could not even look towards the door, because of the speed with which the house was stormed and the shooting occurred [...] 'Ala' al-Din was killed the moment he was shot."

Extract from Al-Haq Affidavit No. 4664/2009

Given by Muhammad 'Isam Abu-al-Rub, a resident of Qabatiya, Jenin Governorate, West Bank

Human rights organisations working in and on the OPT, continued to suffer from restrictions placed on **human rights defenders**. On 10 March, the Israeli High Court of Justice (HCJ) issued its decision to dismiss the petition brought by the General Director of Al-Haq, Mr. Shawan Jabarin, challenging the arbitrary, indefinite and unconditional travel ban imposed on him by the Israeli military authorities. The court based its decision on "secret evidence", to which Mr. Jabarin and his lawyer were denied access. The court reaffirmed the position of the Israeli General Security Service, exposing itself yet again as mere rubber-stamp for the decisions of the military and intelligence authorities, rather than an independent branch of government by virtue of the principle of separation of powers. Mr. Jabarin's travel ban has severely hindered his right to freedom of movement, and disrupted his professional duties and activities for Al-Haq. Mr. Jabarin's case is not an isolated incident. Several other human rights defenders have been prevented from travelling to participate in human rights activities abroad. Such restrictions severely impede the work of human rights defenders and jeopardise their ability to satisfactorily carry out their mission of defending human rights in the OPT.

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 through effective and lawful measures. The majority of the human rights violations documented during the reporting period were a result of the ongoing frictions between opposing political movements 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 have pursued

"As soon as I was forced into the cell, my hands were tied behind my back with a green piece of Hamas' flag. Then, Preventive Security officers lifted my arms behind my back and tied them to an iron bar, which was fixed to the door. As such, my arms behind were in a higher position than my back, causing me severe pain. I was held in this position for three consecutive days. I was kept under this method of *shabeh* on a continuous basis. I was relieved for a very short time only when I was moved to the interrogation room, or when I was allowed to use the toilet or have my meals. I was subjected to *shabeh* for a very long time. All persons detained by the Preventive Security were also subjected to this method of torture. Each person who screamed of pain was further severely beaten by Preventive Security officers. There were six other cells adjacent to mine. I heard persons held inside these cells scream of the pain inflicted on them by torture and *shabeh*."

Extract from Al-Haq Affidavit No. 4676/2009

Given by 'Abdallah Ahmad Abu-Sara, a resident of 'Arraba, Jenin Governorate, West Bank

a systematic policy of **arbitrary arrests** of members of opposing political factions, typically subjecting them to **torture** and other forms of **ill-treatment**.

In a typical example, on 26 January 2009, Palestinian Preventative Security forces arrested 'Abdallah Abu-Sara in Jenin City, falsely accusing him of membership in the Hamas movement and of possessing a weapon. During his detention, 'Abdallah was repeatedly and severely beaten and subjected to torture, such as the *shabeh* method, which involves forcing detainees to remain in painful stress positions for prolonged periods of time (see Al-Haq Affidavit No. 4676/2009).

The policy of arresting Palestinians merely based on their alleged and/or expressed political opposition, rather than demon-

strated criminal behaviour, remains widespread throughout the OPT, affecting not only political figures but also the Palestinian press. For example, on 18 January, Palestinian Preventive Security forces arrested Palestinian journalist Khaled al-Fa'a for his expressed criticism of the PNA, and in violation of his freedom of expression (see Al-Haq Affidavit No. 4634/2009).

The physical abuse of detainees in Palestinian prisons and detention centres continued to result in their **death in custody**. On 15 March 2009, Hamas police forces arrested Zayed Jaradat, falsely accusing him of storing drugs in his house. During his detention, Zayed was subjected to severe forms of physical abuse and torture, which resulted in his death the day after his arrest (see Al-Haq Affidavit No. 4773/2009).

Al-Haq fieldworkers documented new cases of **wilful killings** in the Gaza Strip. On 18 January, Hamas internal security officers abducted 'Ata al-Bura'l from his home, subjecting him to severe physical abuse and interrogating him about one of his neighbours. After the officers brought 'Ata back to his home, they prevented his brother from taking 'Ata to the hospital. Although he was eventually offered medical aid, 'Ata suffered medical complications related to the severity of his injuries and passed away on 5 February (see Al-Haq Affidavit No. 4656/2009).

"My husband's hands were tied behind his back and signs of exhaustion and fatigue were visible on him. I also saw injuries and bruises on his face. Two police officers pushed him forward harshly. I was horrified and started to shout at the police officers. I demanded that they not abuse him, especially not in front of his children and myself. My kids watched their father and trembled with fear. At that point, a police officer drew out his pistol, pointed it at my face, and ordered me to keep silent and not to shout. I then heard police officers demand that my husband show them the place where he hid narcotic drugs inside the house. My husband repeated that he was innocent and did not have drugs. Earlier, however, he had confessed that he had drugs under severe beating and torture. Meanwhile, Police officers kept kicking and punching my husband. After they searched the house, they took my husband and left. [...] At about 4:00 pm on Monday, 16 March 2009, my brother Salem Jaradat, 39 years old, told me that my husband had passed away as a result of beating and torture while he was detained at the police headquarters."

Extract from Al-Haq Affidavit No. 4773/2009

Given by Wassfiyya Hammad Jaradat, a resident of al-Shoka, Rafah Governorate, Gaza Strip

⁴ Due to the reluctance of many Palestinians to provide affidavits relating to intra-Palestinian violence, the information in this section of the Monitoring and Documentation Report is primarily based on reports drafted by Al-Haq's specially trained fieldworkers.

In the West Bank, PNA security forces continued their policy of **dispersing demonstrations** through the use of force. On 26 January Palestinian security forces dispersed a peaceful sit-in demonstration near al-Muqata'a, in the city of Hebron, held to protest against detentions on political grounds. Security forces beat demonstrators, including children, with sticks. Although several Palestinians were injured, security forces **impeded access of medical personnel** who attempted to assist those wounded (see Al-Haq [Affidavit No. 4692/2009](#)).

MONITORING AND DOCUMENTATION DEPARTMENT
01 JANUARY-31 MARCH 2009
STATISTICS

THE WESTBANK

KILLINGS BY THE OCCUPYING POWER

Total number of killings	9
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Special Types of Killings

Death in custody	1
Targeted assassination	1
Assassination in custody	1
Death at checkpoints	-
Women	0
Children	4

Killings by District

Bethlehem	-
Hebron	3
Jenin	2
Jericho	-
Jerusalem	2
Nablus	-
Ramallah	1
Toulkarem	1
Total	9

Killings by Age Group

12 or younger	-
13-17	4
18-25	4
26-35	1
36-50	-
Over 50	-
Total	9

Killing by Perpetrator

Israeli Occupying Forces	
- Soldiers	6
- Special undercover units	-
- Snipers	-
Israeli Border Guards	1
Israeli Policemen	1
General Security Services	-
Settlers	-
Armed Israeli civilians	-
Collaborators	-
Others	-
Unknown	1
Total	9

Situation during Killing

Normal/calm	6
Incursion	-
Demonstration and stone-throwing	2
Armed clashes	1
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	-
Curfew	-
Raid	-
Total	9

Methods of Killing

Live bullet	7
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	1
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	-
Medical obstruction	-
Others	-
Unknown	1
Total	9

HOUSE DEMOLITIONS BY DISTRICT

Punitive House Demolitions

Bethlehem	-
Hebron	-
Jenin	1
Jericho	-
East Jerusalem	-
Nablus	-
Ramallah	-
Toulkarem	-
Qalqiliya	-
Total	1

House Demolitions for Lack of Licence

Bethlehem	5
Hebron	-
Jenin	-
Jericho	-
East Jerusalem	20
Nablus	-
Ramallah	-
Toulkarem	-
Total	25

House Sealing

Jerusalem	4
Total	4

CURFEWS BY DISTRICT

District	Hours
Bethlehem	7
Jenin	18
Nablus	42
Toulkarem	61
Jerusalem	-
Ramallah	-
Hebron	8
Jericho	-
Total	136

VIOLATIONS BY THE OCCUPYING POWER IN THE GAZA STRIP

KILLINGS BY THE OCCUPYING POWER DURING “OPERATION CAST LEAD”

(27 December 2008 – 17 January 2009)

Total Number of Killings	1411
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Special Target Groups	
Women	211
Children	354
Assassination	12

Killing by District

North Gaza	500
Gaza	601
Central District	150
Khan Younes	102
Rafah	58
Total	1411

Killing by Age Group

0 -17	354
18 - 40	821
41 - 60	175
60 and older	61
Total	1411

Methods of Killing

Live bullet	89
Explosives and small missiles	147
Missile	1092
Blunt instrument	3
Shrapnel	24
Fragmented bullet	4
Others	50
Tear gas	2
Total	1411

HOUSE DESTRUCTION (BY DISTRICT)

Total Destruction

North Gaza	888
Gaza	900
Central District	166
Khan Younes	245
Rafah	417
Total	2616

Partial Destruction

North Gaza	2421
Gaza	4913
Central District	291
Khan Younes	240
Rafah	570
Total	8435

KILLINGS BY THE OCCUPYING POWER IN THE GAZA STRIP DURING THE REMAINING REPORT- ING PERIOD

(Excluding Operation Cast-Lead)

18/1/2009 – 31/3/2009

Total of Killings	16
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Special target groups	
Death in custody	15
Targeted Assassination	4
Death at checkpoints	-
Women	-
Children	1

Killings by District

Gaza	3
North Gaza	4
Rafah	1
Khan Younes	5
Central District	3
Total	16

Killings by Age Groups

12 or younger	-
13-17	1
18-25	9
26-35	6
36-50	-
Over 50	-
Total	16

Killing by Perpetrator

Israeli Occupying Forces	
- Soldiers	16
- Special undercover units	-
- Snipers	-
Israeli Border Guards	-
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	-
Collaborators	-
Total	16

Situation During Killing

Normal/calm	6
Incursion	-
Demonstration and Stone-Throwing	-
Armed clashes	1
Shelling	7
Closed military area	
Bystanders killed during attempted assassination	2
Curfew	
Total	16

Methods of Killing

Live bullet	4
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	2
Shrapnel	4
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	-
Missile	6
Medical Obstruction	-
Others	-
Total	16