

# **PALESTINIAN CENTRE FOR HUMAN RIGHTS**

## **THE ANNUAL REPORT FOR 2004**

**HUMAN RIGHTS REPORT**

**NARRATIVE REPORT**

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**Affiliate of the International Commission of Jurists - Geneva**

**Member of:**

**The International Federation for Human Rights - Paris**

**The Euro-Mediterranean Human Rights Network - Copenhagen**

## **Palestinian Centre for Human Rights**

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# Annual Report 2004

This report is the outcome of PCHR's activities in 2004. Since its establishment, PCHR has published annual reports.

PCHR's 2004 Annual Report is divided into three sections:

- **Part One** provides a comprehensive picture of the human rights situation in the Occupied Palestinian Territory (OPT) from 1 January to 31 December 2004. It is divided into two sub-sections: (1) violations of international human rights and humanitarian law perpetrated by the Israeli Occupation Forces (IOF) in the OPT; and (2) human rights violations perpetrated by the Palestinian National Authority (PNA) and obstacles to democratic reform.
- **Part Two** documents all PCHR's activities from 1 January to 31 December 2004.
- **Part Three** includes PCHR's 2004 Financial Report which is prepared by an independent professional auditing institution.

PCHR hopes that this report will contribute to the struggle for human rights by providing a comprehensive picture of the human rights situation in the OPT. It also hopes that relevant parties will follow the recommendations mentioned in this report, especially those recommendations which are directed to the international community and the PNA. This report serves as a guide for PCHR's future work and also reflects PCHR's strong belief in the importance of transparency for a non-profit, non-governmental organization that provides services to the community. It should also serve as a call for victims of human rights violations to approach PCHR for advice and assistance.<sup>1</sup>

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<sup>1</sup> The publication of this report was delayed from the proposed publication date of mid-March due to the delay in receiving Part Three of the report.

## **PART ONE**

# **HUMAN RIGHTS SITUATION IN THE OCCUPIED PALESTINIAN TERRITORY**

- Summary
- Recommendations
- Israeli violations of human rights and international humanitarian law
- Palestinian violations of human rights

## **Summary**

On 11 November 2004, Palestinian President Yasser Arafat passed away. With the death of their leader, the symbol of their struggle for liberation and independence for four decades, the Palestinian people had to face to a difficult test related to the transition of authority. Contrary to expectations of many observers, the Palestinian people and institutions proved their wish for a civilized and peaceful transfer of power. In the Palestine Liberation Organization (PLO), Mr. Mahmoud Abbas (Abu Mazen) was elected as chairman of the PLO Executive Committee, succeeding President Arafat who had held the post for decades. This transfer of authority was in accordance with the laws that govern the PLO and its institutions. Mr. Rawhi Fattouh, Speaker of the Palestinian Legislative Council (PLC), became interim president of the PNA after taking a constitutional oath. Under the Palestinian Basic Law (similar to a constitution), Mr. Fattouh could hold the position of interim president for no more than 60 days during which time elections must be held.

On 15 November 2004, the interim President issued a decree announcing 9 January 2005 as the date for holding the much anticipated presidential elections. By the end of 2004, election campaigning was ongoing and it was clear that Palestinians have chosen the ballot box as the means of selecting their leadership. The stage of charismatic figures had come to an end.

The Palestinian presidential election was held, as decreed, on 9 January 2005. According to the conclusions of monitoring conducted by international and local observers, including PCHR, the election was fair – in spite of some observed violations which did not affect the outcome of the results.

While the transition of executive authority was taking place, further democratic reform was gaining new momentum. Preparations were made for local council elections and as part of the first stage of these local elections, elections were held in 26 local councils in the West Bank on 23 December 2004. Scheduled as part of this first stage of elections were also elections in a further 10 local councils in the Gaza Strip.<sup>2</sup>

Further, interim President Fattouh issued a decree announcing 17 July 2005 as the date for holding parliamentary (PLC) elections. PCHR welcomes these steps which come in the context of much needed and advocated reforms.

Palestinians have received the year 2005 with a new political leadership, hoping to achieve a political breakthrough towards liberation, independence and an end to the Israeli belligerent occupation which has continued since 1967. The new year is characterized by uncertainty and is open to all political possibilities, whether optimistic or pessimistic. It is not yet clear whether such political developments will create a new era where the international law is respected, the Israeli occupation is ended and the legitimate rights of the Palestinian people are realized or a new political crisis that denies any hope of salvation.

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<sup>2</sup> The second part of the first stage of local elections was held for 10 local councils in the Gaza Strip on 27 January 2005. According to PCHR's preliminary evaluation these elections can be characterized as fair.

**i. Israeli violations of international humanitarian and human rights law**

Aside from these major developments in 2004, the human rights situation in the OPT further deteriorated due to continuous human rights violations perpetrated by IOF against Palestinian civilians. Regrettably, the international community has failed to take effective steps to stop such violations and provide protection for Palestinian civilians. Although the IOF perpetrated grave breaches of the Fourth Geneva Convention in 2004, the High Contracting Parties to the Convention again did not take effective measures to stop these breaches. It is clear after four years of daily violations of human rights by IOF in the current Intifada that the Israeli Prime Minister Ariel Sharon has succeeded to make such violations a part of the daily life of Palestinian civilians in the OPT. The world has also become accustomed to these violations and do not react. The international silence that has characterized this issue, especially the High Contracting Parties, is the result of the politicization of international law and humanitarian law. This politicization has made justice for the Palestinians subject to political considerations. With this failure, international law and human rights instruments are defeated due to the dual treatment of them that is felt by every individual in the OPT.

In 2004, two major developments regarding ongoing violations of human rights perpetrated by IOF against Palestinian civilians took place. In April 2004, the Israeli Prime Minister proposed his "Disengagement Plan" or unilateral dismantling of settlements in the Gaza Strip. Under the plan, the IOF would be redeployed in the Gaza Strip and the settlements in the Gaza Strip and four settlements in the northern West Bank would be dismantled. Later, the Israeli government proposed an amended form of the plan under which IOF would withdraw from the Gaza Strip in three stages: firstly the settlements of "Morag", "Kfar Darom" and "Netzarim" would be dismantled, then the "Gush Qatif" settlement block and finally settlements located in the northern Gaza Strip.

The plan reflects Sharon's long-term strategic vision. It is clear that the Israeli government does not wish to stay in the Gaza Strip but rather to maintain the occupation in its legal and physical form while focusing on the West Bank through the promotion of settlement activities and military control. Even though the plan proposes the dismantlement of four settlements in the north of the West Bank, settlement activities throughout the West Bank will continue. In addition, IOF have continued to construct the Annexation Wall inside the West Bank territory which will annex most settlements in the West Bank, including East Jerusalem, to Israel.

Secondly, on 9 July 2004 the International Court of Justice (ICJ) issued its Advisory Opinion regarding the legal consequences of the Wall, in response to a request from the UN General Assembly in a resolution of 8 December 2003. The Court ruled the Wall being constructed by Israel in the OPT, including Jerusalem, violates international law. The Court also decided that Israel is obliged to stop its violations of international law, stop the construction of the Wall, tear down the sections already constructed, abolish all relevant legislations and found that Israel is under an obligation to make reparation (restitution and compensation) to all Palestinians harmed during the construction of the Wall.

The Court stated that "all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in

maintaining the situation created by such construction.”<sup>3</sup> It also added that the High Contracting Parties to the Fourth Geneva Convention are additionally obliged to ensure Israel's compliance to international humanitarian law, in accordance with the Convention. The Court reinforced that the “United Nations and especially the General Assembly and the Security Council should consider what further action is required to bring an end to the illegal situation resulting from the wall and the associated regime.”<sup>4</sup>

The Wall currently under construction in the West Bank reflects the largest single manifestation of Israel's ongoing policy of annexation of Palestinian lands. The IOF began to construct the Annexation Wall in the West Bank in 2002. Land has been the main element of conflict in the region since 1948 since Israel has sought territorial expansion. At the end of 2004, the Wall is being built largely on Palestinian land, in some places up to 22 kilometers inside the West Bank territory as delineated by the 1967 border (the ‘Green Line’). The planned route of the Wall in sections which had not begun to be constructed yet would continue this pattern in 2005. When the construction of the Wall is completed its length will be nearly 730 kilometers and will annex at least 50% of the West Bank, isolating more than 16% of its population between the Wall and the Green Line. The Wall will also tighten the grab on hundreds of thousands of Palestinian civilians, including 200,000 living in East Jerusalem, and force them to leave their property. In addition, 98% of illegal Israeli settlements in the West Bank will be practically annexed to Israel.<sup>5</sup>

In light of the strategic impacts of the construction of the Wall on the future of the OPT, the Advisory Opinion issued by the ICJ is particularly important to support the legitimate struggle to dismantle the Wall. This opinion reminds the international community of its responsibilities and particularly the High Contracting Parties to the Fourth Geneva Convention of their legal obligation to ensure respect for the Convention in all circumstances.

In 2004, IOF consistently used disproportionate and indiscriminate force during their activities in civilian areas throughout the OPT. In 2004, 834 Palestinians and one international were killed as a result of action by IOF and settlers. Of those who were killed, 667 were unarmed civilians killed whilst posing no threat to Israeli soldiers or settlers. In the Gaza Strip, 482 Palestinian civilians were killed (72% of the total number of civilians killed in the OPT) and in the West Bank 185 Palestinian civilians were killed (28%). The largest proportion of fatalities among Palestinian civilians came from the Northern Gaza Strip, Rafah and Gaza City where 172, 127 and 100 civilians respectively were killed. The high numbers of fatalities in these districts can be attributed to the intense Israeli military operations in these areas. In addition, thousands of Palestinians were wounded by IOF, including 1,844 in the Gaza Strip.

Unarmed civilians were killed as a result of indiscriminate shelling of residential areas, during Israeli military incursions into Palestinian areas, extra-judicial executions, while attending demonstrations, at Israeli military checkpoints or in times of complete quiet. Of the civilians killed, 165 were children, 13 were women and 19 civilians were over 60

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<sup>3</sup> ICJ Advisory Opinion at paragraph 163.

<sup>4</sup> *Ibid*

<sup>5</sup> For more details, see [www.stopthewall.org](http://www.stopthewall.org).



years old. 168 of those killed were armed Palestinians, most of whom were killed during confrontations throughout Israeli military incursions in the OPT. The number of Palestinians killed by IOF and settlers since the beginning of current Intifada has increased to 3,214, including 618 children. In addition, thousands of Palestinians, including 8,545 in the Gaza Strip, have been wounded since September 2000. Hundreds of those wounded sustained long-term or permanent disabilities.

In 2004, IOF carried out 58 extra-judicial execution operations in which 142 Palestinian civilians were killed. Of those killed, 106, including a 15-year-old child, were targeted persons and 36 others, including 6 children, were non-targeted civilian bystanders. In addition, 95 Palestinians were injured, including 88 non-targeted civilians. A total of 218 assassination operations have been conducted by IOF during the period of 29 September 2000 to 31 December 2004. A total of 470 Palestinians (14.7% of the total number of Palestinians killed by Israeli forces in the same period) were killed in these attacks. Of those killed, 161, including 46 children, were non-targeted civilian bystanders. In addition, 829 Palestinians, including 784 non-targeted civilian bystanders, were injured in these attacks.

In 2004, IOF continued to impose severe restrictions on access of medical personnel to the wounded. PCHR also documented five deaths among Palestinian patients due to obstruction by IOF positioned at military checkpoints and border crossings of their transfer to hospitals.

In 2004, IOF killed a Palestinian journalist while he was covering incidents in the OPT. Mohammed 'Aadel 'Abdul Rahman, 22, a correspondent of an-Najah National University Radio, was killed on 22 March 2004 while reporting on an Israeli military incursion into Balata refugee camp, east of Nablus. The number of journalists killed by IOF since the beginning of the current Intifada has increased to eight. This figure strongly highlights the excessive use of force by IOF against journalists, despite the special protection afforded to them by international law.

In 2004, IOF increasingly destroyed Palestinian agricultural land, houses, civilian facilities and infrastructure in the Gaza Strip. In 2004, they razed 9,456 donums<sup>6</sup> of Palestinian agricultural land in the Gaza Strip. The total area of land razed by IOF to date, since the beginning of the current Intifada, is 31,494 donums. Land leveling in 2004 was mainly focused in the northern Gaza Strip town of Beit Hanoun (56% of the total area of land razed in the Gaza Strip in 2004). Agricultural land in the Gaza Strip, approximately 156,720 donums according to the Palestinian Ministry of Agriculture, has been reduced by approximately 20% since the current Intifada began.

Since the beginning of the current Intifada, the IOF have continued to demolish Palestinian houses and other civilian property in the Gaza Strip. In 2004, IOF demolished 1,199 houses completely and 889 houses partially. Since 2000, the IOF have destroyed 2,699 houses completely and 2,186 houses partially in the Gaza Strip rendering thousands of Palestinians homeless. The number of houses demolished in 2004 constitutes 43% of the total number of houses demolished by IOF since the beginning of

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<sup>6</sup> 1 donum is equal to 1,000 square meters.

the current Intifada continuing a trend of increases in house demolitions in the Gaza Strip throughout the Intifada.

Most of the house demolitions in 2004 took place in Rafah where IOF demolished 598 houses completely and 458 others were partially demolished (50% of the total number of houses demolished in the Gaza Strip). In a wide scale offensive on Rafah between 12 and 24 May 2004, IOF demolished 261 houses completely and 271 others partially, rendering at least 7000 Palestinians homeless. Khan Yunis and the northern Gaza Strip were also subject to similar house demolition campaigns. IOF launched a wide scale offensive on the northern Gaza Strip town of Beit Hanoun between 29 June and 5 August 2004. During this incursion the IOF demolished 20 houses completely and 50 others partially. Between 23 and 26 September 2004, IOF demolished 60 houses completely and 20 others partially in Khan Yunis refugee camp. Between 28 September and 14 October 2004 IOF totally demolished a further 87 houses.

In 2004, IOF continued to destroy civilian property in the Gaza Strip, both while razing agricultural land and conducting military incursions into Palestinian towns, villages and refugee camps. IOF attacked educational, economic, cultural, security and media facilities. In 2004, IOF destroyed 328 economic facilities constituting 49% of the total number of economic facilities destroyed by IOF since the beginning of the current Intifada (659). They also destroyed 35 educational facilities constituting 46% of the total number of educational facilities destroyed by IOF since the beginning of the current Intifada (76).

In 2004, IOF continued to demolish houses belonging to families of Palestinians who allegedly planned, carried out or facilitated attacks against Israeli targets in the OPT or inside Israel. In this context, IOF demolished 106 houses in the West Bank and the Gaza Strip, including 24 houses belonging to families of Palestinians who were killed by IOF; 53 houses belonging to families of Palestinian prisoners being held in Israeli custody; 24 houses belonging to families of individuals allegedly 'wanted' by IOF; and 5 houses were demolished after allegations that they harbored 'wanted' Palestinians. As a consequence, approximately 176 Palestinian families (1,064 people) were rendered homeless. Dozens of neighboring homes and other properties were also damaged in these operations. From the beginning of the current Intifada in September 2000 until the end of 2004, IOF destroyed 419 Palestinian houses in this context, rendering 624 families (at least 4,464 people) homeless.

In 2004, Israeli settlement activities continued throughout the OPT to create facts on the ground. IOF continued to establish new settlements, expand existing settlements and establish bypass roads on Palestinian land. Large areas of Palestinian land near settlements were seized by Israeli settlers for settlement activities such as to create buffer zones around settlements, establish bypass roads or be annexed to settlements.

Israeli settler attacks against Palestinian civilians and property continued. Such attacks included shootings, running down civilians with vehicles and destruction or damage to civilian property. In 2004, one Palestinian civilian was killed by Israeli settlers in the OPT and a number of others were injured. This brings the number of Palestinian civilians killed by settlers to 41 since the beginning of the current Intifada in September 2000.

In 2004, IOF continued to impose a total closure on the OPT as a form of collective punishment against Palestinian civilians. They continued to impose severe restrictions on freedom of movement of people and goods between the West Bank and the Gaza Strip, including arbitrary denials or delays imposed on travel between communities and between the West Bank and the Gaza Strip. IOF imposed restrictions on entry and exit to the OPT at al-Karama International Crossing Point on the Jordanian border and Rafah International Crossing Point on the Egyptian border, the only outlets for the West Bank and the Gaza Strip respectively to the outside world. They also imposed restrictions at border crossings between the OPT and Israel, preventing students from the Gaza Strip from attending their universities in the West Bank. With regard to internal movement, IOF continued to impose severe restrictions at hundreds of military checkpoints established at the entrances to Palestinian towns, villages and refugee camps. In the Gaza Strip, IOF repeatedly divided the Gaza Strip into three separate zones by completely closing checkpoints erected on the main road in the Strip.

IOF have continued to restrict access to occupied East Jerusalem for residents of the West Bank and the Gaza Strip. As a result, Palestinians have been denied access to advanced medical care only provided by hospitals in East Jerusalem, to family, education, to work places and to religious sites in the city. The construction of the Wall around East Jerusalem will establish a permanent barrier for Palestinians seeking to enter occupied East Jerusalem.

IOF have continued to detain thousands of Palestinians, many of whom have been transferred out of the OPT to jails and detention centers inside Israel in violation of the Fourth Geneva Convention. By the end of 2004, at least 6000 Palestinians, including about 400 children, were still in Israeli custody in detention facilities throughout Israel and in settlements and other military bases in the OPT. Of these detainees, at least 850 were being held under administrative detention orders. Article 76 of the Convention provides that “protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein”.

Detention conditions for Palestinians in Israeli custody continue to violate the fundamental rights of detainees. Palestinian prisoners have reported poor ventilation, overcrowding, lack of adequate sanitation facilities, poor food and water supplies and denial of appropriate medical care. IOF have also continued to deny or delay access to legal counsel and relatives, in violation of minimum standards for the treatment of prisoners.

There are serious concerns that two Palestinian prisoners died in Israeli jails in 2004 due to denial or delays of appropriate medical care. On 16 September 2004, Fawwaz Hassan Bulbol, from 'Attil village near Tulkarm, died at Megiddo, an Israeli military detention compound. On 4 November 2004, Mohammed Hassan Abu Hadwan, 65, from Shu'fat refugee camp, died at Asaf Harofeh Hospital in Israel.

PCHR notes with grave concern the ongoing prevalence of torture and ill treatment of Palestinian detainees in Israeli custody. In 2004, PCHR received increased reports regarding various methods of interrogation used against Palestinian detainees, including minors, held in Israeli jails and detentions centers both inside Israel and in the OPT, which constitute torture and ill treatment as defined both in the Convention Against

Torture and other international instruments. Inhuman conditions of detention included airless cells with the windows blacked out, cells measuring only 1 meter by 1.5 meters with no toilet facilities, being blindfolded for many hours and being held with collaborators to extract confessions. Interrogation methods and other treatment from Israeli military guards and the General Security Service personnel included beatings and other physical and verbal abuse.

In 2004, IOF continued to unlawfully transfer Palestinians out of the OPT, from the West Bank to the Gaza Strip or from one town to another in the West Bank. All those who were unlawfully transferred from the West Bank to the Gaza Strip were prisoners who had been detained in Israeli jails. In 2004, the Israeli Military Commander of the West Bank ordered: the transfer of six Palestinian prisoners from the West Bank to the Gaza Strip; transfer of another prisoner from Hebron to Ramallah for two years; and the deportation of an eighth prisoner from Ramallah to Jordan. By the end of 2004, 39 Palestinians, who were transferred from the Church of the Nativity in 2002, were unable to travel back to the West Bank; 13 of these Palestinians had been deported to Europe and the remaining 26 persons were transferred to the Gaza Strip.

The findings of investigations conducted by IOF-established commissions into crimes committed by IOF against Palestinian civilians demonstrate the impunity granted to the perpetrators by the Israeli judiciary, including the High Court. In the limited cases where investigations were opened, the Israeli military judiciary often holds the victims responsible. On the rare occasion where perpetrators are convicted, the punishments are lenient such as moving a perpetrator from one unit to another or imposing a small fine.

Violations of international law perpetrated by IOF have impacted on all aspects of life in the OPT. They have left disastrous impacts on the performance of the PNA. The Palestinian executive, legislative and judiciary establishments have been directly targeted by IOF. The late Palestinian President Yasser Arafat had been under an Israeli siege in the presidential compound in Ramallah for three years. As his health condition deteriorated and following international pressure, Israel allowed his evacuation to a French military hospital in late October 2004. On 11 November, President Arafat passed away. His body was transported to Ramallah, where he was buried in the yard of the presidential compound, contrary to his will to be buried in Jerusalem. Like the *Mukata'a* (Presidential Compound), many PNA institutions, including ministries and security sites, have been subject to destruction by IOF.

The PLC has not been able to hold a regular session without prior Israeli approval due to the continued restrictions imposed by IOF on the freedom of movement of Palestinian civilians, including PLC members. These measures have impacted the performance of the PLC, and sometimes paralyzed its activities. In 2004, the PLC was not able to hold regular sessions, and its committees were often unable to hold meetings. IOF have continued to detain two PLC members: Marwan al-Barghouthi and Hussam Khader.

Violations of the right to freedom of movement by IOF have repeatedly obstructed activities of the Palestinian judiciary. Due to repeated closures and curfews imposed by IOF on Palestinian communities, judges, lawyers, prosecutors and citizens have been often unable to reach courts. Law enforcement bodies, which are responsible for

implementing court rulings, have been also subject to repeated attacks by IOF, and their members have faced difficulties in moving freely.

However, the Palestinian Authority remains largely responsible for the deteriorating human rights situation in respect of its areas of authority.

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The last weeks of 2004 witnessed positive developments in the PNA following the death of the Palestinian President Yasser Arafat on 11 November 2004. Contrary to expectations of many observers, the Palestinian people have proved that they have institutions that are efficient, in spite of numerous difficulties, and can fill vacancies in the political leadership in a smooth and civilized manner. PCHR welcomes these positive developments and hopes the momentum will continue in order to establish a democratic regime based on the separation of powers, the rule of law and respect for human rights.

However, in 2004, a number of Palestinian violations were recorded and many critical notes made by PCHR remained outstanding.

In 2004, Palestinian Security Services conducted a number of arbitrary arrests in violation of the Amended Basic Law, which prohibits arresting, checking, detaining or restricting movement of any person without a judicial warrant. The Penal Law 3 of 2001 prohibits the arrest or detention of an individual without a legal warrant. Although there was a notable decrease in the number of illegal arrests, the failure of the Palestinian executive to stop this practice threatens the safety and security of citizens and undermines the rule of law.

In an example of disrespect for the rule of law by Palestinian Security Services, Secretary General of the Popular Front for the Liberation of Palestine (PFLP), Ahmed Sa'dat, has been detained by Palestinian Security Services since 15 January 2002. This is despite the Palestinian High Court of Justice decision of 3 June 2003 ordering his release. Sa'dat was arrested in response to US and Israeli pressure as Israel claimed that he was responsible for the killing of the late Israeli Minister of Tourism, Rahavam Ze'ivi on 17 October 2002.

Although PCHR welcomes the steps taken in the last three years to reform the judiciary, there is still a need to undertake more reforms to ensure the independence of the judiciary. On 18 May 2002, the PNA approved the Law of Judicial Authority, which guarantees the independence of the judiciary. On 12 May 2003, a new Attorney General was appointed. On 14 May 2003, a new Higher Judiciary Council was formed according to the Law of Judicial Authority. However, PCHR has noted conflicts among the Minister of Justice, President of the Higher Judiciary Council and the Attorney General. These problems deteriorated when the Law of the Judicial Authority entered into effect. PCHR supports the implementation of the Law of Judicial Authority and calls for establishing mechanism to ensure the administration of justice and the independence of the judiciary.

On 27 July 2003, the then Palestinian Minister of Justice, 'Abdul Karim Abu Salah, issued a decision abolishing the State Security Courts judicial system. PCHR welcomes the decision, believing that this step would contribute to the promotion of the independence

of the Palestinian judiciary, and called upon the Palestinian President to issue a decree to abolish the courts and repeal Presidential Decree No. 49 (1995) which established the courts.

The eighth term of the PLC ended in 2004. The PLC faced a number of difficulties in carrying out its functions, particularly in respect of the denial of freedom of movement imposed by IOF. Whilst PCHR is aware of the difficulties imposed on the functioning of the PLC by the Israeli military occupation, PCHR remains concerned that the PLC has consistently failed to fulfill its parliamentary responsibilities, including in respect of legislation and monitoring of the Executive.

The legal term of the PLC ended in May 1999 according to the Israeli-Palestinian Interim Agreements. Since that time, the PLC has continued its work following a series of presidential decrees that have extended its term of office. This continued extension itself contradicts basic democratic principles. Since this date no regular elections have been held to allow people to select their representatives.

There was a notable decrease in violations of human rights perpetrated by the PNA in 2004. However, the decrease of violations of human rights by official bodies does not indicate an improvement of the human rights situations in Palestinian areas but rather it reflects weakness of the official establishment due to repeated attacks by IOF. Furthermore, this decrease was not accompanied by amendments to laws promulgated by the PNA, which contradict international human rights instruments and standards. In addition, presidential decrees that impose restrictions on the freedom of expression were not abolished.

There was also an increase in attacks by unknown persons, which can be attributed to the deterioration of internal security and conflicts between Palestinian Security Services. Furthermore, the Attorney General has consistently failed to search for the attackers and bring them to justice, which has contributed to the deterioration of internal security.

Many practices by the PNA violate the right to free association. In 2004, bank accounts of 39 charitable societies and NGOs working in the Gaza Strip continued to be frozen by the PNA in violation of a ruling by the Palestinian High Court of Justice that ordered release of these accounts. On 27 March 2004, the Palestinian Monetary Fund (PMF) issued a memorandum which demanded all working banks in Palestine to “conditionally freeze” accounts of 39 charitable societies and NGOs legally working in the Gaza Strip. On 31 March 2004, the PMF issued another memorandum (No. 48) that demanded “relevant parties” in the concerned societies and NGOs to refer to the Minister of Interior for drawing from these accounts. On 6 April 2004, the PMF issued a further memorandum (No. 56) to all working banks in Palestine to implement the court ruling. On the following day, the PMF issued another memorandum that demanded all banks to enact previously issued Memorandum No. 48.

In 2004, there was an unprecedented increase in the number of cases of the misuse of weapons in partisan, family and personal disputes, which left many Palestinians dead. PCHR documented also cases in which a number of Palestinians were killed as a result of playing with weapons, preparing explosives or planting bombs in populated areas by members of the Palestinian resistance. In 2004, 131 Palestinians (72 in the Gaza Strip and 59 in the West Bank) were killed in incidents related to the misuse of weapons. This

number is the highest documented by PCHR in a calendar year since the beginning of the current Intifada in September 2000. It is more than double the number of Palestinians killed in such incidents in 2003 (53). It is also higher than the total number of Palestinians killed from 2000 to 2003 (122). This alarmingly high number requires immediate and effective action to stop this trend and bring the perpetrators to justice.

In 2004, there was a notable increase in the number of Palestinians killed for their alleged collaboration with the IOF. PCHR documented 22 killings (16 in the West Bank and 6 in the Gaza Strip) in 2004 compared to 12 in 2003. PCHR reiterates its position that individuals who collaborate with IOF must be brought to justice within the framework of the rule of law, in accordance with normative legal procedures, since they assist IOF in perpetrating violations of international law. However, PCHR condemns the use of extra-judicial measures in all circumstances and demands that the PNA investigate all such incidents.

## ***Recommendations***

This section details PCHR's recommendations to the international community and the PNA. PCHR hopes that the international community will take PCHR's recommendations into consideration and take effective steps to enforce international law. PCHR also hopes that the PNA will work towards realizing these recommendations in the context of its responsibilities.

### **Recommendations to the International Community**

1. PCHR calls upon the High Contracting Parties to the Fourth Geneva Convention to fulfill their legal obligations, including to ensure Israel's respect for the Convention in the OPT in accordance with Article 1. PCHR believes that the international silence towards grave breaches of the Convention perpetrated by IOF in the OPT serves to encourage Israel as a state above law and results in the perpetration of more grave breaches.
2. PCHR believes that the High Contracting Parties are responsible for searching for and prosecuting Israeli responsible for grave breaches, some of which have been defined as war crimes, as the Israeli judiciary does not prosecute them and even provided legal cover for these individuals in many cases.
3. PCHR calls upon international civil society organizations to lobby for governmental action in support of the rights of the Palestinian people in accordance with international law, including in respect of bringing persons responsible for the violations of international law to justice.
4. PCHR calls upon the European Union to activate Article 2 of the EU-Israel Association Agreement, which provides that both sides must respect human rights as a precondition for economic cooperation between the EU states and Israel. PCHR also calls upon all states to prohibit import of goods produced in illegal Israeli settlements in the OPT.
5. PCHR welcomes the Advisory Opinion issued by the ICJ which considered the Annexation Wall being constructed by IOF inside the West Bank illegal. PCHR calls upon the international community to take practical steps, in accordance with this opinion, to ensure the dismantlement of the Wall.
6. Despite the decreasing role played by international solidarity groups in providing assistance to Palestinian civilians due to the restrictions imposed by IOF on their access to the OPT, PCHR highly appreciates their role in reporting on violations of international law perpetrated by IOF and breaking the silence of European governments towards these crimes.
7. As Israel and its occupation forces have continued to impose severe restrictions on access of international solidarity groups to the OPT and Israel, PCHR calls upon European governments to take similar measures against Israeli citizens.
8. PCHR reiterates that any political settlement not based on international human rights law and humanitarian law cannot lead to a peaceful and just solution of the



Palestinian cause. Rather, such a settlement can only lead to further suffering and instability in the region. PCHR calls upon governments and civil society organizations to implement the international law at the Palestinian level.

### **Recommendations to the PNA**

PCHR welcomes the positive developments related to the structure of the PNA, especially in the last weeks of 2004, following the death of the Palestinian President Yasser Arafat on 11 November 2004. The transition of authority in the PLO and the PNA was smooth and well-organized. The Palestinian presidential election was held on 9 January 2005. On 23 December 2004, elections of 26 local councils in the West Bank were held as part of the first stage of local elections, which was completed on 27 January 2005 with holding elections of 10 local councils in the Gaza Strip. On 7 January 2004, the PNA President issued a decree assigning 17 July 2005 as a date for holding parliamentary elections.

In light of these positive developments and in order to promote institutionalization and the rule of law, PCHR calls upon the PNA to take the following recommendations into consideration:

1. PCHR calls for continuing positive steps related to holding elections and hopes that parliamentary elections will be held on the assigned date and local elections will be completed in 2005.
2. PCHR calls upon the PNA to take practical steps to ensure the rule of law and stop breaches of the law that have recently increased.
3. PCHR calls for ending the state of security chaos and investigating shootings at citizens by law enforcement officials or others in order to bring the perpetrators to justice.
4. PCHR calls upon the PNA to adhere to international human rights standards and make sure that all measures it takes conform to international human rights standards and respect basic rights of citizens.
5. PCHR calls for a presidential decree to be issued to actually abolish State Security Courts, as the decision taken by the Palestinian Minister of Justice abolishing these courts has not been respected.
6. PCHR calls for abolishing the death penalty in the Palestinian legislation, and calls upon the PLC to take the initiative to review all related laws and amend them to conform to international standards.
7. PCHR calls for ensuring for the independence of the judiciary including through enforcement of court rulings.
8. PCHR calls for the institution of substantive reforms of all law enforcement agencies, in a manner which promotes the rule of law.
9. PCHR calls for judicial monitoring of prisons and detention facilities.

10. PCHR calls for ensuring the right to freedom of expression, reconsidering related laws, including the Press Law of 1995, and enacting a law to organize the work of private televisions and radios.
11. PCHR calls for respecting the right to freedom of association and lifting restrictions imposed on the activities of associations, including the decision to freeze bank accounts of Islamic charitable societies. PCHR calls also for transferring the authority to register and supervise NGOs from the Ministry of Interior to the Ministry of Justice.

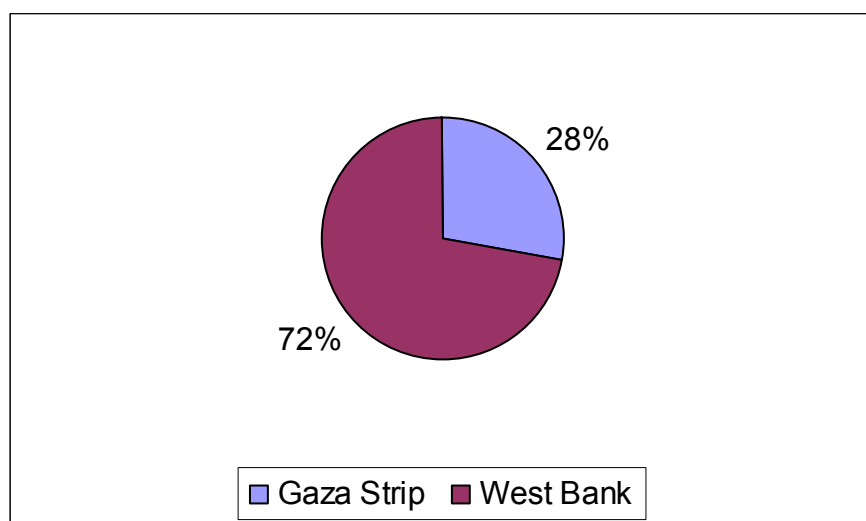
# ***Israeli Violations of Human Rights and International Humanitarian Law***

## **1. Excessive Use of Force, Killings and other Violations of the Right to Life**

In 2004, 834 Palestinians and one international<sup>7</sup> died as a result of actions by IOF and settlers. IOF continued to disregard the principles of proportionality and distinction in its actions in the OPT, resulting in the death of 667 unarmed civilians who were killed whilst posing no threat to Israeli soldiers or settlers. In addition, thousands of Palestinians were wounded by IOF, including 1,844 in the Gaza Strip.

Unarmed civilians were killed as a result of shelling of residential areas during Israeli military incursions into Palestinian areas, during extra-judicial executions, during demonstrations, at Israeli military checkpoints or in times of complete quiet. Of the civilians killed, 165 were children, 13 were women and 19 were over 60 years old. 168 of those killed were armed Palestinians, most of whom were killed during confrontations with the Israeli military during incursions into the OPT. Thus, the number of Palestinians killed by IOF and settlers since the beginning of current Intifada has increased to 3,196, including 618 children. In addition, thousands of Palestinians, including 8,545 in the Gaza Strip, have been wounded since September 2000. Hundreds of those wounded sustained long-term or permanent disabilities.

**Diagram 1: Geographical Distribution of Palestinian Civilians Killed by IOF in 2004**



These statistics show a proportional increase in Palestinians killed in the Gaza Strip compared with Palestinians killed in the West Bank. In the Gaza Strip, 482 Palestinian

<sup>7</sup> On 14 January 2004, Thomas Hurndall, 22, died nine months after being shot by IOF in the southern Gaza Strip town of Rafah. Hurndall had been in a vegetative state since the shooting on 11 April 2003 and died in London after developing pneumonia. He was shot in the head while trying to protect two young Palestinian children from Israeli gunfire. Hurndall was a member of International Solidarity Movement.

civilians were killed (72% of the total number of civilians killed in the OPT) and in the West Bank 185 Palestinian civilians were killed (28% of the total number killed). The clear increase in the number of Palestinian civilians killed in the Gaza Strip can be attributed to repeated wide scale Israeli military incursions into Palestinian areas.

**Diagram 2: Geographical Distribution of Palestinian Civilians Killed by IOF in 2004 (By Districts)**

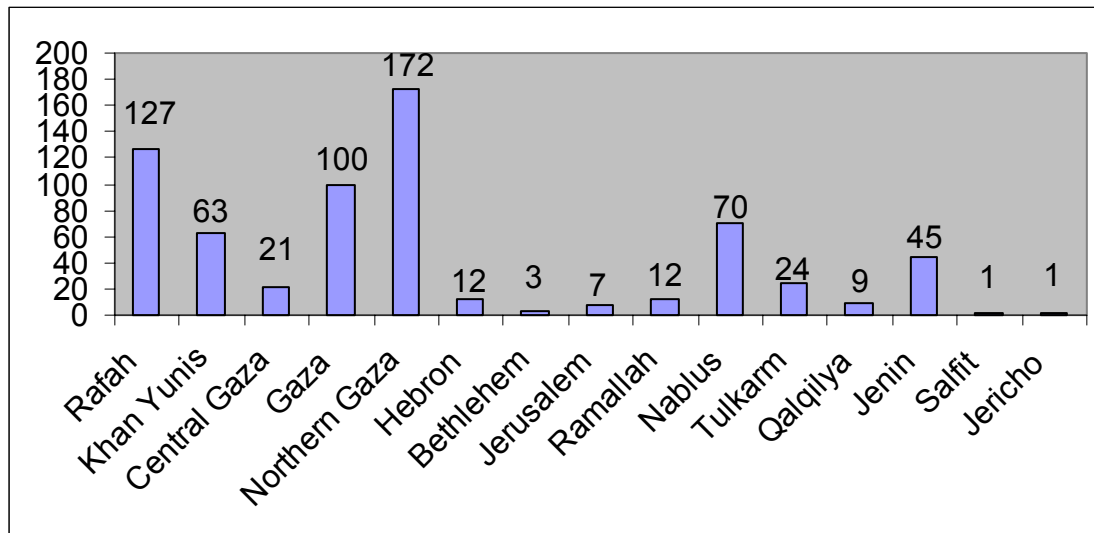


Diagram 2 demonstrates that the highest number of fatalities were in Gaza City, Rafah and Northern Gaza Strip where 399 Palestinian civilians were killed (constituting 60% of the total number of Palestinian civilians killed by IOF in 2004). The high numbers of fatalities in these districts can be attributed to the intense Israeli military operations in these areas.

**Diagram 3: Causes of Palestinian Civilians Deaths in 2004 Resulting from Israeli Actions**

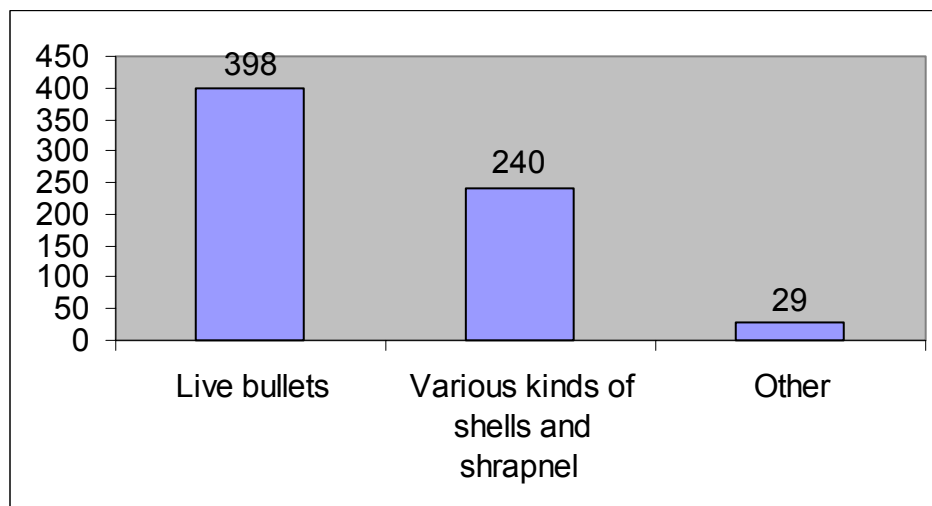


Diagram 3 above shows that 398 Palestinian civilians (59.7% of victims) were killed by live bullets fired by IOF while 240 civilians (36%) were killed by shrapnel from missiles and shells launched by Israeli fighter planes, helicopter gunships and tanks. These figures reflect the type of force and weapons employed by IOF against civilians. In addition, 29 civilians (4.3%) were killed in other circumstances, including being run down by settler cars, heart attacks during military incursions, inhaling tear gas or killed in explosions.

**Diagram 4: Distribution of Fatalities Cused by Live Bullets**

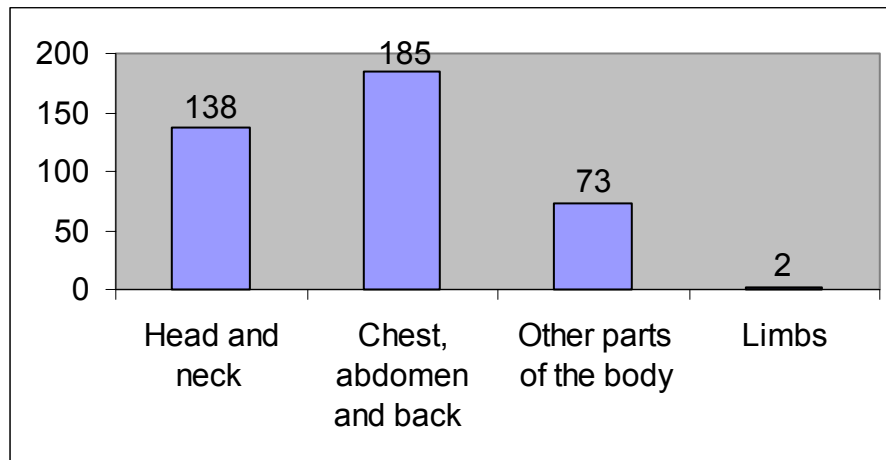


Diagram 4 shows the distribution, according to the location of the wounds, of the total of 398 Palestinian civilians who were killed by live bullets fired by IOF in 2004. Of these 138 civilians (34.7%) were shot in the head or the neck and 185 civilians (46.5%) were shot in the chest and the abdomen. In addition, 73 persons (18.3%) were shot in other parts of the body, and 2 civilians (0.5%) were shot in the limbs.

**Extra-Judicial Executions**

In 2004, IOF continued to pursue a declared policy of the extra-judicial execution of Palestinians who are alleged to be involved in attacks against Israeli targets. Alarminglly, Israel expresses pride that it practices this policy against Palestinian civilians. Israel is the only state in the world that publicly practices this policy against civilians. This policy is supported by the highest judicial body in Israel, the High Court. The failure of the international community, particularly the High Contracting Parties to the Fourth Geneva Convention of 1949, to take any action to stop this policy raises deep concerns and encourages Israel to continue to commit such crimes.

In 2004, IOF carried out 58 extra-judicial execution operations in which 142 Palestinian civilians were killed. Of those killed 106, including a 15-year-old child, were targeted persons, and 36, including 6 children, were non-targeted civilian bystanders. In addition, 95 Palestinians were injured, including 88 non-targeted civilians. A total of 218 assassination operations were conducted by IOF between 29 September 2000 and 31 December 2004. A total of 470 Palestinians (14.6% of the total number of Palestinians

killed by Israeli forces in the same period) were killed in these attacks. Of those killed, 161, including 46 children, were non-targeted civilian bystanders. In addition, 829 Palestinians, including 784 non-targeted civilian bystanders, were injured in these attacks.

These attacks are often carried out in densely populated residential areas without any consideration to the lives of Palestinian civilians. For example, at approximately 00.00 on Wednesday 18 August 2004, Israeli military aircrafts shelled a *Diwan*, a traditional indoor recreational area near the home where family and friends gather, located in the densely populated Shejiyia neighborhood in the east of Gaza City. The *Diwan* is owned by Sheik Ahmed al Ja'abari, 38, a prominent Islamic Resistance Movement ( Hamas) figure who was present with a number of his relatives and friends. The attack resulted in the death of five people: al-Ja'bari's son; brother; nephew; brother-in-law; and friend. Al-Ja'bari and three other civilians, including one of his brothers and a child, were injured. Al-Ja'bari's brother died from his injury later.

In 2004, IOF continued assassination attacks against Palestinian political leaders. On 22 March 2004, IOF assassinated Sheikh Ahmed Yassin, the founder and spiritual leader of Hamas. Israeli helicopter gunships launched three missiles at Sheikh Yassin, 67, an elderly disabled man, after he had left the Islamic Association Mosque in the densely populated al-Sabra neighborhood in the center of Gaza city after dawn prayer. Sheikh Yassin was traveling in his wheelchair accompanied by three bodyguards, when one of the missiles directly hit and instantly killed Sheikh Yassin and his bodyguards. The other two missiles exploded in the surrounding area and killed 4 other civilians and injured 17.<sup>8</sup> On 17 April 2004, IOF assassinated Dr. 'Abdul 'Aziz al-Rantissi, 57, the leader of Hamas in the Gaza Strip. An Israeli helicopter gunship fired a missile at a civilian car in which he was traveling accompanied by two of his bodyguards in the center of Gaza City. Dr. al-Rantissi and his bodyguards were killed and four civilian bystanders, including a child, were injured.

### **Killings in Peaceful Demonstrations and Protests**

In 2004, IOF continued to use disproportionate force against peaceful demonstrations and protests organized by Palestinian civilians. They continued to fire at Palestinian youngsters who threw stones at Israeli military vehicles that moved into Palestinian areas and/or at fortified military posts. In 2004, 59 Palestinian civilians were killed by IOF in this context.

IOF often used excessive force against Palestinian civilians, when they do not pose any threat to the safety of Israeli troops. For instance, on 19 May 2004, Israeli helicopter gunships and tanks fired missiles at a peaceful demonstration organized by Palestinian civilians in solidarity with residents of Tel al-Sultan neighborhood in the west of the

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<sup>8</sup> Israeli media reported that Israeli government sources announced that the assassination was approved by the Israeli government. Israeli Prime Minister Ariel Sharon personally sanctioned and supervised the attack. In his comment on the attack, the Israeli Defense Minister Shaul Mofaz claimed that "Yassin was the Palestinian Bin Laden, whose hands are stained with Israeli blood," that the attack was "part of comprehensive operations against terrorism," and that "the war against Hamas will continue." From the Arabic web page of the Israeli daily *Yediot Aharanot*, [www.arabynet.com](http://www.arabynet.com), 22 March 2004.

town, which was the subject of an ongoing Israeli offensive. As a result, 8 civilians, including 3 children, were killed, and 50 others, including 24 children, were wounded.

### **Incursions into Palestinian Controlled Areas**

In 2004, IOF continued to conduct incursions into Palestinian controlled areas in the OPT, causing many casualties among Palestinian civilians and destroying houses and civilian property. Dozens of Israeli tanks and military vehicles supported by aircrafts moved into Palestinian areas to allegedly search for wanted Palestinians and destroy workshops and factories that manufacture weapons used by the Palestinian resistance. IOF opened fire at houses and Palestinian civilians even though they often faced limited resistance. In 2004, 229 Palestinian civilians were killed by IOF during military incursions into Palestinian-controlled areas.

In 2004, IOF conducted a series of wide scale incursions into Palestinian-controlled areas in the Gaza Strip, similar to the campaign of offensives on the West Bank towns in 2002. On 11 May 2004, IOF covered by helicopter gunships launched a wide scale offensive on al-Zaytoun neighborhood in Gaza City. This offensive continued until the evening of 12 May 2004. The offensive resulted in the deaths of 15 Palestinians, including 6 civilians, 4 of whom were children, and injured at least 200 others, mostly civilians, including 35 children. IOF also caused large scale destruction to houses and civilian infrastructure.<sup>9</sup>

Similarly, the town of Rafah and refugee camp were subject to a wide scale Israeli offensive, which left dozens of Palestinian civilians dead and largely destroyed the civilian infrastructure. The initial offensive began on Thursday morning, 13 May 2004 and ended on Saturday morning, 15 May 2004, against Rafah refugee camp near the Egyptian border. IOF killed 14 Palestinian civilians, including 2 children, and injured 48 others and the incursion left dozens of houses and civilian facilities destroyed. On 17 May 2004, IOF launched another wide scale offensive on Rafah known widely as "Operation Rainbow" after they had isolated it from its surroundings. During this offensive, IOF killed 56 Palestinians, including 45 civilians, 10 of whom were children, and injured at least 200 others.<sup>10</sup>

On 28 September 2004, IOF launched a wide scale offensive on the northern Gaza Strip. It was the largest in the Gaza Strip since the beginning of the Intifada. It continued until 15 October 2004. During this offensive, IOF killed 103 Palestinians; nearly half of them were civilians, including 28 children. They also injured 442 Palestinians, including 177 children. In addition, IOF destroyed 87 houses, razed large areas of agricultural land and largely destroyed the civilian infrastructure of the area.

### **Deaths Resulting from Shelling**

In 2004, IOF employed its military arsenal including fighter jets, helicopter gunships, surface-to-surface missiles and gunboats, to shell Palestinian civilian and security facilities, including houses. In 2004, 261 Palestinians were killed by the Israeli shelling. This number does not include those who were killed in Israeli military incursions and assassination attacks in the OPT.

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<sup>9</sup> For more details, see PCHR's *Weekly Report*, 6-12 May 2004, [www.pchrgaza.org](http://www.pchrgaza.org).

<sup>10</sup> For more details, see PCHR's *Weekly Report*, 13-19 May 2004, [www.pchrgaza.org](http://www.pchrgaza.org)

### **Killing at Times of Complete Quiet**

In 2004, more Palestinian civilians were killed by IOF during periods of total quiet, indicating a continued disregard for the lives of Palestinian civilians. In many cases, Israeli troops positioned in fortified military posts, on tanks or in armored jeeps, opened fire at Palestinian civilians positioned in near or inside their homes or while they are on their way to their work places or schools. In this context, 44 Palestinian civilians were killed.

For example, on 10 December 2004, IOF positioned in military posts in the vicinity of "Neve Dekalim" settlement, west of Khan Yunis, opened fire at al-Nimsawi neighborhood and Khan Yunis refugee camp. A number of live bullets hit a house belonging to 'Omar 'Abdul Hadi Siam, 50, nearly 600 meters, while members of the family were having lunch. A live bullet penetrated a window of the house and hit Siam's child, 8-year-old Rana, in the head and then hit him in the right leg when he was washing his hands after he had lunch. The child's brother evacuated her to Nasser Hospital in Khan Yunis, but medical efforts to save her life failed as she died a few minutes later. Two other civilians were also wounded when they were near their houses.

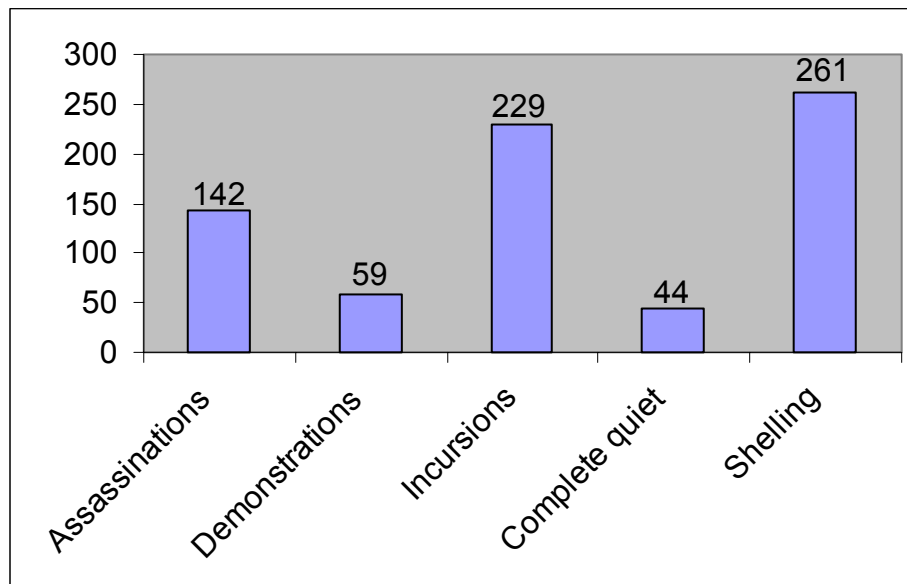
In another example on 8 March 2004, IOF who were conducted training inside "Morag" settlement, north of Rafah, opened fire at 16-year-old Khaled Suleiman Madi, from Khan Yunis, when was assisting his father in farming their agricultural land near the aforementioned settlement. Madi was instantly killed by several live bullets to the head. The area was completely quiet when Madi was shot.<sup>11</sup>

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<sup>11</sup> The Israeli daily *Yediot Aharonot* revealed details of this incident as the debate over the morals of IOF in the OPT escalated due to the increased number of fatalities by IOF at times of complete quietness. IOF did not investigate this incident, rather they granted promotion to the officer in charge of the area.



**Diagram 5: Distribution of Palestinian Civilians Killed by IOF in 2004 According to the Context of Their Death<sup>12</sup>**



### **Killing of Palestinian Children**

Children are granted a range of special protections under international human rights and humanitarian law. Article 19 of the Convention on the Rights of the Child prescribes that "States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse..."

In 2004 more Palestinian children were killed by IOF when they did not pose any threat to the lives of Israeli troops. IOF used lethal force against children without any consideration to the principles of proportionality and discrimination. In 2004, 165 Palestinian children (130 in the Gaza Strip and 35 in the West Bank) were killed by IOF. The number of Palestinian children killed by IOF between 29 September 2000 and 31 December 2003 increased to 618 (approximately 19.2% of the total number of Palestinian civilians killed by IOF in the same period). Palestinian children were killed by IOF in the following contexts:

1. During peaceful demonstrations: 23 children were killed during demonstrations against the Israeli military. In most of these cases, children were shot by Israeli soldiers in response to stone throwing.
2. At times of complete quiet: 18 children were killed by IOF during periods of complete quiet. IOF in military posts, on tanks and in military jeeps opened fire at these children while they were near or inside their homes or on their way to, or at school.

<sup>12</sup> Contexts of killing are sometimes interrelated. For example, some civilians were killed in more than one context, such as by shelling during incursions.

3. In extra-judicial executions: seven children were killed in extra-judicial execution attacks carried out by IOF against Palestinians who allegedly planned, facilitated or carried out attacks against Israeli targets. Two of these children were targeted, while the other four were non-targeted bystanders.
4. During military incursions: 85 children were killed by IOF during military incursions into Palestinian towns, villages and refugee camps, especially in the Gaza Strip.
5. By shelling: 35 children were killed by Israeli aerial and tank shelling of Palestinian residential areas. This number does not include children who were killed by the Israeli shelling during military incursions into Palestinian communities.

The killing of a 13-year-old Palestinian schoolchild in Rafah by IOF on 5 October 2004, and the investigation by IOF that followed clearly demonstrate IOF's blatant disregard for the lives of Palestinian children. IOF shot dead 13-year-old Iman Samir al-Hams, while she was on her way to school in Tel al-Sultan neighborhood, nearly 500 meters to the north of an Israeli military post in Tal Zo'rob area in the southwest of Rafah. This killing caught the media attention and an Israeli soldier confessed that his officer fired more than 20 live bullets at the child after she had been wounded. The Israeli Military Prosecutor initiated an investigation into the incident.<sup>13</sup>

In another crime, IOF opened fire on an elementary school in Khan Yunis, wounding an 11-year-old schoolchild while she was sitting at her desk. The child died from her wound the following day. According to investigations conducted by PCHR, at approximately 11:00 on 12 October 2004, IOF positioned in the vicinity of "Neve Dekalim" settlement, west of Khan Yunis, opened fire at an UNRWA elementary school in Khan Yunis refugee camp. A Palestinian schoolchild, 11-year-old Ghadeer Jaber Mukhaimer, was seriously wounded by a live bullet in the chest while she was sitting at her desk. Medical efforts to save her life failed and she was pronounced dead the following morning.

On 13 October 2004 IOF shot dead a Palestinian child when he was playing football near his house in Rafah refugee camp. According to investigations conducted by PCHR, at approximately 17:00, Israeli troops positioned at the Egyptian border, south of Rafah, opened fire at a number of Palestinian children who were playing football in Block J in Rafah refugee camp, adjacent to the border. Two children were seriously wounded: Jihad Hassan Barhoum, 16, hit by a live bullet to the abdomen died two hours later; and 'Abdul Rahman Sulieman Sha'at, seven, hit by a live bullet to the back.

### **Killing of Journalists**

In 2004, IOF continued to attack local and international journalists while covering Israeli military actions in the OPT, in an attempt to hide the facts of these actions from the world. Israel disregards international conventions that ensure protection for journalists, and does not hold those who perpetrate attacks against journalists accountable.

For example IOF killed a Palestinian journalist while he was covering incidents in the OPT. According to investigations conducted by PCHR, at approximately 10:30 on 22 March 2004, IOF had moved into Balata refugee camp, east of Nablus. They fired at

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<sup>13</sup> For more details about investigations into this incident, see the section on impunity on page 40.

Mohammed 'Aadel 'Abdul Rahman, 22, a correspondent of al-Najah National University Radio, who was holding his mobile phone and camera in his hands, covering this Israeli military incursion. He was wounded by a live bullet in the abdomen. He was evacuated to Rafidya Hospital in Nablus, but medical efforts to save his life failed and he was pronounced dead at approximately 11:30.

### **Using Palestinian Civilians as Human Shields in Military Operations**

IOF have continued to use Palestinian civilians as human shields during military operations in the OPT. In 2004, IOF forced dozens of Palestinian civilians, including children and women, to carry out tasks that posed threats to their lives, including:

1. Walking in front of Israeli troops to shield them from gunfire, explosives or other attacks.
2. Accompanying Israeli troops in their movement from one place to another.
3. Entering houses and other Palestinian properties in front of Israeli troops during Israeli house raids that aim at searching for wanted Palestinians.
4. Entering other buildings, including police stations, before being raided by IOF.
5. Approaching homes and requesting the residents leave their properties.
6. Removing suspicious objects from roads.

Using civilians as human shields in military operations is prohibited under international humanitarian law. Article 28 of the Fourth Geneva Convention prescribes that "the presence of a protected person may not be used to render certain points or areas immune from military operations." Article 51 of the Convention provides that "the Occupying Power may not compel protected persons to serve in its armed or auxiliary forces..." Article 147 of the Convention further defines "willfully causing great suffering or serious injury to body ..." as a grave breach of the Convention.

## **2. Annexation Wall**

The Annexation Wall currently under construction in the West Bank reflects the largest single manifestation of Israel's ongoing policy of annexation of Palestinian lands. IOF began to construct the Annexation Wall between the West Bank and Israel in 2002. Land has been the main element of conflict in the region since 1948 as Israel has sought territorial expansion. At the end of 2004, the Wall is being built largely on Palestinian land, in some places up to 22 kilometers inside the West Bank territory as delineated by the 1967 border (the 'Green Line'). The planned route of the Wall in sections which had not begun to be constructed yet would continue this pattern in 2005. When the construction of the Wall is completed its length will be nearly 730 kilometers and will annex at least 50% of the West Bank, isolating more than 16% of its population between the Wall and the Green Line. The Wall will also tighten the grab on hundreds of thousands of Palestinian civilians, including 200,000 living in East Jerusalem, and force them to leave their property. In addition, 98% of illegal Israeli settlers in the West Bank will be practically annexed to Israel.

Through the construction of the Wall, IOF seeks to define the border of a future Palestinian state according to the Israeli vision preventing the establishment of a sovereign Palestinian state. The Israelis seek to achieve this through dividing the remaining areas of the West Bank into separate cantons which lack territorial contiguity. They also seek to annex large settlement blocs in the West Bank to Israel and force hundreds of thousands of Palestinian civilians to leave their property between the Wall and the Green Line thus controlling fertile agricultural land and underground water in the west, northeastern and eastern aquifers in the West Bank, and depriving Palestinians of their share in the water of Jordan River and the resources of the Dead Sea.

The construction of the Wall violates the right to freedom of movement and consequently the rights of education, work and health care. It was clear when IOF started to construct the Wall that they would impose more restrictions on the movement of Palestinian civilians, especially in the areas affected by the construction of the Wall. IOF have established special iron gates along the Wall to control the movement of Palestinian civilians to and from the areas located between the Wall and the Green Line. IOF often close these iron gates for long periods, denying Palestinian civilians their right to freedom of movement.

The construction of the Wall is another violation of international law committed by IOF against Palestinian civilians and property. The international community has called for stopping the illegal expropriation and annexation of Palestinian land to Israel. Despite this, the High Contracting Parties to the Fourth Geneva Convention have not taken any effective steps to meet their legal obligations to stop grave breaches of the Convention perpetrated by Israel, including the construction of the Wall.

In 2004, IOF intensified construction of the Wall. In the north of the West Bank, IOF started to construct a section of the Wall in Salfit district, more than 22 kilometers deep into Palestinian land. For this purpose, they confiscated thousands of donums of Palestinian land. The construction of this section of the Wall will cut Salfit district into four separate zones and will seize most of its land. In Jenin, Tulkarm and Qalqilya, IOF completed the first stage of construction of the Wall, seizing large areas of Palestinian land and isolating 16 villages where 13,000 Palestinians live.

In 2004, the discussions on the legality of the Wall witnessed two major developments. On 9 July 2004, the ICJ issued its Advisory Opinion regarding the legal consequences of the Wall, in response to a request by a UN General Assembly resolution on 8 December 2003. The Court ruled the Wall being constructed by Israel in the OPT, including Jerusalem, violates international law. The Court also decided that Israel is obliged to stop its violations of international law, stop the construction of the wall, tear down the sections already constructed, abolish all relevant legislations and Israel is under an obligation to make reparation (restitution and compensation) to all Palestinians harmed during the construction of the Wall.

The Court stated that “all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction.”<sup>14</sup> It also added that the High

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<sup>14</sup> ICJ Advisory Opinion at paragraph 163

Contracting Parties to the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 1949 are additionally obliged to ensure Israel's compliance to international humanitarian law, in accordance with the Convention. The Court reinforced this point that the "United Nations and especially the General Assembly and the Security Council should consider what further action is required to bring an end to the illegal situation resulting from the wall and the associated regime."<sup>15</sup>

On 30 June 2004, the Israeli High Court decided to stop the construction of 30 kilometers of a section of the Wall in the villages located to the northwest of Jerusalem: Beit Diquq; Beit Ejza; Biddu; Beit Sourik; Qutna; Beit 'Anan; Um al-Lahem; and al-Qebia. The Court demanded that IOF redraw the route of the Wall in these villages taking into consideration the "humanitarian needs" of the Palestinian population, while at the same time keeping "security" interests. The Court apparently sought to improve Israel's image at the international level, and to claim that the real problem is in the Wall's route not the Wall itself. The Court also sought to provide a legal cover for IOF to continue the construction of the Wall under the pretext of "military necessity."

IOF have not committed to the Advisory Opinion issued by the ICJ. They even intensified this construction in order to complete the construction in 2005. With regard to the Israeli High Court's decision, IOF partially stopped the construction of the section of the Wall to the northwest of Jerusalem but the new plans regarding this construction may confiscate larger areas of Palestinian land. In any circumstances, the construction of this section of the Wall will isolate residents of the aforementioned villages from the outside world and will deny them their civil, political, economic, cultural and social rights.

Once the construction of the Wall is completed, it will create three isolated ghettos in the north, the center and the south of the West Bank. The northern ghetto extends in the west from Jenin to Qalqilya and moves towards the south - it then extends in the east from Jenin to Ramallah and meets with other sections of the Wall. In the central ghetto, the Wall will completely encircle Jerusalem and isolate it from the rest of the West Bank. In the southern ghetto, the Wall will encircle Bethlehem and Hebron.

Palestinian civilians living in areas isolated behind the Wall are forced by IOF to obtain permits to live in their homes, to reach their schools and jobs and to bring foodstuffs into their villages.

The impact of the Wall on these communities, in particular the economy and general quality of life is so severe that many are/will be forced to relocate to other areas deeper inside the West Bank. By implementing severe restrictions on freedom of movement of people and goods, the confiscation of land and crops, in a manner that is entirely disproportionate to the alleged objective, the Israeli authorities are effectively forcing Palestinian communities to relocate to other areas. This policy of "voluntary" transfer, or encouraging relocation, has been pursued in general for several decades and has intensified in certain areas in recent years.

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<sup>15</sup> *Ibid*

### 3. Destruction of Civilian Property

Since the beginning of the current Intifada in September 2000, IOF have continued to destroy civilian property in the OPT. In 2004, IOF increasingly destroyed Palestinian agricultural land, houses, civilian facilities and infrastructure in the Gaza Strip. Areas located near Israeli settlements, bypass roads and in border areas were particularly affected. IOF have justified such destruction as "necessary to ensure security for Israeli troops and settlers" or to destroy "tunnels used by Palestinians to smuggle weapons into the Gaza Strip." In reality, this destruction effectively expands the area of direct Israeli control and facilitates *de facto* annexation of Palestinian land to settlements and settlement infrastructure, including military facilities. The destruction of civilian property violates international human rights and humanitarian law, particularly article 147 of the Fourth Geneva Convention, under which extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly is considered a grave breach of the Convention and defined as a war crime. This section does not discuss the destruction of houses as a means of collective punishment against families of Palestinian activists, which will be highlighted in another section below.

#### Destruction of Palestinian agricultural and wooded land

IOF continued to destroy Palestinian agricultural and wooded land. In 2004, they razed 9,456 donums of Palestinian agricultural land in the Gaza Strip. Thus, the total area of land razed by IOF to date since the beginning of the current Intifada is 31,494 donums. Land leveling in 2004 was mainly focused in the northern Gaza Strip town of Beit Hanoun (56% of the total area of land razed in the Gaza Strip). Agricultural land in the Gaza Strip, approximately 156,720 donums according to the Palestinian Ministry of Agriculture, has been reduced by approximately 20% since the Intifada began.

**Table 1: Land Leveling in the Gaza Strip over the Years of the Intifada (in donums)**

Year	District					Total
	Rafah	Khan Yunis	Central Gaza	Gaza	Northern Gaza	
2000	719	798	960	923	384	3784
2001	1,085	1,831	534	738	3,881	8,069
2002	90	613	525	446	1,423	3,097
2003	922	1,868	729	379	3,181	7,079
2004	730	1,785	885	731	5,334	9,465
<b>Total</b>	<b>3,564</b>	<b>6,895</b>	<b>3,633</b>	<b>3,217</b>	<b>14,203</b>	<b>31,494</b>

IOF also destroyed wells, greenhouses, irrigation networks, bird and animal farms and other infrastructure for agricultural production.

**Table 2: Destruction of Agricultural Land/Agricultural Infrastructure by IOF in the Gaza Strip in 2004**

Kind of loss	Unit	Rafah	Khan Yunis	Central Gaza	Gaza	Northern Gaza	Total
Agricultural land	Donum	730	1,785	885	731	5,334	9,456
Agricultural pools	Number	27	32	3	3	43	108
Irrigation networks	Number	150	241	48	94	760	1,293
Greenhouses	Number	309	71	69	7	27	483
Wells	Number	10	16	8	6	464	504
Animal and bird farms	Number	6	27	21	10	17	81
Beehives	Number	254	20	15	1	174	464
Agricultural stores	Number	12	43	15	5	53	128

### **House Demolition and Civilian Property Destruction**

Since the beginning of the current Intifada, IOF have continued to demolish Palestinian houses and other civilian property in the Gaza Strip. In 2004 IOF demolished 1,199 houses completely and 889 houses partially. Since 2000, IOF have destroyed 2,699 houses completely and 2186 houses partially in the Gaza rendering thousands of Palestinians homeless. The number of houses demolished in 2004 constitutes 43% of the total number of houses demolished by IOF since the beginning of the current Intifada continuing a trend of increases in house demolitions in the Gaza Strip throughout the Intifada: 118 houses were demolished between September to December 2000, 282 houses in 2001, 282 houses in 2002, and 847 houses and 3 apartment buildings that included 150 flats were demolished in 2003.

Most of the house demolitions in 2004 took place in Rafah where IOF demolished 598 houses completely and 458 others partially (50% of the total number of houses demolished in the Gaza Strip). In a wide scale offensive on Rafah between 12 and 24 May 2004, IOF demolished 261 houses completely and 271 others partially, rendering at least 7000 Palestinians homeless. Khan Yunis and the northern Gaza Strip were also subject to similar house demolition campaigns.

IOF also launched a wide scale offensive on the northern Gaza Strip town of Beit Hanoun between 29 June and 5 August 2004 during which they demolished 20 houses completely and 50 others partially.

Between 23 and 26 September 2004, IOF demolished 60 houses completely and 20 others partially in Khan Yunis refugee camp. Between 28 September and 14 October 2004 IOF totally demolished a further 87 houses.

**Table 3: House Demolitions in the Gaza Strip by IOF over the Years of the Intifada**

Year	Districts										Total	
	Rafah		Khan Yunis		Central Gaza		Gaza		Northern Gaza			
	Complete	Partial	Complete	Partial	Complete	Partial	Complete	Partial	Complete	Partial	Complete	Partial
2000	11	1	36	2	21	0	45	0	1	0	114	3
2001	140	42	82	9	18	0	25	0	26	0	291	51
2002	230	217	24	62	43	36	44	70	35	34	376	419
2003	487	369	108	109	40	70	26	75	58	191	719	814
2004	598	458	390	144	34	44	38	150	139	103	1,199	899
Total	1,466	1,087	640	326	156	150	178	295	259	328	2,699	2,186
Accumulative total											4,885	

In 2004 IOF continued to destroy civilian property in the Gaza Strip, both while razing agricultural land and conducting military incursions into Palestinian towns, villages and refugee camps. They attacked educational, economic, cultural, security and media facilities. In 2004 IOF destroyed 328 economic facilities constituting 49% of the total number of economic facilities destroyed by IOF since the beginning of the current Intifada (659). They also destroyed 35 educational facilities constituting 46% of the total number of educational facilities destroyed by IOF since the beginning of the current Intifada (76).

#### **4. Demolition of Palestinian Houses as a Means of Punishment and Deterrence**

The house demolition policy adopted by IOF against families of Palestinians who carried out, planned or facilitated attacks against Israeli targets in the OPT or inside Israel. This policy pursued by IOF is a clear example of collective punishment and a violation of international humanitarian law. The Israeli government and its occupation forces have declared that the policy is aimed at deterring Palestinian resistance activities, yet these measures constitute a form of collective punishment and retaliation prohibited under international law. Article 33 of the Fourth Geneva Convention provides: "No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited." Article 53 of the Convention provides that "any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations."

This policy of house demolition has been openly supported by the Israeli political establishment. The Israeli government has claimed that this policy is aimed at deterring Palestinian resistance activities. In addition to official political support, this policy has also been given legal cover by the highest judicial body in Israel. The Israeli High Court has rejected appeals submitted by Israeli and Palestinian human rights organizations to stop this policy and the Court has consistently supported the Israeli military's position.

In 2004, IOF demolished 106 houses in the West Bank and the Gaza Strip, including 24 houses belonging to families of Palestinians who were killed by IOF; 53 houses belonging to families of Palestinian prisoners being held in Israeli custody; 24 houses



belonging to families of individuals allegedly 'wanted' by IOF; and 5 houses demolished after it was alleged they had harbored 'wanted' Palestinians. As a consequence of this practice approximately 176 Palestinian families (1,064 people) were rendered homeless. Dozens of neighboring homes and other properties were also damaged in these operations. Since the beginning of the current Intifada the IOF has destroyed 419 Palestinian houses rendering a total 624 families (at least 4,464 people) homeless under the guise of deterrence.

In the majority of cases IOF conduct house demolitions by moving into the targeted area at night, reinforced by tanks and bulldozers and often helicopters. They surround the targeted houses and often order the residents to evacuate the premises with little time to gather belongings before destroying the house(s). Sometimes IOF used a relative or a neighbor as a human shield to enter a targeted house.<sup>16</sup> The common methods for the destruction of the targeted homes were planting explosives in targeted houses or using bulldozers. Another favored method of IOF is shelling targeted houses by aircrafts, which causes severe damage and many casualties.<sup>17</sup> These practices often resulted in indiscriminate damage to surrounding homes.

Sometimes IOF destroyed targeted houses while the residents were still inside. In 2004, three Palestinians were killed when IOF destroyed houses over them. The number of Palestinians killed in this context between September 2000 and the end of 2004 increased to 19.

## **5. Settlement Activities and Settler Attacks against Palestinian Civilians and Property**

Israeli settlement activities in the OPT clearly violate international humanitarian law, particularly the Fourth Geneva Convention. Article 49 of the Convention provides that "the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies." The High Contracting Parties are obliged to ensure respect for the Convention in all circumstances.

In 2004, Israeli settlement activities continued throughout the OPT to create new facts on the ground. They continued to establish new settlements, expand existing ones and establish bypass roads on Palestinian land. Large areas of Palestinian land near settlements were seized by Israeli settlers to create buffer zones around settlements, establish bypass roads or be annexed to settlements.

In April 2004, the Israeli Prime Minister Ariel Sharon proposed his "Disengagement Plan" or unilateral withdrawal from the Gaza Strip. Under the plan, IOF would be redeployed in the Gaza Strip and settlements in the Gaza Strip and four settlements in the northern West Bank would be dismantled. Later, the Israeli government proposed an amended form of the plan under which IOF would withdraw from the Gaza Strip in three stages: the settlements of "Morag," "Kfar Darom" and "Netzarim" would be dismantled

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<sup>16</sup> For more details about the use of Palestinian civilians as human shields, see page 25.

<sup>17</sup> For instance, on 12 May 2004, an Israeli helicopter gunship fired a missile at a house belonging to the family of Ahmed Eshtaiwi, who had been already extra-judicially executed by IOF in Gaza City. The uninhabited house was burnt and six neighbors were injured.

first; the "Gush Qatif" settlement block would be dismantled in the second stage; and finally, the settlements in the northern Gaza Strip would be dismantled.

The plan reflects Sharon's long-term strategic vision and its real goals. It is clear that the Israeli government does not wish to stay in the Gaza Strip rather to focus on the West Bank through the promotion of settlement activities and military control. Even though the plan proposes the dismantlement of four settlements in the north of the West Bank, settlement activities throughout other areas of the West Bank will continue. In addition, IOF have continued to construct the Wall inside the West Bank territory, which will annex nearly 80% of settlements in the West Bank, including Jerusalem, to Israel.

At another level, Sharon's "Disengagement Plan" achieved strategic gains for Sharon with regard to the future of settlement in the OPT and the United States of America vision of the final solution for this issue. There has been a change on the United States position towards Israeli settlement activities in the OPT with settlements in the OPT now be characterized by the United States as a "legitimate right" for Israel and the terminology of 'illegal settlements' replaced with 'communities'. This new position was demonstrated in a letter sent to Sharon by the United States President George Bush, in which he stated: "In light of new realities on the ground, including already existing major Israeli population centres, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949..."<sup>18</sup>

In the Gaza Strip, IOF continued to expand existing settlements and established new military posts near these settlements. They razed and confiscated large areas of Palestinian land near settlements. For instance, IOF established a new military observation tower, nearly 200 meters to the west of "Netzarim" settlement.

In the West Bank, Israel continued to expand existing settlements, following the green light given by the United States to the Israeli government to "build inside settlements as long as the building does not extend to empty areas." In August 2004, the Israeli daily, *Yediot Aharanot*, reported that the Israeli Ministry of Housing published a bid to build 1001 housing units in the West Bank and would publish bids to build 633 others. These figures demonstrate escalation of settlement activities in the OPT in 2004.

Attempts by IOF to dismantle some unlicensed settlement outposts in the West Bank do not reflect the reality of settlement activities. In 2004 IOF attempted to mislead international public opinion by dismantling a number of small unlicensed settlement outposts. However, IOF did not dismantle all of these outposts nor did they declare the real number. A number of these outposts were reconstructed by settlers after they had been dismantled by IOF.

In 2004, Israeli settler attacks against Palestinian civilians and property continued. Such attacks included shootings, running down civilians with vehicles and destruction of or damage to civilian property. In 2004, one Palestinian civilian was killed by Israeli settlers in the OPT and a number of others were injured. This brings the number of Palestinian civilians killed by settlers to 41 since the beginning of the current Intifada in September 2000.

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<sup>18</sup> A letter in a series of letters concerning the final solution of the conflict exchanged between Sharon and Bush, available at [www.haaretz.com](http://www.haaretz.com).

## **6. Ongoing Policy of Total Closure and Restrictions on Freedom of Movement**

In 2004, the IOF continued to impose a total closure on the OPT as a form of collective punishment against Palestinian civilians. They continued to impose severe restrictions on freedom of movement of people and goods between the West Bank and the Gaza Strip, including arbitrary denials or delays imposed on travel between communities, between the West Bank and the Gaza Strip. IOF imposed restrictions on entry and exit to the OPT at al-Karama International Crossing Point on the Jordanian border and Rafah International Crossing Point on the Egyptian border, the only outlets of the West Bank and the Gaza Strip respectively to the outside world.<sup>19</sup> They also imposed restrictions at border crossings between the OPT and Israel<sup>20</sup>, preventing students from the Gaza Strip from attending their universities in the West Bank.<sup>21</sup> With regard to internal movement, IOF continued to impose severe restrictions at hundreds of military checkpoints established at the entrances to Palestinian towns, villages and refugee camps. In the Gaza Strip, IOF repeatedly divided the Gaza Strip into three separate zones by completely closing checkpoints erected on the main road in the Strip.<sup>22</sup>

IOF have continued to restrict access to occupied East Jerusalem for residents of the West Bank and the Gaza Strip. As a result, Palestinians have been denied access to advanced medical care provided only by hospitals in East Jerusalem, to family, education, to work places and to religious sites in the city. The construction of the Wall around East Jerusalem will establish a permanent barrier for Palestinians seeking to enter occupied East Jerusalem.

In the Gaza Strip, IOF have continued to completely isolate a number of Palestinian communities from the rest of the Gaza Strip. Thousands of Palestinian civilians have been isolated in these communities which are surrounded by Israeli settlements and military posts. These communities are: al-Mawasi area in the south; Abu al-'Ajin, Wadi al-Salqa and al-Mughraqa in the middle; and al-Sayafa area in the north. IOF have imposed severe restrictions on the movement of Palestinian civilians living in these communities, in an apparent attempt to force them to leave their homes and property to be later annexed to existing Israeli settlements. In the West Bank the construction of the Wall has further restricted the movement of Palestinian civilians, isolating many Palestinian communities where thousands of Palestinian civilians live from the rest of the West Bank. IOF have established several gates on the Wall to control the movement of Palestinian civilians to and from these communities. The northern West Bank town of Qalqilya is a tragic example for the consequences of the construction of the Wall. 40,000

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<sup>19</sup> IOF destroyed the runway of Gaza International Airport at the beginning of the current Intifada. The airport had been operated according to the Israeli – Palestinian Interim Agreements.

<sup>20</sup> IOF have continued the "Safe Passage" between the Gaza Strip and the West Bank since the beginning of the current Intifada. The "Safe Passage" was opened in October 1999 according to the Wye River Memorandum of Understandings between the PNA and Israel in 1998.

<sup>21</sup> On 21 November 2004, IOF expelled four students back to the Gaza Strip who had been studying at Bir Zeit University in the West Bank.

<sup>22</sup> The policy of closure often impacts the work of PCHR's staff members due to the prohibition of their movement inside the OPT and their travel abroad. For instance, Director of PCHR, a member of the National Reform Committee, has not been able to attend meetings of the Committee which are usually held in Ramallah, West Bank.

Palestinians living in the town can move to and from the town through only one gate established at its eastern entrance.

The policy of closure is a form of collective punishment prohibited by international humanitarian law. Article 33 of the Fourth Geneva Convention specifically prohibits punishment of protected persons for offences they have not personally committed. It also prohibits collective penalties and likewise all measures of intimidation or terrorism. IOF have implemented these restrictions in an entirely disproportionate and excessive manner. The closure policy has been implemented as a means of punishment, intimidation and retaliation against Palestinian civilians. Article 12(1) of International Covenant on Civil and Political Rights prescribes that "everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence."

The policy of closure and restrictions on free movement has had severe repercussions for Palestinians. The restrictions have directly contributed to the ongoing economic crisis in the OPT, including the disintegration of all major industries and economic sectors. The economic crisis, together with the restriction on entry of goods including foodstuffs and medical supplies, has severely impacted on the rights to health and education.

The policy of closure and restrictions on free movement has had disastrous impacts on the Palestinian economy. According to a report published by the World Bank on 22 November 2004 "the Palestinian economy continues to be mired in deep recession..." The Report further states that "the living standards of Palestinians have dramatically declined" and despite economic stabilization in 2003, some 47% of Palestinians live below the poverty line. A separate publication produced jointly by the Palestinian Central Bureau of Statistics and the World Bank focuses on the "poorest of the poor" noting that as many as 600,000 Palestinians cannot afford to meet their basic needs in food, clothing and shelter to survive. Facing what is known as subsistence poverty this group whose expenditures amount to less than \$1.5 a day per person has become increasingly vulnerable to economic shocks. Nigel Roberts, World Bank Country Director for the West Bank and Gaza stated that "closures are a key factor behind today's economic crisis in the West Bank. They have fragmented Palestinian economic space, raised the cost of doing business and eliminated the predictability needed to conduct business."<sup>23</sup>

IOF have continued to prohibit family visitation for Palestinian prisoners detained in Israeli jails. They have also continued to prevent Palestinian lawyers from visiting prisoners who have been increasingly subject to cruel and inhuman treatment by IOF.<sup>24</sup>

IOF have imposed restrictions on entry and exit of Palestinians at international borders; including the Rafah International Crossing Point on the Gaza Strip border with Egypt and al-Karama International Crossing Point on the West Bank border with Jordan. These border crossings are controlled by the Israeli authorities and are often subject to arbitrary delays, closures and conditions of passage. The Rafah International Crossing Point in particular has been continuously subject to closures and other restrictions and many

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<sup>23</sup> "Palestinian Economy Remains Stagnant after Four Years of Intifada," World Bank, 22 November 2004, available at [www.worldbank.org](http://www.worldbank.org).

<sup>24</sup> For more details about Palestinian prisoners in Israeli jails, see page 35 – 38.

travelers are forced to remain in the crossing point overnight. In addition, these border entry points are often used by IOF as an opportunity to arbitrarily arrest and detain Palestinians.

On 16 April 2004, IOF decided to prevent Palestinians aged 16-35 from traveling through Rafah International Crossing Point, thus preventing 13% of the Gaza Strip population from traveling. This decision has had disastrous impacts, especially on students and patients. Hundreds of students have been prevented from traveling to attend their universities abroad and many patients have been prevented from traveling to other countries to receive advanced medical care which is not available at hospitals in the Gaza Strip.

In the same context since 12 December 2004 IOF have closed Rafah International Crossing Point following an armed attack against Israeli troops positioned in a military post near the crossing point. Subsequently, thousands of Palestinian civilians have not been allowed to travel back to the Gaza Strip and have been forced at the Egyptian side of the crossing point or travel to other countries.<sup>25</sup>

In 2004, PCHR documented five deaths of Palestinian patients due to obstruction by IOF positioned at military checkpoints and border crossings of their transfer to hospitals.

## **7. Torture and Ill-Treatment of Palestinian Detainees**

The detention of Palestinian prisoners by the Israeli military and security services raises serious concern under international humanitarian and human rights law, particularly the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which Israel is a State Party. IOF have continued to detain thousands of Palestinians many of whom have been transferred out of the OPT to jails and detention centers inside Israel in violation of the Fourth Geneva Convention.

By the end of 2004, at least 6000 Palestinians, including about 400 children were still in Israeli custody in detention facilities throughout Israel and in settlements and other military bases in the OPT. Of these detainees at least 850 were being held under administrative detention orders. IOF have transferred most of these prisoners out of the OPT to jails and detention centers inside Israel in violation of the Fourth Geneva Convention. Article 76 of the Convention provides that “protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein”.

In a number of instances, Palestinian detainees are held in locations without notification to families or even the International Committee of the Red Cross. In one such example, a number of detainees have been held in Detention Facility 1391, a secret Israeli detention facility which has been used to detain and interrogate Palestinians for many years. The facility’s existence was only publicly acknowledged by the Israeli Minister of Defense in April 2002 following the investigative efforts of Center for the Defense of the Individual (Hamoked) and PCHR. Statements taken from former detainees revealed that Palestinians detained in this facility had been routinely subject to inhuman conditions and

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<sup>25</sup> On 21 January 2005, IOF reopened the crossing point for incoming Palestinian travelers and it was reopened for those departing on 1 February 2005.

subject to methods of interrogation both physical and psychological which constitute torture and ill treatment.

Most arrests have taken place during house raids, especially in the West Bank<sup>26</sup> and Israeli incursions into Palestinian towns, villages and refugee camps throughout the West Bank and Gaza Strip. Hundreds of Palestinians were also arrested at Israeli military checkpoints and roadblocks erected on roads and at entrances to Palestinian communities; at border crossings with Egypt and Jordan; and, at crossings into Israel or inside Israel. Upon arrest, Palestinians regularly report being subject to beatings, handcuffing, blindfolding, verbal abuse and threats and exposure to extreme temperatures.

Detention conditions for Palestinians in Israeli custody continue to violate the fundamental rights of detainees. Palestinian prisoners have reported poor ventilation, overcrowding, lack of adequate sanitation facilities, poor food and water supplies and denial of appropriate medical care. IOF have also continued to deny or delay access to legal counsel and relatives, in violation of the standard minimum rules for the treatment of prisoners.

Throughout the current Intifada, IOF have reverted to past treatment of Palestinian prisoners after some gains had been made in previous years through prisoners actions such as hunger strikes for which a number of prisoners paid for their protests with their lives. On 15 August 2004, thousands of Palestinian and Arab prisoners started a hunger strike to pressure the Israeli authorities to meet their humanitarian demands related to conditions of their detention.<sup>27</sup> The Israeli Minister of Internal Security declared Israel would confront the strike and stated that "they can strike for one day, one month or even until they die but we will not concede to their demands."

### **Two Palestinian Deaths in Custody**

There are serious concerns that two Palestinian prisoners died in Israeli jails in 2004 due to denial or delays of appropriate medical care. On 16 September 2004, Fawwaz Hassan Bulbol from 'Attil village near Tulkarm died at Megiddo, an Israeli military detention compound. Bulbol was arrested on 14 April 2004 and was serving a sentence of 8 1/2 years. On 21 September 2004, Israeli forensic specialists carried out an autopsy on Bulbol's body at the Israeli Forensic Institute of Abu-Kbir. The autopsy was carried out by Dr. Hess, Dr. Levi, Dr. Chression, Dr. 'Abdullah Yassin representing the Palestinian Justice Ministry and Dr. Fathy Daqqa representing the family of the deceased in addition to advocate Buthaina Duqmaq from the Mandela Institute for Human Rights. The preliminary report revealed a blood clot of the main coronary artery which led to the death of Mr. Bulbol. Dr. Yassin affirmed the deceased "would have escaped death if he was provided appropriate and prompt medical care when he first complained of chest pain."<sup>28</sup>

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<sup>26</sup> IOF have seized control over most of the West Bank towns since March 2002 when they launched "Operation Defensive Shield." Since then IOF have regularly raided houses and arrested many Palestinians.

<sup>27</sup> For more details, see PCHR's press release issued on 18 August 2004, "Palestinian and Arab Prisoners Continue Their Hunger Strike Demanding Improved Conditions."

<sup>28</sup> A press release issued by Mandela Institute for Human Rights, 21 September 2004, available at [www.mandela-palestine.org](http://www.mandela-palestine.org).

On 4 November 2004, Mohammed Hassan Abu Hadwan, 65, from Shu'fat refugee camp, died at Asaf Harofeh Hospital in Israel. The Palestinian Prisoners Society accused the Israeli Prison Authority of full responsibility for his death. Abu Hadwan suffered from a heart attack and he had similar heart problems in the past. According to a press release issued by the Palestinian Prisoners Society "Shabtai Gold, from Physicians for Human Rights, stated that the prisoner was evacuated to the hospital in a critical condition and he was tied to his bed. He demanded to be untied and to be treated as a human being." Abu Hadwan had served 19 years in prison out of his life imprisonment sentence.<sup>29</sup>

### **Torture and Ill-Treatment**

PCHR notes with grave concern the ongoing prevalence of torture and ill treatment of Palestinian detainees in Israeli custody. In 2004, PCHR received increased reports regarding various methods of interrogation used against Palestinian detainees, including minors, held in Israeli jails and detentions centers both inside Israel and in the OPT. The methods used constitute torture and ill treatment as defined both in the Convention against Torture and other international instruments. Inhuman conditions of detention included airless cells with the windows blacked out, cells measuring only 1 meter by 1.5 meters with no toilet facilities, being blindfolded for many hours, and being held with collaborators to extract confessions. Interrogation methods and other treatment from Israeli military guards and the General Security Service personnel included beatings and other physical and verbal abuse.

In one example, on 5 May 2004 the IOF arrested Mustafa 'Ali Abu Haniya, 31, from al-Zawaida village in the central Gaza Strip at the Abu Houli military checkpoint. One week later, a PCHR lawyer was able to visit him in Ashkelon Prison inside Israel. He stated to the lawyer that he was subject to torture during interrogation. He was subject to *Shabeh*<sup>30</sup> for three consecutive days. Abu Haniya stated also that an interrogation officer threatened to kill him and destroy his house if he did not confess the accusations presented against him. Abu Haniya suffers from acute pains in the stomach.

On 1 July 2004, an Israeli criminal prisoner detained attacked three Palestinians held under administrative detention in Kfar Youna Prison. The three detainees were coming back to their cell under escort by jailers following the rest-period known as *Foura*. They were attacked at this point by the criminal prisoner. Two of the detainees were injured: Isma'il 'Omar Shakshak and 'Ali Farraj Abu Juraida both from Rafah. They were taken to the clinic of the prison where they received first aid. The third detainee, Jamal Zeinou, from Gaza City, was not hurt. "Kfar Youna" prison is designed for dangerous Israeli criminal prisoners yet seven Palestinians are held under administrative detention in an area isolated from other prisoners.<sup>31</sup>

On 20 October 2004, the Israeli High Court refused to guarantee that 'Emad al-'Qawasmi, a detainee from Hebron would not be subject to torture, in response to a petition filed on 18 October 2004 by the Public Committee Against Torture in Israel, HaMoked, B'tselem

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<sup>29</sup> A press release issued by the Palestinian Prisoners Society, 4 November 2004.

<sup>30</sup> A common torture practice, *shabeh* involves forcing detainees to sit on an extremely small stool with one's hands shackled behind the back in an excruciating position for long periods of time.

<sup>31</sup> See PCHR's press release on 4 July 2004, "PCHR Is Concerned about the Lives of 7 Palestinian Detainees in Israeli Custody."

and Physicians for Human Rights to the High Court of Justice demanding action to stop the use of torture in the interrogation of al-Qawasmi. Al-Qawasmi was arrested on 13 October 2004 and brought for interrogation to the Israeli General Security Service Interrogation Unit at the Shikma Detention Center. He was not permitted to meet with a lawyer.<sup>32</sup>

Riad al-Humaidi, from Gaza, was subject to torture by Israeli interrogation officers. Al-Humaidi told a PCHR lawyer who visited him in prison that he was subject to severe torture resulting in him fainting twice. Al-Humaidi was suffering a fracture to his rib which according to the lawyer was exploited by the interrogators during the interrogation by beating him on his chest.

Torture and ill treatment, including inhuman conditions of detention, constitute violations of international human rights and humanitarian law, including the Fourth Geneva Convention. Torture is a grave breach of international humanitarian law and a war crime. The international prohibition on torture is a *jus cogens* norm and cannot be derogated from under any circumstances, as confirmed in Article 2 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."

### **Administrative Detention**

Administrative detention has been used by IOF to arrest and detain Palestinians without charge or trial for long periods. Current administrative detention orders permit for periods of detention of up to six months that are indefinitely renewable without reference to charge or trial. These orders are issued by Israeli district military commanders in the West Bank and Gaza Strip.<sup>33</sup> At the end of 2004 at least 850 Palestinians were still in custody under administrative detention orders issued by IOF.

Administrative detention violates Article 78 of the Fourth Geneva Convention which prohibits the use of this measure as a form of punishment rather than as an exceptional measure for "imperative reasons of security." However, IOF have consistently used administrative detention as a penal measure against thousands of Palestinians. In some cases, administrative detention orders are issued against Palestinian detainees at the end of interrogation without being charged. In other cases, such orders are issued against Palestinian detainees after they have served the whole period of their prison sentences.

The Israeli Military Commander for the West Bank issued Military Order No. 1500 on 5 April 2002 granting army officers wider scope to detain Palestinians for 18 days without charge, access to lawyers or judicial review. At the end of the period, a detainee would have to appear before a judge to renew his/her detention. Petitions filed at the Israeli High Court by human rights organizations against this order were rejected. Military Order 378 allows the renewal of detention for up to 90 days. In May 1999, three military

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<sup>32</sup> See a press release issued by the Public Committee against Torture in Israel on 19 October 2004, available at [www.stoptorture.org.il](http://www.stoptorture.org.il).

<sup>33</sup> This excludes East Jerusalem where the orders are issued by the Israeli Defense Minister (as in all Israeli cities).



orders, 1501, 1502 and 1503, were issued allowing the extension of denial of access to legal council.

## **8. Unlawful Deportation or Transfer**

In 2004, IOF continued to unlawfully transfer Palestinians out of the OPT, from the West Bank to the Gaza Strip or from one town to another in the West Bank. Palestinians unlawfully transferred from the West Bank to the Gaza Strip were all ex-prisoners in Israeli jails.

IOF unlawfully transferred Palestinians from the West Bank to the Gaza Strip according to article 86(b)(1) of Security Provisions (Judea and Samaria) Order (No. 378) of 1970.<sup>34</sup> This order allows the Israeli Military Commander in the West Bank to "assign residence" of Palestinians who pose threats to "security." Whatever the reasons used by IOF to justify unlawful transfer of Palestinians, the unlawful transfer of protected persons constitutes a violation of the Fourth Geneva Convention, including article 49 and a grave breach of the Convention as defined in article 147.

In 2004, the Israeli Military Commander of the West Bank ordered: (1) transfer of six Palestinian prisoners from the West Bank to the Gaza Strip<sup>35</sup>; (2) transfer of a prisoner from Hebron to Ramallah for two years; and (3) deportation of a prisoner from Ramallah to Jordan.

On 20 January 2004, IOF transferred Anwar 'Abdul Latif Abu Zahu, 28, from Jenin, who had been held under administrative detention for 21 months, to the Gaza Strip for two years. On 19 February 2004, IOF transferred Lu'ai Salama, 32, from Qariout village near Nablus, to the Gaza Strip for two years. Salama had already been held under administrative detention for two years. On 26 February 2004, IOF transferred Ra'ed 'Abdul Muhsen Zaghoul from Ramallah to the Gaza Strip. Zaghoul was serving a 3-year prison sentence when he was transferred. On 3 March 2004, IOF transferred Mohammed Taqatqa, 52, from Bethlehem to the Gaza Strip. Taqatqa had served 21 months out of a two-year imprisonment sentence before he was transferred.

By the end of 2004, 39 Palestinians who were transferred from the Church of the Nativity in 2002 were not able to travel back to the West Bank. These Palestinians were transferred on 10 May 2002 after they had resorted to the Church during a wide scale Israeli military offensive on Bethlehem. According to an Israeli – Palestinian agreement in this regard, 13 of these Palestinians were deported to Europe while the remaining 26 persons were transferred to the Gaza Strip for two years.

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<sup>34</sup> A military order issued by the Israeli military commander of the West Bank to assign residence of Palestinian detainees in the Gaza Strip.

<sup>35</sup> On 6 January 2004, the Israeli High Court cancelled a military order issued by the Israeli military commander of the West Bank to transfer Ra'ed Qaderi, from Nablus, to the Gaza Strip. Qaderis was brought back to the administrative detention following 8 days of detention in Erez detention center in the northern Gaza Strip. On 11 January 2004, IOF moved Ahmed Mohammed 'Ezziddin al-Qassam, from Jenin, who had been detained in Salem detention center since 7 January 2004, to Erez detention center in order to be later transferred to the Gaza Strip, but the Israeli High Court cancelled the military order to transfer him.

Since the beginning of the current Intifada in September 2000, IOF have unlawfully transferred more than 50 Palestinians from the West Bank to the Gaza Strip. In 2004, IOF allowed four of these transferees to go back to the West Bank at the end of their "assigned residence" periods. On 15 March 2004, Intissar 'Ajouri was able to go back to 'Askar refugee camp in Nablus following 18 months of transfer to the Gaza Strip. Her brother, Kifah, was able to travel back home on 27 August 2004, following two years of transfer. IOF had transferred the two from the West Bank to the Gaza Strip on 4 September 2002, accusing them of assisting their brother (their brother had already been killed in an extra-judicial operation conducted by IOF).

On 11 May 2004, Hani Hamdi al-Rujbi was able to travel back to Hebron after six months of transfer to the Gaza Strip. On 24 November 2004 IOF allowed Samer Abu Zaina, 33, to travel back to Hebron 40 days after the end of the period of his transfer to the Gaza Strip which was one year.<sup>36</sup>

## **9. Impunity**

Despite hundreds of complaints submitted by PCHR and other human rights organizations to the relevant Israeli authorities, on behalf of Palestinian victims of Israeli violations of human rights, the Israeli response has consistently been that "The state is not responsible for incidents that take place in military operations." IOF have not investigated dozens of crimes against Palestinian civilians nor allowed neutral international bodies to conduct such investigations.

The findings of investigations that IOF have conducted through established commissions demonstrate the dangerous role played by the Israeli judiciary, including the High Court, in covering such crimes. In some cases, where probes are opened, the Israeli military judiciary conducts the investigation and its findings often hold the victims responsible. When the perpetrators are convicted, which is very rare, the punishment is lenient such as moving a perpetrator from one unit to another or imposing a small fine.

In one example, on 5 October 2004, an Israeli soldier in a military post at the Egyptian border, south of Rafah, fired at 13-year-old Iman Samir al-Hams. The child was instantly killed. This killing grabbed public opinion when an Israeli soldier confessed that his officer killed the child from a close distance and then fired more than 20 live bullets at her after she had fallen to the ground. On 11 October 2004 the Israeli Attorney General decided to initiate a probe into the incident at the Israeli police. On 15 October 2004, the Israeli Military Chief of Staff Moshe Yalon accepted the officer's narrative in which he claimed that he fired on the ground when Palestinian gunmen fired at his military post. A report prepared by the Israeli military southern command reported that the preliminary investigation did not indicate that there was an "immoral act" by the officer and his soldiers. The Officer was not dismissed. Ten days later, the Officer was arrested for providing a false testimony after Israeli newspapers had published new details about the killing of the child. On 22 November 2004, the Israeli Military Prosecutor presented a bill of indictment against the Officer and the Israeli Military Court extended his detention at an Israeli military post for two months. On 23 November 2004, videos were presented

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<sup>36</sup> At the time of writing this report, IOF allowed 20 Palestinians to travel back to the West Bank; 16 traveled back on 20 February 2005, and 4 traveled back on 15 March 2005.

showing the Officer moving towards the child and ‘confirming the kill’. In a court session held on 9 December 2004, the officer was convicted of the misuse of weapons, but not of the killing. On 6 February 2005, the Officer was released after the witness – a soldier in the Unit led by the Officer – claimed that he lied in the investigation when he stated that he saw the officer firing at the child. He further claimed that he and other soldiers lied in order to get their Officer discharged.

Such findings of investigations conducted by IOF indicate that IOF are determined to continue their illegal attacks against Palestinian civilians as long as the international community does not intervene. In light of the failings of the Israeli authorities in respect of their clear legal obligations to hold individuals accountable for violations of international human rights and humanitarian law, PCHR calls for the establishment of an impartial international investigation committee to investigate, in particular, grave breaches of international humanitarian law perpetrated by IOF against Palestinian civilians in the OPT.

## ***Palestinian Violations of Human Rights***

### **1. Smooth and Constitutional Transition of Authority**

The last weeks of 2004 witnessed positive developments in the PNA following the death of the Palestinian President Yasser Arafat on 11 November 2004. Contrary to expectations of many observers, the Palestinian people and institutions proved their wish for a civilized and peaceful transfer of power. In the PLO, Mr. Mahmoud Abbas (Abu Mazen) was elected as the chairman of the PLO Executive Committee, succeeding President Arafat who had held the post for decades. Mr. Rawhi Fattouh, Speaker of the PLC became interim president upon undertaking a constitutional oath. The interim presidency in accordance with Palestinian Basic Law would be for a not to exceed 60 days during which time free and fair democratic elections would be organized to choose a new president.

The late President Yasser Arafat had issued a presidential decree on the 21 June 2004 which stated that voter registration would begin on 4 September 2004. However, the decree did not specify a date for holding particular elections.<sup>37</sup> PCHR observed that registration centers were opened on the decreed date though small numbers of citizens registered. The low turnout is attributable to a number of factors, including continued aggression by IOF against Palestinian civilians, internal security disputes and questions about the seriousness of the PNA's intentions to hold elections.

The assignment of a date for presidential elections coupled with democratic reform gaining new momentum was welcomed by PCHR. Some sections of the community voiced their opinion that holding the presidential election should occur simultaneously with parliamentary and local elections. However, PCHR's stance was although supporting the holding of parliamentary elections, the new constitutional obligation to fill the vacant post of President of the PNA in 60 days was the priority. PCHR also called for an amendment to Law 13 of 1995 relating to Elections before holding parliamentary elections. On 14 November 2005 interim President Fattouh declared that the parliamentary elections would be held on 17 July 2005. This was a positive step supported by PCHR.

At the time of writing, the Palestinian presidential election had been recently held on 9 January 2005. PCHR monitored the elections as an accredited monitoring organization. PCHR's preliminary Evaluation Report together with other reports issued by other local and international monitoring organisations characterized the elections as free, fair and broadly successful. PCHR did note a number of violations but concluded that these did not alter the final outcome.<sup>38</sup>

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<sup>37</sup> For more information on the result of monitoring conducted by PCHR over the registration of voters, see "Palestinian Elections: An Evaluation of the Pre-Election Process, Including the Conclusions of the Monitoring Process Conducted by PCHR on the Registration of Voters in the Fourth Quarter of 2004 (The Gaza Strip)."

<sup>38</sup> To see the conclusions of monitoring conducted by PCHR, in cooperation with 26 NGOs, over the polling and counting of votes in the presidential election, see PCHR's "Palestinian Presidential Election 2005: Conclusions of the Monitoring Process Conducted by PCHR on the Polling and Counting of Votes (The Gaza Strip).

## Local Elections

While the transition of executive authority was taking place preparations began to hold elections of Palestinian local councils. On 23 December 2004, elections were held in 26 local councils in the West Bank as part of the first stage of local council elections. A further 10 local councils in the Gaza Strip were slated for elections on 27 January 2005 under this first stage. At the time of writing these elections had recently taken place and preliminary conclusions from monitoring<sup>39</sup> conducted by PCHR indicated that these elections were carried out in a fair manner.

Holding elections for local councils has been demanded by Palestinian civil society organizations, including PCHR, since the establishment of the PNA in 1994. However, the PNA had appointed members of local councils in the West Bank and Gaza Strip based on tribal and political considerations. Although the PNA promulgated Law 5 of 1996 relating to local councils elections and Law 1 of 1997 relating to local councils, the PNA had until recently not made efforts to hold elections for local councils and have continued to appoint the members.

In 2004 a series of positive developments concerning holding local elections took place. On 10 May 2004 the Palestinian Cabinet took a decision to hold local elections in four stages and on 24 May 2004 a presidential decree was issued establishing a committee for elections of Palestinian local councils, the Higher Election Committee.

PCHR criticized the law of local council elections and called for amending it. PCHR called for incorporating the Higher Election Committee into the Central Election Commission to save efforts, time and financial resources and ensure representation of partisan entities in the Commission.<sup>40</sup> PCHR also called for devoting a quota for women to ensure maximum representation of women in local councils. On 16 August 2004 a presidential decree was issued allowing representation of all partisan entities in the Central Election Commission. On 1 December 2004, interim President Fattouh ratified Law 5 of 2004 amending the law of local council elections, including devoting two seats for women in local councils where women are nominated for candidature. The amendments also included assigning the responsibility for local elections to the Central Election Commission (however the Higher Election Committee would continue its work for a period of one year).

The first elections earmarked in Stage One were held on 23 December 2004. While PCHR welcomed these elections it called upon the PNA to reconsider holding local council elections in stages and to hold them together.

The positive developments in the last eight weeks 2004 were preceded by a series of incidents that raise concerns concerning continued violations of human rights. These incidents will be highlighted in the following sections.

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<sup>39</sup> PCHR will soon publish an evaluation report of the second term of the first stage of elections of local councils in the Gaza Strip, which was held on 27 January 2005.

<sup>40</sup> See the memorandum submitted by PCHR to PLC members on 26 June 2004.

## **2. Security Chaos and Proliferation of weaponry**

In 2004, internal security in the OPT deteriorated, impacting all aspects of life, threatening the safety and security of citizens and public facilities to attacks. Even through this crisis has been noted for the past several years and considered deeply entrenched, PCHR observed escalation of the crisis in an unprecedented manner in 2004. Deterioration in internal security included misuse of weapons, kidnapping citizens and officials and attacks on public facilities which undermined the rule of law and threatened the safety and security of citizens.

Deep concerns emerged about the following:

1. Members of Palestinian Security Services were involved in a number of these incidents even though their role is to enforce the law and ensure protection for citizens. A number of PNA-related groups and other armed groups were also involved in some of these incidents.
2. The Palestinian Attorney General failed to investigate these incidents which sometimes amounted to casualties among citizens or attacks on public and private property. This failure undermined the rule of law.

### **Misuse of Weapons**

In 2004, there was an unprecedented increase in the number of cases of the misuse of weapons in partisan, family and personal disputes which left many Palestinians dead. PCHR documented also a number of cases in which Palestinians were killed as a result of playing with weapons, preparing explosives or planting bombs in populated areas by members of the Palestinian resistance. In 2004, 131 Palestinians (72 in the Gaza Strip and 59 in the West Bank) were killed in incidents related to the misuse of weapons. This number is the highest documented by PCHR in one year since the beginning of the current Intifada in September 2000. It is more than double the number of Palestinians killed in such incidents in 2003 which was 53. It is also higher than the total number of Palestinians killed from 2000 to 2003 which was 122. This alarmingly high number requires immediate and effective action to stop this phenomenon and bring the perpetrators to justice.

In one example, on 4 March 2004 'Aawni Nayef Killab was killed while he was making a bomb inside his house. The bomb exploded killing him and seriously injuring his wife (who later died from her injuries), his children and a number of neighbors. The house was also destroyed and a number of neighboring houses were damaged.

In another incident that took place in Gaza City on 17 March 2004, a civilian was shot dead and 20 security members and a second civilian were injured in clashes between members of Security Services and unknown gunmen. Palestinian Civil Police requested a civilian car to stop on al-Jalaa' Street close to the western entrance of the Palestinian security compound known as *Saraya* in central Gaza, in an apparent routine police check of vehicle licenses and registration. The driver of the vehicle refused to present his identification and vehicle documentation. A quarrel ensued between the driver and the police officer. The driver exited his car and opened fire with a pistol into the air. The police officer retreated and members of the Military Intelligence who were guarding the

nearby entrance of *Saraya* opened fire towards the car but did not cause any injuries. The driver retreated to avoid the shots and pulled out a hand grenade, threatening to throw it at the security officers. He was seen making a call on his mobile phone as he was threatening to use the grenade. Within minutes, a group of armed Palestinians arrived at the scene and a gun battle ensued between them and members of the Palestinian Security Services, including Military Intelligence and the police. During the clashes a grenade was thrown towards security officers at the scene, causing a number of injuries. Munther Nazir Bahar, 26, from Shojaeya neighborhood in Gaza City, was driving along al-Jalaa' Street as the incident occurred. As he was driving he was killed by a bullet to the head.

In 2004, there was a notable increase in 'revenge' murders. In a particularly horrible attack related to feud between the families of Abu Hassanain and Abu al-Qumbus, on 6 October 2004, a number of armed persons shot dead Hashem Ma'awia Abu Hassanain, 17, with more than 15 bullets, when he had just left his school in Gaza City.

In 2004, clashes took place between members of the Preventive Security Service (PSS) and those of the Military Intelligence. On Monday afternoon, 18 October 2004, armed clashes erupted between these groups in the al-Fawakhir area near the central market in Gaza City. The area was crowded with passing civilians out shopping. Clashes between the two Security Services escalated in the evening after the family of one of those who had earlier been injured kidnapped a number of members of the Military Intelligence. Members of the two Security Services used machine guns and hand grenades in the clashes that erupted near the Palestinian Security Compound, known as *Saraya* in the center of Gaza City. The area was again a crowded shopping area. The clashes extended to the vicinity of the house of Colonel Mohammed Dahlan, former Chief of the PSS, near *Saraya*, and the vicinity of the house of Major General Mousa Arafat, Head of the National Security Force in the Gaza Strip and Head of the Military Intelligence. Tension spread over Gaza City, and armed clashes took place between the two security services in various other areas of the City. A number of checkpoints were erected on roads stopping traffic. Eight members of the two security services were injured. A number of houses were damaged and members of Security Services broke into a number of houses for shelter posing serious threats to the inhabitants.

In another crime committed in the evening of 4 November 2004 a member of the PSS killed 'Aahed Zuhair Bsaiso, 36, from Gaza City, with an automatic weapon. According to PCHR's investigations at around 19:30, a member of the PSS arrived in his jeep at an auto repair center owned by the Bsaiso family under their house in Khalil al-Wazir Street. The auto repair center was closed. Bsaiso apologized to him and asked the PSS member to return the next day. The member of PSS insisted that his vehicle be repaired immediately. Bsaiso refused and returned to his apartment. The member of PSS insisted that Bsaiso come back out which he did and a brief argument ensued before the PSS member shot Bsaiso at point blank range.

On 5 November 2004, 8-year-old Mohammed Mosa'ad al-Sumairi and his cousin, 8-year-old Ahmed Mohammed al-Sumairi, were killed as a result of the explosion of a bomb planted by members of the Palestinian resistance in Abu Haddaf area, north of Khan Yunis, to confront a possible Israeli military incursion.

The spread and misuse of weapons in OPT for which Palestinian civilians have paid a high price raises grave concerns. These incidents raise questions on the rule of law and the role of the Palestinian Security Services in undermining this rule of law and subjecting the citizens they serve to project to more violence. The weapons used in most of these incidents were weapons of security officials or armed groups supported by official bodies, such as the "Death Squad."

On 27 November 2004, Brigadier Rashid Abu Shebak, the head of the PSS announced the disbandment of the Security and Protection Department, known locally as the "Death Squad," and stated that its members would be reassigned to various departments of the security service. PCHR considered the disbandment of the "Death Squad" positive but more reforms were required. A number of members of the squad were previously sentenced to death or imprisonment for crimes they had committed in the past years. PCHR does not support the death penalty and believes that all such sentences must be commuted but does support the implementation of the rule of law which must include commuted death penalty cases. The implementation of the rule of law is the only way to ensure the termination of these incidents. PCHR called for conducting a fair and transparent investigation into the crimes allegedly committed by members of the squad and other persons, including murderers, to bring those found guilty to justice and ensuring their dismissal from the PSS or any other security service.

PCHR reiterates its call for the PNA to take effective steps to end this phenomenon. PCHR calls on the PNA to take the necessary legal measures against those who were involved in these incidents, to ensure the rule of law and broad accountability of those responsible. PCHR calls also upon all Palestinian partisan entities and civil society groups to make joint efforts to end this phenomenon and insist on the rule of law.

### **Kidnappings**

In 2004, a number of Palestinian citizens and officials were kidnapped by Palestinian armed groups in a trend that reflects deterioration in the Palestinian internal security and consequently the safety and security of Palestinian citizens.

On 15 June 2005, a number of unknown armed persons kidnapped Tawifiq 'Arafa, an engineer of the Municipality of Hebron, when he was with colleagues on a field tour in the streets of the town. The kidnappers opened fire injuring one of 'Arafa's colleagues.

On 16 July 2004, a number of gunmen from "Jenin Martyrs Brigades" known for its links with the Fatah movement intercepted a convoy carrying the former Chief of Police, Major-General Ghazi al-Jabali<sup>41</sup>, on the costal road near the entrance of Nusseirat refugee camp in the central Gaza Strip. They kidnapped him and took him to the nearby al-Boreij refugee camp. Al-Jabali was released three hours later following commitments to consider the demands of the kidnappers who accused al-Jabali of corruption.

On the same day, an armed group linked with the Fatah movement, known as the "Martyr Ahmed Abu al Reesh Brigades" kidnapped four French citizens, including two women,

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<sup>41</sup> This attack was the third against al-Jabali in 2004. On 5 February, a number of gunmen attacked him in his office. On 29 April, a ticking bomb exploded in front of his house after he had left it, but no casualties were reported.



while they were sitting in a coffee shop in Khan Yunis. The kidnappers stated that they carried out this operation in protest against the UN Special Coordinator for the Middle East Peace Process, Terri-Rod Larsen's, criticism of the Palestinian Authority and to demand an end to corruption. Negotiations with the kidnappers were concluded with the release of the French citizens as a result of further commitments to consider demands related to the local situation.

On 21 July 2004, a number of unknown armed persons kidnapped the head of the Coalition of Local Councils of the villages around Nablus, Fadel al-Shouli, and took him to Balata refugee camp. He was released two hours later.

On 30 July 2004, four gunmen kidnapped three foreign nationals in Nablus. The kidnappers took them from Nablus to Balata refugee camp. The three foreigners were released after the Palestinian police surrounded house where they had been taken.

On 17 November 2004, a number of armed persons kidnapped 'Aamer 'Ata Murtaja, 36, when he was in the building of Murtaja Company for Electric Sets. They requested a ransom estimated at US\$1 million to release him. Murtaja was released a few hours later after a number of Palestinian public figures intervened to end the crisis. Another member of the Murtaja family, Jawad 'Omar Murtaja, had been previously kidnapped by armed persons on 4 November 2004. He was also released after intervention by Palestinian public figures.

On 30 November 2004, the PSS arrested five armed persons who kidnapped 13-year-old Mohammed Anwar Shwaikh in Gaza City and requested a ransom of 50,000 Jordanian Dinars (approximately US\$ 70,000) to release him.

The emergence of this trend in kidnappings is the result of the state of security chaos in the OPT due to the absence of the rule of law and the failure of law enforcement officials to assume their responsibilities and protect citizens.

### **Attacks on Public Facilities**

In 2004, there was an increase in attacks on governmental buildings and public facilities, further indicating the state of security chaos in the OPT and the failure of law enforcement officials to assume their responsibilities for protecting such facilities.

On 19 February 2004, a number of armed persons attacked the office of Ibrahim Abu al-Naja, Deputy Speaker of the PLC, in Khan Yunis. They destroyed the office and attacked the staff. The Palestinian police intervened and stopped this attack. Reasons for this attack were unknown but it was probably related to demands to provide job opportunities for the attackers. The office of PLC Member Jamila Saidam was subject to a similar attack on 8 May 2004 when around 15 gunmen attacked the office and destroyed its contents without stating any demands.

On 2 July 2004 around 20 persons armed with knives and staves attacked a water tank in Gaza City. They attacked the guards and damaged the tank, claiming that water was cut from the east of al-Shokaeya neighborhood.

On 18 July 2004 a number of gunmen attacked a site belonging to the Palestinian Military Intelligence, in Gizan al-Najjar area in Khan Yunis. The attack was a protest against the appointment of Major-General Mousa Arafat to the post of Chief of the

Palestinian National Security Force. The gunmen set fire to the site and four vehicles and held a number of members of the security services inside the building hostage. The gunmen also confiscated some weapons.

On 21 July 2004, a number of Palestinian gunmen broke into the Headquarters of Deir al-Balah Municipality. They destroyed some properties of the municipality and demanded that it re-supply the refugee camp with water, which had been cut since IOF destroyed the water network of the camp. Gunmen seized the car of Mayor Sami Abu Salim.

On 24 July 2004 a group of unidentified persons set fire to a police station in al-Zawaida village in the central Gaza Strip. The station was totally burnt and a neighbouring office of the local council of al-Zawaida village was damaged.

On 31 July 2004, a number of gunmen, known for their affiliation to the al-Aqsa Martyrs Brigade (an off-shoot of the Fatah movement) set fire to the building of Jenin Governorate. The leader of the Brigade, Zakaria Zubaidi, stated that this act was an expression of their frustrations at the refusal of the new Governor of Jenin, Qaddoura Mousa, to fulfill demands to pay salaries for members of the Brigade. A few hours later gunmen from the al-Aqsa Martyrs Brigade set fire to the building of the Palestinian General Intelligence in Jenin. They prevented fire engines from reaching the building. The leader of the Brigade stated that the act was in response to the alleged pursuit by the General Intelligence of members of the resistance.

On 14 August 2004 a number of members of the al-Aqsa Martyrs Brigade seized offices of Gaza Electricity Company in Khan Yunis and forced the staff out in protest to the daily cutting of electricity. They left the offices on the following day after they had reached an agreement with the company to solve of problem of electricity supplies.

On 19 October 2004 a number of members of the al-Aqsa Martyrs Brigade closed the office of the PLC and offices of Taxation in Jenin, claiming that the Ministry of Finance neglected demands of families of Palestinians killed by IOF.

On 2 December 2004, 12 armed persons of Fatah movement broke into the building of broadcasting of Palestine Television and Palestine Satellite Channel in Khan Yunis protesting statements by some PNA officials that called for stopping incitement. They also considered this raid a message to each Palestinian official to not become involved with the resistance movement and the Intifada, according to media reports. They left the building several hours later.

Although many of the attacks related to legitimate demands for reform, PCHR believes only peaceful means can be used to call for changes. Dangerous acts that threaten the safety and security of citizens and the society are unacceptable. The PNA is required more than ever to take serious and effective steps to end the state of security chaos in the OPT and the misuse of weapons in the Palestinian society. Law enforcement bodies must be used to protect civilian and infrastructures and must operate and be subject to the rule of law. The role and independence of the civil judiciary should be promoted, as a cornerstone of the democratic system and the Executive must abide to decisions taken by the judiciary. The Attorney General's Office should fulfill its duties in prosecuting those who violate the criminal law and that no crime is immune to investigation and

prosecution. The rule of law is essential to put and end to the current deterioration of security within the OPT.

### **3. Continued Operation of State Security Courts**

On 27 July 2003, the then Palestinian Minister of Justice, 'Abdul Karim Abu Salah, issued a decision abolishing the State Security Courts judicial system. PCHR welcomed the decision believing that this step would contribute to the promotion of the independence of the Palestinian judiciary and called upon the Palestinian President to issue a decree to entirely abolish these courts and withdraw a presidential decree 49 (1995) which established them.

In 2004, PCHR documented the trial of four Palestinians accused of killing three Americans before a military court on 7 February 2004 before the State Security Courts. PCHR was alarmed that the case was being considered by a military court even though the accused persons are not members of the security services and thus do not fall under the authority of the military judiciary. Following criticism the case was transferred to the civil judiciary. This is a positive and welcomed step, especially in the context that other cases before State Security Courts had already been transferred.<sup>42</sup>

However, there has been a clear and consistent failure to implement the decision of the Justice Minister that abolished the State Security Courts judicial system. On 2 September 2003, the Gaza City State Security Court held a session to consider two separate cases. The State Security Courts constitute a fundamental obstacle to the independence of the Palestinian Judiciary and respect for human rights and democracy. PCHR and other human rights organizations have continued to call for the abolition of the State Security Courts on the basis that they routinely violate fundamental human rights, including the right to fair trial before an independent and impartial court and to appeal against sentences to a higher judicial body. Trials in State Security Courts are summary, the accused are not given time to prepare a defense and are denied access to effective legal counsel. Judges of these courts are commanders of security services and not qualified members of the judiciary. Sentences issued by these courts cannot be appealed to a higher body, including death sentences.

PCHR reiterates its call to the Palestinian President to issue a decree abolishing these courts. PCHR also demands the transfer of all previous and current cases in State Security Courts to the civil judiciary.

### **4. Death Penalty**

The right to life is a fundamental human right. It must be guaranteed in the constitution and laws of States to conform to international human rights instruments and standards which prohibit the death penalty. With regard to Palestinian legislation, the Basic Law, which constitutes a temporary Palestinian constitution, does not include any provision that calls for respect for the rights to life or abolishes the death penalty. Further, the

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<sup>42</sup> A civil court considered the case of Mohammed Mahmoud Abu Qainas and his son, Rami, who were accused of collaborating with IOF in an assassination attempt against Dr. 'Abdul 'Aziz al-Rantissi. This attack left 3 Palestinian civilians dead.

Penal Law (74) of 1939 and Penal Law (16) of 1960 are still effective in the Gaza Strip and the West Bank.

In 2004 PCHR documented seven death sentences issued by Palestinian courts. On 24 January 2004, the Gaza City Criminal Court handed down two death sentences for the murder of a Gazan taxi driver. Raed Fathi Rabah Al-Deeb, 24, and Eyad Sameer Sliman Abed, 30, were sentenced to death by hanging following their conviction for the murder of the driver.

On 13 April 2004, the Gaza District Court – Serious Crimes Bureau, handed down three death sentences for kidnapping and murdering of a girl against Eihab Deeb Abu al-'Amrain, 24; Rami Mohammed Juha, 24; and 'Abdul Fattah Mohammed Sammour, 24.

On 29 November 2004, the Gaza District Court – Serious Crimes Bureau, sentenced Mohammed Mahmoud Ahmed Abu Qainas, 51, and his son Rami, 22, from Gaza City, to death by hanging after convicting them of collaboration with IOF. The two were convicted of intentionally collaborating with the Israeli General Security Service in an assassination attempt that targeted Dr. 'Abdul 'Aziz al-Rantissi, a senior leader of the Islamic Resistance Movement (Hamas), on 10 June 2003. Al-Rantissi and his son were injured and three civilian bystanders were killed in the attempt.

These death sentences are pending ratification by President of the PNA.

PCHR welcomes efforts made by the PNA to investigate and prosecute criminals before civil judiciary rather than State Security Courts which lack minimum standards for a fair trial. PCHR believes that this step contributes to the promotion of the role and independence of the judiciary. Although PCHR condemns such crimes, it reiterates its position and rejects the death penalty which violates the fundamental right to life. PCHR calls for the abolition of the death penalty in the Palestinian legislation to conform to international standards and instruments. PCHR calls for reconsidering death sentences issued by State Security Court and the transfer the cases to the civil judiciary. PCHR calls also upon the President of the PNA not to ratify death sentences.

## **5. Illegal Arrests**

In 2004, the Palestinian Security Services conducted a number of arbitrary arrests in violation of the Amended Basic Law which prohibits arresting, checking, detaining or restricting movement of any person without a judicial warrant issued in accordance with the law. The Penal Law 3 of 2001 also prohibits the arrest or detention of an individual without a legal warrant. Although there was a notable decrease in the number of illegal arrests, the failure of the Palestinian Executive to completely stop this practice threatens the safety and security of citizens and undermines the rule of law.

On 14 March 2004, Gaza District Court issued decisions ordering the release of four citizens who had been detained by Palestinian Security Services for several months, on suspicion of their involvement in a bombing that killed three Americans on 15 October 2003. However, the PSS continued to hold them in custody in violation of the court ruling. On 21 April 2004, three of the detainees escaped from their prison with the assistance of members of the Popular Resistance Committees. The fourth detainee

started a hunger strike on 29 August 2004 demanding his release according to the court ruling.

In another example of disrespect for the rule of law by Palestinian Security Services, Secretary General of the PFLP, Ahmed Sa'dat, has been detained by Palestinian Security Services since 15 January 2002, even though the Palestinian High Court of Justice issued a decision on 3 June 2003 ordering his release. Sa'dat was arrested in response to US and Israeli pressure as Israel claimed that he was responsible for the killing of the late Israeli Minister of Tourism Rahavam Ze'ivi on 17 October 2002.

PCHR received a complaint that the Palestinian Military Intelligence detained four citizens from the al-Masri family from 19 September to 12 December 2004 without interrogating them or presenting them to a judge. On 28 September 2004, PCHR wrote to the Attorney General to inquire about the reasons for their detention but the Attorney General had no information about this case. On the following day, the Attorney General's office wrote to PCHR that they sent a letter to the Military Intelligence asking for information about the case. This case is an example of a series of such violations by security services and the failure of the Attorney General to stop illegal arrests.

In 2004, PCHR pursued nine cases of illegal arrests. Three of the detainees were released while their trials were ongoing. Courts also ordered the release of two other detainees but one of them has remained in custody; Mohamed 'Ali 'Aishan was arrested by the General Intelligence on 22 April 2004. PCHR pursued his case before the Palestinian judiciary. On 10 February 2004, a court issued a decision ordering his release, but he has remained in custody without any charge.

Even though PCHR did not document any case of torture and ill treatment in 2004, that does not indicate that detainees were not subject to torture and ill treatment, as the behavior of security officials has remained unchanged; they have continued to violate the law and court rulings.

PCHR remains deeply concerned as these violations by law enforcement bodies undermine the rule of law and respect for court rulings. PCHR calls upon the Palestinian Executive to abide to the law, respect human rights and freedoms and bring law enforcement official responsible for illegal arrests to justice.

## **6. Inefficiency of the Attorney General**

The post of the Attorney General is essential to enforce the law and protect citizens' rights. The Attorney General is the guardian of public rights through investigating crimes and offences and bringing their perpetrators to justice. In 2004, the failure of the Attorney General's Office to prosecute criminals, especially those who are members of security services, contributed significantly to the deterioration of the internal situation and the troubled state of security. The weak performance of the Attorney General's Office made it vulnerable to intervention by the PNA.

In light of the failure of the Attorney General's Office to investigate crimes and offences, on 7 July 2004, PCHR sent a letter to the Attorney General inquiring about conclusions of investigations into 13 killings and 21 injuries resulted from the misuse of weapons in peaceful demonstrations. As the Attorney General was late in responding to this letter,

PCHR sent another letter on 19 July 2004 to emphasize its inquiry. On 25 July 2004, the Attorney General's office responded to PCHR's letters stating that "district prosecutors were requested to provide information about these cases, and the information will be sent to you later." On 21 August 2004, PCHR sent a third letter to the Attorney General asserting that it did not receive a final response concerning its inquiries. On 25 September, the Attorney General's office responded detailing conclusions of investigations into 9 out of 34 cases included in PCHR's inquiries. Alarming, the Attorney General's Office stated that it had no information about six cases in the Gaza Strip which strongly indicates a clear failure of the Attorney General.

In addition, the Attorney General did not take any measures regarding violations of court rulings to ensure their implementation. Arrests have been illegally conducted without warrants from the Attorney General without providing charges against detainees or presenting them to judges. Furthermore, the Attorney General's Office did not seriously treat dozens of complaints regarding violations of human rights; in 2004, PCHR submitted 28 complaints to the Attorney General's Office but received only 9 responses.

## **7. Performance of the Legislature**

The eighth term of the PLC ended in 2004. The PLC faced a number of difficulties in carrying out its functions, particularly in respect of the denial of freedom of movement imposed by IOF. PLC members have been regularly denied permission by IOF to travel to PLC sessions. These restrictions on freedom of movement have severely disrupted the work of the PLC and the PLC has failed to hold regular sessions. The PLC committees were largely unable to have full meetings and were forced to resort to separate parallel meetings in the West Bank and Gaza Strip. Some meetings used video conference equipment. In addition, two PLC members arrested by IOF continue to be detained in Israeli detention facilities: Marwan Barghouti has been detained by IOF since 15 April 2002 and Hussam Khader, has been detained since his arrest in March 2003.

While PCHR is aware of the difficulties imposed on the functioning of the PLC by the Israeli military occupation, PCHR remains concerned that the PLC has consistently failed to fulfill its parliamentary responsibilities, including in respect of legislation and monitoring of the Executive.

The legal term of the PLC ended in May 1999, according to the Israeli-PLO Interim Agreements. Since that time, the PLC has continued its work following a series of presidential decrees that have extended its term of office. This continued extension itself contradicts basic democratic principles. No regular elections have been held to allow people to select their representatives.

The PLC has also failed to fill four vacancies following the resignation of one PLC member, Dr. Haidar 'Abdul Shafi who resigned in 1998, and the death of 3 PLC members: Wajeeh Yaghi, a representative of Gaza Constituency; Ahmed Ershayed, a representative of Jenin Constituency; and Salloum al-Kahen, a representative of Nablus Constituency.

The last weeks of 2004 witnessed positive developments in the PNA following the death of the Palestinian President Yasser Arafat on 11 November 2004. Mr. Rawhi Fattouh, Speaker of the PLC, became interim president for a period not to exceed 60 days. During

this period the PLC was active in discussing and approving a number of important laws and President Fattouh ratified these laws, including Law 5 of 2004 amending provisions of the law of elections of local councils. PCHR welcomed these amendments as they respond to earlier and consistent calls for reforms by PCHR. Under Law 5 of 2004 enacted on 1 December 2004 amending Law 5 of 1996, the High Committee for Local Elections is abolished and replaced by the Central Election Commission. The High Committee for Local Elections was allowed to continue its activities for one year before being disbanded. With regard to positive discrimination for women, Article 28 of Law 5 of 2004 prescribes that "wherever women are nominated for candidature for any local council, their representation shall not be less than two seats for those who obtain the highest number of votes among female candidates."

On 23 December 2004, elections were held for 26 local councils in the West Bank. This step was a part of the first stage of a plan to hold elections for local councils at stages. This stage was completed during the writing of this report with elections held on 27 January 2005 for 10 local councils in the Gaza Strip.

Also during the writing of this report, the Palestinian presidential election was held on 9 January 2005 and Mr. Mahmoud 'Abbas was elected as the new President of the PNA. Mr. Rawhi Fattouh then reassumed his responsibilities as the Speaker of the PLC.

## **8. Freedom of Expression**

Freedom of expression is a fundamental human right and essential in instituting democratic reform. However, since its establishment in 1994, the PNA has consistently imposed restrictions on freedom of expression through a series of legislative, administrative and executive measures. In June 1995, the PNA promulgated the Press Law in accordance with a decree issued by the late President Yasser Arafat. The law imposes a number of restrictions on freedom of expression. The PLC, which was elected in 1996, was expected to consider and submit appropriate amendments to the law to ensure freedom of expression. This has not occurred. Even in the absence of amendments by the PLC, the Executive has violated even those provisions of the law which provide limited protection for freedom of expression, including closure of newspapers and media institutions. In November 1998, the Palestinian President issued a decree with regard to enhancing national unity and prevention of incitement. This decree further restricted the freedom of expression, particularly in relation to political opposition. On 21 July 2003, another presidential decree was issued to publish the aforementioned decree again to emphasize that it was still effective.

Even though there was a decrease in violations of the freedom of expression in 2004, there was a notable increase in attacks on the freedom of expression by unknown or known parties, some of which are linked with partisan entities.<sup>43</sup> This decrease in violations perpetrated by the PNA bodies does not indicate improvement of the human rights situation in the OPT, rather it reflects the weakness of these bodies due to repeated attacks by IOF on Palestinian institutions and security sites. Furthermore, this decrease was not accompanied by amendments to laws promulgated by the PNA, which contradict

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<sup>43</sup> See PCHR's "Report on Violations of the Right to Freedom of Expression and the Right to Peaceful Assembly under the Palestinian National Authority, 1 June 2003 – 31 August 2004," 27 October 2004.

international human rights instruments and standards. In addition, presidential decrees that impose restrictions on the freedom of expression were not abolished. There was also an increase in attacks by unknown persons, which can be attributed to the state of security chaos and conflicts in Palestinian Security Services. Furthermore, the Attorney General has consistently failed to search for the attackers and bring them to justice, which has contributed to the deterioration of internal security.

In an example of violations of the freedom of expression, the PNA has continued to detain Secretary General of the PFLP, Ahmed Sa'adat, even though the Palestinian High Court of Justice issued a decision on 3 June 2002 ordering his release.

In 2004, PCHR documented many attacks on journalists and media institutions. On 8 January 2004, five armed individuals, four of whom wore masks, intercepted a car, in which Seif al-Din Shahin, Gaza correspondent for the al-Arabiya satellite channel, was traveling. They dragged Shahin from the vehicle and beat him. The group then fired in the air and escaped after having told Shahin that they are members of Fatah movement. They warned Shahin not make negative comments about Fatah movement in reports he prepared for the al-Arabiya satellite channel.

On 21 August 2004, 'Adli Sadiq, a writer, found a letter in his garden signed by "Fast Response Unit", which threatened to kill him without giving any reason for this threat.

Hiba 'Akkila, Gaza correspondent of al-Jazeera satellite channel reported having received a phone call from an unknown person who threatened to attack her, asserting that he was following her. The reason for this threat was that 'Akkila had not mentioned names of those who were killed in Rafah when IOF attacked a peaceful demonstration on 19 May 2004 in a report she had prepared for al-Jazeera. 'Akkila reported also that she received a number of other less serious threats.

In July 2004, offices of al-Jazeera and al-Arabiya satellite channels and France Press received threats for reporting on a leaflet issued by al-Aqsa Martyrs Brigade against Mousa Arafat, Commander of the Palestinian National Security Force in the Gaza Strip.

PCHR also documented a number of attacks against media institutions. At approximately 04:00 on 2 February 2004, three armed persons attacked the building of al-Quds Educational Television of al-Quds University in al-Bireh. They beat the staff and destroyed the equipment of the control room. They then left the building without providing any reason for the attack. The losses were estimated at US\$18,000. The administration of the television organisation informed the Palestinian Police, Ministry of Information, the PLC, the General Intelligence and the PSS about the attack.

On the following day, staff members of al-Dar Magazine arrived at their offices after the Eid holiday to discover the office attacked and their furniture and equipment destroyed. The attackers and their motives are unknown. However, there were concerns that the attack may have been carried out because of articles on various local issues published in the magazine.

In another attack, at approximately 07:00 on 28 February 2004, at least 50 armed persons broke into the broadcasting building of Palestine Television in Khan Yunis, where two staff members were present. Those persons remained in the building until 15:00. This attack came as an attempt to pressure the Palestinian Executive to absorb 50 members of



al-Aqsa Martyrs Brigade into the Palestinian Security Services. These attacks strongly indicate the failure of the PNA to provide protection for media institutions.

Such attacks targeted not only journalists and media institutions, but also PNA officials. Internal riots in the OPT, which escalated in July 2004, resulted in a series of attacks related to internal conflicts in the PNA and statements of officials.

On the morning of 21 July 2004, a number of unknown armed persons fired the Nabil 'Amru, a former minister and a PLC member, when he was at home. He was wounded by two gunshots in the right foot. He was evacuated to a hospital in Ramallah and then he was transferred to a German hospital where his foot was amputated.

Regardless of the parties responsible for such attacks and violations, they leave negative impacts on the right to freedom of expression. They also undermine the rule of law and threaten the safety and security of Palestinian citizens, especially as the PNA fails to assume its responsibilities to provide protection for all citizens and investigate such attacks. The PNA fails also to implement related laws, even those who need to be amended to conform to international human rights standards and instruments and the Palestinian Basic Law.

PCHR condemns attacks on the freedom of expression and calls upon the PNA to respect basic freedoms, including the right to freedom of expression, as ensured by international human rights instruments. PCHR calls also for amending the Press Law and abolishing all decisions and presidential decrees which contradict the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and the Palestinian Basic Law to ensure freedom of expression. PCHR calls upon the Attorney General to investigate such attacks and bring their perpetrators to justice.

## **9. The Right to Peaceful Assembly**

The right to peaceful assembly is related to the right to freedom of expression and again is essential in the development of a democratic society. This right means the ability of citizens to organize public meetings and peaceful demonstrations to express their viewpoints or to protest certain policies. However, the practice of this right must not in any circumstances prejudice the rights and freedom of other citizens and such assemblies must be peaceful and tolerant.

On 28 December 1998, the PNA enacted the Law of Public Meetings which conforms with international human rights standards, providing wide latitude to hold public meetings as a form of peaceful assembly. However, on 29 February 2000, a Police Order was issued by the Palestinian Chief of Police prohibiting holding public meetings without prior approval by the Chief of Police. The Director of PCHR together with Younis al-Jaru, representing a number of Palestinian civil society groups, referred to the Palestinian High Court of Justice demanding the abolishment of the Police Order. On 29 April 2000, the High Court of Justice suspended the Police Order. The Executive did not wait for long to respond to the decision taken by the High Court of Justice. On 30 April 2004, the late Palestinian President Yasser Arafat, in his capacity as Minister of Interior, issued the Executive Regulation of Public Meetings. The regulation aimed at defining procedures that must be followed in order to organize public meetings and was largely the same restrictions contained in the previous Police Order. It provided the Chief of Police with

the authority to reject holding any public meeting if it violates the law and "public order," without defining the term "public order." Also according to the Regulation, the organizers of a public meeting must commit to provisions of Presidential Decree 3 of 1998 regarding reinforcing national unity and the prohibition of instigation, which was widely debated.

The right to free assembly was violated in 2004 by both the Palestinian Executive and organizers of public meetings.<sup>44</sup> Many demonstrations were organized in 2004, most of which supported the PNA and the late President Yasser Arafat and protesting attacks by IOF. In the second half of 2004, most demonstrations were organized by Palestinian Security Services.

In 2004, Palestinian Security Services intervened to disperse one demonstration only. At approximately 14:00 on Thursday, 22 January 2004, a demonstration was organized in Nablus in protest to the detention of a number of members of Hamas in Nablus Central Prison. The demonstrators moved towards the prison, which is located near a police station. As soon as they arrived at the area, a police member opened fire at the demonstrators. As a result, one of the demonstrators, 35-year-old 'Abdul Nasser Fayeze Sawafta, was killed by a bullet to the head.

In some other assemblies documented by PCHR, both organizers and participants violated the rules and limits of peaceful assembly by carrying firearms, which threatens public security and safety.<sup>45</sup> Such practices violate international human rights instruments, the Palestinian Basic Law, the Law of Public Meetings and the Law of Weapons of 1998, which prohibit carrying weapons in public meetings.

In one example, on the morning of 5 January 2004, a number of supporters of Hamas were preparing for a festival in the park of al-Azhar University to commemorate Yahia 'Ayash, a leader of Hamas who was extra-judicially killed by IOF. Then, a number of police members arrived to the same place to conduct training, and a number of members of Fatah movement in al-Azhar University threw stones at the supporters of Hamas. Clashes erupted between the two sides. Stones, empty bottles and home-made hand grenades were used in these clashes. A number of members of Fatah movement brought machine guns but did not use them. The police intervened to stop the clashes, but the clashes did not end until 11:00, when leaders of Hamas intervened and ordered the movement's supporters to withdraw. Five persons, including two police members, were injured in these clashes.

After a number of gunmen from "Jenin Martyrs Brigades" known for its links with the Fatah movement, had kidnapped the Chief of Police Major-General Ghazi al Jabalawi on 16 July 2004, large demonstrations were organized in the OPT.<sup>46</sup>

On 17 July 2004 the streets of the southern Gaza Strip and Gaza City witnessed demonstrations that rejected the appointment of Major-General Mousa Arafat to his new posting of Chief of the Palestinian National Security Force. A number of members of the security services and the al-Aqsa Martyrs Brigade participated in those demonstrations.

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<sup>44</sup> See PCHR's "Report on Violations of the Right to Freedom of Expression and the Right to Peaceful Assembly under the Palestinian National Authority, 1 June 2003 – 31 August 2004," 27 October 2004.

<sup>45</sup> For more details, see PCHR's "Special Report on Killings and Injuries as a Result of the Misuse of Weapons in Peaceful Demonstration, 28 September 2000 – 26 September 2004," 27 September 2004.

<sup>46</sup> See PCHR's positions paper "Crises in the PNA: Events and the Challenge of Reform," 9 August 2004.

On 18 July 2004, hundreds of armed young men, who were participating in a demonstration organized by al-Aqsa Martyrs Brigade in Rafah, surrounded the headquarters of the Palestinian Military Intelligence Service in the east of the town. They called on security members inside the headquarters to surrender. When the security members refused to surrender, the young men opened fire and threw hand-made grenades and Molotov cocktails at the headquarters. Immediately, an exchange of fire took place between the young men and the security forces. 18 Palestinians, mostly civilians, including a journalist from Reuters (Ahmed al-Baba) were injured. Three of the injuries were serious and on 26 July 2004, medical sources declared that Hani Mansour al-Sha'er, 16, died from an injury sustained to the head during these clashes. Al-Sha'er was passing by the area and was not participating in the clashes when he was injured.

On 1 August 2004, nearly 200 gunmen of al-Aqsa Martyrs Brigade, led by Zakria Zubaidi, organized a demonstration in Jenin refugee camp. Zubaidi stated that the demonstration was not against President Yasser Arafat contrary to what some members of Fatah movement claimed.

On the same day, around 50 gunmen, from al-Aqsa Martyrs Brigade, broke into a meeting of a number of members of the PLC and some leaders of the Fatah movement, who were discussing the issue of corruption and the deteriorating situation in Nablus. The gunmen opened fire to disperse the meeting, but no casualties were reported.

Such attacks constitute violations of international instruments and Palestinian legislation that ensure the right to peaceful assembly and provide limits to this right that must be respected by both the executive and organizers of assemblies. Violations of these basics threaten public security, personal safety and even the right to peaceful assembly itself. The Executive, represented by the Attorney General, has consistently failed to investigate such violations and bring their perpetrators to justice.

PCHR condemns these violations and calls upon the Executive to stop them through abolishing all presidential decrees and decisions that undermine the democratic spirit expressed in the Basic Law and the Law of Public Meetings. PCHR calls also upon the Executive to ensure the rule of law by enforcing the aforementioned laws and the Law of Weapons. Further, PCHR calls on the Executive to organize courses to raise the awareness of law enforcement officials on how to cope with peaceful assemblies in accordance with international standards and instruments, especially Code of Conduct of Law Enforcement Officials of 1979. PCHR calls further upon the Attorney General to investigate incidents of shooting during peaceful demonstrations and bring the accused, whether civilians or security officials, to justice.

## **10. Freedom of Association**

Freedom of association is also a fundamental requirement in a democratic society. This right allows individuals to form associations, both profit and non-profit, and to be members of such associations to achieve public or personal interests.

The Basic Law, issued on 18 March 2003, ensures freedom of association as a constitutional right. According to Article 26 of this Law, Palestinians have the right to "form unions, societies, associations, clubs and public institutions in accordance with the law." Since the establishment of the PNA, Palestinian NGOs had called upon the PNA to

promulgate laws that would ensure this right. On 16 January 2000, the Law of Charitable Societies and NGOs was approved<sup>47</sup> after it had been amended, at the order of the President, to include transferring the authority to register and supervise such groups from the Ministry of Justice to Ministry of Interior.<sup>48</sup> On 19 August 2003, the PLC approved in a first reading a draft law submitted by the Cabinet. This draft included amendments which provided that the authority to register and supervise such groups would be transferred to the Civil Work Affairs Bureau, which was established according to a presidential decree issued on 5 July 2002. Palestinian NGOs expressed their concern that the authority for registering and supervising NGOs must be given only to the Ministry of Justice. However, as of the end of 2004, no developments in this regard had taken place.

In 2004, bank accounts of 39 charitable societies and NGOs working in the Gaza Strip continued to be frozen by the PNA. A memorandum was circulated by the Palestinian Monetary Fund (PMF) on 24 August 2003 to all banks working in Palestine demanded that these banks freeze the accounts of 39 charitable societies and NGOs working in the Gaza Strip. According to the memorandum, the action was based on a decision by the Attorney General. The societies and NGOs mentioned in the memorandum were all Islamic charities which have branches throughout the Gaza Strip. On the authorization of the al-Salah Islamic Society, on 10 September 2003, PCHR submitted a petition to the Palestinian High Court of Justice to abolish the memorandum and to demand an explanation of the reasons for freezing the bank accounts. As the Attorney General failed to provide legal justification for freezing the bank accounts, the High Court of Justice issued a decision on 21 March 2004 ordering the release of bank accounts of al-Salah Islamic Society.

In violation of a ruling by the Palestinian High Court of Justice that ordered release of these accounts, on 27 March 2004, the PMF issued a memorandum which demanded all working banks in Palestine to “conditionally freeze” accounts of 39 charitable societies and NGOs legally working in the Gaza Strip. The memorandum stated that the decision was taken by the Palestinian President and from instructions by the Minister of Interior.

On 31 March 2004, the PMF issued another memorandum (No. 48) that demanded “relevant parties” in the concerned societies and NGOs to refer to the Minister of Interior for drawing from these accounts. On 6 April 2004, PMF issued a memorandum (No. 56) to all working banks in Palestine to implement the court ruling. On the following day, the PMF issued another memorandum that demanded all banks to be committed to memorandum No. 48.

Instead of implementing the decision issued by the highest judicial body, in violation of article 143 of the Palestinian Penal Law and article 82 of the Judicial Authority Law, the PMF issued a number of memorandums, claiming the decision does not have any legal basis. PCHR believes that these measures undermine the rule of law and the

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<sup>47</sup> The Executive Regulation of Law of Charitable Societies and NGOs was issued on 29 November 2003.

<sup>48</sup> The Ministry of Civil Work Affairs was established by a presidential decree issued on 9 July 1999. On 6 October 1999, presidential decree #4 of 1999 was issued specifying the authorities of the new ministry. This new ministry was established after the formation of the cabinet had been presented to the PLC and approved.

independence of the judiciary and constitute an attempt to avoid the implementation of court decisions. PCHR calls upon the PNA to respect the court's decision, which ordered the release of the bank accounts of the concerned societies and NGOs, which play a major role in easing the suffering of the Palestinian society through humanitarian aid. PCHR emphasizes that the measures taken against these societies are illegal, and constitute an attempt by the PNA to implement requirements of the Road Map Plan. PCHR also reiterates its call for amending the Law of Charitable Societies and NGOs to give the authority of registering and supervising charitable societies and NGOs to the Ministry of Justice instead of Ministry of Interior, whose role in this regard is linked with security and political considerations that impose restrictions on the work of these societies and NGOs.

### **11. Extra-Judicial Executions of Citizens for Alleged Collaboration with Israel**

PCHR reiterates its position that individuals who collaborate with IOF must be brought to justice within the framework of the rule of law and in accordance with normative legal procedures since they assist IOF in perpetrating war crimes and other violations of international law. However, PCHR condemns the use of extra-judicial measures in all circumstances and demands that the PNA investigate all such incidents. PCHR has always criticized the Israeli – Palestinian Interim Agreements in which the PLO pledged not to prosecute collaborators and therefore conceded a legitimate right of the Palestinian people to search for collaborators and bring them to justice.

In 2004 there was a notable increase in the number of Palestinians killed for alleged collaboration with IOF. PCHR documented 22 killings (16 in the West Bank and 6 in the Gaza Strip) in 2004 compared to 12 in 2003. The most horrific of these killings took place on 9 October 2004 when a group from Hamas kidnapped Nasser Mushtaha to interrogate him on suspicions of his collaboration with IOF. Mushtaha died during interrogation. Later, it was proved that Mushtaha was innocent. Hamas issued a leaflet to explain the circumstances of his death stating that "a group of members of the movement unintentionally caused his death". The leaflet emphasized that there was no evidence that could convict him.

On 2 August 2004, an explosion occurred in a room in Gaza Central Prison (*Saraya*) in the center of Gaza City. An unknown person threw two hand grenades inside the room where seven prisoners were being held for collaborating with IOF. Five of these prisoners were sentenced to death by the Palestinian State Security Court in 2002. All seven prisoners were injured and evacuated to Shifa Hospital in Gaza City. A few hours later, a group of masked armed persons broke into Shifa Hospital and fired at one of the injured who was instantly killed by several live bullets throughout the body. Later, medical sources at the hospital declared that another one of the prisoners who was injured in the attack against Gaza Central Prison died from his injuries.

PCHR reiterates its calls to the PNA to bring collaborators to justice to receive fair trials. However, PCHR condemns the way Palestinian armed groups deal with this issue as no unofficial party can seize, interrogate and prosecute citizens for allegations of their collaboration with IOF. PCHR emphasizes that the PNA is the only body which has the authority to search for collaborators and bring them to justice in accordance with the Palestinian law, taking into consideration human rights standards included in

international legal instruments and the Palestinian Basic Law. However, the PNA has unjustifiably failed to assume its responsibilities in this regard. PCHR calls also for bringing those who are responsible for killings for alleged cooperation to justice.

## **PART TWO**

### **PCHR'S ACTIVITIES IN 2004**

- Introduction
- Unit Activities
- Participation in International and Regional Conferences
- Visiting International Delegations
- Interviews with Local and International Media
- PCHR's Publications in 2004

## ***Introduction***

In 2004, PCHR continued to work in the OPT despite continuing attacks and violations of human rights and international humanitarian law by IOF against the Palestinian population. The continued deterioration of the human rights situation in the OPT has been noted by PCHR since the outbreak of the al-Aqsa Intifada in September 2000. PCHR has warned that this trend would continue until the international community effectively intervenes to stop violations of human rights, including war crimes, perpetrated by IOF as witnessed in 2004.

Within the OPT, internal security disputes and attacks on the rule of law increased threatening the safety and security of citizens and violating basic human rights. However, following the death of President Yasser Arafat on 11 November 2004 PCHR witnessed positive developments at the Palestinian level related to peaceful, organized and legal transition of authority flowing to the new executive.

Since the outbreak of the current Intifada, PCHR has designed its plans and programs in such a way to allow PCHR to adapt to emerging circumstances by undertaking other activities and/or changing priorities as required. This continued in 2004 where throughout the year PCHR adhered to plans and activities identified in the Annual Plan but where necessary adapted these to developments on the ground.

## **International Evaluation Committee**

Throughout 2004 PCHR continued to take steps to improve our performance and efficiency both in core program work and the administration of PCHR. To this end, PCHR's performance and programs were evaluated by a committee of international experts consisting of Professor Douglas Saltmarshe, Hakan Jarskog and Ronnie Graham in 2004. The Committee conducted a comprehensive evaluation over the period of 11-22 March 2004 during which they held meetings with PCHR staff and representatives of civil society groups with PCHR cooperates with. In May 2004 the Committee issued a comprehensive evaluation report and made a number of recommendations.

PCHR had already begun to make changes in line with comments of the Committee and after the final report was published PCHR implemented many key recommendations. PCHR undertook identified reforms such as increasing stakeholders in PCHR, reconsidering gender strategies to ensure women's participation in decision making and increasingly incorporating gender issues into its programs and activities.

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This section highlights PCHR's activities in 2004. It includes activities of each of PCHR's units, PCHR's activities at the international and regional levels, PCHR's publications, and information regarding PCHR's web page.



## **Activities of PCHR's Units**

This section details the activities undertaken by each unit in 2004. Each unit prepared its own report which was reviewed by PCHR's Program Committee and Board of Directors.

### **Legal Aid Unit**

In 2004, the Unit continued to provide its *pro bono* legal services to a range of victims of human rights violations in the OPT. Significantly, the number of clients seen by the Unit increased, in particular the number of victims who sought legal advice in relation to violations perpetrated by Israeli authorities.

The primary limitation to the Unit achieving all activities identified in the Annual Plan was a lack of funding to cover high costs associated with some of its legal services, including Israeli High Court actions and civil suits.

In 2004, the Unit pursued cases before national judiciaries in both Switzerland and the United Kingdom in the context of its efforts to prosecute Israeli war criminals in international fora. PCHR will continue these efforts in cooperation with international lawyers and legal organizations.

The Unit worked on all activities included in its Annual Plan for 2004 and also continued to pursue cases from previous years.

#### **Activities as detailed in 2004 Annual Plan**

1. Legal aid for:
  - a. Victims of Israeli violations of international human rights and humanitarian law.
  - b. Victims of violations of human rights and misuse of authority by the Palestinian Authority.
2. Legal documentation of violations of human rights and international humanitarian law.
3. Contribution to international advocacy projects.
4. Efforts to prosecute Israeli war criminals before the international judiciary.
5. Raising awareness of legal rights.

#### **1. Legal Aid for:**

- a. **Victims of Israeli violations of international human rights law and international humanitarian law.**
- b. **Victims of violations of human rights and misuse of authority by the Palestinian Authority.**

#### ***Verifiable Indicator***

Report on activities.

- a. **Legal Aid for Victims of Israeli Violations of International Human Rights Law and International Humanitarian Law**
  - i. **Representing Palestinian Prisoners in Israeli Jails and Providing Legal Aid and Consultation to Their Families**

In 2004 the Unit continued to provide legal aid to Palestinian prisoners in Israeli jails; legal assistance provided included:

- Determination of location of detention;
- Facilitating visits by lawyers, especially during interrogation;
- Representation of prisoners before Israeli military courts;
- Assisting families in getting permission to attend court hearings; and
- Monitoring and taking appropriate action regarding prisoners' health and conditions of detention.

In 2004 the Unit followed cases of 301 Palestinian prisoners in Israeli jails, including 71 continued from previous years. From its work in the area the following patterns were noted:

- The number of Palestinian prisoners in Israeli jails has continued to increase.
- There is an increasing use of torture and ill treatment of Palestinian prisoners.
- Use of Administrative Detention Orders has increased; the Unit documented 21 cases of Administrative Detention in 2004 (19 of these cases continuing from previous years).
- Israeli occupation authorities have continued to prevent lawyers from visiting clients in Israeli jails; the Unit submitted 21 petitions to the Israeli High Court in respect of these restrictions.
- Israeli military courts continued to issue sentences against Palestinian prisoners disproportionate to the charges.
- Health and detention conditions of Palestinian prisoners in Israeli jails have remained poor.
- IOF have continued to deprive prisoners of their right to family visitation.

### ***Means of Verification***

- Provided legal aid to 312 Palestinian prisoners in Israeli jails.
- 75 prisoners, whose cases were pursued by the Unit, were released in 2004.
- Retrieval of bail that had been preserved by Erez Military Court for 16 years.
- Erez Military Court released a Palestinian detainee whose case had been pursued by the Unit.
- An Israeli military court released a Palestinian detainee whose case was pursued by the Unit.
- Erez Military Court decreased the imprisonment sentence of a Palestinian prisoner from 27 to 20 years in response to an appeal submitted by the Unit.
- A lawyer hired by PCHR visited departments of a number of Israeli jails to observe detention conditions of Palestinian prisoners.
- Submission of complaint to the Israeli Prison Authority in relation to the attack of three Palestinians placed under administrative detention by an Israeli prisoner. Submission of a petition to transfer the detainees to another prison.
- Facilitation of the release of a Palestinian fishing boat that had been held by the Israeli Navy.
- Retrieval of possessions of four detainees released from detention facilities.

- Facilitation of release of a car belonging to a Palestinian prisoner that had been held by Israeli occupation authorities.
- Submission of a number of complaints to the Israeli Military Advisor on behalf of families that were not able to visit Palestinian prisoners detained in Israeli jails

**ii. Submitting Legal Complaints to the Israeli authorities and Judiciary**

The Unit has continued to receive complaints from Palestinian civilians who were subjected to human rights violations perpetrated by Israeli authorities. In 2004, the Unit received at least 967 complaints from Palestinian civilians including 487 complaints regarding cases of killing, injury, and destruction of property; 420 complaints regarding restrictions on freedom of movement; 11 complaints regarding detention of victims' bodies; 8 complaints regarding attacks on Palestinian fishermen (5 of which were pursued by the Unit in 2003); and 41 complaints regarding other violations, including torture.

***Complaints regarding cases of killing, injuries and destruction and seizure of property***

With regards to cases of killing, injuries and destruction and seizure of property, the Unit submitted 487 complaints on behalf of victims to the Israeli Military Legal Advisor, the Military Prosecutor and the Compensation Officer of the Israeli Defense Ministry. Complaints include requests to investigate the incident concerned, to prosecute those responsible and/or to provide reparation for the victims.

**Table 4: Complaints Regarding Cases of Killing, Injuries and Destruction and Seizure of Property in 2004**

<b>Subject of Complaint</b>	<b>Number</b>	<b>Current Status</b>
Land leveling and destruction of agricultural facilities	43	Still being pursued
Total house demolition	120	Still being pursued
Partial house demolition	3	Still being pursued
Destruction of factories and workshops	8	Still being pursued
Killing	132	Still being pursued
Injuries	87	Still being pursued
Seizure of private property	4	Still being pursued
Destruction of a clinic and an attack on a hospital	2	Still being pursued
Destruction of private property	28	Still being pursued
Destruction of shops	60	Still being pursued
<b>Total</b>	<b>487</b>	

In the addition, the Unit sent 452 written notices to the Israeli Defense Ministry in accordance with amendments made on 24 July 2004 to the Compensation Law.

***Complaints regarding freedom of movement***

The Unit continued to provide legal aid for Palestinian civilians with regard to restrictions imposed on their freedom of movement. The Unit pursued 420 complaints including 58 continued from 2003. The Unit submitted complaints to the Israeli Military Legal Advisor and in respect of 35 complaints submitted appeals to the Israeli High

Court. Eighteen of these appeals were submitted in cooperation with Physicians for Human Rights – Israel, and Hamoked – the Center for the Defense of the Individual.

**Table 5: Complaints Regarding Freedom of Movement in 2004**

<b>Subject of Complaint</b>	<b>Number</b>	<b>Current Status</b>
Denial of family visitation to prisoners	150	31 positive responses, 10 negative responses and 109 are still being pursued
Denial of travel for medical treatment	32	5 positive responses and 27 are still being pursued
Denial of travel for other reasons	158	22 positive responses, 12 negative responses and 124 are still being pursued
Denial of renewal of magnetic cards and cancellation of permits	24	3 positive responses, 4 negative responses and 17 are still being pursued
Denial of entry into Israel	10	1 positive and 9 are still being pursued
Denial of entry into the Gaza Strip	10	1 positive and 9 are still being pursued
Expulsion to the Gaza Strip	4	All still being pursued
Denial of access of civilian to their houses	12	8 positive and 4 are still being pursued
Allowing families of Palestinians expelled from the West Bank to the Gaza Strip to visit them	11	3 positive and 8 are still being pursued
Denial of travel to the West Bank	5	1 positive, 2 negative and 2 are still being pursued
Denial of visit to the Gaza Strip	4	1 positive and 3 are still being pursued
<b>Total</b>	<b>420</b>	<b>73 positive, 29 negative and 318 are still being pursued</b>

### ***Complaints Regarding Attacks on Fishermen***

In 2004 the Unit pursued eight complaints regarding attacks on fishermen, including five from 2003.

**Table 6: Complaints Regarding Attacks on Fishermen in 2004**

<b>Subject of Complaint</b>	<b>Number</b>	<b>Current Status</b>
Detention of fishing boats and equipment	5	Still being pursued
Destruction of fishing boats	2	Still being pursued
Confiscation of fishing equipment	1	Still being pursued
<b>Total</b>	<b>8</b>	<b>All still being pursued</b>

### ***Complaints Regarding the Return of Victims' Bodies***

In 2004 the Unit pursued 11 new cases of requests for return of victims' bodies (in addition to 9 cases continued from 2003). IOF have continued to hold the bodies of nine Palestinians, refusing to deliver them to their families for burial in violation of humanitarian norms. On 24 November 2004, the Unit received a response from the Israeli Military Legal Advisor stating that the subject was still being considered.

### ***Other Complaints***

In 2004, the Unit submitted 41 complaints to Israeli authorities regarding other subjects including:

- 28 complaints to the Israeli Military Legal Advisor. The complaints included: (1) house demolitions and improving living conditions of residents of al-Sayafa area in the northern Gaza Strip; (2) lifting the siege imposed on the northern Gaza Strip town of Beit Hanoun and allowing the entry of foodstuffs and medicines; (3) deterioration of the health condition of a Palestinian following his arrest; (4) torture of Palestinians; (5) allowing the transportation of a woman's body into the Gaza Strip from Egypt; and (5) closure of all roads leading to Wadi al-Salqa village in the central Gaza Strip.
- Three complaints to the Israeli Police regarding damage incurred to cars belonging to Palestinians while being held in Erez area.
- Two complaints to the Israeli Health Minister and the Director of an Israeli Hospital to define "hostile acts" cited in a medical report related to Bilal Fathi 'Abdul Karim al-Majdalawi,
- A complaint to Soruka Hospital regarding the health condition of a Palestinian detainee, 'Abdul 'Aziz al-Sharatha.
- A complaint to the Israeli Military Prosecutor regarding ending investigation into robbing a house belonging to Nabil al-Zorai'ei by IOF.
- A complaint to the Compensation Officer of the Israeli Defense Ministry regarding refusal to compensate owners of a number of shops in Beit Hanoun which were destroyed by IOF on 27 February 2004.
- A complaint to the Israeli Prison Administration to transfer a Palestinian prisoner, Ra'fat al-'Arrouqi, from Nafha prison to Ashkelon prison to allow his ill mother to visit him.
- Four complaints in cooperation with the Israeli Center for the Defence of the Individual (Hamoked) and Physicians for Human Rights regarding: (1) explanation of the legal status of missing people; (2) holding of a number of patients during an Israeli military offensive on the northern Gaza Strip; and (3) imposing a siege on an area in Jabalya Refugee Camp and denial of entry of foodstuffs and medicines. All responses in these cases were positive.

### ***Means of Verification***

- On 17 February 2004 the Unit received a positive response from the Compensation Officer of the Israeli Defense Ministry agreeing to pay 50,000 NIS (approximately US\$ 11,600) in compensation for killing Mahmoud Hassan Ahmed al-Talalqa by IOF. This case was of the first one pursued by the Unit to receive a positive response.
- The Unit received a positive response from the Israeli Military Prosecutor stating that a bill of indictment was presented against a female Israeli soldier who forced a Palestinian woman to drink a poisonous liquid at an Israeli military checkpoint in the Gaza Strip.
- In general, there was an increase in the number of responses received by the Unit to its complaints. In 2004, the Unit received 667 responses to its complaints.

**Table 7: Responses Received by the Unit from Israeli Authorities in 2004**

<b>Concerned Party</b>	<b>Positive</b>	<b>Negative</b>	<b>Pending</b>	<b>Total</b>
Legal Military Advisor	78	32	21	131
Compensation Officer, Defense Ministry	1	159	389	549
Israeli Military Prosecutor	1	-	26	27
Military Police	-	-	1	1
Airport Authority	-	-	1	1
<b>Total</b>	<b>80</b>	<b>191</b>	<b>438</b>	<b>709</b>

### iii. Claims before the Israeli Judiciary

#### *Israeli High Court*

In 2004 the Unit submitted 33 appeals to the Israeli High Court through Israeli lawyers retained and instructed by PCHR (4 of these appeals were pursued from 2003).

**Table 8: Appeals Submitted to the Israeli High Court in 2004**

<b>Subject</b>	<b>Number</b>	<b>Result</b>	<b>Notes</b>
Freedom of movement	17	8 positive responses, 2 negative ones and 9 are still being pursued	Appeals to allow a number of Palestinians to travel through Rafah International Crossing Point
Family visit to transferees	1	Positive	Allowing the family of Kifah and Intissar Ajouri to visit the transferees
House demolition	8	5 positive responses, one negative and one is still being pursued	One of these appeals was submitted in cooperation with Adalah and al-Haq regarding threats to demolish 10 houses in Rafah. The other appeals were concerned with house demolitions in al-Qarara, Rafah, Wadi al-Salqa and near "Netzarim" settlement
Land confiscation	6	6 negative responses	The appeals were submitted on behalf of owners to prevent land confiscation for military purposes in Deir al-Balah
Definition of "military necessity"	1	Still being pursued	The appeal was submitted in cooperation with al-Haq and Adalah

#### *Israeli Military Appeal Committee*

In 2004, the Unit submitted two appeals to the Israeli Military Appeal Committee of Erez Military Court to retrieve quantities of money confiscated from two Palestinians at Rafah

International Crossing Point when they were traveling back to the Gaza Strip. The appeals were granted and the money was released (though not the full amount).

The Unit continued to pursue the case of Taha Ramadan Dwaik and Kamal Edris, who had been transferred from the West Bank to the Gaza Strip. On 19 April 2004 the Israeli Military Appeal Committee held a session to consider allowing the two transferees to go back to the West Bank. The judgment upheld previous rulings of the validity of the forced transfer.

The Unit also continued to pursue the case of Kifah and Intissar Ajouri, who had been transferred from the West Bank to the Gaza Strip in September 2002 (in consultation with Hamoked – Center for the Defense of the Individual). On 24 February 2004 the Israeli Military Appeals Committee held a session to determine whether the two could be returned to their home in Nablus. The Committee decided to allow the return of Intissa Ajouri to Nablus after she had spent 18 months in the Gaza Strip. She returned to Nablus on 14 March 2004. A similar decision was taken by the Committee regarding Kifah Ajouri on 1 August 2004 and he returned to Nablus on 26 August 2004.

### ***Compensation Claims before Israeli Courts***

In 2004 the Unit pursued 28 cases against the State of Israel for compensation. The lower number of cases than previous years reflects the overwhelming number of negative responses received to complaints submitted in the past and the limited availability of funding to cover the high costs of these claims before Israeli courts. These cases include:

- The Israeli aerial attack on al-Daraj neighborhood in Gaza City on 22 July 2002 in which 16 civilians were killed, at least 78 others were injured and at least 30 houses were destroyed.
- Killing of Randa Khaled Isma'il al-Hindi and her child, Anwar Mohammed Kamel al-Hindi and injury to her daughter-in-law, Narjis Fayiq Khalil al-Hindi, by IOF on 6 July 2002 while they were traveling on the coastal road to the south of Gaza City.
- The deaths of Tawfiq Hafez Mahmoud Buraika and his grandson, Tawfiq Hussam Buraika when IOF destroyed a neighboring house on 13 October 2002.
- The death of a physician, Zein al-'Aabedeen Mohammed Shahin, when he was offering emergency medical aid to a number of civilians who were injured by an Israeli aerial attack in al-Nusairat Refugee Camp in the central Gaza Strip.
- The death of Haneen 'Abdul Qader Saleh Abu Suleiman on 28 December 2002 when an Israeli sniper fired at her when she was near her house in Khan Yunis.
- The case of Fatema al-Najjar who was forced by a female Israeli soldier to drink a chemical when she was crossing an Israeli military checkpoint on 10 February 2003.
- The injury of Mahmoud Mousa Mustafa al-Sharif when Israeli naval troops fired at a boat in Khan Yunis on 10 April 1999.
- The injury of Bilal Fathi 'Abdul Karim al-Majdalawi in al-Sayafa area in the northern Gaza Strip.

- The demolition of Hamda Mohammed Abu Khousa's house on 19 January 2003 without having given her a space of time to appeal against the demolition order.
- The death of Mahmoud Hassan Ahmed al-Talalqa when he was near his house in al-Nada housing project in the northern Gaza Strip on 1 March 2002.
- The death of 'Aashour 'Abdul Malek Salem Deeb on 30 November 2002 when IOF destroyed his house.
- The death of a child and her aunt when IOF burnt a field in al-Boreij Refugee Camp in the central Gaza Strip.
- The death of three children when they were fired at by IOF in the northern Gaza Strip town of Beit Lahia on 30 December 2001.
- The injury of Ahmed 'Abdullah 'Eissa Ghaben when the Israeli force attacked a site of the Palestinian Preventive Security in Gaza City on 4 December 2001.
- The destruction of 'Ezzat Said Baker's boat by Israeli naval troops in Gaza City on 29 December 2002.
- The injury of Sami Hassan 'Abdul Fattah Younis and 'Abdul Karim 'Abdul Mo'ti Zaqqout when an Israeli military jeep hit their car at Salah al-Din Street, south of Gaza City, on 6 November 2001.
- Robbing a fishing boat belonging to Mahdi Mohammed Abu Riala by Israeli naval troops on 8 November 2001.
- The death of Haniya Saleh 'Abed Abu 'Azem on 5 February 2001 when IOF positioned in an observation tower near "Kfar Darom" settlement in the central Gaza Strip fired at her as she was going back home.
- The death of Isma'il Ahmed Suleiman al-Tilbani, a taxi driver, on 31 January 2001 when IOF fired at his car at al-Shuhada junction on Salah al-Din Street, south of Gaza City.
- An attack on three Palestinians held under administrative detention by an Israeli prisoner in Kfar Youna prison.
- The demolition of a house belonging to the al-Qedra family after the Israeli High Court had issued a temporary injunction stopping this demolition.
- The demolition of a house belonging to the Abu 'Aamer family after the Israeli High Court had issued a temporary injunction stopping this demolition.
- An Israeli aerial attack on al-Nusairat refugee camp in the central Gaza Strip on 20 October 2003 which left dead 9 civilians and injured many others.
- The death of 'Abdullah Shehada Suleiman al-Ashhab on 4 March 2003 when IOF fired at him as he was farming his agricultural land near "Netzarim" settlement, south of Gaza City.
- The death of Majdi Mohammed 'Abdul Karim Mousa and the injury of his brother Jamil when IOF fired at them during an incursion in the central Gaza Strip town of Deir al-Balah on 20 December 2002.



- The destruction of 56 shops near Erez crossing by IOF on 27 April 2004.

These cases were chosen as the period in which the case must be filed ended in 2004 according to the amended Israeli Law of Civil Damage and because eyewitnesses and strong evidence were available.

***Means of Verification***

- The Unit obtained a temporary injunction stopping the demolition of five houses; the prosecution pledged not to demolish these houses and freed the petitioners of the court fees.
- Seven civilians were allowed to travel through Rafah International Crossing Point.
- The Unit received a number of responses from the Israeli Military Legal Advisor stating that there were no intentions to demolish houses in some areas in the Gaza Strip.
- The Unit received 12 positive decisions, including 5 related to staying house demolitions.

**iv. Investigating Violations of Human Rights**

The Unit also investigated a number of human rights violations in cooperation with other PCHR units including extra-judicial assassinations and the use of new weapons by Israeli occupying forces against Palestinian civilians.

**b. Legal Aid and Consultation for Victims of Violations of Human Rights by the Palestinian Authority**

***Verifiable Indicator***  
Report on activities.

**i. Representing Victims before Palestinian Courts**

In 2004, the Unit submitted 18 appeals to the Palestinian High Court of Justice (including 12 pursued from previous years). Nine of these appeals were related to unlawful detention of Palestinians by the Palestinian Security Services. The other nine appeals related to cases of alleged misuse of authority, the most significant of which was the case of the al-Salah Islamic Society which had been pursued by the Unit since 2003. Submitting appeals to the Palestinian High Court of Justice follows the exhaustion of all other available legal means.

***Means of Verification***

The Unit appealed 18 cases to the Palestinian High Court of Justice.

**Table 9: Cases Pursued by the Unit before the Palestinian High Court of Justice in 2004**

Case	Number	Current Status	Notes
Representing detainees before courts	9	2 positive responses, 2 negative responses and 3 were cancelled following the release of detainees	2 decisions were taken ordering the immediate release of detainees from Palestinian prisons
Representing employees before courts	7	1 positive response, 2 negative responses and 4 are still under pursuit	A decision was taken to allow an employee to return to his job
Areas of land handed over to employees	1	Negative	-
Freezing of societies' bank accounts	1	Positive	A decision was taken to cancel the freezing of al-Salah Society bank accounts
<b>Total</b>	<b>18</b>	<b>4 positive responses, 7 negative responses, 3 were cancelled and 4 are still under pursuit</b>	-

**ii. Providing Legal Consultation to Victims**

In 2004 the Unit received 1,005 clients requesting legal assistance in respect of violations of human rights perpetrated by the Palestinian Authority, its security services and other state agents.

***Means of Verification***

- The Unit received 1,005 clients and provided hundreds of legal consultations.
- This high number indicates that PCHR's profile as a human rights legal agency is well-respected.

**iii. Submitting Complaints and Appeals for Investigations into Human Rights Violations**

In 2004, the Unit submitted 80 complaints and appeals on behalf of Palestinians regarding the misuse of authority, including 9 that had been pursued since 2003. 28 complaints were submitted to the Attorney General and 52 complaints and appeals to ministries and other official bodies.

**Table 10: Complaints Submitted by the Unit to the Attorney General in 2004**

<b>Subject</b>	<b>Number</b>	<b>Result of Pursuit</b>
Unlawful detention	9	6 positive responses, 1 negative response and 2 are still being pursued
Misuse of weapons	1	Positive response
Violation of legal orders	3	1 positive response and no responses (2)
Shooting at lawyers	1	Still being pursued
Deaths	8	Still being pursued
Attacks on private property	2	No responses
Financial rights	1	Still being pursued
Deaths of twins	2	Still being pursued
Attacks on journalists	1	Still being pursued
<b>Total</b>	<b>28</b>	<b>8 positive responses, 1 negative response, 4 no responses and 15 are still being pursued</b>

**Table 11: Complaints and Appeals Submitted by the Unit to Other Official Bodies in 2004**

<b>Official Body</b>	<b>Number</b>	<b>Result</b>
General Personnel Council	17	6 positive responses, 10 are still being pursued and one has not received any response
Ministry of Public Works	1	Still being pursued
Ministry of Health	6	5 positive responses and one is still being pursued
Ministry of Justice	2	1 positive response and 1 negative response
UNRWA	3	2 negative responses and one is still being pursued
Ministry of Education	2	One neutral response and one is still being pursued
Municipality of Gaza	1	Still being pursued
Northern Gaza Governorate	1	No response
President of Palestinian Authority	1	Still being pursued
Palestine Islamic Institute	2	Still being pursued
Director of Gaza Central Prison	1	Negative response
Ministry of Labor	2	Still being pursued
Head of Monitoring and Human Rights Committee at the Palestinian Legislative Council	1	Still being pursued
General Corporation of Insurance and Severance Pay	6	Still being pursued
Ministry of Prisoners' Affairs	1	Positive
Ministry of Finance	4	3 are still being pursued and one has not received any response
Palestinian Broadcasting Corporation	1	Still being pursued
<b>Total</b>	<b>52</b>	<b>13 positive responses, 3 negative responses, one neutral response, 32</b>

		<b>are still being pursued and 3 have not received any response</b>
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### *Means of Verification*

- The Unit submitted 80 complaints and appeals.
- The Unit received 24 responses, including 21 positive responses by authorities.
- Amounts of money payable to ex-prisoners in Israeli jails were paid by Ministry of Prisoners' Affairs after lobbying by the Unit.
- Health insurance was given to a citizen who had previously been denied coverage by the Ministry of Health after lobbying by the Unit.
- Achievements at the level of judicial precedents:
  - The Palestinian High Court cancelled a decision taken by President of the Palestinian Monetary Fund to freeze bank accounts of a number of NGOs considering this decision illegal.
  - The General Personnel Council was obliged to allow an employee to return to his job after had been suspended due to security reasons.

## **2. Legal Documentation of Violations of Human Rights and International Humanitarian Law**

### *Verifiable Indicator*

Report on activities.

#### **i. Creating Files on Israeli violations of human rights, including war crimes**

In 2004 the Unit documented 492 legal files on Israeli violations of international human rights and humanitarian law as shown in Table 12 below.

**Table 12: Legal Files Prepared by the Unit on Israeli Violations of Human Rights in 2004**

<b>Violation</b>	<b>Number of Files</b>
Land leveling	43
Complete house demolition	120
Partial house demolition	3
Destruction of workshops and factories	8
Killing	132
Injuries	87
Seizure of property	4
Destruction of private property	29
Destruction of shops	60
Torture	2
Unlawful transfer	4
<b>Total</b>	<b>492</b>

**ii. Creating Files on Palestinian violations of human rights**

In 2004 the Unit created 13 legal files documenting Palestinian violations of human rights as shown in Table 13 below.

**Table 13: Legal Files Prepared by the Unit on Palestinian Violations of Human Rights in 2004**

<b>Violation</b>	<b>Number of Files</b>
Unlawful detention	9
Misuse of weapons	1
Violation of legal orders	3
<b>Total</b>	<b>13</b>

**3. Contribution to International Advocacy Projects**

<i>Verifiable Indicator</i> Report on activities.
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**i. Contribution to PCHR Interventions with UN Bodies**

The Unit contributed to seven interventions submitted by PCHR to the UN Human Rights Committee.<sup>49</sup> The Head of Unit, Iyad Alami, was a member of a PCHR delegation to appear before the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories in the period 26 May – 4 June 2004 in Cairo. However, due to the restrictions imposed by IOF on the freedom of movement, he was not able to travel.

**ii. Providing Assistance to International Organizations and Inquiry Missions**

In 2004 the Unit provided assistance to a number of international human rights organizations and other interested parties which were interested in the human rights situation in the OPT, including:

- 24 April 2004: A delegation of diplomatic representatives of European governments headed by the Irish Representative, Dr. Niall Holohon, in the capacity of then European Union President.
- 6 June 2004: An inquiry mission from the International Federation for Human Rights (FIDH) that included two experts in international law, Oliver Discoter, Secretary General of FIDH and Lawrence Weirts.
- 15 October 2004: A delegation of Human Rights Watch (HRW) that included Kenneth Roth, Director of HRW, and Sarah Leah Whitson, Executive Director of the Middle East and North Africa Division.
- 13 December 2004: A delegation from International Legal Assistance Consortium (ILAC).

<sup>49</sup> For more details, see page 143.

## 4. International Legal Work

### i. Claims before National Judiciary in Switzerland and the United Kingdom

In 2004, PCHR continued to pursue two cases previously brought before national judiciary in European states in 2003 to investigate and prosecute Israeli officials responsible for grave breaches of international humanitarian law in the OPT. Both the cases are still pending:

- **Swiss Courts:** This year saw one of the long running international legal cases in PCHR come to a close. The case in Switzerland was thwarted by the Swiss Parliaments decision to follow the Belgian government and to change the law so anyone responsible for grave breaches of international law could not be tried in Switzerland. Two complaints were submitted to the Swiss Military Attorney General in Berne on behalf of Palestinian victims. One complaint is in respect of Palestinians whose homes were demolished by IOF, and the second complaint is in respect of Palestinians who were subjected to torture and ill treatment while in detention by the Israeli security services.
- **UK Courts:** PCHR has pursued a complaint submitted to the British Attorney General against Israel, particularly the Israeli Defense Minister Shaul Mofaz, in respect of grave breaches of international humanitarian law committed in the OPT.
- In the same context, PCHR is preparing background files on a number of cases of Israeli war crimes.

### *Means of Verification*

- The complaint submitted by PCHR in Switzerland was extensively reported in the Israeli media.
- Raising this issue can have a deterrent effect on the current actions of IOF for fear of being prosecuted in international fora.

### ii. An Expert Meeting on Implementation Mechanisms of the International Court of Justice's Advisory Opinion on the Wall in the West Bank

The meeting, organised in coordination with PCHR's International Unit and in cooperation with the FIDH and the ICJ, was held on the 8<sup>th</sup> and 9<sup>th</sup> of November.<sup>50</sup>

## 5. Raising Awareness of Legal Rights

<b><i>Verifiable Indicator</i></b>
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Report on activities.
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### i. Legal Consultations

Legal consultation is a means of raising awareness of legal rights. Legal consultations were made through referrals from PCHR's offices in Gaza City, Jabalya and Khan Yunis. In 2004, 3,507 individuals were referred to the Unit for basic legal consultations. The

<sup>50</sup> For more details, see the International Unit's report of activities, pages 143 – 149.

Unit's lawyers provided hundreds of legal consultations on various issues, including workers rights, family disputes, the freedom of movement, and detention conditions of Palestinian prisoners in Israeli jails.

**ii. Participation in Training Activities and Workshops Related to Raising Awareness of Legal Rights**

- The Unit contributed to five training courses organized by PCHR's Training Unit. Staff members of the Unit delivered lectures on legal rights and the concept of the rule of law to a wide range of audiences.
- On 17 February 2004 the Unit held a meeting in al-Qarara village near Khan Yunis to raise awareness of legal rights and methods to legally deal with the damage incurred by Israeli attacks on private property.
- On 25 February 2004 the Head of Unit delivered a lecture on the rule of law and the independence of the judiciary at al-Dameer Association for Human Rights in Gaza City.
- On 10 March 2004 the Head of Unit was a guest at Wednesday Dialogue, which is a weekly meeting organized by Cana'an Institute for Pedagogy. He spoke about the role of the Bar Association in the promotion of the rule of law.
- On 14 March 2004 Unit lawyer, Sharif Aby Nassar, participated in a workshop on youth care organized by *Sharek* Association in Rafah.

***Means of Verification***

- The Unit provided legal consultations to 3257 clients.
- The Unit contributed to five training courses organized by PCHR's Training Unit.

**iii. A Seminar on Sharon's "Disengagement Plan"**

On 1 November 2004 PCHR organized a seminar at its offices in Gaza City to discuss a position paper issued on Sharon's "Disengagement Plan." Representatives of a number of partisan entities and civil society groups together with journalists participated in the seminar. The Director of PCHR submitted an intervention in which he explained PCHR's position and the legal dimension of the plan, which aims at maintaining the occupation, avoiding Israel's responsibilities as an occupying power and achieving strategic gains in the West Bank.

**6. Other Activities Not Included in the Annual Plan**

***Verifiable Indicator***

Report on activities.

**i. Assisting Palestinians Requiring Medical Treatment**

The Unit assisted to secure access to appropriate medical treatment for 14 Palestinians who were unable to pay for treatment that is only available outside the Gaza Strip. This

assistance was in cooperation with Physicians for Human Rights. The clients received appropriate medical treatment in medical facilities inside Israel.

***Means of Verification***

- Clients received appropriate and qualitative medical treatment.
- Positive reactions by these clients and their families.

**ii. Meetings with Lawyers**

In 2004 the Unit held a number of meetings with lawyers from the northern Gaza Strip to promote cooperation. These lawyers were briefed on PCHR's activities and the services provided by PCHR to both Israeli and Palestinian violations of human rights.

***Means of Verification***

- Lawyers from the northern Gaza Strip were significantly interested in these meetings.
- They regularly visited PCHR's offices in Jabalya to obtain its publications.

**Training of the Unit's Staff**

In the period 13-19 September 2004, lawyer Ahlam al-Aqra' participated in a training course organized by PCHR's Training Unit for lawyers in PCHR's offices in Jabalya.



## **Democratic Development Unit**

The Unit was able to implement all the activities included in its 2004 Annual Plan, although some minor changes were necessary taking into account events on the ground in the OPT. Although the ongoing Israeli military violence was often used to divert attention from issues relevant to internal democratic reform, the Unit was able to maintain focus on these issues within Palestinian society. In the last quarter of the year, the Unit was heavily involved in monitoring preparatory stages of Palestinian presidential elections. Activities included in the 2004 Annual Plan are detailed below and their implementation is measured through verifiable indicators and means of verification.

### **Activities as detailed in 2004 Annual Plan**

1. Documentation and reporting on violations of civil and political rights
2. Monitoring the performance of the Palestinian Legislative Council and urging it to assume its full responsibilities
3. Encouragement of dialogue and promotion of democratic values in the Palestinian society
4. Encouraging adoption of legislation based on democracy and respect for human rights
5. Encouraging holding free and fair elections

## **1. Documentation and Reporting Violations of Civil and Political Rights**

### ***Verifiable Indicators***

- i. PCHR's Annual Report
- ii. Periodic reports:
  - Report on violations of the rights to freedom of expression and peaceful assembly under the Palestinian National Authority
  - Silencing the Press, a periodic report on the Israeli attacks against journalists
  - A periodic report on extra-judicial assassinations
- iii. Press releases on violations of civil and political rights according to developments on the ground
- iv. Contribution to PCHR's interventions at UN bodies

### **i. PCHR's Annual Report**

The Annual Report is a comprehensive report prepared by the Unit each year that focuses on the human rights situation in the OPT and provides recommendations. It is widely circulated in the OPT (PNA, NGOs, partisan entities, academics and jurists) and internationally (diplomatic missions to the PNA and Israel, foreign governments, UN bodies and international human rights organizations). The report was published in March 2004.

### ***Means of Verification***

- The Unit prepared a summary of the report which was published and circulated independently.
- On 18 March 2004, PCHR held a press conference on the publication of the report.
- Publication of the report was reported in the local and Arab media.

## **ii. Periodic Reports**

The Unit prepared a series of special and periodic reports on specific violations of civil and political rights in the OPT:

### **Silencing the Press, a Periodic Report on Israeli Attacks against Journalists**

The 10<sup>th</sup> periodic report on Israeli attacks against journalists and media institutions in the OPT since the start of the current Intifada was published in May 2004 (covering the period of 1 April 2003 – 31 March 2004).

#### ***Means of Verification***

- PCHR has kept a database of Israeli attacks on journalists and media institutions since the beginning of the current Intifada in September 2000.
- The report is an important source of information on Israeli attacks on journalists and media institutions.
- On 16 May 2004 PCHR received a letter from the General Union of Arab Journalists requesting permission to circulate the report at the 10<sup>th</sup> conference of the Union.
- The Unit staff members were invited to activities organized by civil society organizations to talk about the report.

### **Extra-Judicial Assassinations**

The 7<sup>th</sup> periodic report on extra-judicial assassinations perpetrated by IOF was published in June 2004 (covering the period of 29 September 2003 – 30 April 2004).

#### ***Means of Verification***

- PCHR has comprehensive documentation of extra-judicial assassinations
- The report was reported in local newspapers.

### **Report on Violations of the Rights to Freedom of Expression and Peaceful Assembly**

The 4<sup>th</sup> periodic report on violations of rights to freedom of expression and peaceful assembly under the PNA was published in October 2004 (covering the period from 1 June 2003- 31 August 2004). The report included recommendations to the PNA and other related parties.

#### ***Means of Verification***

- PCHR has comprehensive documentation of these violations.
- The local media covered the publication of this the report.
- The Unit staff members were invited to activities organized by civil society organizations to talk about related issues.

### **Special Report on Victims of the Misuse of Weapons in Demonstrations**

This report was not included in the Annual Plan 2004 but was prepared in light of developments in the OPT. It highlights the misuse of weapons in demonstrations and

other forms of peaceful assembly which has resulted in the death of a number of innocent civilians and injured a number of others. The report strongly criticizes the failure of the PNA, particularly the Attorney General and law enforcement bodies to investigate such incidents and bring their perpetrators to justice. The report provides recommendations to the PNA, partisan entities and the society to confront this phenomenon. The report was completed in June 2004 but publication was delayed for three months, pending a response from the Palestinian Attorney General to a letter sent by PCHR requesting investigation into a number of such incidents.

### ***Means of Verification***

- The report was widely circulated at the local level, particularly to partisan entities, civil society organizations, PNA institutions and members of the PLC.
- The report was translated into English and gained wide interest at the international level reflected in letters sent to PCHR to obtain copies of it (even before it was translated).
- PCHR hopes that this report will highlight this phenomenon as a first step towards ending this trend and encouraging the PNA to take necessary measures to stop it.

### **Position Paper on Internal Developments and Challenges of Reform**

This activity was not included in the Annual Plan 2004 but was prepared in light of internal developments in the OPT. PCHR believes that this position paper was necessary as a response to the deterioration in the internal situation and security disputes in the OPT. The paper includes a number of demands related to comprehensive reform in the PNA. The paper was published in August 2004.

### ***Means of Verification***

- The paper was published in August 2004. It was widely circulated at the local level.
- It was translated into English and was widely circulated at the international level.
- It was important to form a clear position that discriminate between legitimate demands of reforms and the misuse of these demands in the context of authority conflict.

### **iii. Press releases on Violations of Civil and Political Rights According to Developments on the Ground**

The Unit wrote many of the press releases issued by PCHR relating to violations of civil and political rights. The violations reported included those perpetrated by Palestinians including attacks on journalists and media institutions, internal security disputes, misuse of weapons by security forces and violations of the right to fair trials, right to association and the right of women to political participation.<sup>51</sup> The Unit also issued press releases highlighting other violations perpetrated by IOF including extra-judicial assassinations and attacks on journalists and media institutions.

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<sup>51</sup> For more details about these press releases, see pages 183 – 185.

### *Means of Verification*

- The Unit issued 40 press releases in 2004.
- These press releases were reported by the local media.
- PCHR has comprehensive documentation of violations included in the press releases.
- These press releases contributed to ending certain violations.

#### **iv. Contribution to PCHR's Interventions at UN Bodies**

The Head of Unit, Mr. Hamdi Shaqura, was scheduled to report to the UN Special Committee to Investigate Israeli Practices which held a session in Cairo in the period 26 May – 4 June 2004. However, Israeli authorities closed the Rafah Border Crossing and the Head of Unit was prohibited from attending.

## **2. Monitoring the Performance of the Palestinian Legislative Council and urging it to assume its Full Responsibilities**

### *Verifiable Indicators*

- i. Report on the evaluation of the Palestinian Legislative Council's (PLC) performance (the 7<sup>th</sup> report)
- ii. Report on other activities (interviews, public meetings and attending PLC's sessions)

#### **i. Report on the Evaluation of the Palestinian Legislative Council's Performance (the 6<sup>th</sup> Report)**

This series of reports is the outcome of PCHR's activities in monitoring the PLC's performance over each of its terms. These reports focus on the failures in the PLC's performance, especially in light of the executive's control over it. The report also provides some recommendations which seek to promote the status and role of the legislature in the Palestinian political system.

### *Means of Verification*

- The 7<sup>th</sup> report of this series was published in December 2004, covering the PLC's 8<sup>th</sup> term (March 2003 – March 2004).<sup>52</sup>
- The report was reported by the media.
- The report was widely circulated, including to PLC members.

#### **ii. Report on Other Activities**

The Unit's staff members prepared a report on the PLC's sessions held in Gaza City. The PLC's sessions are often held in Ramallah but due to the total closure imposed by IOF on the Gaza Strip PLC members from the Gaza Strip participate in these sessions through the video conference. The Unit's staff members regularly visited offices of the PLC in Gaza City to follow up developments related to legislation. The Unit's staff members

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<sup>52</sup> The first report of this series was published in 1998, covering the PLC's first and second terms (March 1996 – March 1998).

call and meet with PLC members to inquire about developments related to legislation. The Unit has copies of all PLC's publications.

### ***Means of Verification***

- The report was published in December 2004.
- Publication of the report was reported by the local media.
- The Unit staff members made dozens of phone calls and meetings with PLC members.
- Sufficient information was available including reports on the proceedings of each PLC session.

### **3. Encouraging Dialogue and Promotion of Democratic Values in the Palestinian Society**

<b><i>Verifiable Indicator</i></b>
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Report on activities.
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#### **i. Colloquia and Workshops**

The Unit organizes colloquia and public meetings to discuss issues related to the Palestinian internal situation and democratic reform. In light of the continuous aggression by IOF on Palestinian civilians and property, it was often difficult to carry out this activity. Nevertheless, the Unit was able to organize five colloquia. In this section, three colloquia will be detailed, while the other two events will be highlighted in the later section on monitoring elections.

#### **Attacks on the Freedom of Press: Who Can Stop Them?**

On 24 February 2004 the Unit organized a colloquium under the title “Attacks on the Freedoms of Press: Who Can Stop Them?” The conference was held at the YMCA in Gaza City and was organized in light of the escalation of attacks against journalists and press organizations. Participating in the colloquium were Hassan al-Kashef, Editor-in-Chief of *al-Dar* Magazine; Tawfiq Abu Khousa, Head of the Syndicate of Journalists; Emad al-Falouji, Member of the Parliamentary Monitoring Committee; and the Director of PCHR. A number of journalists, academics, representatives of political parties and NGOs, public figures, and others also attended. The goals of this colloquium were: (1) condemnation of such attacks; (2) supporting journalists; and (3) contributing to efforts made to pressure the PNA to take necessary measures to stop such attacks. The speakers asserted that the rule of law can ensure stopping such attacks, and criticized the PNA for failing to take effective steps in this regard. The colloquium made the following recommendations: (1) forming a framework of professional unions; and (2) forming a uniting body of press organizations. The Unit issued a press released on the colloquium, which was widely circulated. The colloquium was also reported by the local media.

### **A Seminar on the Evaluation of the PLC's Performance**

This seminar was held on 27 June 2005 at the Women Activities Center in Jabalya Refugee Camp. PLC member's Kamal al-Sherafi and 'Emad al-Falouji and a number of others participated in the seminar. The discussion focused on the PLC's performance and the participants directed a number of questions to the PLC members. This meeting came in the context of a series of meetings organized by the Unit to bridge the gap between PLC members and citizens and facilitate communications.

### **A colloquium on the Law of Local Elections**<sup>53</sup>

On 4 July 2004 the Unit in cooperation with PCHR's Women's Unit, organized this symposium at the hall of Khan Yunis Municipality. The speakers were: Ussama al-Farra, Mayor of Khan Yunis; Wafaa' Mousa of Women's Affairs Technical Staff; and the Head of the Unit. At least 100 people participated in the colloquium, including 30 women. The speaker and interveners discussed a number of issues focusing on PCHR's comments on the law presented to the PLC. The participants emphasized the importance of allocating a quota for women in local councils. The Unit issued a press released on the colloquium, which was widely circulated. The symposium was also reported by the local media.

#### **ii. Participation in Similar Activities Organized by Civil Society Organizations**

The Unit's staff members participated in dozens of activities organized by Palestinian civil society organizations but only activities in which the staff members were speakers will be highlighted in this section. Such activities serve to strengthen relations between PCHR and other civil society organizations.

- On 5 April 2004 the Unit participated in a colloquium organized by the PLC in the northern Gaza Strip on International Day of Democracy. The Head of Unit was the only speaker in the second session. He delivered a lecture on the PLC's performance that was followed by a discussion of the participants, who represented governmental and non-governmental organizations in the northern Gaza Strip. The colloquium was held in Jabalya.
- On 4 May 2004 the Unit participated in a colloquium organized by the Press Club of the Islamic University on the freedom of expression on occasion of International Press Day. The colloquium was held at the conference hall at the University. The speakers were: Ra'ed Abu Dayer, Director of al-Aqsa Radio Satation; Wissam 'Afifa, a reporter of *al-Resala* Weekly; and the Head of the Unit.
- On 9 June 2004 the Unit participated in a colloquium organized by ad-Dameer Association for Human Rights on the freedom of expression at the hall of Ministry of Prisoners' Affairs. The speakers were: Saif al-Din Shahin, correspondent of al-

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<sup>53</sup> Before holding this colloquium, the Unit had completed preparations for holding a colloquium on challenges to holding local elections. It was supposed to be held in Khan Yunis on 21 March 2004, but it was postponed due to an Israeli military incursion into 'Abasan village near Khan Yunis on that day. Until the end of March, it was not possible to hold the colloquium due to the assassination of Sheikh Ahmed Yassin by IOF.

Arabiya Satellite Channel; Khalil Abu Shammala, Director of ad-Dameer Association for Human Rights; and the Head of the Unit.

- On 14 September 2004 the Head of Unit was the main speaker at a dialogue meeting titled "The Role of Civil Society Organizations in Elections", which was organized by the Palestinian NGO Network at its offices. Representatives of a number of NGOs participated in the meeting.
- On 22 September 2004 the Unit participated in a colloquium on the participation of Palestinian prisoners in elections organized by Prisoners' Support Organization in Bani Suhaila village in Khan Yunis. The Head of Unit submitted an intervention on the legal dimension of the participation of prisoners in elections.
- On 23 September 2004 the Unit participated in a colloquium titled "The Suffering of the Fourth Authority" organized by al-Karmel Center for Free Palestinian Media at Sa'id al-Mishal Society for Culture and Science. The speakers were: the Head of Unit; Mustafa al-Sawaf, Director of al-Jeel Press Office; and Ahmed Jadallah, Director of Photography Department at Reuters office in Gaza.
- On 1 December 2004 the Head of Unit was the guest at Wednesday Dialogue – a weekly meeting organized by Cana'an Pedagogical Institute in Gaza. He submitted an intervention on legal commitment and national necessity, that was followed by a comprehensive discussion with visiting human rights, democracy and education activists.
- On 14 December 2004 the Unit participated in a colloquium on amendments to the electoral law organized by the General Union of Palestinian Women. The speakers were: Dr. 'Abdul Rahman Abu al-Nasser, Deputy Head of the Palestine Bar Association; Karem Nashwan, a legal researcher; and the Head of the Unit. The colloquium was held at offices of Palestine Red Crescent Society in Gaza City and at least 100 persons, mostly women, attended.
- On 23 December 2004 the Unit participated in a public meeting organized by the Palestinian Press Bloc at al-Shati Service Forum in the context of its project aiming at raising the public awareness of the rights and roles of media professionals. The Head of Unit submitted an intervention on the role of human rights and civil society organizations in the protection of journalists. Dr. Mousa al-Za'bout, PLC member, and Saif al-Din Shahin, correspondent of al-Arabiya Satellite Channel, submitted two interventions.
- On 26 December 2004 the Head of Unit participated in a colloquium organized by Gaza Group for Culture and Arts at Rashad Shawa Center in Gaza on elections and the need for new Electoral Law.
- On 29 December 2004 the Head of Unit was the main guest at Wednesday Dialogue – a weekly meeting organized by Cana'an Pedagogical Institute in Gaza. He spoke about the amended electoral law and a discussion with the attendants followed.
- On 29 December 2004 Unit Researcher, Aaya Khalil, delivered a lecture on elections at Tamer Institute.

### **Participation in an Exhibition of Palestinian Development and Service Social Work Organizations**

On 30 and 31 March 2004, PCHR, together with 17 NGOs, participated in an exhibition of Palestinian development and service social work organizations organized by al-Quds Open University in Gaza. Researcher Mahmoud Efranji represented PCHR at the meetings of the preparatory meetings and at the proceedings of the exhibition.

PCHR was granted a wing at the exhibition at which PCHR provided visitors with information about its activities and services. PCHR also circulated its publications. In addition, Mahmoud Efranji held a meeting with members of the student council at al-Quds Open University and discussed allowing university students to use PCHR's library and attend training courses organized by PCHR. He also held a similar meeting with members of al-Aqsa University who visited the exhibition.

#### **iii. Training on Democracy and Human Rights**

The Unit participated in a number of training programs organized by PCHR's Training Unit, delivering lectures on democracy. It also cooperated with the Training Unit in training observers to monitor the Palestinian elections. In 2004 the Unit delivered 10 lectures (30 hours of training). These programs were organized in Gaza City, the northern Gaza Strip, Khan Yunis, Rafah and the central Gaza Strip.<sup>54</sup>

The Unit also delivered lectures in a number of training programs organized by other civil society organizations:

- On 4 March 2004 the Head of Unit delivered a lecture on the democratic practice in a training program organized by ad-Dameer Association for Human Rights in cooperation with the Faculty of Media of al-Aqsa University in Gaza. The program targeted university students.
- On 29 July 2004 the Unit Researcher, delivered a lecture on democracy and citizenships at a summer camp organized by Tamer Association for Community Education for its volunteers.
- On 29 November 2004 the Head of Unit delivered a lecture on the Palestinian elections and applicable laws at a program organized by Bader Association for Building and Reconstruction targeting Palestinian youth. The program was held at offices of the Union of Agricultural Work in Gaza.

#### **iv. Preparing Publications to Raise Awareness on Democracy and Human Rights**

The Unit prepared a leaflet on the right to free association which explains the importance of this right in democratic societies, relevant international standards, the conformity of the Palestinian law with these standards and PCHR's recommendations. The Unit had previously prepared two leaflets on the right to free expression and the right to peaceful assembly in 2003. All three leaflets are widely circulated to the public, focusing on

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<sup>54</sup> For more details about these programs, see the section on the Training Unit's activities, pages 114 – 133.



participants in training activities or workshops organized by PCHR or other civil society organizations.

**v. Media Activities Related to Promotion of Democracy and Awareness of Civil and Political Rights**

The Unit staff members were interviewed by 31 local, regional and international media on issues related to democracy and human rights.

The Head of the Unit was interviewed by the local, Arab and international media on issues related to democracy and human rights. In 2004, the Unit gave 33 interviews.

**Table 14: Media Interviews Conducted by the Unit in 2004**

<b>Date</b>	<b>Names of Journalists and Media Organizations</b>	<b>Subject</b>
14 January	'Awad al-Rajoub, al-Sharq newspaper, Qatar	Freezing bank accounts of Islamic charitable societies
14 January	Leila al-Haddad, al-jazeera.net	The rule of law
24 January	France Radio 2	Palestinian prisoners in Israeli jails
8 February	Amjad al-Shawa, the Jordanian news agency (Petra)	Extra-judicial killings
18 February	Watan Television	Attacks on journalists
18 February	Ra'ed Abu Sitta, al-Shorouq magazine, Canada	Conditioned funding by USAID
1 March	Nidal al-Mughrabi, Reuters	Internal violence and security chaos
3 March	Watan Television, Palestine	Israeli raids on banks in Ramallah
17 March	Sidsel Wold, Norwegian Broadcasting Corporation	The human rights situation in the OPT
23 April	Workers Radio	Palestinian prisoners in Israeli jails
24 April	Workers Radio	Israeli war crimes
25 April	'Aziza al-Salqawi, Falasteenona newspaper	Extra-judicial killings
25 April	Amjad al-Shawa, the Jordanian News Agency (Petra)	Israeli attacks on journalists
16 May	Abu Dhabi Television	Israeli war crimes in Rafah
16 May	BBC	Israeli war crimes in Rafah
18 May	France Radio 2	Israeli war crimes
22 May	Jamila Abu Shanab, al-Hurra satellite channel	Israeli war crimes
24 May	Abu Dhabi Television	Israeli war crimes
14 June	Bernard Tannous, al-Shams Radio, Nazareth	PCHR's report on extra-judicial killings

5 July	The Korean MBC	The human rights situation in the OPT
5 July	Japanese Television	The human rights situation in the OPT
17 September	Palestine Satellite Channel	Registration to elections
10 October	Abu Dhabi Television	Israeli war crimes in the northern Gaza Strip
12 October	France Radio 2	The human rights situation in the northern Gaza Strip
13 October	Al-Jazeera Satellite Channel	Israeli attacks on Palestinian children
2 November	Bernard Tannous, al-Shams Radio, Nazareth	Israeli violations of human rights
8 December	Kerstin Kohnatob, the German Radio	Palestinian elections
11 December	'Abdul Ghani al-Shami	Internal violence in the OPT
12 December	'Aziza al-Salqawi, Palestinian Media Group	Internal violence in the OPT
12 December	Al-Salam Radio, Israel	Local monitoring on elections
14 December	Jamila Abu Shanab, al-Hurra satellite channel	Destruction of houses in the Gaza Strip by IOF
30 December	Taghreed al-Khudari, LBC, Lebanon	Palestinian elections

### *Means of Verification*

- The Unit organized three colloquia and meetings which were attended by 200 people.<sup>55</sup>
- The Unit delivered 10 lectures at training programs organized by PCHR's Training Unit.
- The Unit delivered three lectures at training sessions organized by other civil society organizations.
- The Unit's staff members submitted interventions at 12 colloquia and workshops organized by other civil society organizations.
- Large numbers of invitations to attend external events strongly indicate PCHR's status in working on such activities.
- The number of media interviews made with the Unit's staff members was 33.
- The Unit's activities were reported by the media.
- The Unit has documented articles published by the local media on the Unit's activities.

#### **4. Encouragement of Adoption of Legislation Based on the Democratic Principles and Respect for Human Rights**

##### *Verifiable Indicator*

Report on activities.

<sup>55</sup> In addition, the unit organized two other meetings on elections, see page 91.

The Unit continued to carry out this activity with a special focus on lobbying for amending the laws that organize Palestinian elections:

- During preparations to hold municipal elections, the Unit wrote a paper that included comments on the elections law and recommended amendments. The paper was annexed to a letter sent to the Speakers and Members of the PLC. Specifically, the paper included a suggestion to have a quota for the number of seats to be filled by female candidates. PCHR has adopted this stance in conjunction with a number of NGOs and women's organizations.
- Through numerous press releases, interventions at workshops and meetings with the PLC Members, PCHR has supported efforts made to amend the electoral law to ensure: (1) proportional representation; (2) decreasing the number of electoral constituencies from 16 to 5; (3) enacting a quota for the number of women in the PLC; (4) establishing a single independent national commission to be responsible for organizing elections; and (5) dissolving the two existing commissions responsible for organizing general and local elections.

### ***Means of Verification***

- On 1 December 2004 the PNA promulgated Law 5 of 2004 amending Law 5 of 1996 related to elections of Palestinian local councils. The amended law takes into consideration the comments raised by PCHR, particularly with regard to putting the responsibility of organizing the elections on the shoulders of one commission instead of two and enacting a quota for women members of local councils.
- At the end of 2004, debate continues regarding amending the electoral law. PCHR continues to cooperate with NGOs and partisan entities to exert pressure in order for a new electoral law to be promulgated before PLC elections in July 2005.

## **5. Encouraging Holding Free and Fair Elections**

<b><i>Verifiable Indicator</i></b>
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Report on activities.
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A presidential decree was issued on 21 June 2004 which called for the beginning of five weeks of voter registration from 4 September 2004. The Unit and PCHR analyzed the existing situation and concluded that a serious intention to hold elections was not expected in the short term due to the continuous aggression by IOF throughout the OPT and continued internal instability. Notably, the decree did not specify a date for elections. However, PCHR monitored the voter registration process in the Gaza Strip as regardless of political will it is an important stage of any electoral process. A number of PCHR staff members were chosen to monitor the registration in addition to their regular work.

Following the death of the Palestinian President Yasser Arafat on 11 November 2004, the Palestinian leadership took a series of steps to ensure the peaceful transition of authority. In this context, a presidential decree was issued announcing that presidential elections are

to be held on 9 January 2005. PCHR welcomed this step though noted that PLC elections must still be held in 2005 and amendments to the electoral law were needed.

The Unit in cooperation with other units at PCHR started concrete preparations to engage in the electoral processes, including submitted a proposal to monitor the presidential elections in cooperation with a number of civil society organizations.<sup>56</sup>

### **i. Monitoring Voter Registration**

#### ***Preparation***

- PCHR applied to the Central Election Commission (CEC) to be accredited as a local monitoring organization and the application was accepted.
- 17 PCHR staff members were selected as observers and were accredited by the CEC, and a staff member of the Unit was accredited as a contact person with the CEC.
- These observers were trained to conduct monitoring.
- The observers were distributed to cover approximately 250 registration centers in the 5 electoral constituencies in the Gaza Strip.
- A special form was designed which the observers were requested to complete following each visit to a registration center to ensure covering certain aspects of monitoring.

#### ***Monitoring***

The observers monitored all stages of registration through random visits to registration centers.

- The observers conducted monitoring throughout voter registration in all registration centers; including mobile ones over the six week registration period (voter registration was extended by one week from the original period of five weeks).
- Following the closure of registration centers, the observers monitored the registration at district election offices where the registration continued.
- As 9 January 2005 was assigned as a date for holding the presidential election, the observers monitored the complementary registration of electors which started on 24 November and ended on 1 December 2004.
- PCHR monitored the publication of the initial electoral register and the mechanisms of appealing against it.
- PCHR monitored subsequent developments especially following amending the electoral law on 1 December 2004 to accredit the civil register together with the electoral register prepared by the CEC for the elections.

#### ***Sending Letters to the CEC***

The observers delivered their notes to officials at registration centers and PCHR sent written notes to the CEC.

#### ***Press Releases***

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<sup>56</sup> This section covers the Unit's activities related to monitoring the presidential election until 31 December 2004 only.

The Unit wrote a number of press releases on issues related to the registration of electors.<sup>57</sup>

### ***An Evaluation Report of the Pre-Election Process***

The Evaluation Report included a comprehensive evaluation of the registration process and the preparation of the electoral register in the last quarter of 2004. It was published in December 2004. It consists of six sections. Section one explains the importance of elections, the right to vote and to run in elections and also the electoral register and its preparation. The second section highlights the experience of the Palestinian general elections of January 1996, the first and only elections under the PNA since its establishment in 1994. The third section traces the developments related to holding general elections, starting with the end of the interim period according to the Oslo Accords on 4 May 1999, which marked the end of the legal term of the 1996 elections, then the deadlock of the political process and the failure to hold elections. The report then covers the recent developments and the assignment of a date for holding a new presidential election and the preparations made to hold this election. The fourth section of the report details PCHR's activities as an accredited local monitoring organization, including the accreditation of its monitors by the CEC, the training and distribution of monitors and the method adopted to gather and analyze the information. The fifth section of the report focuses on the registration process from the beginning until the end, and the publication of the preliminary electoral register and the complementary one. The final section evaluates the registration process itself. In addition to the technical aspects which are the essence of the monitoring process, a significant part of this section was devoted to evaluate the political and field environment under which the registration process was conducted, both with regard to the impacts of assaults by Israeli occupation forces (IOF) against Palestinian civilians, and the Palestinian internal situation. The Evaluation Report included recommendations on voter registration and the elections in general.

### ***Workshops to Encourage Registration***

PCHR monitors observed during the first days of voter registration a low turnout. The Unit, in cooperation with the CEC, organized two workshops to discuss means to encourage registration. Representatives of partisan entities, civil society organizations and the media were invited to participate. The first workshop was held at PCHR's offices in Khan Yunis on 13 September 2004 and the second in PCHR's offices in Gaza City on 21 September 2004.

### ***Means of Verification***

- On 31 August 2004 PCHR was accredited by the CEC as a local monitoring organization, and on 3 September 2004, the CEC issued identification cards for PCHR observers.
- The observers were trained and deployed to undertake monitoring.
- The CEC demonstrated cooperation by responding to PCHR's verbal and written inquiries and notes.

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<sup>57</sup> For more details about these press releases, see pages 176 – 185.

- The registration process was transparent and was subject to local monitoring.
- Press releases issued by PCHR were reported by local newspapers.
- An evaluation report of monitoring over the registration of voters was prepared.
- Copies of the report were sent to the CEC's president and secretary general on 28 December 2004.
- A summary of the report was published in a press release issued by PCHR.
- The report was covered by the media.
- The registration process was reinforced by the two workshops that were organized by the Unit.
- The proceedings of the workshops were reported by the media.

## **ii. Monitoring the Presidential Election**

This section focuses on activities carried out by the Unit in cooperation with other PCHR's units until 31 December 2004 to monitor the Palestinian presidential election on 9 January 2005.

### ***Preparations***

- The Unit made contacts with a number of NGOs to cooperate in monitoring the presidential election. Initially, Palestinian Bar Association, Women's Affairs Center and Cana'an Pedagogical Institute agreed to cooperate with PCHR in monitoring the election.
- In cooperation with PCHR's Training Unit, approximately 200 persons, who had previously participated in training courses on democracy and human rights organized by PCHR in cooperation with other organizations, were selected to monitor the election.
- Gender was successfully taken into consideration and women were encouraged to participate in monitoring the election.
- The Unit and the Training Unit cooperated in organizing six intensive courses each lasting two days to train the selected observers. The training commenced before the observers having been accredited by the CEC due to time constraints.
- PCHR applied to the CEC to accredit the new observers and this application was approved. With the accreditation of the new observers, the number of PCHR observers increased to 212, including 65 female observers.
- The Unit held a number of meetings with the observers to assign them to electoral constituencies and facilitate monitoring. The observers were also provided with guides on monitoring the election campaign which took place at that time.
- While PCHR was preparing for monitoring the election, a further 75 observers, including 33 female observers from al-Dameer Association for Human Rights, joined PCHR's monitoring campaign. All of these observers were accredited by the CEC. The final number of observers increased to 287, including 98 female observers.
- Final preparations for monitoring were completed, including selecting supervisors and deciding means of contacts with the observers during their work.
- Jackets were designed and purchased for observers to wear during their work.

- A comprehensive questionnaire that covers specific aspects of monitoring, including the polling and counting of votes, was prepared.

### ***Monitoring***

- The observers started their work before they were accredited by the CEC. Their work focused on monitoring the pre-election campaign which was scheduled to start on 25 December 2004 and the campaign itself. In all cases, adherence to the electoral law and campaigning were examined. Observers reported to PCHR any violations.
- PCHR maintained contacts with the CEC and sent a number of letters indicating specific breaches and calling for taking necessary measures to stop them.
- PCHR issued a number of press releases throughout the electoral process.
- PCHR created a new section on its web page, which focuses on elections and PCHR's related activities and publications.

### **Meetings with International Observers**

The Unit participated meetings with a number of international observers, including a meeting on 22 December 2004 with a members of the EU Election Observation Mission to monitor the presidential election and a meeting on 27 December 2004 with the former French Prime Minister Mr. Michel Rocard, MEP and Chief Observer of the EU Election Observation Mission and an accompanying delegation.<sup>58</sup>

### **A Calendar and a Poster on Elections**

In the context of its efforts to encourage elections, the unit designed a 2005 calendar for PCHR which has a painting that encourage Palestinian elections. The painting was also used in designing a poster for the same purpose.

### ***Means of Verification***

- PCHR cooperated with 26 active NGOs throughout the Gaza Strip, including Palestinian Bar Association, al-Dameer Association for Human Rights, Women's Affairs Center and Cana'an Pedagogical Institute, to monitor the presidential election.
- PCHR, in cooperation with these NGOs, was able to monitor all stages of the electoral process to date.
- The CEC responded to PCHR notes regarding the electoral process.
- The monitoring team formed by PCHR was one of the most prominent monitoring bodies, especially in the Gaza Strip.
- Efforts made by PCHR and partners, in addition to other local and international efforts, contributed to ensuring the fairness, transparency and credibility of the electoral process.
- The body of observers formed by PCHR will serve PCHR in monitoring elections in the future.

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<sup>58</sup> For more details about these meetings, see pages 163 – 169.

## **Economic, Social, and Cultural Rights Unit**

In 2004 the Economic, Social, and Cultural Rights Unit continued to monitor and document violations of economic, social and cultural rights in the OPT, particularly the Gaza Strip, as detailed in the 2004 Annual Plan. The continuous Israeli violations in the Gaza Strip required the Unit to amend some of its planned activities.

However, despite these urgent developments the Unit was able to continue a number of fundamental activities including preparation of regular reports on economic, social, and cultural rights, holding public workshops and participation in other PCHR activities and activities organized by other civil society groups in the Gaza Strip. The Unit also promoted its activities in the media and through community forums.

### **Activities as detailed in 2004 Annual Plan**

1. Documenting violations of economic, social and cultural rights.
2. Raising awareness of economic, social, and cultural rights.

### **1. Documenting violations of economic, social and cultural rights**

#### ***Verifiable Indicators***

- a. Publications
- b. Development of the database of violations of economic, social and cultural rights

#### **a. Publications**

##### **i. Closure Update: A Report on the Impact of Israeli Closure of the Gaza Strip on Economic, Social and Cultural rights, Issue 46**

The Unit issued the 46<sup>th</sup> report/update detailing the impact of the Israeli military closure of the Gaza Strip on economic, social and cultural rights. The report was issued on 27 July 2004 together with a press release about the publication.

#### ***Means of Verification***

- The report was published.
- The Unit issued a press release on its publication.
- The publication of the report was covered by the local media.
- The report was widely circulated.
- The report was completely or partially published on a number of local web pages.
- PCHR used statistics and information included in the report in its international interventions.
- The Unit staff members were interviewed by the media on issues covered by the report.
- A number of governmental organizations used the information included in the report.
- A number of university students used the report in writing research papers on relevant issues.
- A number of international organizations, such as the UN Office for the Coordination of Humanitarian Affairs, used the information included in the report.



## **ii. Uprooting Palestinian Trees and Leveling Agricultural Land: Report #10**

Report #10 of this series was issued by the Unit on 15 May 2004, detailing land leveling and destruction of agricultural land in the Gaza Strip by IOF during the period 1 April 2003 – 30 April 2004. On 17 May 2004 the Unit issued a press release on the publication of the report.

### ***Means of Verification***

- The report was published.
- The Unit issued a press release on its publication.
- The publication of the report was covered by the local media.
- The report was widely circulated.
- The report was completely or partially published on a number of local web pages.
- PCHR used statistics and information included in the report in its international interventions.
- The Unit's staff members were interviewed by the media on issues covered by the report.
- A number of governmental organizations used the information included in the report.
- A number of university students used the report in writing research papers on relevant issues.
- A number of international organizations used the information included in the report.

## **iii. A Report on Israeli Attacks on Beit Hanoun and Their Impact on Economic and Social Rights**

This report was not identified in the Annual Plan for 2004 but due to the wide scale offensive by IOF on the northern Gaza Strip town of Beit Hanoun in the period 29 June – 5 August 2004, a need emerged to report on Israeli violations of human rights specific to this offensive. The Unit issued a report on this offensive on 6 November 2004.

### ***Means of Verification***

- The report was published.
- The Unit organized a workshop on the impacts of the Israeli offensive on Beit Hanoun.
- The Unit issued a press release on its publication.
- The publication of the report was covered by the local media.
- The report was widely circulated.
- The report was completely or partially published on a number of local web pages.
- PCHR used statistics and information included in the report in its international interventions.
- The Unit's staff members were interviewed by the media on issues covered by the report.
- A number of governmental organizations used the information included in the report.
- A number of international organizations used the information included in the report.

**iv. A Brief Report on Israeli Violations of the Right of Health**

The Annual Plan identified a brief report on Israeli violations of the right of health. However, due to the escalation in Israeli attacks on Palestinian medical personnel, the Unit believed it was timely to issue a specific report on this issue. The report will be published at the beginning of 2005.

**v. A report on Israeli Violations of the Right of Palestinians to Free Worship**

This report focuses on Israeli violations of the right to free worship in the OPT. The Unit updated this report which is expected to be published at the beginning of 2005.

**vi. A report on Israeli Violations of Palestinian Cultural Rights during the al-Aqsa Intifada**

The Unit prepared most sections of this report but its publication was postponed to 2005 due to the lack of enough information on these violations, especially in the West Bank.

**vii. A Study on Higher Education in the Gaza Strip under the Palestinian National Authority**

This specialized study focuses on higher education in Palestine, particularly in the Gaza Strip. It discusses the current situation of higher education from the perspective of economic, social and cultural rights. The study was produced and submitted to PCHR's Program Committee for commenting. It is expected to be published at the beginning of 2005.

**viii. Press Releases on Violations of Economic, Social and Cultural Rights**

The Unit wrote 18 of PCHR's press releases issued in 2004 on issues relevant to economic, social and cultural rights, mostly highlighting violations committed by IOF, including the destruction of civilian property.<sup>59</sup>

***Means of Verification***

- The Unit wrote 18 press releases on violation of human rights and international humanitarian law.
- Their publication was covered by the local press.
- They were widely circulated.
- They were completely or partially published on a number of local web pages.
- The Unit staff members were interviewed by the media on issues covered by these press releases.
- On 3 August 2004 following a press release issued on a workshop of higher education organized unit, a web site, [www.InforArabic/nalestodaydailynews](http://www.InforArabic/nalestodaydailynews), published a report of the administration of scholarships, stating that their distribution is based on personal relationships.

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<sup>59</sup> For more details about these press releases, see pages 176 – 185.

#### **ix. Other Publications**

- The Unit issued a brief report on the impact of the closure imposed on the OPT, especially the Gaza Strip, on the economic and social conditions of Palestinian civilians. It was used in PCHR's 2004 Annual Report and the monthly bulletin, *al-Mentar*.
- The Unit issued a report on the impact of the wide scale Israeli offensive on Rafah in May 2004, which was called "Operation Rainbow." It was published on 9 August 2004.
- The Unit issued a report on the impact of the closure of Rafah International Crossing Point on the Egyptian border. The report was published on 26 August 2004.
- The Unit issued a report on the proceedings of a workshop on telecommunications in Palestine which was organized by the Unit on 19 August 2003. The report was published in April 2004.
- The Unit wrote a report on the proceedings of a workshop on the administration of scholarships under the PNA, which was organized on 31 July 2004. The report was published on 26 August 2004.
- The Unit wrote a report on the Israeli decision to prevent Palestinians aged 16-35 from traveling through Rafah International Crossing Point. The report was published on 16 September 2004.
- The Unit has written a booklet on the right to adequate housing under international human rights standards, part of a series of booklets aimed at raising awareness on economic, social and cultural rights. The booklet will be submitted to PCHR's Program Committee for comments in early 2005.

#### ***Means of Verification***

- The reports were published.
- The Unit issued press releases on their publication.
- The publication of the reports was covered by the local media.
- The reports were widely circulated.
- The reports were completely or partially published on a number of local web pages.
- PCHR used statistics and information included in the report in its international interventions.
- The Unit's staff members were interviewed by the media on issues covered by the report.
- A number of governmental organizations used the information included in the reports.
- A number of international organizations used the information included in the reports.
- A number of international human rights organizations largely relied on the unit's report on the Israeli offensive on Rafah, such Human Rights Watch and International Federation for Human Rights.

## **b. Development of the Database of Violations of Economic, Social and Cultural Rights**

In 2004 the Unit continued its efforts to create a database of violations of economic, social and cultural rights in the OPT, particularly in the Gaza Strip. The database includes information on violation of the right of education, attacks on Palestinian fishermen, attacks on industrial facilities, violations of the freedom of movement, attacks on medical personnel and facilities, Palestinians killed at Israeli military checkpoints, handicapped Palestinians killed by IOF and destruction of religious, historical and cultural sites.

### ***Means of Verification***

- There was an increase in demands to obtain information and statistics from the Unit.
- The Unit provided a number of ministries of information and statistics.
- The Unit's staff members were interviewed by the media on the information and statistics included in the database.

## **2. Raising Awareness of Economic, Social, and Cultural rights**

<b><i>Verifiable Indicator</i></b>
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Report on activities.
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### **i. Bilateral and Multilateral Meetings**

The Unit participated in meetings with visiting delegations, escorted them on field tours and organized meetings for them with victims of Israeli violations of human rights.

- On 12 and 13 January 2004 the Head of Unit, Khail Shaheen, escorted a five-member US delegation on a field tour to Rafah, Khan Yunis and al-Shati and Jabalya refugee camps. Members of the delegations met with a number of families whose houses had been demolished by IOF.
- On 14 February 2004 the Head of Unit together with other PCHR staff members escorted an Irish diplomatic delegation on a field tour to Khan Yunis and Rafah. Members of the delegation met with a family whose house had been demolished by IOF in Rafah.
- On 9 April 2004 the Head of Unit briefed a Swiss delegation from Medecins de Monde during a visit to PCHR's offices in Khan Yunis. He also escorted members of the delegation on a field tour to Rafah, where they met with a family whose house had been demolished by IOF near the Egyptian border. In addition, members of the delegation visited Khan Yunis refugee camp and al-Nimsawi neighborhood to watch the destruction caused by IOF to civilian property.
- On 26 April 2004 the Head of Unit participated in a field tour organized by PCHR for an EU diplomatic delegation to Rafah refugee camp. He escorted the French Consul General and briefed him on the closure and destruction of civilian property by IOF in the Gaza Strip.

- On 12 May 2004 the Head of Unit escorted a delegation of Amnesty International on a field tour to al-Zaytoun neighborhood in Gaza City and the northern Gaza Strip town of Beit Lahia to witness the outcome of attacks by IOF on the two areas.
- On 19 May 2004 the Head of Unit escorted a delegation of Amnesty International on a field tour to Rafah which was the subject of a wide scale offensive by IOF. Members of the delegation watched the destruction to civilian property caused by IOF and witnessed attacks by IOF on Palestinian civilians on that day.

## **ii. Workshops Centre**

- On 31 July 2004 the Unit organized a workshop on the administration of scholarships under the PNA. A number of representatives of governmental organisations, such as the Higher Committee for Scholarships, Ministry of Higher Education, Palestine Red Crescent Society, representatives of a number of NGOs and a number of students participated in the workshops. The participants submitted interventions on the performance of concerned parties and made recommendations to facilitate equal opportunities in getting scholarships.
- On 26 August 2004 the Unit organised a workshop on the economic and social impacts of the Israeli assault on environment in Beit Hanoun. Representatives of a number of NGOs and some victim of Israeli violations of human rights participated in the workshop. The participants submitted a number of interventions on the subject and made recommendations to concerned bodies.
- On 20 December 2004 the Unit organised a workshop on the Law of Civil Service at PCHR's offices in Gaza City. Head of the Budget Committee at the Palestinian Legislative Council (PLC), a number of public employees and representatives of NGOs and the media participated in the workshop. The participants discussed the law and its economic and social impacts on public employees. They submitted recommendations to the PLC.
- On 23 December 2004 the Unit organized a workshop on the Law of Handicapped Persons at PCHR's offices in Gaza City. A number of directors of handicapped rehabilitation organizations and representatives of governmental and non-governmental organizations participated in the workshop. At the end, the participants adopted a number of recommendations to be submitted to Ministry of Social Affairs and other concerned ministries.

## **iii. Media and Public Relations Activities**

The Unit's staff members were interviewed by the local media. In 2004, the Unit's staff members were interviewed on 21 topics relating to economic, social and cultural rights.

**Table 15: Media Interviews Conducted by the Unit in 2004**

<b>Date</b>	<b>Names of Journalists and Media Organizations</b>	<b>Subject</b>	<b>Staff Member</b>
10 January	Al-Jazeera.net	The report issued by the unit on the conditions of disabled Palestinians	Bassam Abu Hashish
24 January	Sawatel News Agency	Child labor	Bassam Abu Hashish
16 February	Al-Shabab Radio, Gaza	Water problems in Gaza City	Khalil Shahin
30 March	Shireen Khalifa	Israeli policies towards Palestinian land and property	Khalil Shahin
17 April	Shireen Khalifa	Medical negligence in Gaza	Khalil Shahin
5 May	Kawthat 'Owaida, Voice of Palestine	Violations of the rights of education	Khalil Shahin
11 May	Hisham 'Abdullah, Swiss Radio	House demolitions and land leveling	Khalil Shahin
14 May	Al-Arabiya satellite channel	Destruction of houses in Rafah and al-Zaytoun neighborhood	Khalil Shahin
14 May	Al-Ekhbariya news channel, Saudi Arabia	The Israeli High Court ruling on the demolition of houses in Rafah	Khalil Shahin
18 May	France International Radio	The situation in Rafah	Khalil Shahin
19 May	Sawa Radio, Palestine	The situation in Rafah	Khalil Shahin
22 May	Amnesty International	The situation in Rafah	Khalil Shahin
23 May	Palestine Television	The situation in Rafah	Khalil Shahin
3 June	Arabia.net	The situation in Rafah	Bassam Abu Hashish
9 June	Gaza Community Mental Health Programme	Psychological impacts of house demolitions and land leveling	Khalil Shahin
26 September	Al-Majd Satellite Channel	Land confiscation	Khalil Shahin
4 October	Al-Salam Radio	The human rights situation in the OPT	Khalil Shahin
5 October	Turkish News Agency	Child labor	Khalil Shahin
27 November	Fayed Abu Shammala, BBC	The human rights situation in the OPT	Khalil Shahin
30 November	Maha 'Awad, Voice of Palestine	Israeli measures at military checkpoints	Khalil Shahin

#### **iv. Training Activities through Training Unit**

The Unit contributed to training activities organized by PCHR's Training Unit, including discussing training programs with its Head of Unit and delivering lectures at training

courses. Table 16 below details the lectures delivered by Unit's staff members at training courses organized by Training Unit:

**Table 16: Lectures delivered in coordination with Training Unit**

No.	Target Group	Place	Period	Lectures	Trainer
1.	Youth committees of Ministry of Youth and Sports in Gaza	Training Unit	15-19 Feb.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
2.	Youth committees of Ministry of Youth and Sports in north Gaza	PCHR's offices in Jabalya	29 Feb. – 4 Mar.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
3.	Youth committees of Ministry of Youth and Sports in Khan Yunis	PCHR's offices in Khan Yunis	20-30 Mar.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
4.	Directors of UNRWA schools in Rafah	Rafah Female Prep. School A	7-9 Feb.	Universal Declaration for Human Rights, International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights	Khalil Shahin
5.	Directors of UNRWA schools in Khan Yunis (1)	Khan Yunis Male Prep. School	10-12 Feb.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
6.	Directors of UNRWA schools in Khan Yunis (2)	Al-Farabi Elem. School	21-23 Feb.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
7.	Directors of UNRWA schools in Deir al-Balah	Nusairat Female Prep. School A	24-26 Feb.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
8.	Directors of UNRWA schools in Gaza (1)	Al-Remal Female Prep. School	6-8 Mar.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
9.	Directors of UNRWA schools in Gaza (2)	Asmaa' Elem. School	9-11 Mar.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
10.	Directors of UNRWA schools in northern Gaza	Jabalya Female Prep. School B	13-15 Mar.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
11.	Youth Committees of Ministry of Youth and Sports in central Gaza Strip	Deir al-Balah	9 May	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
12.	Youth Committees of Ministry of Youth and Sports in central Gaza Strip	Deir al-Balah	10 May	The right to development	Bassam Abu Hashish
13.	Deir al-Balah Community Service Center	Deir al-Balah	7 Jun.	International Covenant on Economic, Social and Cultural Rights	Khalil Shahin
14.	Members of Palestinian Female University Graduates Society	Offices of the society	29 Jul.	Civil education	Khalil Shahin

**v. Participation in Raising Awareness Activities Organized by Other Institutions**

- On 25 January 2004 in coordination with Training Unit, Unit Researcher, Bassam Abu Hashish, delivered a lecture of children's labor at Development Training and Family Rehabilitation Association in Deir al-Balah.
- On 28 February 2004 the Head of Unit delivered a lecture on the Law of Civil Service at the Palestinian Female University Graduates Society.
- From 4-6 June 2004 the Unit Researcher participated in a colloquium on the evaluation of ten years of the UN program for human rights education in Tunisia. A number of working papers on human rights education in Arab countries were submitted and an evaluation study of the program was discussed.
- On 5 May 2004 the Head of Unit submitted an intervention on women's rights in the Palestinian society at a workshop organized by Atafaluna Society for Deaf Children in Gaza City.
- On 2 and 3 June 2004 the Head of Unit participated in a workshop on the Law of Handicapped Persons and mechanisms of its implementation organized by the Palestinian Commission for the Rights of Handicapped Persons in Khan Yunis.
- On 22 June 2004 the Head of Unit submitted an intervention on the right of housing at a workshop on housing planning in the Gaza Strip organized by al-Mezan Centre for Human Rights in Gaza City.
- On 26 June 2004 the Unit Researcher delivered a lecture on the rights of the deaf at workshop on supporting civil and democratic rights of the deaf organized by Jablaya Society for Deaf Rehabilitation.
- On 3 July 2004 the Unit's staff members participated in a conference on the impacts of economic, developmental and humanitarian impacts of Israeli offensives on Rafah and al-Zaytoun neighborhood organized by Bader Association for Development and Reconstruction. They submitted recommendations to the conference and the Head of Unit was selected by the consultative committee of the conference to write recommendations of the conference.
- On 4 July 2004 the Unit's staff members participated in a seminar on guidelines for human rights education provided by the secretariat of the Arab League organized by Human Rights and NGOs Affairs Corporation.
- On 18 July 2004 the Unit Researcher participated in a complementary seminar on guidelines for human rights education provided by the secretariat of the Arab League organized by Human Rights and NGOs Affairs Corporation.
- On 25 July 2004 the Unit Researcher participated in the final seminar on guidelines for human rights education provided by the secretariat of the Arab League organized by Human Rights and NGOs Affairs Corporation.
- On 9 August 2004 the Unit Researcher submitted an intervention on the impacts of the Israeli closure of Rafah International Crossing Point from a human rights



perspective at a workshop organized by Tadamon Society for Democracy and Community Development.

- On 26 September 2004 the Unit Researcher participated in a workshop organized by Human Rights and NGOs Affairs Corporation.
- On 29 September 2004 the Unit Researcher participated in the Weekly Dialogue of Cana'an Pedagogical Institute on women and educational media.
- On 29 September 2004 the Head of Unit participated in a workshop organized by Democracy and Worker's Rights Center.
- On 23 October 2004 the Head of Unit participated in a workshop on the impacts of closure on the right of health organized by Gaza Community Mental Health Program.
- On 31 October 2004 the Head of Unit participated in a workshop on the suffering and legal status of handicapped persons organized by the Palestinian Society for Educational Research and Community Training.
- On 22 November 2004 the Head of Unit participated in a public meeting organized by Bader Association for Development and Reconstruction to explain its program to promote democracy through youth.
- On 25 November 2004 the Unit Researcher participated in a workshop on the Law of Social Insurance organized by Democracy and Workers' Rights Center.
- On 27 November 2004 the Head of Unit submitted an intervention on PCHR's position towards the Israeli "Disengagement Plan" at conference on the expected situation following probable Israeli withdrawal from the Gaza Strip organized by Ad-Dameer Association for Human Rights.
- On 23 December 2004 the Unit Researcher participated in a dialogue on murders in the Palestinian society organized by al-'Omari Mosque in Gaza.

### ***Means of Verification***

- The Unit's staff members were interviewed by the local, Arab and international media on topics relating to economic, social and cultural rights.
- The Unit's staff members met with a number of members of the Palestinian executive and legislative branches during workshop and conferences organized by the Unit or other organizations, and discussed issues related to lobbying for the adoption of policies and legislation that promote economic and social rights.
- Training Guide for Economic and Social Rights Defenders issued by the International Institute for Training included two cases sent by the Unit to the book's editors; the first related to the Unit's work in the field of monitoring governmental policies concerning education and the other is related to forcible migration of a number of inhabitants in Gaza City.
- The Palestinian Telecommunication Company adopted a number of recommendations concluded by the workshop organized by the Unit, including uniting all Gaza Strip district into one telephone code, which decreased the prices of phone calls.

- The Unit's staff members effectively participated in activities organized by other civil society organizations, including conferences, workshops and training programs. There was an increase in the number of invitations submitted to the unit to participate in such activities and promote coordination with other civil society organizations.
- The Unit's staff members increasingly escorted visiting international delegations on field tours in the Gaza Strip.

## **Field Work Unit**

In 2004 the Field Work Unit continued to monitor and document the human rights situation throughout the OPT, including in Jerusalem.

### **Activities as Set out in 2004 Annual Plan:**

1. Documentation of violations of human rights and international humanitarian law in the OPT:
  - a. Violations of human rights and international humanitarian law by IOF
  - b. Palestinian violations of human rights
2. Strengthening community relations
3. Reporting on Israeli violations of human rights and international humanitarian law in the OPT
4. Escorting international delegations on field visits

## **1. Documentation of Violations of Human rights and International Humanitarian Law in the OPT**

### *Verifiable Indicator*

Report on activities

### **a. Documentation of Violations of Human Rights and International Humanitarian Law by IOF**

#### **i. Field Visits**

Field workers conducted visits to the sites of human rights violations despite often continued instability and danger in the areas. During such visits, field workers were often subject to warning shots fired by Israeli soldiers or were delayed and/or not allowed access to these areas by IOF. On average a field worker makes between two to six field visits each day.

### *Means of Verification*

Field workers in the Gaza Strip and the West Bank conducted more than 10,000 field visits in 2004.

#### **ii. Interviews with Victims and/or Their Families and Eyewitnesses**

Field workers usually interview several persons when investigating violations including the victim(s), eyewitness(s) and/or other concerned parties connected to each violation in order to verify the accuracy of information. Eyewitnesses are very important to draw a clear and realistic picture of each violation, especially when field workers are not able to reach the area where the violation occurred due to movement restrictions and/or threat of attacks still present.

### *Means of Verification*

- Field workers made at least 8,000 interviews with victims and/or eyewitnesses.
- Field workers gathered at least 5,000 testimonies from victims and/or eyewitnesses.

### iii. Completion of Forms Regarding Violations of Human Rights

Forms were designed to be completed with each field visit/investigation to gather comprehensive information on each violation to be entered into the database. Each form requests basic details on the incident such as the location, time, victim and witnesses. Field workers are required to complete a form for each violation they report.

#### *Means of Verification*

- Field workers completed 7,771 forms in the Gaza Strip and the West Bank as detailed in the Table 17 below.

**Table 17: Completed Forms in 2004**

Geographical Area	Category of Violation				
	Killings	Injuries	Land Leveling	House Demolition	Facility Destruction
Northern Gaza Strip	193	628	791	242	186
Gaza	128	100	110	188	74
Central Gaza Strip	40	152	159	77	2
Khan Yunis	101	465	391	506	8
Rafah	136	521	185	1053	57
West Bank	177	1000	Unavailable	101	Unavailable
<b>Total</b>	<b>775</b>	<b>2866</b>	<b>1636</b>	<b>2167</b>	<b>327</b>

### iv. Collating Photographic/Video Evidence

Field workers are required, where possible, to photograph and/or take video footage of the scene of violations. Photographic and/or video evidence can provide valuable record of incidents for both legal and historical records.

#### *Means of Verification*

- Hundreds of photographs were filed by field workers in 2004.
- Video recordings were filed by field workers of human rights violations by IOF in Rafah (including during ‘Operation Rainbow’), in al-Zaytoun neighborhood in Gaza City (during April IOF incursion) and many of IOF attacks on Beit Hanoun in June and September 2004.
- Selected photographs were used in PCHR publications and webpage.
- Photographs were used by a number of UNRWA schools on International Human Rights Day and on the Palestinian Children’s Day.
- A number of video recordings were played for visiting international delegations.

### v. Collating Other Documentation Related to Human Rights Violations

Related documents such as medical reports, ownership documents, personal photographs, GPS coordinates and maps are important for legal and historical record of incidents and the field workers collate these documents.

### ***Means of Verification***

- Hundreds of documents were filed and transferred to other PCHR's Units.
- Many of these documents were used by PCHR's Legal Aid Unit.
- Dozens of GPS coordinates were used for PCHR's computerized map application, especially with regard to the Israeli offensive on Rafah in May and the Israeli offensive on the northern Gaza Strip in September and October.

#### **vi. Writing Field Reports on Human Rights Violations**

Field workers wrote detailed reports on human rights violations in which eyewitnesses' testimonies and the field workers' notes are included, to give a comprehensive description of violations.

### ***Means of Verification***

Field workers wrote at least 2,000 field reports on human rights violations.

#### **vii. Creating Files of Specific Violations Perpetrated by the Israeli Military for Transfer to PCHR's Legal Unit**

The Unit creates individual files on certain violations for transfer to the Legal Unit for further action. Violations documented included killings, injuries, land leveling and house demolitions. Human rights violations are classified in accordance with the kind of violation and these files include documentation and physical evidence, such as testimonies, maps, photographs and medical reports.

### ***Means of Verification***

- All human rights violations are filed.
- Files were transferred to other Units within PCHR.
- The Unit answered at least 100 inquiries by democracy, human rights and development organizations in the West Bank and the Gaza Strip using these files.

#### **b. Documentation of Palestinian Violations of Human Rights**

##### **i. Field Visits**

Field workers conducted field visits to investigate the violations including to the actual location where the incident occurred and, where appropriate, to local police stations and hospitals to obtain further information and interview eyewitnesses. The field workers also monitored related trials in Palestinian courts.

### ***Means of Verification***

- Field workers conducted dozens of field visits in 2004.
- They monitored a number of trials at civil and military courts.

## **ii. Interviews with Victims and/or Families and Eyewitnesses**

Field workers are required to conduct interviews with victims and/or their families and/or eyewitnesses to gain accurate and detailed statements and cross-check facts. The field workers often face obstacles to securing interviews due to fears of reprisals by the concerned parties.

### ***Means of Verification***

- Field workers conducted at least 500 interviews with victims and/or family members and/or eyewitnesses.
- Field workers gathered at least 180 testimonies from victims and/or family members and/or eyewitnesses.

## **iii. Completion of Special Forms for Reports on Specific Violations of Human Rights**

Special forms are to be completed by the field workers when reporting deaths and injuries. In 2004 the field workers also completed a number of forms prepared by PCHR's Democratic Development Unit to monitor the registration of Palestinian electors.

### ***Means of Verification***

- 77 forms related to deaths and 120 forms related to injuries were completed and entered in to the database.
- For the 79 cases of death reported in the West Bank territory a special table was designed to be completed (as West Bank territory field workers could not access the database directly).
- Dozens of forms were completed related to the voter registration process.

## **iv. Collating Photographic/Video Evidence**

As described above, field workers are required, where possible, to photograph and/or take video footage of the scene of violations.

### ***Means of Verification***

- Field workers collated several hundred photographs.
- Some of these photographs were used in PCHR's monthly Arabic newsletter, *al-Mentar*, or in the weekly reports.

## **v. Collating Other Documentation Related to Human Rights Violations**

As described above, related documents such as medical reports, ownership documents, personal photographs, GPS coordinates and maps are also collated by field workers.

### ***Means of Verification***

- Field workers collated documents, including statements by political factions, medical reports, and personal identification documents.
- These documents were transferred to PCHR's Legal Unit for appropriate legal action.

#### **vi. Writing Reports on Human Rights Violations**

Field workers write detailed reports on human rights violations, in which eyewitnesses' testimonies and the field workers' notes are included, to give a comprehensive description of violations.

#### ***Means of Verification***

Field workers wrote at least 300 reports on human rights violations.

#### **vii. Creating Files on Specific Violations Perpetrated by the Palestinian Authority for Transfer to PCHR's Legal Unit**

The Unit created detailed files on categories of human rights violations such as arbitrary arrests, misuse of weapons, medical negligence, 'honor' killings as well as monitoring of sentences handed down by civil and military courts and the registration of Palestinian electors and elections of local councils in some communities in the West Bank.

#### ***Means of Verification***

- Files are included in research and publications by other PCHR Units.
- Files are included in research and publications by other human rights organizations.

#### **viii. Monitoring Voter Registration**

The Head of Unit, Ibtissam Al Aydi, and field workers were accredited as members of PCHR observer team to monitor the registration of Palestinian electors in the Gaza Strip which began on 4 September 2004. PCHR's observers visited registration centers and completed special forms designed for this purpose by the Democratic Development Unit. Field workers in the West Bank also documented breaches of the procedures of registration in the West Bank.

#### ***Means of Verification***

- Field workers documented important incidents as part of the observation team
- Completed forms were transferred to PCHR's Democratic Development Unit.
- They were used in a report prepared by Democratic Development Unit on the registration of electors.

#### **ix. Monitoring Elections of Local Councils in the West Bank**

On 23 December 2004 elections were held in 26 Palestinian communities in the West Bank to select members of local councils for these communities. Field workers visited a number of polling centers as detailed below:

- Four polling centers in Beit Fourik village near Nablus.
- Polling centers in the villages of Tubas and Ya'bad near Jenin.
- Four polling centers in Kufor al-Labad village near Tulkarm.
- Four polling centers in Halhoul town near Hebron.

In addition, field workers monitored a number of other polling centers through phone calls with other observers. During the course of the monitoring, field workers received a number of complaints regarding breaches that occurred in polling centers and transferred these complaints to PCHR's Legal Aid Unit. Field workers also answered a number of phone calls from citizens inquiring about legal and procedural aspects of elections.

**c. Maintaining Database of Violations of Human Rights in the OPT**

***Entering Information into a Database***

A secretary enters information collected by field workers on Israeli violations of human rights into PCHR's database. The field workers enter information on Palestinian violations of human rights into the database directly.

***Cooperation with Other PCHR Units***

The Unit continues to supply field information to other PCHR Units to be used in research and reports.

***Monitoring Accuracy of Field Information/PCHR Database***

The Unit's staff members keep abreast of information collected by other human rights organizations operating in the area to cross-check facts and monitor the accuracy of PCHR's field information, including the database.

***Means of Verification***

- PCHR maintains an accurate database of Israeli and Palestinian violations of human rights.
- The information provided by the field workers forms the basis for much of the work of PCHR's other units.
- The Unit uses the database to answer inquiries from other PCHR Unit's and interested institutions and individuals; the Unit received at least 500 phone calls requiring information. It has become easier to access necessary information and the database is used in PCHR's annual reports.

**2. Strengthening Community Relations**

<b><i>Verifiable Indicator</i></b>
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Report on activities.
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**i. Meetings and Contacts with Victims of Human Rights Violations**

Field workers meet with many victims of human rights violations, provided them with information about the services provided by PCHR and encouraged victims to seek advice from PCHR's office on legal aid and assistance.



### *Means of Verification*

Dozens of victims were referred to PCHR's Legal Unit through field workers.

#### **ii. Media Activities**

The Unit's staff members conducted 19 interviews with the local and international media on violations of human rights perpetrated by IOF.

**Table 18: Media Interviews Conducted by the Unit in 2004**

<b>Date</b>	<b>Names of Journalists and Media Organizations</b>	<b>Subject</b>	<b>Staff Member</b>
22 January	Voice of Palestine, Ramallah	House demolitions in Khan Yunis	Ibtissam Zaqqout
27 January	The Independent, London	House demolitions in Khan Yunis	Yasser 'Abdul Ghafour
10 February	PM Television	Killings of civilians	Ibtissam Zaqqout
25 March	Al-Hayat al-Jadeeda daily newspaper	Israeli violence against women	Ibtissam Zaqqout
25 May	Voice of Palestine, Ramallah	Israeli war crimes in Rafah	Ibtissam Zaqqout
27 May	Al-Sharq Radio, Paris	Israeli war crimes in Rafah	Yousef Ibrahim
10 June	MBC FM Radio	Forcible migration in Khan Yunis	Yasser 'Abdul Ghafour
6 July	Al-Hayat newspaper, London	Israeli violations of human rights in Rafah	Yousef Ibrahim
8 July	An-Najah University Radio, Nablus	Israeli military checkpoints in the West Bank	Sameeh Muhsen
27 September	Iqra' Television	Israeli offensive on Jabalya refugee camp	Maher Lubbad
30 September	Al-Mahabba Radio, Nablus	Israeli violations of human rights	Sameeh Muhsen
30 September	LBC Television, Lebanon	Israeli violations of human rights in Beit Hanoun	Maher Lubbad
30 September	Palestine Television	Israeli offensive on the northern Gaza Strip	Maher Lubbad
4 October	Al-Shabab Radio	Israeli offensive on the northern Gaza Strip	Maher Lubbad
4 October	Al-Aqsa Radio	Israeli offensive on the northern Gaza Strip	Maher Lubbad
9 October	Australian Television	Israeli violations of human rights	Maher Lubbad
3 November	Watan Television, Ramallah	Reforms in the PNA	Sameeh Muhsen
24 December	BBC Arabic, London	Israeli war crimes in	Yasser 'Abdul

		Khan Yunis	Ghafour
31 December	Nile Castle Television, Nablus	Elections and PCHR's efforts to monitor them	Sameeh Muhsen

***Means of verification***

Interviews were reported in the media.

**iii. Contribution to the Circulation of PCHR's Publications**

A number of field workers contributed to the circulation of PCHR's publications.

***Means of Verification***

- The field workers in the central Gaza Strip circulated all PCHR's publications in the area.
- The mailing list for PCHR's publication was amended according to developments on the ground reported by the field workers.

**iv. Participation in Community Activities**

Field workers participated in a number of workshops and conferences organized by other organizations and provided assistance to other PCHR Unit's in the organization of workshops including:

- Field workers participated in five meetings and seven workshops on various issues in the southern Gaza Strip.
- Researcher Sameeh Muhsen submitted a working paper on the role of the media in the promotion of tolerance values at a conference on human security held in Jordan in June 2004.
- Field worker Ra'fat Abu Khader participated in a workshop on elections organized by Life Makers Society in Qabatya village near Jenin on 30 December 2004.
- Field workers assisted other of PCHR's Units in organizing a number of workshops.

***Means of Verification***

PCHR was present and actively participated in a number of community activities.

**3. Reporting on Israeli violations of human rights and international humanitarian law in the OPT**

<b><i>Verifiable Indicator</i></b> Report on activities.
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**i. Weekly Report on Israeli Violations of Human Rights in the OPT**

The Head of Unit prepared weekly reports on Israeli violations of human rights in the OPT. The weekly reports were based on information collated each week by the field

workers and aimed to provide a comprehensive account of Israeli violations of human rights of Palestinians throughout the OPT each week.

***Means of Verification***

- The Unit prepared 51 weekly reports in 2004.
- These reports are published and archived on PCHR’s website and are distributed by email.
- The weekly report was often used by local media and there were increasing demands to obtain copies.
- There were numerous follow-up inquiries for further information on incidents described in the reports.
- The Head of Unit received at least 100 inquiries from a number of organizations working in the Gaza Strip.

**ii. Press Releases on Israeli Violations of Human Rights in the OPT**

The Unit’s staff members prepared press releases on specific incidents that were considered of particular significance.

***Means of Verification***

- The Unit prepared at least 80 press releases in 2004.
- Press releases were published on PCHR’s web page and distributed by email.
- Press releases were often covered by local and international media.

**4. Escorting International Delegations on Field Visits**

<p><b><i>Verifiable Indicator</i></b> Report on activities.</p>
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The Unit’s staff escorted visiting international delegations on field visits to various locations throughout the Gaza Strip and provided briefings on recent incidents. Field staff members also coordinated meetings for visitors with victims and witnesses of violations.

***Means of Verification***

The Unit's staff escorted 11 visiting international delegations on field visits to various locations throughout the Gaza Strip and provided briefings on recent incidents.

## **Training Unit**

In 2004, the Unit carried out most activities detailed in its annual plan. Some changes were necessary to respond to emerging needs. The ongoing closures imposed by the Israeli military on the Gaza Strip often presented difficulties in communication with target groups. The Unit also organized 8 courses in cooperation with PCHR's Democratic Development Unit for 270 persons selected from those who had previously participated in training courses organized. In 2004, the Unit organized 26 training courses instead of 20 as included in its 2004 annual plan but substituted a number of planned training programs for newly graduated lawyers and women for a group of teachers and election observers. The Unit was also forced to postpone an external training course that was supposed to be held abroad in cooperation with a number of Arab organizations, due to the restrictions imposed by IOF on travel, especially preventing Palestinians aged 16-35 from traveling.

The Unit conducted training programs in cooperation with 4 local and regional governmental and non-governmental organizations and a total of 407 individuals representing 109 centers, societies, unions and institutions participated in these programs. This number of participants does not include the persons who were selected by PCHR to monitor the presidential election. A number of participants from PCHR units and trainers from other organizations contributed to the training courses organized by the Unit.

### **Activities as Set out in 2004 Annual Plan**

1. Provision of training courses on human rights, democracy, the rule of law and the independence of the judiciary
2. Developing a network of trainers in the field of human rights and democracy, including PCHR's training staff
3. Maintaining contacts with trainees and establishing an alumni organization.
4. Maintaining relations with civil society organizations through training activities

### **1. Provision of Training Courses on Human Rights, Democracy, the Rule of Law and the Independence of the Judiciary**

#### ***Verifiable Indicator***

Training courses conducted.

- The unit organized five training courses in coordination with the Palestinian Ministry of Youth and Sports despite repeated closures of the main roads in the Gaza Strip which forced the Unit to postpone two courses for one week.
- The Unit organized seven training courses in coordination with the UNRWA education department and two additional courses were organized in response to a request by the Coordinator of the UNRWA Human Rights Program.
- The Unit organized one specialized training course instead of the four courses as set out in the Annual Plan on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Unit was forced to decrease the number of courses due to repeated incursions by IOF into Palestinian areas.

- The Unit organized two training courses instead of the three identified in the Annual Plan in coordination with Palestine Bar Association. The Unit was unable to organize the third course which was due to be held in the southern Gaza Strip due to the closure of the main roads leading to the area by IOF. Instead, the Unit organized a training course in the central Gaza Strip responding to a request of an NGO working in the area.
- The Unit was not able to organize a specialized training course abroad in coordination with Arab organizations because a number of participants were unable to travel due to restrictions imposed by IOF.
- The Unit wrote 9 press releases and 11 articles in PCHR's monthly bulletin, *al-Mentar*, covering its activities.

In total the Unit organized 26 training courses, instead of 20 as set out in the Unit's 2004 Annual Plan. A total of 624 individuals, 41% of whom were women, participated in training courses. Attendance was estimated at 94%.

**i. Five Training Courses in Coordination with the Palestinian Ministry of Youth and Sports**

The Unit organized five training courses in coordination with the Palestinian Ministry of Youth and Sports despite repeated closures of the main roads in the Gaza Strip which forced the Unit to postpone two courses for one week. The target group included members of the Ministry's Youth Committees which include university students and members of youth centers and unions. The courses were held in all five districts of the Gaza Strip. The courses focused on human rights instruments including: International Declaration of Human Rights; International Covenant on Economic, Social and Cultural Rights; International Covenant on Civil and Political Rights; Convention on the Rights of the Child; CEDAW; and international humanitarian law. The courses also focused on issues relating to democracy and civil society including: democratic practice; the rule of law; the independence of the judiciary; and the role of NGOs in protecting human rights.

**Table 19: Training Courses Organized in Coordination with the Palestinian Ministry of Youth and Sports**

No	Target Group	Number of Participants	Location	Training Hours	Period	Attendance	Female Participation
1.	Youth Committees in Gaza	23	Training Unit	18	15-19 Feb.	96%	35%
2.	Youth committees in north Gaza	23	PCHR's offices in Jabalya	18	29 Feb. – 4 Mar.	89%	26%
3.	Youth Committees in Khan Yunis	22	PCHR's offices in Khan Yunis	18	20-30 Mar.	90%	35%
4.	Youth Committees	28	Sharek hall in	18	11-15 Apr.	81%	17%

	in Rafah		Rafah				
5.	Youth Committees in central Gaza Strip	24	Deir al-Balah	18	8-20 May	80%	28%

### *Means of Verification*

- The five courses were held as agreed with the Ministry.
- 120 individuals participated in the courses.
- Female participants constituted 28% of the total number of participants and attendance was estimated at 87%.
- The total training hours was 90 (each course consisted of 18 training hours).
- The Unit used a number of measures to evaluate the effects of training courses:
  - A session with participants at the beginning of a course was used to identify their expectations and another meeting at the end of the course to measure to what extent these expectations were realized and gather suggestions for future courses.
  - Questionnaires were distributed to participants.
  - Observations of Head of Unit, Bassam al-Aqra'.
  - Documenting participants' initiatives at the end of a training course.

**Table 20: Effects of Training**

No.	Means of Verification	Effect
1.	Comparison between the participants' expectations at the beginning of training courses and the outcome and suggestions and at the end of the courses	<p>The participants identified the following expectations at the beginning of the course:</p> <ul style="list-style-type: none"> <li>• Acquiring new information on human rights and democracy.</li> <li>• Making new contacts.</li> <li>• Acquiring information on the role of NGOs, particularly PCHR, in protecting and promoting human rights and democracy.</li> <li>• Obtaining certificates.</li> </ul> <p>The participants evaluated the courses as follows:</p> <ul style="list-style-type: none"> <li>• They acquired new information on human rights and democracy.</li> <li>• They made new contacts and gained information about other institutions, unions and bodies, which would facilitate future cooperation.</li> <li>• They gained greater understanding of the role of NGOs, particularly PCHR, in protecting and promoting human rights.</li> </ul> <p>The participants suggested the following:</p> <ul style="list-style-type: none"> <li>• Holding similar training courses.</li> <li>• Holding training courses specifically on the rights of children and women.</li> <li>• Providing other institutions in the Gaza Strip with PCHR's publications.</li> </ul>
2.	Questionnaire	<p>The questionnaire indicated the following:</p> <ul style="list-style-type: none"> <li>• The contents of lectures were appropriate to the</li> </ul>

		<p>participants' expectations.</p> <ul style="list-style-type: none"> <li>• The trainers were qualified and efficient.</li> <li>• Training methods varied.</li> <li>• Places were not sometimes appropriate to training.</li> <li>• Interaction between trainers and participants and between the participants and the contents of training courses enhanced.</li> </ul>
3.	Change in the participants' behavior	<p>The Head of Unit, who attended all lectures, noticed the following:</p> <ul style="list-style-type: none"> <li>• Participants demonstrated increased respect for discussion and other opinions.</li> <li>• Participants demonstrated increased abilities to express their points of view.</li> <li>• Attendance notably increased in the last days of each training course.</li> </ul>
4.	Participants' initiatives	<p>Following training, the participants made the following initiatives:</p> <ul style="list-style-type: none"> <li>• They formed three groups in Rafah, Jabalya and Beit Hanoun to assist PCHR in documenting violations of human rights by IOF.</li> <li>• 170 participants participated in PCHR's campaign to monitor the Palestinian presidential elections, and 50 others worked for partisan entities or observers for other civil society organizations.</li> <li>• Upon a trainee's initiative, a training course on human rights was organized in Deir al-Balah for 29 members of Deir al-Balah Community Service Center and Prisoners and Ex-prisoners Association in the central Gaza Strip in the period 6-10 October 2004.</li> <li>• Upon a trainee's initiative, the Unit designed a training program on the rights of the child implemented by Development Training and Family Rehabilitation Center in Deir al-Balah in the period 20-26 January 2004.</li> <li>• The Unit delivered two lectures in this program on the Convention on the Rights of the Child and the right of the child to health care, which were attended by 22 women working in institutions interested in children.</li> <li>• A trainee delivered a number of lectures for children in Deir al-Balah with the Unit's assistance.</li> <li>• The Ministry of Youth and Sports demonstrated interest in training courses successfully organized by the Unit for the third consecutive year, and its senior officials attended celebrations of handing certificates organized by the Unit every year.</li> <li>• 70% of the participants participated in managing summer camps organized by the Ministry.</li> <li>• The Ministry incorporated human rights issues in the program of its summer camps. In this context, the Head of Unit delivered five lectures on human rights at summer camps in Rafah, al-Maghazi, al-Boreij, Gaza and Jabalya, which were attended by</li> </ul>

		<p>more than 230 students.</p> <ul style="list-style-type: none"> <li>• The Head of Unit received a thankful letter from the Ministry highly appreciative of his efforts to ensure success for summer camps by delivering a number of lectures on human rights.</li> <li>• A number of participants participated in workshops organized by PCHR.</li> </ul>
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**ii. Seven Training Courses in Coordination with UNRWA Education Department**

The Unit organises these courses in coordination with the UNRWA Education Department according to a timetable agreed upon with the Coordinator of the UNRWA Human Rights Program. The contents of these courses include human rights instruments, such as the International Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, and other issues, such as the importance of human rights education, the role of individuals and NGOs in protecting and promoting human rights, conflict resolution and UNRWA's human rights education strategies. The target group included teachers, deputy directors and directors of UNRWA schools. In 2004 the Unit organized seven training courses throughout the Gaza Strip. As a result of the success of these courses and following requests from teachers, the Unit, in coordination with Coordinator of the UNRWA Human Rights Program, organized an additional 2 courses for 39 UNRWA educational supervisors.

2004 was the first time that PCHR had organized training courses on human rights targeting school directors after PCHR pioneered these training programs with the UNRWA Education Department. A number of NGOs have now started to work with UNRWA following PCHR's success in this field.

**Table 21: Training Courses Organized in Coordination with UNRWA**

No.	Target Group	Number of Participants	Location	Training Hours	Period	Attendance	Female Participation
1.	Directors of UNRWA schools in Rafah	24	Rafah Female Prep. School A	18	7-9 Feb.	97%	54%
2.	Directors of UNRWA schools in Khan Yunis (1)	18	Khan Yunis Male Prep. School	18	10-12 Feb.	98%	50%
3.	Directors of UNRWA schools in Khan Yunis (2)	13	Al-Farabi Elem. School	18	21-23 Feb.	95%	85%
4.	Directors of UNRWA schools in Deir al-Balah	34	Nusairat Female Prep. School A	18	24-26 Feb.	98%	68%



5.	Directors of UNRWA schools in Gaza (1)	19	Al-Remal Female Prep. School	18	6-8 Mar.	100%	53%
6.	Directors of UNRWA schools in Gaza (2)	20	Asmaa' Elem. School	18	9-11 Mar.	95%	60%
7.	Directors of UNRWA schools in northern Gaza	34	Jabalya Female Prep. School B	18	13-15 Mar.	98%	56%
8.	Educational Supervisors at UNRWA schools (1)	24	UNRWA	18	3-5 Aug.	94%	38%
9.	Educational Supervisors at UNRWA schools (2)	15	UNRWA	18	8-10 Aug.	98%	0%

### *Means of Verification*

- The seven courses were held and an additional two courses were organised for educational supervisors at UNRWA schools in the Gaza Strip.
- 201 individuals participated in the courses.
- The total number of training hours was 162 (each course consisted of 18 training hours).
- Female participants constituted 52% of the total number of participants and attendance was estimated at 97%.
- The Unit undertook a number of measures to evaluate the effects of training courses as described above:

**Table 22: Effects of Training**

No.	Means of Verification	Effect
1.	Comparison between the participants' expectations at the beginning of training courses and the outcome and suggestions and at the end of the courses	<p>The participants identified the following expectations at the beginning of the course:</p> <ul style="list-style-type: none"> <li>• Acquiring new information on human rights and international humanitarian law.</li> <li>• Acquiring knowledge about the role of religions, particularly Islam, in the modern human rights system.</li> <li>• Acquiring information on human rights teaching methods at schools.</li> <li>• Making new contacts.</li> <li>• Acquiring information on the role of NGOs, particularly PCHR, in protecting and promoting human rights and democracy.</li> </ul> <p>The participants evaluated the courses as follows:</p> <ul style="list-style-type: none"> <li>• They acquired new information on human rights</li> </ul>

		<p>and international humanitarian law.</p> <ul style="list-style-type: none"> <li>• They made new contacts.</li> <li>• They gained greater understanding of the role of NGOs, particularly PCHR, in protecting and promoting human rights.</li> </ul> <p>The participants suggested the following:</p> <ul style="list-style-type: none"> <li>• Holding more similar training courses.</li> <li>• Holding training courses specifically on methods of human rights teaching.</li> <li>• Providing school libraries with PCHR's publications.</li> </ul>
2.	Questionnaire	<p>The questionnaire indicated the following:</p> <ul style="list-style-type: none"> <li>• The contents of lectures were appropriate to the participants' expectations.</li> <li>• The trainers were qualified and efficient.</li> <li>• Training methods varied.</li> <li>• Interaction between trainers and participants and between the participants and the contents of training courses enhanced.</li> </ul>
3.	Change in the participants' behavior	<p>The Head of Unit, who attended all lectures, observed the following:</p> <ul style="list-style-type: none"> <li>• Participants demonstrated increased respect for discussion and other opinions.</li> <li>• Participants demonstrated increased abilities of communication.</li> </ul>
4.	Participants' initiatives	<p>Following training, the participants made the following initiatives:</p> <ul style="list-style-type: none"> <li>• Two additional training courses, which were not included in the Unit's 2004 Annual Plan, were organized for 39 educational supervisors at UNRWA schools upon a request by the coordinator of the UNRWA Human Rights Program.</li> <li>• In response to an invitation from Deir al-Balah Preparatory School A, on 4 and 5 April 2004, the Head of Unit delivered lectures on human rights, which were attended by 300 students.</li> <li>• Upon an initiative by a number of teachers who participated in training courses, four delegations of schoolchildren visited PCHR's offices in Gaza City on 16 February, 27 April, 28 April and 9 December 2004. These delegations included 300 schoolchildren, who were briefed on PCHR, its activities and its services.</li> <li>• In response to an invitation by the Coordinator of the UNRWA Human Rights Program, on 22 May 2004, the Head of Unit delivered three lectures on International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and the Convention on the Rights of the Child at Bani Suhaila Female Preparatory School in the context of a training course organized by UNRWA in Khan Yunis in the period 22-24 May 2004. The target group was</li> </ul>

		<p>UNRWA teachers in Khan Yunis. The course was attended by 35 teachers.</p> <ul style="list-style-type: none"> <li>• In response to an invitation by the Coordinator of the UNRWA Human Rights Program, on 26 May 2004, the Head of Unit delivered two lectures on International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil al-Zaytoun Female Preparatory School in the context of a training course organized by UNRWA in Gaza in the period 25-27 May 2004. The target group was UNRWA teachers in Gaza. The course was attended by 25 teachers.</li> <li>• Five celebrations were organized in each of the five districts of the Gaza Strip, which were followed by an art exhibition that showed handicrafts and educational tools made by teachers, students and other individuals.</li> <li>• The experience of establishing human rights committees and student parliaments at schools was promoted (150 parliaments were established to be elected by students aged 10-15). These parliaments are supervised by human rights committees of teachers.</li> <li>• Upon the initiatives of participants, 25 meetings were held between school directors and the local community throughout the Gaza Strip.</li> <li>• Schools started to celebrate international human rights days, such as the Universal Declaration of Human Rights and the Convention on the Rights of the Child. Ten minutes of the first classes on these days were devoted to talk about these events.</li> <li>• On the International Human Rights Day, a central celebration was organized in al-Maghazi refugee camp in the central Gaza Strip for all Gaza Strip schools.</li> <li>• Human rights committees at school organized competitions on human rights.</li> <li>• A number of simple periodicals on human rights were made by students under the supervision of human rights committees.</li> <li>• A number of schools devoted parts of their libraries for publications on human rights, including PCHR's publications.</li> <li>• PCHR's success in this field opened the door for more cooperation between NGOs and UNRWA.</li> </ul>
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**iii. Specialized Training Courses on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

The Unit organized training courses on CEDAW. The content of these courses included historical development of women's rights, the concept of discrimination against women, women's civil and political rights, women's political participation, women's economic rights and women under occupation. The target group is women's rights activists and women's NGOs.

In 2004 the Unit organized one out of the four training courses on CEDAW identified in the Annual Plan due to repeated closures of roads and incursions into Palestinian areas in the Gaza Strip by IOF.

PCHR is the pioneering organization for training in this area and developed these specific training courses on women's rights following increasing demands from human rights activists and women's organizations.

**Table 23: Training Course on CEDAW**

Target Group	Number of Participants	Location	Training Hours	Period	Attendance	Female Participation
Members of Palestinian Female University Graduates Society	24	Offices of the society	15	24-31 Jul.	93%	100%

***Means of Verification***

- The Unit organized one out of the four training courses on CEDAW identified in the Annual Plan.
- 24 women participated in the course held over 5 days (a total of 18 training hours).
- All participants were women and attendance was estimated at 93%.
- The Unit undertook a number of initiatives to evaluate the effects of training courses as described above:

**Table 24: Effects of Training**

No.	Means of Verification	Effect
1.	Comparison between the participants' expectations at the beginning of training courses and the outcome and suggestions and at the end of the courses	<p>The participants identified the following expectations at the beginning of the course:</p> <ul style="list-style-type: none"> <li>• Acquiring new information on women's rights.</li> <li>• Acquiring new information on the rights of women under occupation.</li> <li>• Comparing the effective status of Palestinian women with their status under CEDAW.</li> </ul> <p>The participants evaluated the courses as follows:</p> <ul style="list-style-type: none"> <li>• They acquired new information on women's rights in general and their rights under occupation as prescribed by international humanitarian law.</li> <li>• Women need to struggle to realize their rights as prescribed by CEDAW.</li> <li>• It was important for participants to obtain certificates.</li> </ul> <p>The participants suggested holding more similar training courses in other areas in the Gaza Strip.</p>
2.	Questionnaire	<p>The questionnaire indicated the following:</p> <ul style="list-style-type: none"> <li>• The contents of lectures were appropriate to the participants' expectations.</li> </ul>

		<ul style="list-style-type: none"> <li>• The trainers were qualified and efficient.</li> <li>• Training methods varied.</li> <li>• Interaction between trainers and participants and between the participants and the contents of training courses was enhanced.</li> </ul>
3.	Change in the participants' behavior	<p>The Head of Unit, who attended all lectures, observed the following:</p> <ul style="list-style-type: none"> <li>• Participants demonstrated increased respect for discussion and other opinions.</li> <li>• Participants demonstrated increased abilities to express their points of view.</li> <li>• Attendance notably increased in the last days of training.</li> </ul>
4.	Participants' initiatives	<p>Following training, the participants made the following initiatives:</p> <ul style="list-style-type: none"> <li>• A number of participants coordinated organizing two colloquia on civil education and a third one on women's rights in the Law of Personal Status, which were facilitated by PCHR staff members.</li> <li>• A number of participants participated in PCHR's campaign to monitor the Palestinian presidential elections.</li> </ul>

#### iv. Training Courses in Coordination with Palestine Bar Association

The Unit organized special training courses for newly graduated lawyers in coordination with Palestine Bar Association. These courses focused on a number of international human rights instruments, including:

- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- the Geneva Convention Relative to the Protection of Civilian Persons in Time of War and its application in the OPT
- Guidelines on the Role of Prosecutors, Basic Principles on the Role of Lawyers, Basic Principles on the Independence of the Judiciary, International Criminal responsibilities of UN High Commissioner for Human Rights and the responsibilities of the ICRC.

In 2004 the Unit organized two out of the three courses identified in the 2004 Annual Plan. The third course which was supposed to be held in the southern Gaza Strip was cancelled due to repeated closures of the main roads leading to the area.

**Table 25: Training Courses in Coordination with Palestine Bar Association**

No.	Target Group	Number of Participants	Place	Training Hours	Period	Attendance	Female Participation
1.	Newly graduated lawyers in northern	16	PCHR's offices in Jabalya	21	13-19 Sep.	90%	13%

	Gaza						
2.	Newly graduated lawyers in Gaza and central Gaza Strip	17	Office of active lawyers in Gaza	21	2-8 Oct.	80%	12%

### ***Means of Verification***

- The Unit held two out of the three training courses.
- 33 individuals participated in the courses.
- Each course was held over 7 days (21 training hours).
- Female participants constituted 12.5% of the total number of participants and attendance was estimated at 85%.
- The Unit undertook a number of initiatives to evaluate the effects of training courses as described above:

**Table 26: Effects of Training**

<b>No.</b>	<b>Means of Verification</b>	<b>Effect</b>
1.	Comparison between the participants' expectations at the beginning of training courses and the outcome and suggestions and at the end of the courses	<p>The participants identified the following expectations at the beginning of the course:</p> <ul style="list-style-type: none"> <li>• Acquiring new information on human rights and international humanitarian law.</li> <li>• Acquiring new information on the role of lawyers in protecting and promoting human rights.</li> <li>• Acquiring new information on the responsibilities of the ICRC and the UN High Commissioner for Human Rights.</li> <li>• Acquiring information on the role of prosecutors and judges in protecting and promoting human rights.</li> <li>• Obtaining certificates.</li> </ul> <p>The participants evaluated the courses as follows:</p> <ul style="list-style-type: none"> <li>• They acquired new information on international human rights law and international humanitarian law.</li> <li>• They acquired new information about the role of lawyers, prosecutors and judges in protecting and promoting human rights.</li> <li>• They acquired new information on the responsibilities of the ICRC and the UN High Commissioner for Human Rights.</li> <li>• Obtaining certificates at the end of course was important for them.</li> </ul> <p>The participants suggested holding more similar training courses and remaining in contact with PCHR.</p>
2.	Questionnaire	<p>The questionnaire indicated the following:</p> <ul style="list-style-type: none"> <li>• The contents of lectures were appropriate to the participants' expectations.</li> </ul>

		<ul style="list-style-type: none"> <li>• The trainers were qualified and efficient.</li> <li>• Training methods were varied.</li> <li>• Interaction between trainers and participants and between the participants and the contents of training courses were enhanced.</li> </ul>
3.	Change in the participants' behavior	<p>The Head of Unit, who attended all lectures, observed the following:</p> <ul style="list-style-type: none"> <li>• Participants demonstrated increased respect for discussion and other opinions.</li> <li>• Participants demonstrated increased abilities to express their points of view.</li> <li>• Attendance notably increased in the last days of training.</li> </ul>
4.	Participants' initiatives	<p>Following training, the participants undertook the following initiatives:</p> <ul style="list-style-type: none"> <li>• 20 participants participated in PCHR's campaign to monitor the Palestinian presidential election.</li> </ul>

**v. A Special Training Course Abroad in Coordination with Arab Organizations**

Even though preparations were conducted, the Unit was unable to hold the special training course due to the restrictions imposed by IOF on the travel of Palestinians.

**vi. Additional Training Courses**

A number of training courses were conducted that were not identified in the 2004 Annual Plan in response to emerging political and security realities.

**a. Training Course in Deir al-Balah**

In response to requests by Deir al-Balah Community Service Center and Prisoners and Ex-prisoners Society the Unit organized a training course for members of the two institutions. The content of the course was similar to the contents of courses organized for Ministry of Youth and Sports. Organizing the course came in response to an initiative by a member of the youth committee of the Ministry in Deir al-Balah, who had already participated in a training course organized by the Unit.

***Means of Verification***

- The Unit organized the course and 28 persons participated in the course.
- The course was held over 6 days (a total of 18 training hours).
- Female participants constituted 16% of the total number of participants and attendance was estimated at 89%.
- The Unit undertook a number of initiatives to evaluate the effects of training courses as described above:

**Table 27: Effects of Training**

No.	Means of Verification	Effect
1.	Comparison between the participants' expectations at the beginning of training courses and the outcome and	<p>The participants identified the following expectations at the beginning of the course:</p> <ul style="list-style-type: none"> <li>• Acquiring new information on international</li> </ul>

	suggestions and at the end of the courses	<p>human rights law and international humanitarian law.</p> <ul style="list-style-type: none"> <li>• Acquiring new information on the rights of Palestinian prisoners.</li> <li>• Acquiring new information on the role of NGOs in protecting and promoting human rights.</li> <li>• Obtaining certificates.</li> </ul> <p>The participants evaluated the courses as follows:</p> <ul style="list-style-type: none"> <li>• They acquired new information on international human rights law and international humanitarian law.</li> <li>• They acquired new information about the rights of Palestinian prisoners according to international humanitarian law</li> <li>• They acquired new information on the role of NGOs, particularly PCHR, in protecting and promoting human rights.</li> <li>• Obtaining certificates at the end of course was important for them.</li> </ul> <p>The participants suggested holding more similar training courses and remaining in contact with PCHR.</p>
2.	Questionnaire	<p>The questionnaire indicated the following:</p> <ul style="list-style-type: none"> <li>• The contents of lectures were appropriate to the participants' expectations.</li> <li>• The trainers were qualified and efficient.</li> <li>• Training methods were varied.</li> <li>• Interaction between trainers and participants and between the participants and the contents of training courses were enhanced.</li> </ul>
3.	Change in the participants' behavior	<p>The Head of Unit, who attended all lectures, observed the following:</p> <ul style="list-style-type: none"> <li>• Participants demonstrated increased respect for discussion and other opinions.</li> <li>• Participants demonstrated increased abilities to express their points of view.</li> <li>• Attendance notably increased in the last days of training.</li> </ul>
4.	Participants' initiatives	<p>Following training, the participants undertook the following initiatives:</p> <ul style="list-style-type: none"> <li>• 5 participants participated in PCHR's campaign to monitor the Palestinian presidential election.</li> </ul>

**b. Training Courses for Participants in PCHR's Campaign to Monitor the Palestinian Presidential Election**

PCHR's Democratic Development Unit started to prepare for monitoring the Palestinian presidential election. The monitoring plan called for a number of election monitors to be trained in human rights and democratic practices. Consequently, in November and December 2004, the Unit, in cooperation with Democratic Development Unit, undertook the following activities:



- Compiled a list of individuals who had participated in training courses organized by the Unit in the past three years. Shortlisted 200 participants to receive additional training as elections monitors.
- Contacted these candidates to attend meetings to examine their skills and knowledge and a total of 170 selected.
- Organized six intensive training courses for the nominees focussing on elections and monitoring, taking into account that the participants had already received training by PCHR in related areas.

**Table 28: Training Courses for Election Monitors**

No.	Target Group	Number of Participants	Location	Training Hours	Period	Attendance	Female Participation
1.	Election Monitors, Gaza	25	PCHR's offices in Gaza City	9	1-2 Dec.	98%	20%
2.	Election Monitors, northern Gaza	33	PCHR's offices in Jabalya	9	4-5 Dec.	100%	21%
3.	Election Monitors, central Gaza Strip	25	Nusiarat	9	4-5 Dec.	98%	44%
4.	Election Monitors, Rafah	23	Youth hall in Rafah	9	6-7 Dec.	97%	43%
5.	Election Monitors, Khan Yunis	37	PCHR's offices in Khan Yunis	9	6-7 Dec.	97%	34.5%
6.	Election Monitors, Gaza	24	PCHR's offices in Gaza	9	8-9 Dec.	96%	22%
7.	Election Monitors from al-Dameer Association	25	PCHR's offices in Gaza	9	28-29 Dec.	98%	44%
8.	Election Monitors from al-Dameer Association	25	PCHR's offices in Gaza	9	30-31 Dec.	97%	48%

***Means of Verification (in cooperation with Democratic Development Unit)***

- The Unit organized five initial meetings with the selected participants of previous courses in each of the five districts of the Gaza Strip.
- The Unit organized six training courses for the selected participants.
- The Unit organized a further five meetings with the selected participants following training courses.

- Attendance was estimated at 98% (female participants constituted 34.5%).
- Following the training courses, the election monitors began to observe the initial stages of the electoral process. The observers filed many reports on the electoral process.
- The high professionalism demonstrated by PCHR in monitoring and training caused a number of civil society organizations to join PCHR's campaign to monitor the presidential election or request PCHR to train their observers. Two courses were organized for these nominated observers and a third one will be organized in 2005.

**vii. Press Releases on the Unit's Activities**

The Unit issued 9 press releases on its activities in 2004 and 11 reports written by the Unit were included in PCHR's monthly bulletin, al-Mentar.

***Means of Verification***

- Local newspapers published articles on the Unit's activities at least 25 times.
- Palestine News Agency (Wafa) published a report prepared by a journalist on the Unit's activities.

**2. Developing a Network of Trainers in the Field of Human Rights and Democracy, Including PCHR's Training Staff**

<p><b><i>Verifiable Indicators</i></b></p> <ul style="list-style-type: none"> <li>i. Providing PCHR training staff with updated information on techniques of training.</li> <li>ii. Organizing 5 lectures for PCHR staff on human rights.</li> <li>iii. Participation of PCHR staff in training courses organized by the Unit.</li> </ul>
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This activity focused on providing PCHR training staff with updated information on techniques of training and delivering lectures to other PCHR staff members who due to their more 'technical' positions within PCHR may not have extensive knowledge on human rights and issues relating to democracy.

**ii. Providing PCHR Training Staff with Updated Information on Techniques of Training**

The Head of Unit prepared materials entitled "Training Messages" which were provided to training staff. The materials included extensive information about training such as its concept, elements, tools, modern techniques and methods.

***Means of Verification***

- The activity was carried out as planned.
- 10 members of PCHR training staff received these messages.
- The Unit prepared 4 messages.
- As the messages were prepared in December 2004, their effects have not been traced yet, but PCHR staff members demonstrated their interest in them.

## **ii. Organizing Five Lectures for PCHR Staff on Human Rights**

This activity aimed at further raising the awareness of PCHR staff on human rights and democracy issues. In this context, a number of PCHR's monthly meetings were used by the Unit to deliver lectures on human rights issues. PCHR's Director delivered two lectures on different human rights issues. The Head of Women's Rights Unit was due to deliver a lecture on Women's Rights but was unable to attend due to repeated closures of roads and incursions into Palestinian areas in the Gaza Strip by IOF.

### ***Means of Verification***

- Two out of the five scheduled lectures were held.
- 35 PCHR Staff participated in each lecture.
- Participants demonstrated notable interest in the issues highlighted by the lectures and emphasized the importance of taking into consideration the surrounding political and security environments.

## **iii. Participation of PCHR Staff in Training Courses Organized by the Unit**

Each year, the Unit organizes at least 20 training courses. The Unit encourages PCHR staff to participate in these courses.

### ***Means of Verification***

- Four PCHR staff members, including a female one, participated in these courses.
- The effects of training were evaluated in combination with other trainees.

## **3. Maintaining Contacts with Trainees and Establishing an Alumni Organization**

### ***Verifiable Indicators***

- i. Creating files of contact details of participants.
- ii. Periodic meetings with participants and encouraging them to be members of the alumni organization

## **iii. Table of Contact Details of Participants**

The Unit has started to make a full list of all participants in the training courses since 2003. By the end of 2004, the Unit had filed contact details of 886 trainees, including 479 from 2003. The list includes names, places of residence, work places, telephone and fax numbers, e-mails, the coordinating institutions, and the dates and places of courses.

### ***Means of Verification***

- By the end of 2004, 886 individuals had been listed including 479 from 2003 (female participants constitute 42.5%).
- Keeping an up-to-date list of participants allowed PCHR to respond quickly when additional monitors/field workers were required such as:

- Four participants from Rafah assisted PCHR in documenting violations of human rights by IOF during the wide scale offensive on the town in the period 12-24 May 2004.
- Three participants from Beit Hanoun assisted PCHR in documenting violations of human rights by IOF during the wide scale offensive on the town in the period 29 June – 5 August 2004.
- Four participants from Jabalya refugee camp assisted PCHR in documenting violations of human rights by IOF during the wide scale offensive on the camp in the period 28 September – 16 October 2004.
- 165 participants were selected to serve as PCHR election monitors for the Palestinian presidential election.

**iv. Periodic Meetings with Participants and Encouraging Them to Be Members of an Alumni Body**

The Unit started to prepare a brochure about an alumni body that combines individuals who receive training at PCHR, explaining its goals, advantages and conditions of membership. The Unit was supposed to conclude this activity and open the membership of this body in December but this activity was temporarily suspended due to the Unit's involvement PCHR's preparations for monitoring the Palestinian presidential election. The Unit laid foundations for establishing this body through the following steps:

- The Unit formed groups that assisted PCHR in documenting human rights violations in Rafah, Jabalya and Beit Hanoun and a team of observers to monitor the Palestinian presidential election.
- The Unit held two meetings with trainees to discuss the idea of establishing this body.
- A lecture at the end of each training course was devoted to urge trainees to participate in PCHR's activities to use PCHR information materials, access the PCHR library and to maintain contacts with PCHR in general.
- The Unit has maintained contacts with trainees through providing them with PCHR's publication and training materials to help them in carrying out training activities in their respective areas.

***Means of Verification***

- The Unit held two meetings with trainees and devoted a lecture at the end of each training course to discuss the establishment of an alumni body. The Unit formed three groups that assisted PCHR in documenting human rights violations in Rafah, Jabalya and Beit Hanoun and a team of observers to monitor the Palestinian presidential election.
- 20 trainees participated in the first meeting which was held at PCHR's offices in Jabalya and 25 lawyers participated in the second meeting which was held at the office of active lawyers in Gaza City.
- The participants in these meetings welcomed the idea of establishing an alumni body for them.

#### **4. Maintaining Relations with Civil Society Organizations through Training Activities**

The Unit contributes to promoting PCHR's relations with civil society organizations through participating in training activities organized by these organizations. The Unit receives many invitations from governmental and non-governmental organizations to organize training courses for their members, deliver lectures or design training programs due to the Unit's high professionalism. The Unit prioritized these external activities which most closely fulfilled its own mandate.

##### **i. Training Courses**

The Unit organized three training courses in coordination with civil society organizations.

##### **ii. Technical Assistance**

- The Unit provided technical assistance to Development Training and Family Rehabilitation Center in the central Gaza Strip town of Deir al-Balah to design a training course on the rights of the child. The course was held at PCHR's offices in the period 20-26 January 2004.
- The Head of Unit held a meeting with representatives of Gaza Group and briefed them on the Unit's activities. He also held another meeting with the Director to provide technical assistance for a five week training course to prepare women to participate in local elections.

##### **iii. Contribution to Training Courses Organized by Other Civil Society Organizations**

- On 20 January 2004 the Head of Unit delivered a lecture on the Convention on the Rights of the Child in a training course organized by Development Training and Family Rehabilitation Center in the central Gaza Strip town of Deir al-Balah. 22 women participated.
- On 25 January 2004 the Head of Unit delivered a lecture on the rights of the child to health care in a training course organized by Development Training and Family Rehabilitation Center and Minors Organization in the central Gaza Strip town of Deir al-Balah. 22 women participated.
- On 27 January 2004 the Head of Unit participated in a workshop on the status of women under international human rights law in the context of Palestinian Female Students Support. The workshop, in which at least 40 individuals participated, was held at al-Quds Open University in the northern Gaza Strip town of Beit Lahia.
- On 4 - 5 April 2004 the Head of Unit delivered eight lectures on human rights at Deir al-Balah Preparatory School A for schoolchildren. The lectures focused on human rights, particularly the rights of education, health and adequate housing and the principles of equality. The children were able to list a number of rights that are violated by IOF.

- On 28 April 2004 the Head of Unit received at least 100 schoolchildren from al-Maghazi Elementary School A at PCHR's offices in Gaza City. He briefed them on PCHR's activities and human rights.
- On 6 May 2004 the Head of Unit was a member of a trilateral committee that supervised internal elections of Feikra Association for Educational Arts. The association is a licensed NGO that is active in theatre arts throughout the Gaza Strip.
- On 22 May 2004 the Head of Unit delivered two lectures on International Covenant on Economic, Cultural and Social Rights and International Covenant on Civil and Political Rights in a training course organized by UNRWA. 25 teachers participated in the lectures. Delivering the two lectures came in response to an invitation by the Coordinator of UNRWA Human Rights Program.
- On 13 June 2004 the Head of Unit delivered a lecture on CEDAW in a training course in which 20 women participated.
- On 6 July 2004 in response to an invitation by Ministry of Youth and Sports, the Head of Unit delivered a lecture on basic concepts of human rights and democracy at a summer camp in Gaza City. 25 children participated.
- On 10 July 2004 in response to an invitation by Ministry of Youth and Sports, the Head of Unit delivered a lecture on basic concepts of human rights and democracy at a summer camp in al-Boreij refugee camp. 60 children participated.
- On 13 July 2004 in response to an invitation by Ministry of Youth and Sports, the Head of Unit delivered a lecture on basic concepts of human rights and democracy at a summer camp in Jabalya refugee camp. 35 children participated.
- On 2 August 2004 in response to an invitation by Ministry of Youth and Sports, the Head of Unit delivered a lecture on basic concepts of human rights and democracy at a summer camp in al-Maghazi refugee camp. 50 children participated.
- On 10 August 2004 in response to an invitation by Ministry of Youth and Sports, the Head of Unit delivered a lecture on basic concepts of human rights and democracy at a summer camp in Rafah. 60 children participated.
- On 28 August 2004 the Head of Unit submitted a working paper on the status of women under international human rights law at a conference organized by the Society's Voice Association at al-Aqsa University in Gaza City. The attendants and the local media demonstrated interest in the paper.

### ***Means of Verification***

- In 2004 the Unit received 15 requests to organize training courses, 15 requests to deliver lectures at training courses and 36 invitations to participate in community activities.
- The Unit organized 3 training courses, provided technical assistance to 2 civil society organizations, delivered 14 lectures and participated in 25 community activities.
- The Head of Unit received three letters of thanks for the Unit's participation in community activities:

- The Head of Unit received a letter of thanks from Minors Association of the PNA National Guidance Corporation for his contribution of the celebrations of Palestinian Child Day.
- The Head of Unit received a letter of thanks from Ministry of Youth and Sports for delivering a number of lectures on human rights and democracy, which contributed to the success of its summer camps.
- The Head of Unit received a letter of thanks from Fika Association for Educational Arts for his participation in supervising internal elections of the association.

## **5. Other Activities**

- The Head of Unit participated in an international workshop organized by Arab Institute for Human Rights in Cairo in the period 10-14 January 2004 on verifiable indicators and means of verification of human rights training at NGOs, in which 32 representatives of NGOs and experts in this field participated.
- On 21 September 2004 the Unit organized a party for participants of five training courses organized by the Unit in coordination with Ministry of Youth and Sports. Mr. Ahmed al-Ashqar Director of the Youth Bureau at the Ministry; Mr. Hashem al-Thalathini, Director of Guidance Bureau at the Ministry; 'Eissa Saba, Director of Cana'an Pedagogical Institute; a number of directors of civil society organizations; Director of PCHR; and participants of three out of five training courses attended the party. Participants in the two training courses organized by the Unit in Rafah and Khan Yunis were not able to attend the party due to the closure of the main roads in the Gaza Strip by IOF. The participants thanked PCHR and the Ministry for organizing these courses. They also called PCHR to continuing its efforts to promote the culture of human rights and democracy and expressed their intention to participate in PCHR's activities. At the end of the party, certificates were handed out to the participants in the training courses.

## Women's Rights Unit

In 2004 the Women's Rights Unit carried out all duties included in its 2004 Annual Plan. On several occasions the Unit undertook activities not identified in the Annual Plan but which supported the Unit's overall strategic goals.

### Activities as detailed in 2004 Annual Plan

1. Legal aid for women and women's organizations.
2. Legal awareness for Women and children of their rights ensured by domestic, international legislation and human rights instruments.
3. Lobbying for incorporation of international standards relevant to women and children in laws and draft laws.
4. Cooperation with local, regional and international women's organizations.

### 1. Legal Aid for Women and Women's Institutions

#### *Verifiable Indicator*

Report on activities.

#### i. Representation of Women before *Sharia*' and Civil Courts

The Unit continued to represent women before *Sharia*' and civil courts. In 2004, 321 cases in *Sharia*' courts and 8 cases in civil courts were pursued by the Unit as detailed in the following tables.

**Table 29: *Sharia*' Court Cases Pursued by the Unit in 2004**

Case Type	Number
Alimony	170
Delayed dowry and rights to household property	91
Separation	25
Access rights to children	12
Custody rights	12
Obedience	1
Payment for childbirth	10
<b>Total</b>	<b>321</b>

**Table 30: Results of Cases Followed by the Unit before *Sharia*' Courts in 2004**

Result	Number
Ruling Given	117
Under Consideration	40
Reconciled	71
Cancelled	42
Postponed	50
<b>Total</b>	<b>321</b>



**Table 31: Civil Court cases pursued by the Unit in 2004**

Case Type	Number
Rights Cases	1
Procedural Cases	7
<b>Total</b>	<b>8</b>

**Table 32: Results of Cases Pursued by the Unit before Civil Courts in 2004**

Result	Number
Ruling Given	5
Under Consideration	3
<b>Total</b>	<b>8</b>

In 2004 the Unit continued to pursue 50 cases before Sharia' courts from 2003 as detailed in Table 33 below:

**Table 33: Results of Case from 2003 Pursued by the Unit before *Sharia'* Courts in 2004**

Result	Number
Ruling Given	26
Reconciled	9
Cancelled	15
<b>Total</b>	<b>50</b>

#### **ii. Providing Legal Consultation for Women**

In 2004, the Unit provided 167 legal consultations to women. This number includes legal consultations to women's institutions.

#### ***A Legal Opinion to Ministry of Prisoners' Affairs***

Ministry of Prisoners' Affairs asked the Unit to provide a legal opinion on article 96 of the Law of Personal Status. A Unit lawyer, Sameer Hasaniya, provided this opinion.

#### **iii. Interventions with Official Bodies**

In 2004 the Unit developed a policy of constructive dialogue with the *Sharia'* courts including holding meetings with judges and visiting the courts to discuss with court staff the difficulties faced by the Unit in its work in this field. These courts also referred a number of cases to the Unit to pursue them.

#### ***Activation of Legal Aid in PCHR's Branch Offices in Jabalya and Khan Yunis***

The Unit sent letters to women's institutions in the south and north of the Gaza Strip informing them about the legal services provided by the Unit and the days on which the Unit lawyers are present in PCHR's offices in Jabalya and Khan Yunis to receive clients. The Unit also organized two meetings in PCHR's offices in Jabalya and Khan Yunis with

representative women's institutions and community organizations to inform them about the legal services provided by the unit and discuss cooperation with them.

### ***Means of Verification***

- 329 cases were pursued by the Unit (321 cases in *Sharia*’ courts, 8 cases in civil courts and 167 legal consultations provided). This case load presents an increase of 19% from 2003.
- In 146 cases the Unit received positive rulings.
- 125 cases were referred to the Unit by the *Sharia*’ court and women’s institutions.
- 54 cases were pursued and 30 legal consultations provided from the Jabalya office. 18 cases were pursued and 24 legal consultations provided from the Khan Yunis office. The Unit faced some difficulties in providing legal services in PCHR's offices in Khan Yunis, due to repeated closures of Israeli military checkpoints on the road leading to the southern Gaza Strip.
- The Unit provided a legal opinion to the Palestinian Ministry of Prisoners' Affairs.

## **2. Legal Awareness for Women and Children of Their Rights Ensured by Local Laws and Human Rights Instruments**

<b><i>Verifiable Indicator</i></b>
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Report on activities.
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### **i. Organizing Legal Awareness Lectures on the Rights of Women and Children in Domestic Law and International Human Rights Instruments in Cooperation with Women’s Institutions**

- The Unit implemented the second stage of field legal awareness and assistance project for women in cooperation with the Swedish organization, Kvinna Till Kvinna. This stage included organizing 40 lectures. The lectures discussed the Law of Personal Status and *Sharia*' courts. The first stage of the project had already been implemented between 1 January and 30 June 2002.
- The Unit cooperated with new women's organizations and institutions such as Rural Women Development Society, Women Empowerment Center in Jabalya, Palestinian Women Development Society in al-Boreij, Gaza Governorate, Danida project to support wives of fishermen and World Food Programme.
- The Unit accessed and targeted marginalized communities such as Baten al-Samin, Qaa' al-Qurain, Kherbat al-'Adas and Jourat al-Lout.
- The Unit organized lectures on political participation of women, early marriage and violence against women.

### ***Cooperation with Women's Affairs Center***

The Unit cooperated with the Women's Affairs Center to implement youth leadership empowerment project in Rafah by submitting working papers to six different workshops on political participation of women, and women and the law.

**Table 34: Workshops Organized by the Unit in Cooperation with Women's Affairs Center**

<b>Date</b>	<b>Subject</b>	<b>Place</b>
10 October	Political participation of women	Canada Society, Rafah
13 October	Women and law	Canada Society, Rafah
22 November	Political participation of women	Women's Health Center, Rafah
29 November	Women and law	Women's Health Center, Rafah
12 December	Political participation of women	Women's Activities Center, Rafah
19 December	Women and law	Women's Activities Center, Rafah

***Cooperation with Department of Women and Children of Gaza Governorate***

The Unit delivered five legal awareness lectures in cooperation with the Department of Women and Children of Gaza Governorate in the period of 13-22 December 2004. These lectures focused on the Law of Personal Status, the Labor Law and CEDAW. 50 women representing non-governmental and governmental organizations attended these lectures. These activities marked the first aspect of cooperation between the Unit and the Women and Children Department of Gaza Governorate.

***Means of Verification***

- 127 lectures were organized by the Unit which marked an increase by 30% in comparison with the number of lectures organized by the Unit in 2003.
- 3810 women attended these lectures.
- 63 women approached the Unit for legal aid after having attended these lectures.
- 254 brief legal consultations were provided to participants during or immediately following the lectures.
- The lectures were organized in cooperation with 37 institutions throughout the Gaza Strip, including two governmental bodies (Gaza Governorate and Women Department of Khan Yunis Municipality) and women's centers at UNRWA.
- 32 lectures were organized after request from organizations (13 organizations had made requests): Gaza Governorate, Women Department at Khan Yunis Municipality, Women's Affairs Technical Staff, Union of Women for Social Work, al-Mawadda Society for Family Unity, World Food Programme, Palestinian Center for Help in Community Disputes, al-Huda Development Society, Danida Project to Assist Fishermen's Wives and Rural Women Development Society.
- 40 lectures were organized in the context of a joint project with Sweedish Kvinna Till Kvinna in coordination with 26 organizations.
- The Unit received a thank you letter from the General Bureau of Women Development at the Ministry of Social Affairs for delivering a lecture at Rural Women Development Society in Beit Lahia on International Women's Day.
- The Unit received a thank you letter from Danida Project to Assist Fishermen's Wives for delivering a number of lectures on International Women's Day.

**Table 35: Geographical Distribution of Lectures Organized by the Unit in the Gaza Strip**

Location	Number
Southern Gaza	98
Central Gaza	7
Gaza City	15
Northern Gaza	7
<b>Total</b>	<b>127</b>

**ii. Contribution to Training Courses Organized by PCHR's Training Unit**

The Unit contributed to nine training courses organized by PCHR's Training Unit, during which it supervised 20 training sessions on democracy and human rights and CEDAW.

**iii. Cooperation with the Media**

The Unit understands that the media plays an important role in raising awareness of women and children's legal rights in Palestinian society. Consequently in 2004, the Unit strengthened efforts to further develop cooperation with local media. Staff members of the Unit participated in six episodes of '*Whom It May Concern*' a television programme on a Palestinian Satellite Channel that deals with legal issues of women and children. These episodes focused on early marriage, impacts of traditions on women, divorce, social care, women and the legal profession and family violence. The Unit also gave five print (newspaper) interviews and one radio interview.

**Table 36: Media Interviews Conducted by the Unit Staff in 2004**

Date	Names of Journalists and Media Organizations	Subject	Staff Member
8 January	Majeda al-Balibissi, <i>Sawt al-Nisaa'</i> (Voice of Women)	The Unit's activities in 2003	Muna al-Shawa
22 January	Wa'el Banat, Zharat al-Khaleej magazine	Female judges	Hanan Matar and Sameer Hassaniya
3 March	Workers' Radio, Gaza	Divorced women	Hanan Matar
4 May	Mohammed Kuraizem, <i>Sawt al-Nisaa'</i> (Voice of Women)	Solving women's problems	Muna al-Shawa
1 August	Fayez Abu 'Oun, <i>Sawt al-Nisaa'</i> (Voice of Women)	Divorce announcements published in newspapers	Hanan Matar and Sameer Hassaniya
2 August	Mahmoud Abu al-Hannoud, al-Sabah newspaper	Reasons of divorce	Hanan Matar and Sameer Hassaniya

***Means of Verification***

The Unit gave six television, one radio and five print interviews.

#### iv. Awareness Raising Publications

- The Unit prepared two leaflets on marriage contracts and the impact of this practice. These leaflets focused on the Law of Personal Status and related articles of CEDAW. They aim at raising awareness of women of their rights under both domestic and international law (CEDAW).
- The Unit prepared a poster on the occasion of International Women's Day on 8 March.

#### *Means of Verification*

- 2000 copies of each leaflet were published and circulated. Copies of leaflets were also circulated during lectures delivered by the Unit.
- 2000 copies of the poster were published and circulated. Copies of the poster were circulated to governmental and non-governmental organizations, especially those which are interested in women's rights.
- Copies of the poster were circulated in celebrations of International Women's Day.

### 3. Lobbying for Incorporation of International Standards on Women and Children's Rights in Domestic Laws, Including Draft Legislation

<i>Verifiable Indicator</i> Report on activities.
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The Unit commented on a number draft laws discussed at the Palestinian Legislative Council to incorporate international standards related to women and children:

- **Penal Law:** Sameer Hasaniya, Unit lawyer, participated in a number of meetings organized at the Palestinian NGO Network to comment on the Penal Law. The Unit submitted its comments in a memorandum.
- **Child Law:** The Unit submitted its comments on the Child Law to Women's Unit at the PLC.
- **Expenditure Law:** The Unit submitted its comments on the Expenditure Law to the Social Committee Rapporteur at the Palestinian Legislative Council.

#### *Means of Verification*

- The Unit prepared three memoranda with comments on draft laws.
- The Unit's comments were incorporated in a memorandum submitted by Chief Judge of *Sharia* Courts to the Legislation Bureau.

### 4. Coordination and Cooperation with Local, Regional and International Women's Organizations

<i>Verifiable Indicator</i> Report on activities.
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The Unit carried out this activity through meetings with women's organizations and participation in meetings and workshops organized by local, regional and international women's organizations.

#### **i. Meetings with Local Women's Organizations**

In 2004 the Unit held two meetings with local women's organizations:

- On 29 February 2004 the Unit held a meeting with representatives of a number of women's organizations in the southern Gaza Strip in PCHR's offices in Khan Yunis. In this meeting the Unit provided information of the legal assistance programme and means of activating it in the southern Gaza Strip.
- On 16 March 2004 the Unit held a meeting with representatives of a number of women's organizations in the northern Gaza Strip to discuss cooperation and coordination between the Unit and these organizations. It also briefed them on the legal assistance programme provided by the Unit.

#### ***Means of Verification***

- 39 people participated in the first meeting and 9 people participated in the second meeting.
- The participants requested more meetings to promote cooperation among women's organizations.

#### **ii. Participation in Meetings of the National Campaign to Develop Women's Participation in Elections**

The Head of Unit, Muna al-Shawa, participated in meetings of the national campaign to develop women's participation in elections, which includes a number of human rights and women's organizations. In 2004, the campaign focused incorporating a quota for women in the Law of Local Elections.

#### ***Means of Verification***

Efforts made in this regard resulted in the incorporation of an article in the Law of Local Elections devoting at least two seats for women in each local council.

#### **iii. Participation in Local Meetings and Workshops**

- On 26 January 2004 the Head of Unit, participated in a meeting organized by the Women Bureau of the PLC with Canadian Deputy, Mubia Jafar.
- On 20 March 2004 Sameer Hasaniya, Unit Lawyer, submitted a working paper on problems in the Law of Personal Status at a workshop on women and the Law of Personal Status organized by the Society's Voice Association.
- On 5 April 2004 Hanan Matar, Unit Lawyer, submitted a working paper on the Child Law and the Convention on the Rights of the Child at a celebration organized by Child Culture Society on International Children's Day.

- On 6-7 April 2004 Majeda Shehada, Unit Researcher, submitted a working paper on discrimination and the developmental role of civil society organizations at a conference on the rights of children and the basis of civil society.
- On 11 April 2004 Majeda Shehada, Unit Researcher, submitted a working paper on women's rights at a workshop on the role of women in rural communities organized by al-Mawadda Society for Family Unity in al-Qarara village.
- On 25 April 2004 the Head of Unit delivered a lecture on CEDAW at a training course on democracy and human rights organized by ad-Dameer Association for Human Rights.
- On 27 May 2004 the Head of Unit delivered a lecture on CEDAW at a training course organized by ad-Dameer Association for Human Rights.
- On 29 June 2004 the Head of Unit submitted an intervention on her experience in the field of human rights and women's rights at a conference for leading Palestinian and European women organized by the Palestinian Council of Foreign Relations.
- On 12 October 2004 the Head of Unit delivered a lecture on CEDAW at a training course on human rights and development organized by Office of the High Commissioner for Human Rights.
- On 12 October 2004 the Head of Unit delivered a lecture on CEDAW at a training course on democracy and human rights organized by ad-Dameer Association for Human Rights.
- On 27 November 2004 the Head of Unit attended a meeting between Minister of Social Affairs and human rights and women's organizations in the Gaza Strip (this was the first such meeting to take place).
- Throughout 2004, staff members of the Unit participated in dozens more meetings, workshops and conferences organized by civil society organizations throughout the Gaza Strip.

#### **iv. Cooperation with International Organizations**

- On 29 May 2004, the Head of Unit held a meeting with Amnesty International delegation. The meeting discussed cooperation between the Unit and Amnesty International regarding the international campaign for elimination of violence against women. On 2 October 2004, the Head of Unit again met with Amnesty International. The meeting discussed violations of Palestinian women's rights by IOF, particularly in the Gaza Strip.
- Kvinna Till Kvinna is a Swedish organization that provides assistance to women in conflict areas. The organization has a partnership with PCHR and in 2004 the Unit implemented a new project. The Unit also organized field visits for the delegation.
- The UN Special Rapporteur on Violence against Women, Yakin Ertürk, visited the OPT in the period 13-16 June 2004. The Unit and other human rights and women's organizations received an invitation by office of the UN High Commissioner for Human Rights (OHCHR) to meet with M. Ertürk on 14 June 2004. The Unit prepared

a special report on impacts of violation of human rights perpetrated by IOF on Palestinian women. A summary of this report was presented at the meeting. The Unit also coordinated with OHCHR in organizing a field visit for M. Ertürk in al-Zaytoun neighborhood in Gaza City, which had recently been the subject of an IOF incursion. The Unit and representatives of OHCHR accompanied M. Ertürk in this field visit.

***Means of Verification***

The Head of Unit received a thank you letter from OHCHR for efforts made by the Unit during the UN Special Rapporteur on Violence against Women.

**v. Training of Unit Staff**

In the period 8-12 May 2004, Hanan Matar, Unit lawyer participated in a training course for lawyers in Amman organized by Union of Arab Lawyer in cooperation with the European Union.



## **International Unit**

Through 2004 the International Unit retained its core role while dealing with the key problems which consistently face the Unit: that of staff changes and access to the Gaza Strip.

The Unit is currently comprised of three staff internationals. Over the course of the year the Unit has had a total of seven staff members, one of whom was a staff member with the UNAIS project.

Access to Gaza for staff members continues to be a key obstacle for the Unit – staff members have been denied access to the Gaza Strip or have had their entry facilitated only to discover that the road to Gaza was closed by Israeli military operations. Consequently, for five months of the year, there was only one staff member in the Unit.

The Unit continued to respond to ongoing developments on the ground adapting its programme as appropriate.

### **Activities as detailed in 2004 Annual Plan**

1. Improve international advocacy with governments, inter-governmental agencies and global society.
2. Establish and implement international media strategies.
3. Develop international legal work
4. Maintenance of stake-holder communications.
5. Networking with other human rights organizations on advocacy strategies.
6. Support other Unit's in PCHR
7. Gender Awareness

### **1. Improve international advocacy with governments, inter-governmental agencies, global society.**

The core advocacy work of the Unit, in respect of the constantly developing political situation, was to focus on the continued construction of the Annexation Wall and the proposed Gaza Disengagement Plan.

The Unit was also concerned to utilize the UN mechanisms available to it as well as focusing on the EU in all of its advocacy work.

### **Verifiable Indicators**

- i. Documentation produced and distributed
- ii. Advocacy meetings/conferences/hosting of delegations

### ***Means of Verification:***

- The Unit produced a position paper on *Switzerland and the Geneva Accord*.
- Staff in the Unit attended a conference in Turkey on the issue of Palestine as well as a conference in Cairo on Human Rights in the Arab world.
- The International Unit submitted seven interventions to the United Nations Commission on Human Rights in March, 2004. These were submitted in cooperation with other Palestinian NGOs, such as *al Haq* and international NGOs such as FIDH

- The Unit also produced a written intervention submitted to the Consuls General of the EU on the occasion of their visit to Gaza and Rafah, entitled “*The EU’s Failure to Act*”
- During the large-scale incursion into Rafah in May, known as “Operation Rainbow” the Unit wrote an open letter to the Irish Taoiseach (Prime Minister) in his capacity as President of the EU Council. The letter was submitted on the agenda of a meeting of the EU Council of Foreign Ministers in Brussels.
- The Unit produced documents on the human rights violations and violations of international humanitarian law for the Special Rapporteur on the OPT, John Dugard, during his two visits to the OPT (correspondence not published).
- On the appointment of the new High Commissioner for Human Rights, Ms. Louise Arbour, the Unit sent an invitation to the High Commissioner requesting that she visit the OPT. The letter provided comprehensive details on the deteriorating human rights situation in the OPT (correspondence not published).
- The Unit produced a written intervention to the European Parliament when the Director of PCHR was prevented from traveling to a meeting there due to the closure of the Rafah international crossings point.
- The Unit produced a position paper entitled “*Sharon’s Unilateral Disengagement Plan: An end to human rights, not an end to occupation.*”.
- The Unit organized, in conjunction with PCHR’s Legal Unit and our international partners in FIDH and ICJ, an expert meeting on “Implementation Mechanisms for the International Court of Justice Advisory Opinion”.
- Staff from the Unit attended, with the PCHR Deputy Director, a major conference on the issue of the Academic Boycott against Israel in the UK. While in the UK PCHR staff carried out a series of parliamentary briefings.
- Staff from the Unit participated in briefings with representatives from almost all of the EU member states on their visits to Gaza. Hosting delegations is a major part of the Unit’s role and is particularly time consuming as staff generally accompany delegations on field-visits, coordinated with the Fieldwork Unit and the Public Relations officer in Khan Yunis. During 2004 staff accompanied over 50 delegations on trips to various parts of the Gaza Strip. The delegations included diplomats, international human rights organizations, international solidarity groups, international advocacy and research groups, international aid organizations and international journalists.

## **2. Establish and implement International Media Strategies**

PCHR’s International Unit focuses its international media work on three main priorities: publishing articles/conducting interviews, facilitating interviews for other staff members and conducting advocacy/providing information. The staff in the Unit focused on key areas throughout the year, in keeping with its advocacy goals. In addition the Unit also intensified its media campaigns during the major incursions by the Israeli military into Rafah, Beit Hanoun and Jabalya refugee camp.

### **Verifiable Indicators**

- i. interviews/articles by staff in the International Unit
- ii. interviews arranged for other PCHR staff

iii. information provided to media/used by media

### ***Means of Verification***

- In light of this the Unit had a number of successes, with publications by staff members in: the New York Times, the Sunday Times (SA), on OpenDemocracy.net, ElectronicIntifada.net, islamonline.net, Bitter Lemon, the Journal of Palestine Studies. Interviews were also conducted on BBC Radio Five Live, BBC Radio Foyle and Islam Radio (SA), News Talk 106FM (Irl). A number of other articles were written and submitted for other newspapers but were not published.
- Members of staff in the Unit also provided information to the Guardian (UK), the Independent (UK), the BBC, The Sydney Morning Herald, Fox News, Sky News.
- The Unit facilitated numerous interviews for other members of staff in the Centre, primarily the Director, with the Irish media (during the Irish Presidency), members of the Swiss and Italian media as well as, with the assistance of partner organizations in the Netherlands, members of the Dutch press. Further information and long term relations were developed with members of the British, French and German press.
- The Unit edited 191 Press Releases during the year (after translation from Arabic) and was involved in the production/writing of six press releases in English, five of which were published.

### **3. Develop International legal work.**

In this respect the Unit works hand in hand with the PCHR Legal Unit to develop cases on the basis of universal jurisdiction. PCHR believes that the fact that the Israeli military system offers blanket impunity to perpetrators of human rights violations that other, international, legal remedies must be pursued. There was little respect for international law in the OPT in 2004. It is in light of this PCHR feels that it increasingly important to pursue international avenues for justice.

### **Verifiable Indicators**

- i. progress of current legal cases
- ii. development of new legal opportunities

### ***Means of Verification***

- This year saw one of the long running international legal cases in PCHR come to a close. The case in Switzerland was thwarted by the Swiss Parliaments decision to follow the Belgian government and to change the law so anyone responsible for grave breaches of international law could not be tried in Switzerland.
- The other major PCHR case, in the UK, continues to run. PCHR has also begun exploring new options for cases in the UK for individual human rights abuses.
- The Centre has also begun to look at international legal options in light of the ICJ's Advisory Opinion on the construction of a wall by Israel in the OPT which ruled that no high contracting party should provide legal or material assistance that would maintain the illegal regime arising from the construction of the wall.
- Finally, in respect of exploring new options, the Centre has begun to explore an interesting legal gap which has opened in German law. The Fourth Geneva

Convention is written into German law. However, until a 2001 Supreme Court decision, no non-German national could be prosecuted under the Geneva Convention. Despite some hasty efforts by German parliamentarians to change to law to grant further impunity to those responsible for grave breaches and war crimes the law now allows any non-German national responsible for committing a war crime before 2002 to be tried in that country. PCHR's Legal Unit and International Unit are in touch with German lawyers at an exploratory stage of what may result in a new avenue for international prosecutions.

#### **4. Maintenance of stakeholder communications**

Despite work carried out in the other fields over the course of the year this was the primary agenda for staff in the International Unit during the second, third and fourth quarters of 2004. The circumstances surrounding the collapse of LAW in the West Bank had a detrimental effect on the perception of human rights organizations and NGOs across the OPT. Consequently a more challenging funding and reporting environment developed. This was combined with the strategic fluctuations in the NGO and governmental funding sectors. A number of core donors have decided to engage in funding projects while a number of others have decided to remain with core funding. In general PCHR is trying to develop long term partnerships to help manage these fluctuations and to allow more solid and concrete planning over the coming years. PCHR is now currently in the stages of putting in place a long term strategy to account for this and is involved in dialogue with many of its partners about the precise methodology.

Further to this the interest in the crises in Iraq and Sudan drew sums of money which may otherwise have been available in Palestine to other areas of priority. However this reassessment of priorities was startling against the general context of a serious deterioration in the human rights situation in the OPT. Despite this PCHR was able to rely on traditional and strong partnerships with various international organizations throughout the year for assistance. PCHR is particularly grateful for these friendships.

The Centre was also able to re-establish other partnerships which had been lost over the passage of time and was happy to receive funding from a variety of governments and institutions which it had not recently or previously received funding from.

#### **Verifiable Indicators**

- i. meetings with new and current donors
- ii. funds raised for projects and core funding during the year
- iii. projects written and sent to potential donors during the year

#### ***Means of Verification***

- For the first time PCHR commissioned, in March, an external evaluation report whose purpose was to examine the work of PCHR and to comment on methods for improving it. That report was concluded and distributed to PCHR's donors for comment. PCHR is currently in the process of implementing the recommendations of this report through a gradual process.
- The Unit also assisted in the organization of and follow-up to the NGO donor consortium meeting in July. This included meetings in The Hague, Ireland (with

Trocaire and two meetings with Development Cooperation Ireland), Jerusalem and Gaza with donors as well as regular ongoing correspondence via phone and email.

- The International Unit compiled over 20 separate funding applications, distributed to over 100 old and new organizations, including 3 EU funding applications, one of which was submitted in partnership with NOVIB. Almost all of these involved the design of new projects and in some cases the development of old ones.
- Perhaps the best “verifiable indicator” of the work carried out in this regard is the fact that in the second half of 2004 the Centre received an influx of over US\$478,000 for projects and core funding and a further US\$186,300 which was for the PCHR election monitoring project, mainly applicable in 2005. In total the Unit sourced, negotiated and agreed on a total of US\$664,300 for PCHR during 2004.
- The Unit also continued to produce regular narrative reports for donors on the completion of project periods and to produce the PCHR interim activities report.

#### **5. Networking with other NGOs on advocacy strategies**

PCHR continued with its work of developing relationships with international organizations and local organizations on advocacy issues.

##### **Verifiable Indicators**

- i. meetings with other NGOs
- ii. cooperation with other NGOs

##### ***Means of Verification***

- Meetings were held in PCHR’s offices in Gaza with delegations from Amnesty International, Human Rights Watch and a number of solidarity organizations as well as Oxfam, Trocaire and other international development and aid agencies.
- The International Unit also continued to develop close links with Israeli and Palestinian NGOs holding cooperation meetings with B’Tselem, al Haq, Addameer (Ramallah) and al Dameer (Gaza).
- Cooperation with UNAIS throughout 2004 was essential in that organization continuing to assist PCHR with staff. It is anticipated that the UNAIS legal officer project, which was discontinued from May 2004, will be re-initiated in 2005.
- The Unit also agreed to produce a comprehensive report on the position of Human Rights Defenders in the OPT which was researched and written in 2004. Publication of this report is anticipated in early 2005. The report will be published by *Frontline* - the international foundation for the protection of human rights defenders.
- The major forum for advocacy cooperation was in the expert meeting, organized in cooperation with the FIDH and the ICJ, on 8 and 9 November 2004 on the topic of *Implementation mechanisms for the International Court of Justice’s Advisory Opinion on the construction of a wall in the West Bank by Israel*.

The Conference gathered together a selection of Palestinian, Israeli and international legal experts and human rights organizations in order to discuss ways of ensuring that the decision of the International Court of Justice could be implemented.

The ICJ decision, which was made in July 2004, found that the construction by the Israeli military of the Wall in the West Bank was illegal. It called on Israel to respect international law and to immediately dismantle the Wall. It stated that no other state should act in any way which would support the continued construction of the Wall and, importantly, that every states party to the Fourth Geneva Convention had a legal obligation to ensure that the Wall was dismantled and that Israel respected its own obligations under international law.

The Conference included representatives from PCHR, al Haq, The Association for Civil Rights in Israel (ACRI), B'Tselem, Human Rights Watch, and a number of international law experts, including some who had spoken against the Wall during the plenary session of the Court. However, as a result of the closures imposed at Rafah international crossing point by the Israeli military the Director of PCHR, who had conceived of the idea and the format of the Conference, was unable to travel to Brussels.

Despite this the experts held their meeting over the course of two days in which they discussed the current situation regarding the Wall. The Conference also discussed the various opportunities for implementing the decision in the context of international law. Examining the role of the United Nations, the EU and the High Contracting Parties to the IV Geneva Convention. Experts at the meeting also discussed a number of strategies targeting the European Union to explain to it the clear legal obligations that it has. To this end the participants held discussions with members of the European Commission advising them on what action was required of them.

The Conference also published a brief statement which confirmed the belief of every organization and individual attending that the Court's decision must be implemented and that the Wall should be immediately dismantled. The cooperation between Palestinian, Israeli and international organizations will hopefully bring us one step closer to this end. The Unit has also produced a document addressed to the High Contracting Parties of the Fourth Geneva Convention which has included a comprehensive response to the ICJ AO and will be published in 2005.

The Unit also initiated cooperation with a number of Palestinian NGOs, particularly al Haq and WCLAC (Jerusalem) to submit a report to the 2005 CEDAW report on Israel, writing and producing the relevant Gaza section of this report. Documentation was also prepared for the 61<sup>st</sup> session of the UN Commission on Human Rights. Research and discussions with partners FIDH and al Haq was carried out during 2005.

## **6. Support for other Units in the Centre.**

The International Unit is the primary non-Arabic language support Unit in PCHR. This means that the Unit edits all of the PCHR's publications, many of which are published first in Arabic. The weekly report and the vast majority of Press releases are included in this.

### **Verifiable Indicators**

- i. press releases and reports edited
- ii. reports translated
- iii. other documentation

### ***Means of Verification***

- The Unit edited all of the Press releases which were released by PCHR which had been translated from the Arabic and edited all of the weekly reports. During major incursions by IOF it was often necessary for these press releases and, in some cases the Weekly Reports, to be translated verbally by a member of PCHR staff while being simultaneously edited and typed by staff from the International Unit. The Unit is also responsible for editing the Annual Report produced in conjunction with the Democratic Development Unit.
- The Unit, due to the large volume of publications in Arabic, also assisted by participating in orally translating and editing of a number of these: this includes the PCHR Rafah Report and Beit Hanoun Report (anticipated to be finished in 2005) and two position papers from the Democratic Development Unit (both published in 2004).
- The Unit answered considerably over 1500 email or fax enquiries about the work of the Centre and other related requests for information from the media and the public. The Unit is also responsible for the maintenance of PCHR's English language website, [www.pchrgaza.org](http://www.pchrgaza.org). The Unit also makes enquiries for other units, carries out English language research for other units and is responsible for all non-Arabic language communication, coordination and advice on behalf of units who require it.

### **7. Gender Awareness**

<p><b><u>Verifiable Indicators</u></b></p> <ul style="list-style-type: none"><li>i. internal capacity building</li><li>ii. inclusion of gender as topic in advocacy documentation</li><li>iii. development of external relations with appropriate organisations</li></ul>
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Although not specifically in the The International Unit's Annual Plan the Unit took a special interest in the issue of promoting a gender awareness approach to its work and to the work of the Centre in general.

Assuming a capacity building role the Unit developed a Gender Policy for the Centre which it is hoped will be finalized and formalized in 2005. The International Unit also took primary responsibility, in coordination with the Training Unit and the Women's Unit for the design of a gender training programme for PCHR staff which has had funding confirmed and will be held in 2005.

In external matters the Unit included Gender and Women's issues in the majority of the advocacy documents it produced in 2004, including writing a PCHR submission to the UN Commission on Human Rights on the issue of women and participating heavily with the production of the CEDAW report..

## ***Participation in International and Regional Conferences and Meetings***

In 2004, PCHR received invitations to participate in dozens of international and regional conferences and meetings. Despite the continued escalation of violations of human rights by IOF in the OPT, and the necessity of PCHR's presence at the local level, PCHR made efforts to participate in the most important of these events.

However, PCHR's participation in such events was limited by the ongoing restrictions on freedom of movement imposed by IOF on the Gaza Strip. External travel in particular has been subject to arbitrary denials, delays and conditions of passage, particularly the prohibition of travel of Palestinians aged 16-35, all of which have resulted in reduced participation by PCHR staff in international and regional events held outside the Gaza Strip. In some cases, PCHR was forced to send its interventions to conferences and meetings, without being physically present.

### **Colloquium on Arab and Palestinian Prisoners in Israeli Jails – Lebanon**

On 9 January 2004 the Palestinian Legal Aid Fund organized a colloquium on Arab and Palestinian prisoners in Israeli jails. PCHR was to participate in the colloquium but none of its staff were able to travel due to the total closure imposed by IOF on the OPT. However, PCHR participated by submitting a report on the conditions of Arab and Palestinian prisoners in Israeli jails. The report highlighted living conditions of these prisoners and Israeli practices against them.

### **International Workshop – Cairo**

In the period 10-14 January 2004 the Head of Training Unit, Bassam al Aqra, participated in an international workshop in Cairo by the Arab Institute for Human Rights – Tunisia, Arab Institute for Human Rights – Cairo and the Biblical Coptic Consortium of Social Organizations – Cairo. The Workshop was on verifiable indicators and means of verification of human rights training and was attended by representatives of a number of Arab and international civil society groups.

### **Meetings on Palestine – Vienna**

PCHR, represented by its Director, participated in meetings organized by the Euro-Mediterranean Human Rights Network in Vienna in the period of 3-5 February 2004 to discuss the situation in the OPT. The meetings discussed the issue of the annexation wall and the advisory opinion issued by International Court of Justice. The Director, briefed the participants on the latest developments in the OPT and discussed the possibility of using international legal mechanisms to prosecute Israeli war criminals depending on the experience of international lawyers.

### **Meeting with Mayor of Bogotá – Columbia**

On 27 February 2004 the Director of PCHR met with the Mayor of Bogotá in Columbia. He also met with a number of representatives of democratic and civil society groups, human rights activists and victims of human rights violations.



### **Meeting with the Columbian President**

The Director of PCHR was a member of a delegation of International Federation for Human Rights (FIDH) that met with the Columbian president in Bogotá on 29 February 2004. The delegation included Sidiki Kaba, President of FIDH; Raji Sourani, Vice-President of FIDH; Antoine Bernard, Executive Director of FIDH; and Shirin Ebadi, Nobel Peace Prize winner and representative of FIDH for women and children affairs. During the meeting, they expressed their increasing concerns at the negative developments in the human rights situation in Columbia, especially increasing attacks on human rights defenders.

### **Meeting with Active Women for Peace and Democracy – Bogotá**

During his visit to Columbian, on 29 February 2004, the Director met with representatives of Active Women for Peace and Democracy at the organization's offices in Bogotá.

### **Conference on Latin American Issues – Ecuador**

The Director participated in the Conference on Latin American Issues which was held in Quito the capital of Ecuador on 1 and 2 March 2004. The Director also held a series of meetings, including one with representatives of the Arab group.

### **35<sup>th</sup> Conference of FIDH – Ecuador**

In the period 2-6 March 2004, the Director participated in the 35<sup>th</sup> conference of FIDH, which was held in Quito. The situation in the OPT was very prominent in the proceedings and discussions of the conference. He submitted an intervention on security and democracy in the Middle East. The Director also submitted the draft resolution, which was adopted by the general assembly of FIDH, condemning the construction of the annexation wall in the West Bank. He was also elected as Vice-President of FIDH for 3 years. This election was the second consecutive for Raji Sourani.

### **Meeting with President of US Center for Constitutional Rights – Ecuador**

On 7 March 2004, the Director of PCHR met with President of Center for Constitutional Rights, Peter Weiss and the Center lawyer, Maria LaHood in Quito. He briefed them on PCHR's activities and discussed the possibility of prosecuting Israeli war criminals in the United States.

### **Colloquium at the Tunisian League for Human Rights**

In the period 12-15 April 2004, Director of PCHR, participated in a colloquium organized by the Tunisian League for Human Rights in Tunisia to present the annual report of Human Rights Global Monitor. During his visit to Tunisia, he participated in a number of demonstrations organized by the League in support for the Palestinian people in their struggle against the Israeli occupation.

### **Evaluation Meeting of a Decade of UN Human Rights Education – Tunisia**

Researcher Dr Bassam Abu Hashish of PCHR Economic, Social and Cultural Rights Unit represented PCHR at a meeting organized by the Arab Institute for Human Rights in the period 4-6 May 2004 to evaluate a decade of UN human rights education. A number of working papers on Arab countries' experience in the field of human rights education were presented. An evaluation study of human rights education in the past decade was also presented.

### **Mission to France**

Between 3 and 7 May 2004, the Director visited France in response to an invitation by Human Rights Institute at Lyon University. He held a number of meetings and participated in a number of activities.

- ***Meeting with Director of Human Rights Institute at Lyon University***

On 4 May 2004, the Director met with Director of Human Rights Institute at Lyon University. He participated in activities related to human rights organized by the institute on that day. He delivered a lecture on the human rights situation in Palestine, highlighting the suffering of Palestinian civilians as a result of Israeli practices.

- ***Meeting with Mayors and Representatives of Municipalities of Lyon Province***

On 5 May 2004, the Director met with mayors and representatives of municipalities of Lyon province. A number of politicians and members of the French parliament attended the meeting. He highlighted the human rights situation in the OPT.

- ***Lecture on Human Rights – Saint Etienne***

On 6 May 2004, the Director delivered a lecture in Saint Etienne on the human rights situation in the OPT. He detailed Israeli attacks on Palestinian civilians and their impacts.

- ***Meeting with Politicians***

On 7 May 2004, the Director met with a number of French politicians at Lyon Municipality. He discussed with them the human rights situation in the OPT.

### **Meetings of International Bureau of FIDH – France**

Between 11 and 13 June 2004 the Director of PCHR participated in meetings of International Bureau of FIDH.

### **Conference on Mechanisms and Priorities of Reform in the Arab World – Cairo**

In response to an invitation by Cairo Center for Human Rights Studies, between 5 and 7 July 2004, the Director participated in a conference on mechanisms and priorities of reform in the Arab World.

The conference included nine sessions that discussed several issues including: international and regional initiatives for reform; priorities of reform in the Arab World; priorities of reform from the perspective of the civil society; external challenges and

internal efforts of reform; reform between theory and practice; and the draft final statement. He commented on a working paper that discussed external challenges of and internal efforts for reform.

### **Meeting on Liberation and Disengagement – Greece**

On 16 and 17 July 2004, the Director represented PCHR at a meeting on liberation and disengagement organized by Burkle Center for International Relations University of California.

### **Meetings in London**

Between 17 and 21 July 2004, the Director of PCHR visited the United Kingdom. During his visit, he held two separate meetings with representatives of Christian Aid and UNAIS.

### **Meetings in Ireland**

Between 12 and 24 July 2004, the Director of PCHR visited Ireland. During his visit the Director met with representatives of Amnesty International, Trocaire, Front Line and the Department of Foreign Affairs of the Irish Government.

### **ICJ Conference – Germany**

In its capacity as an affiliate of International Commission of Jurists (ICJ), on 27 and 28 August 2004, PCHR participated in the ICJ conference, which is held every other year. The conference discussed the issue of terrorism and human rights. PCHR was represented by the Director. On 29 August 2004 he met with ICJ members, International Bureau and member organizations.

### **Movement against War and Globalization – Lebanon**

Between 17 and 19 September 2004, an international meeting was held in Beirut for movements against war and globalization. The meeting focused on the occupation of Iraq and Israeli war crimes in the OPT, which undermine stability in the region. PCHR was represented by its Deputy Director, Jaber Wishah. The meeting was organized by a number of active movements throughout the world, including the International Solidarity Movement with the Palestinian People, Anti-War Coalition in South Africa, the Continental Campaign against Militarization in the Americas, Farmers without Land in Brazil, Stop the War Coalition in Greece, Stop the War Coalition in UK and other movements against war and globalization.

### **Meeting of the European Parliament – Brussels**

The Director of PCHR received an invitation from Luisa Morgantini, Member of the European Parliament (EP), to speak before the EP in its session on 5 October 2004. However, the Director was unable to attend due to movement restrictions imposed on Palestinian civilians by IOF. Nevertheless, he submitted an intervention to the session, which focused on Israeli efforts to create new facts on the ground through settlement expansion, land leveling and confiscation, house demolitions and construction of the annexation wall. The intervention also highlighted other violations of human rights

perpetrated by IOF, including arbitrary arrests, willful and extra-judicial killings and restrictions on the freedom of movement. Furthermore, the intervention focused on three main issues on the agenda of discussions on the future of Palestine and Israel: Sharon's "Disengagement Plan," construction of the annexation wall in the West Bank and the continued deterioration human rights situation in the northern Gaza Strip due to repeated Israeli offensives.

### **International Workshop on ICJ Advisory Opinion on the Annexation Wall – Brussels**

On 8 and 9 November 2004, PCHR, in cooperation with FIDH and International Commission of Jurists organized a workshop in Brussels on mechanisms of implementation of the advisory opinion issued by International Court of Justice (ICJ) concerning the annexation wall. PCHR was represented by a staff member of the International Unit, on behalf of the Director, who was not able to travel due to the total closure imposed on the Gaza Strip by IOF. PCHR participated in discussions on the background of the construction of the annexation wall, the advisory opinion issued by ICJ concerning the annexation wall on 9 July 2004, developments that followed the opinion being issued and measures that could be taken to implement this advisory opinion.

### **Meetings of Board of Trustees and General Assembly of Arab Organization for Human Rights – Cairo**

Between 23 and 26 November 2004, the Director visited Cairo. On 23 November 2004, he represented PCHR at a meeting of the Board of Trustees of Arab Organization for Human Rights. On 24 and 25 November 2004, he then participated in the 6<sup>th</sup> meeting of the General Assembly of the organization, which discussed issues of reform, democracy and the rule of law in the Arab World, and the situations in Palestine, Iraq and Sudan.

### **Meeting at the British House of Commons – London**

On 1 December 2004, Deputy Director of PCHR met with a number of Members of the British House of Commons, politicians, members of a Parliamentary Human Rights Group and ambassadors of Arab countries. The meetings discussed Israeli violations of human rights, particularly torture and conditions of Palestinian prisoners in Israeli jails.

### **Public Meeting on Palestinian Prisoners – London**

Deputy Director of PCHR participated in a public meeting on the conditions of Palestinian prisoners in Israeli jails organized in London on 2 December 2004. Dozens of journalists, politicians, academics and representatives of a number of supporting organizations in the UK participated in the meeting.

### **Meetings in Netherlands**

On 1 and 2 December 2004, the Director visited the Netherlands where he held a number of meetings with representatives of the Dutch Foreign Ministry and NOVIB.

### **Meeting of FIDH International Bureau – France**

In his capacity as Vice-President of FIDH, the Director participated in meeting of the FIDH International Bureau in France between 3 and 5 December 2004.

### **International Conference on Palestine – UK**

Deputy Director of PCHR participated in an international conference on Palestine held in the United Kingdom on 5 December 2004. A number of prominent figures delivered speeches at the conference which particularly focused on a boycott of Israeli academics.

### **Civil Society Parallel Meeting to the Forum of G8 for the Future – Morocco**

Between 7 and 9 December 2004, the Director participated in the meeting of civil society groups held in parallel to the Group of Eight (G8) Forum for the Future held in Morocco. The meeting was organized by Cairo Center for Human Rights Studies, in cooperation with the Moroccan Organization for Human Rights, Citizenship Forum in Morocco, FIDH and Euro-Mediterranean Human Rights Network. The meeting was attended by representatives of civil society groups throughout the world and a number of Arab and international experts of reform and human rights issues.

### **International Conference against War and Globalization – India**

Between 17 and 19 December 2004, the Deputy Director of PCHR participated in an international conference against war and globalization held in Hyderabad in India. Two interventions on the situation in the OPT and Palestinian prisoners in Israeli jails were submitted and PCHR called for campaigns to boycott Israel at the public and official levels. The Deputy Director also called for the halting of cooperation between India and Israel in the fields of security and research.

## ***Visiting International Delegations***

PCHR received numerous international delegations throughout the year as part of its efforts to provide the international community with a comprehensive overview and explanation of violations of human rights perpetrated by IOF in the OPT. PCHR facilitates the visits of these delegations in the Gaza Strip including field visits and meetings with victims of human rights violations. These delegations include politicians, diplomats, representatives of the United Nations bodies and human rights organizations and journalists. Since 2003, Israeli authorities have imposed unprecedented restrictions on access for internationals to the Gaza Strip. As a result of these restrictions, the number of visiting international delegations to the Gaza Strip, especially solidarity groups, sharply decreased in 2004.

### **Irish Representative to the PNA**

On 1 January 2004 PCHR received the Irish Representative to the PNA, Niall Holohan. He met with Director of PCHR who briefed him on the human rights situation in the OPT and its impact on living conditions of Palestinian civilians.

### **Delegation of Members of the Irish Parliament**

On 12 January 2004 PCHR received three Members of the Irish Parliament: Liz O'Donnell; Senator David Norris; and Simon Coveney, accompanied by William Bill, Media Officer of Christian Aid, and Nuala Haughey, Correspondent of the Irish Times. The delegation met with the Director of PCHR who briefed them on house demolitions, especially in Rafah, the construction of the annexation wall in the West Bank and the anticipated Advisory Opinion of the International Court of Justice.

### **Delegation of UNESCO**

On 17 January 2004 PCHR received Pierre Sane, Assistant Director of the General Social and Human Sciences Sector at UNESCO, and Costanza Farina, Head of Office of UNESCO. The Director of PCHR briefed them on the human rights situation in the OPT and Israeli assaults on Palestinian civilians and property, including historical and cultural sites.

### **Norwegian Minister of Development Cooperation**

On 8 February 2004 the Director, met with Hilde Erafjord Johnsen, Norwegian Minister of Development Cooperation, Nils Ragnar Kamsvåg, Head of the Representative Office of Norway, and Onar Aanestad, Regional Representative of Norwegian Association of the Disabled. He detailed the human rights situation in the OPT, criticizing the European and US positions towards war crimes committed by IOF against Palestinian civilians. The Director pointed that Palestinian civilians and civil society alike were deeply concerned at the European positions towards the situation in the OPT, including abstention at the UN Human Rights Committee, the failure of the European Union to activate article 2 of the EU-Israel Association Agreement and the failure of its States

members to fulfill their legal obligations as High Contracting Parties to the Fourth Geneva Convention.

Dr. Ziad Abu 'Amru, President of the Palestinian Council for International Relations and Member of the Palestinian Legislative Council, and E'tedal al-Khatib, Executive Director of Human Land, attended the meeting.

### **United Nations Special Rapporteur on the Occupied Palestinian Territories**

On 9 February 2004 PCHR received the United Nations Special Rapporteur on the Occupied Palestinian Territories John Dugard. Mr. Dugard met with PCHR's Director and staff, who briefed him on Israeli violations of Palestinian human rights and the deterioration of the human rights situation in the OPT. Mr. Dugard was also briefed on the impacts of Israeli violations on Palestinian civilians, their properties, and living conditions.

The discussions with Mr. Dugard focused on the construction of the "Separation Wall" in the West Bank and the impact on the lives of thousands of Palestinian families. Mr. Dugard was the first international official who spoke about the absolute illegality of the "Separation Wall", describing it as "an annexation wall" as the aim of the construction is to annex large areas of Palestinian land. Mr. Dugard also has compared the wall and its consequences to the history of apartheid in South Africa in his reports.

### **Swedish Consul General and Representative to the PNA**

On 11 February 2004 PCHR received Joran Berj, Swedish Consul General, and Anne Mowe, Swedish Representative to the PNA. They met with the Director of PCHR who briefed them on the human rights situation in the OPT and Israeli assaults on Palestinian civilians and property.

### **Irish Diplomatic Delegation**

On 14 February 2004 PCHR received a four member Irish delegation from the Irish Representative Office to the Palestinian Authority and the Irish Embassy. The Director and Deputy Director met with members of the delegation and briefed them on the nature of PCHR's work including, human rights violations perpetrated by Israeli Occupying Forces against Palestinian civilians in the OPT.

PCHR also organized a field visit for the delegation to Khan Yunis and Rafah. The Deputy Director together with a number of PCHR staff members accompanied the delegation in this visit. The delegation visited the area adjacent to al-Tuffah checkpoint at the entrance to al-Mawasi area in Khan Yunis and witnessed the destruction incurred to the area by Israeli Occupying Forces. Members of the delegation also visited al-Nimsawi neighborhood in Khan Yunis and observed the destruction that was incurred to dozens of houses.

In Rafah, members of the delegation saw ruins of houses that were destroyed by Israeli Occupying Forces in Block L and Block O. They also met with families whose houses were destroyed and as a result forced to live in changing rooms of the local football

stadium. The families described to members of the delegation how their houses were destroyed, rendering them homeless, and the resulting living conditions.

### **Two Members of the German Parliament**

On 25 February 2004 PCHR received two members of the German Parliament (Bundestag), Mrs. Marianne Jrit and Mr. Ludger Volmer. They met with the Director, who briefed them on the human rights situation in the OPT and the impacts of the total closure imposed by IOF. He also discussed the construction of the annexation wall in the West Bank and the European Position such as the abstention at the UN Human Rights Committee, the failure of the European Union to activate Article 2 of the EU-Israel Association Agreement and the failure of its State members to fulfill their legal obligations as High Contracting Parties to the Fourth Geneva Convention.

### **British Parliamentary Delegation**

On 17 March 2004 PCHR received a British parliamentary delegation consisting of John Bercow, former Deputy Leader of the Conservative Party, Baroness Shirley, Leader of the Liberal Democrats in the House of Lords, and Joan Ruddock, MP. They met with Director of PCHR who briefed them on the human rights situation and the suffering of Palestinian civilians in the OPT. The Director explained to the visitors that the Palestinian people want an end of the Israeli belligerent occupation and the enforcement of international humanitarian law.

### **Danish Church Delegation**

On 17 March 2004 PCHR received a Danish church delegation consisting of 13 members. They met with the Director, who briefed them on the human rights situation in the OPT.

### **Canadian Delegation**

On 20 March 2004 PCHR received a Canadian delegation from Kairos Canadian consisting of 13 members. They met with Head of Democratic Development Unit, Hamdi Shaqqura, who briefed them on Israeli violations of human rights in the OPT.

### **Swedish Vice Consul General**

On 20 March 2004 PCHR received Swedish Vice Consul General Peter Lundberg. He met with the Director, who briefed him on the human rights situation in the OPT.

### **Norwegian Representative to the PNA**

On 31 March 2004 PCHR received the Norwegian Representative to the PNA, Nils Rajner Kamsvag, and Secretary of Political Affairs at the Norwegian Embassy, Jounas Jolle. They met with the Director, who briefed them on the human rights situation in the OPT.

### **European Diplomatic Delegation**



On 26 April 2004 PCHR received a number of the Jerusalem-based diplomatic representatives of European governments as part of a delegation to the Gaza Strip. The delegation was headed by the Irish Representative and comprised of Consul Generals, Representatives to the Palestinian Authority and Deputy Representatives. The delegation visited the Governorate of Gaza before being escorted on a short field visit to the Rafah refugee camp by PCHR staff. During the field visit, the delegation saw the wide-scale destruction to civilian homes in the area of Rafah camp adjacent to the border with Egypt.

The delegation then returned to Gaza City for a briefing from the Director and a discussion regarding the current situation and the future of the Gaza Strip. He reminded the representatives of the legal responsibilities of their states as High Contracting Parties to the Fourth Geneva Convention to ensure Israel's respect for the Convention in the OPT and urged them to take immediate action in this regard.

### **Secretary General of the Olof Palme International Center**

On 27 April 2004 PCHR received Secretary General of the Olof Palme International Center Thomas Hammarberg. He met with the Director, who briefed him on Israeli violations of human rights in the OPT, particularly the policy of closure, deportation and extra-judicial killings.

### **Swedish Ambassador and Swedish Representative to the PNA**

On 3 May 2004 PCHR received the Swedish Ambassador, Robert Rybberg, and the Swedish Representative to the PNA, Ann Mawe. They met with the Director and staff from the International Unit, who briefed them on Israeli assaults against Palestinian civilians and called the High Contracting Parties to the Fourth Geneva Convention to fulfill their legal obligations under the Convention and the EU to activate article 2 of the EU-Israel Association Agreement.

### **FIDH Inquiry Mission**

FIDH conducted an inquiry mission on 6 June 2004 at the invitation of PCHR to investigate violations of human rights perpetrated by Israeli Occupying Forces during their recent offensive on Rafah. The mission included the Secretary General of FIDH, Oliver Discoter, and Lawrence Weirts.

PCHR's Board of Directors and staff from the International Unit received the mission and briefed them on the developments regarding the Israeli military offensive against Rafah and its civilian population. Members of the mission were also provided with some reports and documents on Israeli violations of human rights during that offensive.

On 7 June 2004 the mission, accompanied by Jaber Wishah, and PCHR field workers and lawyers visited Rafah to see the outcome of the Israeli offensive on the town.

### **United Nations Special Rapporteur on the Occupied Palestinian Territories**

On 12 June 2004 PCHR received the United Nations Special Rapporteur on the OPT John Dugard in its main offices in Gaza City. Mr. Dugard met with PCHR's Director and

staff from the International Unit who briefed him on Israeli violations of Palestinian human rights and the deterioration of the human rights situation in the OPT.

#### **Delegation of the Swedish Kvinna till Kvinna**

On 19 August 2004 PCHR received two members of the Swedish Kvinna till Kvinna. They met with Head of Women's Unit, Mona al-Shawa and staff from the International Unit. The Head of the Women's Unit escorted them on a field tour to the northern Gaza Strip town of Beit Hanoun, which was subjected to a wide scale Israeli offensive.

#### **Swedish Consul General**

On 12 September 2004 PCHR received the Swedish Consul General, Joran Berj. He met with the Director and staff from the International Unit, who briefed him on Israeli violations of human rights against Palestinian civilians, and explained PCHR's position towards Sharon's unilateral "Disengagement Plan."

#### **Director of al-Quds Association for Solidarity with People in Arab Countries**

On 19 September 2004 PCHR received Christina Ruiz Cortina, Director of al-Quds Association for Solidarity with People in Arab Countries in Spain. She met with the Director and staff from the International Unit, who briefed her on the human rights situation in the OPT. PCHR staff also escorted Ms. Ruiz Cortina on a field tour to Rafah and Khan Yunis.

#### **Norwegian Representative to the PNA**

On 20 September 2004 PCHR received the Norwegian Representative to the PNA, Nill Rajner Kamsvag. He met with the Director, who briefed him on the human rights situation in the OPT and explained PCHR's position towards Sharon's unilateral "Disengagement Plan."

#### **Director of the ICRC in the Gaza Strip**

On 25 September 2004 PCHR received Jean Nicolas Marti, former Director of the ICRC in the Gaza Strip, and Juan Coderaue, Director of the ICRC in the Gaza Strip. They met with the Director, who discussed with them the human rights situation in the OPT and explained PCHR's position towards Sharon's unilateral "Disengagement Plan."

#### **Head of Asia, Mediterranean, Middle East and Central America Department – Austrian Foreign Ministry**

On 28 September 2004 PCHR received Lydia Saadat, Head of Asia, Mediterranean, Middle East and Central America Department, Austrian Foreign Ministry. She met with the Director and Head of Democratic Unit who briefed her on PCHR's activities and the human rights situation in the OPT.

#### **Delegation from Human Rights Watch**

On 15 October 2004 PCHR received a delegation of Human Rights Watch (HRW). The Director and staff from the International Unit met Kenneth Roth, Director of HRW, and Sarah Leah Whitson, Executive Director of the Middle East and North Africa Division, and other HRW staff for an information and perspective sharing session. PCHR staff accompanied the HRW delegation on a mission to witness the destruction caused to one part of Jabalya Refugee Camp. PCHR staff and the HRW delegation witnessed severe destruction, including to homes, a mosque and schools. The delegation and the PCHR staff members spoke with many of the local residents, including those who had witnessed the events and many victims of the incursion by the Israeli Occupation Forces.

#### **Delegation of South Africa Representative Office to the PNA**

On 23 November 2004 PCHR received Royce Kyzwano, Deputy Representative of South Africa to the PNA, and Hanlie Booysen, First Secretary of South Africa Representative Office. They met with the Deputy Director, who briefed them on the human rights situation in the OPT.

#### **Delegation of International Rehabilitation Center for Torture Victims (RCT) – Denmark**

On 28 November 2004 PCHR received a delegation of International Rehabilitation Center for Torture Victims (RCT), Denmark. The delegation included Jo E. Asvall, Director of RCT, Hans Gullestrup, Member of the Board of RCT; and S. Nissen, Manager of Middle East Programme. They met with Head of Democratic Development Unit and Head of Legal Aid Unit, Iyad Alami, who briefed them on the suffering of Palestinian civilians in the OPT, particularly Palestinian prisoners in Israeli jails and Israeli violations against them.

#### **Delegation of International Legal Association Consortium (ILAC)**

On 12 and 13 December 2004, PCHR received a delegation of ILAC. The delegates held extensive meetings with Director of PCHR and Head of the Legal Aid Unit who briefed them on the human rights situation in the OPT and PCHR's activities in documenting violations of human rights and providing legal assistance to the victims. PCHR also organized a field tour for the delegation to Jabalya refugee camp. PCHR also organized a series of meetings for the delegation with some representatives of the Palestinian civil society and Palestine Bar Association and a number of judges.

#### **French Consul General and Dutch Representative to the PNA**

On 20 December 2004 PCHR received the French Consul General and the Dutch Representative to the PNA. They met with the Director and staff from the International Unit, who briefed them on the human rights situation in the OPT.

#### **Delegation of Catholic Relief Service**

On 20 December 2004 PCHR received an eight member delegation from Catholic Relief Service. Members of the delegation met with the Director and staff from the International Unit, who briefed them on Israeli violations of human rights in the OPT.

### **Delegation of EU Mission to Monitor the Palestinian Presidential Election**

On 22 December 2004 PCHR received a nine member delegation from the EU Mission to monitor the upcoming Palestinian presidential elections. The delegation was headed by Ron-Helmut Herrmann, an international expert in electoral affairs. Members of the delegation met with the Director, the Head of the Democratic Development Unit and staff members of the International Unit. During the meeting, the Director briefed members of the delegation on PCHR's activities and units. He also talked about the upcoming presidential elections, emphasizing the importance of the election process as the best method through which representatives of the people can gain legitimacy. It was asserted that it is necessary to have appropriate conditions to hold free and impartial elections, including Israel, as the Occupying Power, facilitating the elections through lifting the siege imposed on Palestinian communities and stopping extra-judicial killings, arrests, and other practices that could disrupt the election process.

Director of PCHR's Democratic Development Unit who supervises PCHR's activities in monitoring elections, answered a number of questions raised by members of the delegation regarding the registration of voters. In this context, he discussed PCHR's activities in monitoring the process of registration, indicating that PCHR has continued activities of monitoring as part of its interest in the election process, not only monitoring the process of registration of voters, but also training a number of local monitors to observe the presidential election.

### **Former French Prime Minister Mr. Michel Rocard, Chief Observer of the EU Election Observation Mission – West Bank and Gaza 2005**

On 27 December 2004 PCHR received the former French Prime Minister Michel Rocard, MEP and Chief Observer of the EU Election Observation Mission – West Bank and Gaza 2005. Mr. Rocard and an accompanying delegation consisting of Nuala Haughey, Press Officer, Dr. Harald Has, Security Officer, and Michel Paternotre, Political Officer at the European Commission Technical Assistance Office (West Bank, Gaza Strip). Mr. Rocard met with the Director, the Head of the Democratic Development Unit and staff from the International Unit at PCHR's main offices in Gaza City. During the meeting, PCHR detailed PCHR's election monitoring operations for the Palestinian elections. They took the opportunity to detail some of their concerns in relation to the registration process. PCHR staff asserted that if free and fair elections were to take place, it was imperative that Israel stop violations of human rights against Palestinian civilians. In particular, Israel must put an end to military incursions and attacks from military aircraft, including extra-judicial executions, which resulted in the continuing violation of the right to life. Israel must also immediately lift all restrictions on freedom of movement. Heavy restrictions on movement for candidates, voters and monitors alike were widespread across the OPT.

**Table 37: Visitors to PCHR in 2004**

<b>Date</b>	<b>Delegation</b>	<b>Number in Delegation</b>
1 January	Niall Holohan, Irish Representative to the PNA	
12 January	A Jewish delegation from California	5
17 January	<ul style="list-style-type: none"> <li>• Pierre Sane, Assistant Director of General Social and Human Sciences Sector at UNESCO</li> <li>• Costanza Farina, Head of Office of UNESCO</li> </ul>	2
21 January	A delegation of the Moroccan Embassy	
21 January	Hanlie Booysen, Deputy Representative of South Africa to the PNA	
21 January	<ul style="list-style-type: none"> <li>• Liz O'Donnell, Member of the Irish Parliament</li> <li>• Senator David Norris, Member of the Irish Parliament</li> <li>• Simon Coveney, Member of the Irish Parliament</li> <li>• William Bill, Media Officer of Christian Aid</li> <li>• Nuala Haughey, Correspondent of the Irish Times</li> </ul>	5
22 January	Per Stadig, International Commission of Jurists, Sweden	
8 February	<ul style="list-style-type: none"> <li>• Ms. Hilde Erafjord Johnsen, Norwegian Minister of Development Cooperation</li> <li>• Nils Ragnar Kamsvag, Head of the Representative Office of Norway</li> </ul>	
9 February	<ul style="list-style-type: none"> <li>• John Dugard, United Nations Special Rapporteur on the OPT</li> <li>• Darka Topali, Assistant, United Nations Special Rapporteur on the OPT</li> <li>• Othman Hassan, Director of Office of the UN High Commissioner for Human Rights in Palestine</li> <li>• Saber al-Nairab, Office of the UN High Commissioner for Human Rights in Palestine</li> </ul>	
10 February	A student delegation of Mennonite	32
11 February	<ul style="list-style-type: none"> <li>• Anne Le More, Programme Officer, Coordination &amp; Socio – Economic Affairs Unit, UNSCO</li> <li>• Alban Biaussat, Task Manager, Institutional Development and Reform, European Union</li> </ul>	2
11 February	Bauzernd Christian, French Consulate in Jerusalem	
11 February	<ul style="list-style-type: none"> <li>• Joran Berj, Swedish Consul General</li> <li>• Anne Mowe, Swedish Consulate</li> </ul>	
12 February	Dr. Kevin McKenzie, Assistant Professor, University of Cyprus	
14 February	An Irish diplomatic delegation headed by Ann Murphy, Deputy Representative, Representative office of Ireland to PNA	4
16 February	A British church delegation	6
17 February	A French delegation of Palestine 33	2
25 February	Mrs. Marianne Jrit and Mr. Ludger Volmer, Members of the German Parliament	

11-22 March	International Evaluation Committee of PCHR's performance: <ul style="list-style-type: none"> <li>• Douglas Saltmarshe</li> <li>• Håkan Jarskog</li> <li>• Ronnie Graham</li> </ul>	
16 March	Ann Brunborg, UNAIS	
16 March	Leonhard Moll, Head of Austrian Representative Office	
17 March	A Danish church delegation	12
17 March	A British parliamentary delegation consisting of: <ul style="list-style-type: none"> <li>• John Bercow, former Deputy Leader of the Conservative Party</li> <li>• Baroness Shirley, leader of the Liberal Democrats in the House of Lords</li> <li>• Joan Ruddock, MP</li> </ul>	
20 March	A Canadian delegation of Kairos Canadian	9
20 March	Peter Lundberj, Swedish Vice Consul General	
28 March	A delegation of Mennonite Society headed by Alan Wayver	
31 March	<ul style="list-style-type: none"> <li>• Nils Rajner Kamsvag, Swedish Ambassador</li> <li>• Jounas Jolle, First Secretary of Political Affairs, Norwegian Representative Office</li> </ul>	
1 April	A delegation from Grassroots International	3
5 April	Karen Koning Abu Zayd, Deputy Commissioner General, UNRWA	
6 April	Herr Majd and Ursula Hauser, Medico Internacional Schweiz	
20 April	Frej Fenniche, Coordinator for the Arab Region, Office of the High Commissioner for Human Rights	
26 April	A delegation of Jerusalem-based diplomatic representatives of European governments: <ul style="list-style-type: none"> <li>• Dr. Niall Holohan, Representative, Representative Office of Ireland</li> <li>• Mr. Nicola Manduzio, Consul General, Consulate of Italy</li> <li>• Mr. Lzslo Fehervari, Representative, Representative Office of Hungary</li> <li>• Mr. Guido Courtois, Consul General, Belgian Consulate</li> <li>• Mr. Jose Ferreira da Fonseca, Representative, Representative Office of Portugal</li> <li>• Mr. Jan Pirouz Poulsen, Deputy Representative, Representative Office of Denmark</li> <li>• Ms. Bodily Kuhn, Programme Coordinator, Representative Office of Romania</li> <li>• Mr. Goran Berg, Consul General, Consulate of Sweden</li> <li>• Mrs. Eleni Sourani, Consul General, Consulate of Greece</li> <li>• Mr. Leonhard Moll, Representative, Representative</li> </ul>	

	Office of Austria <ul style="list-style-type: none"> <li>• Zubeyir Yazici, Turkish and English Lecturer, Turkish Consulate General</li> </ul>	
27 April	Thomas Hammarberg, Secretary General, the Olof Palme International Center	
27 April	<ul style="list-style-type: none"> <li>• Per Stadig, Swedish ICJ</li> <li>• Jessica Sandberg, Legal Officer, Swedish ICJ</li> </ul>	
28 April	<ul style="list-style-type: none"> <li>• William Bell, Advocacy Officer, Christian Aid</li> <li>• Sarah Graham – Brown, Christian Aid – UK</li> </ul>	
3 May	<ul style="list-style-type: none"> <li>• Robert Rybberg, Swedish Ambassador</li> <li>• Anne Mawe, Swedish Representative to the PNA</li> </ul>	
9 May	<ul style="list-style-type: none"> <li>• Joelle Jenny, Conflict Adviser and Middle East and North Africa Department and Iraq Directorate, DFID</li> <li>• Jonathan McIvor, Police Advisor, Department for International Development</li> </ul>	
11 May	Donatella Rovera, Amnesty International	
12 May	Susan Bertoni, Field Director, UNAIS	
13 May	Paul McCann, Public Information Officer, UNRWA	
16 May	Jannie Kuit, Dutch Church Peace Council	
19 May	<ul style="list-style-type: none"> <li>• Donatella Rovera, Amnesty International</li> <li>• Curt Georing, Senior Deputy Executive Director, Amnesty International</li> </ul>	
30 May	<ul style="list-style-type: none"> <li>• Peter Lundberj, Vice Consul General, Swedish Consulate</li> <li>• Marianne von Malmberg, Programme Officer, SIDA</li> <li>• Sofia Zitouni – Programme Officer, SIDA</li> <li>• Agneta Lejdstrom – Administrative Officer, SIDA</li> </ul>	
1 June	Jones Jolle, Political Affairs Officer and First Secretary, Norwegian Representative Office	
2 June	Brian Ruane, Human Rights Education Officer, Amnesty International – Ireland	
6 June	FIDH Inquiry mission: <ul style="list-style-type: none"> <li>• Olivier de Schutter – Law Professor – Belgium</li> <li>• Laurence Weerts – Law Professor – Belgium</li> </ul>	
7 June	A delegation from Medecins Du Monde	5
7 June	<ul style="list-style-type: none"> <li>• Ben Siddle, Programme Officer, Trocaire, the Irish Catholic Agency for World Development</li> <li>• Susan Bertoni, Field Director, UNAIS</li> </ul>	
8 June	Sebastian Silva Costia, Director of ICRC, Khan Yunis	
21 June	<ul style="list-style-type: none"> <li>• Professor John Dugard, UN Special Rapporteur for the OPT</li> </ul>	

	<ul style="list-style-type: none"> <li>• Ms Darka Tubali, Assistant</li> <li>• Dr. Othman Hassan, Director of the Office of the UN Commissioner for Human Rights in Gaza</li> </ul>	
22 June	Peter Bauck, Norwegian Representative to the PNA	
28 June	Francesca Fraccaroli, Human Rights Officer, OHCHR	
28 June	Upon an invitation by Karen Koning Abu Zayd, Deputy Commissioner General, UNRWA, a meeting with British actress Vanessa Redgrave at UN Beach Club	
30 June	<ul style="list-style-type: none"> <li>• Victoria Metcalfe, OCHA</li> <li>• Hamdi Bayari, OCHA</li> </ul>	
1 July	A Norwegian delegation headed by Vidar Birkeland of the Oslo Labor Party	5
1 July	Graham McNeill, Senior External Relations and Project Officer, UNRWA	
11 July	<ul style="list-style-type: none"> <li>• Hussein Yacoub, GES (Human Rights) UNRWA HQ, Jordan</li> <li>• Eng, Bassam S. Sahwa, Education Projects Officer, UNRWA HQ, Jordan</li> </ul>	
12 July	Darryl Li, Human Rights Watch	
24 July	<ul style="list-style-type: none"> <li>• Beaucher Romain, CCFD, France</li> <li>• Emmanuel Monnier, CCFD, France</li> </ul>	
26 July	<ul style="list-style-type: none"> <li>• Sam Jokes, Senior Program Officer, Courter Part International</li> <li>• Nathan Stock, Civil Society Division, Courter Part International</li> </ul>	
26 July	Jennifer Harbury, Human Rights Lawyer, USA	
19 August	A delegation from Swedish Kvinna till Kvinna	2
21 August	A delegation from the Basque	10
4 September	<ul style="list-style-type: none"> <li>• Iqbal Riza, the Chef de Cabinet of UN Secretary General of Kofi Annan</li> <li>• Peter Hansen, Commissioner General of UNRWA</li> </ul>	
7 September	Donna Baranski-Walker, Executive Director, the Rebuilding Alliance	
9 September	Pierre Bequ, Consul Adjoint – Consulat General De France	
12 September	Joran Berj, Swedish Consul General	
13 September	Christian Bauzerand, Judge, Legal Consultant, French Consulate	
16 September	A meeting with Members of the British Parliament through video conference	
18 September	<ul style="list-style-type: none"> <li>• Anthony Richter, Associate Director, Open Society Fund</li> <li>• Chris Shinn, Ph.d., Country Director, West Bank/</li> </ul>	



	Gaza – Amideast	
19 September	Christina Ruiz Cortina, Director of al-Quds Association for Solidarity with People in Arab Countries in Spain	
20 September	<ul style="list-style-type: none"> <li>• Nils Rajner Kamsvag, Norwegian Representative to the PNA</li> <li>• Jonas Jolle, First Secretary of the Representative Office of Norway</li> </ul>	
25 September	<ul style="list-style-type: none"> <li>• Jean Nicolas Marti, Director of the ICRC in Gaza</li> <li>• Juan Coderaue, former Director of the ICRC in Gaza</li> </ul>	
25 September	Fabrice Mongiat – Director of CEMEA	
28 September	Lydia Saadat, Head of Asia, Mediterranean, Middle East and Central America Department, Austrian Foreign Ministry	
7 October	Nathalie Ritter Marti, Delegate, ICRC	
15 October	A delegation from Human Rights Watch (HRW): <ul style="list-style-type: none"> <li>• Kenneth Roth, Executive Director</li> <li>• Sarah Leah Whitson, Executive Director</li> <li>• Lance Lttig, Media Editor Communication</li> <li>• Darryl Li</li> </ul>	
18 October	Juan Coderaue, Head of Gaza Sub-Delegation, ICRC	
19 October	Christian Bauzerand, Judge, Legal Consultant, French Consulate	
24 October	Mats Svensson, SIDA, Swedish Consulate	
25 October	Malene Mikkelsen, Dan Church Aid	
3 November	Hugh McCullm, Consultant, World Council of Churches	
9 November	Sebastian Fustier, Charge de Mission, French Consulate	
19 November	Emma Playfair, Ford Foundation	
23 November	<ul style="list-style-type: none"> <li>• Hanlie Booysen, First Secretary, South Africa Representative Office</li> <li>• Royce Kyzwano, Deputy, South Africa Representative Office</li> </ul>	
25 November	Dr. Mohammed al-Mubayed and Farid Hamdan of Tamkeen	
28 November	A delegation from International Rehabilitation Center for Torture Victims (RCT) – Denmark: <ul style="list-style-type: none"> <li>• Dr. Jo E. Asvall, Director</li> <li>• Hans Gullestrup, Member of the Board</li> <li>• S. Nissen, Manager of Middle East Programme</li> </ul>	
29 November	A delegation from World Vision: <ul style="list-style-type: none"> <li>• Charles Clayton, National Director, Jerusalem, West Bank and Gaza Strip</li> <li>• Yasser Tushtash</li> <li>• Rana Saqer</li> </ul>	
1 December	Per Stadig and Annika Lindgren, Swedish ICJ	
6 December	A delegation from Norwegian People Aid:	

	<ul style="list-style-type: none"> <li>• Helge AArseth, Advocate, MNA</li> <li>• Jorunn Kapstad, Senior Advisor, Middle East, Norwegian Church Aid</li> <li>• Inger-Torunn Sjotro, Information Officer, Department of Communication and Fundraising, Norwegian Church Aid</li> </ul>	
7 December	<ul style="list-style-type: none"> <li>• Sarah Ewans, Director of British Council in Palestinian Territories</li> <li>• Mahmoud al-Hindi, Director of British Council, Gaza</li> </ul>	
7-8 December	Agnetha Hejll, Kvinna till Kvinna	
8 December	Ida Suhrke and Lotten Hubendick, World Council of Churches	
8 December	Sofiane, Civilian Campaign for the Protection of Palestinian People (CCIPPP), France	
9 December	<p>A Canadian delegation from International Development Research Center:</p> <ul style="list-style-type: none"> <li>• Eleanor Heath – Canadian Int., Development Agency</li> <li>• Alistair Wallbaum – Political Officer in Canadian Representative Office</li> <li>• Roula Ali Hussein El Rifai</li> <li>• Emma Louise Naughton</li> <li>• Pamela Jean Scholey</li> </ul>	
9 December	Ida Suhrke, World Council of Church, Norway	
12 December	Dr. Chris Daniell, Programme Coordinator, Medical Aid for Palestinians (MAP)	
12 December	<ul style="list-style-type: none"> <li>• William Sieghart, Chairman, Forward Thinking, London</li> <li>• Oliver McTernan, Director, Forward Thinking, France</li> </ul>	
13 December	A delegation from International Legal Assistance Consortium (ILAC)	
19 December	Peter Schaefer, Friedrich Ebert Stiftung, Germany	
19 December	Martijn Lambarts, Second Secretary, Representative office of the Kingdom of the Netherlands to the PNA	
20 December	<ul style="list-style-type: none"> <li>• Sandra Olewine, Catholic Relief Service</li> <li>• Douglas Dicks, Catholic Relief Service</li> </ul>	
20 December	Regis Koetschet, French Consul General	
20 December	A Belgian and French delegation of CIDSE	8
21 December	Martine Hassoun, Journalist, France	
22 December	A delegation the EU mission to monitor the Palestinian presidential election headed by Ron-Helmut Herrmann	9
27 December	Mr. Michel Rocard former French Prime Minister,	

	<p>MEP and Chief Observer of the EU Election Observation Mission – West Bank and Gaza 2005, and an accompanying delegation consisting of:</p> <ul style="list-style-type: none"> <li>• Nuala Haughey, Press Officer</li> <li>• Dr. Harald Has, Security Officer</li> <li>• Michel Paternotre, Political Officer at the European Commission Technical Assistance Office (West Bank, Gaza Strip)</li> </ul>	
30 December	A delegation of the EU Election Observation Mission	2

## ***Interviews with Local and International Media in 2004***

PCHR continues to promote cooperation with local and international media. PCHR considers that the media plays a vital role in disseminating information on the human rights and humanitarian situation in the OPT. Throughout 2004 PCHR conducted numerous interviews with local and international media and responded to requests for information on human rights in the OPT.

**Table 38: Media Interviews Conducted by PCHR Staff during 2004**

<b>Date</b>	<b>Names of Journalist(s) and Media Organizations</b>	<b>Subject</b>
4 January	Dubai Channel	Extra-judicial killing
7 January	Paul McCann, Public Information Officer, UNRWA, and a number of European journalists	The human rights situation in the OPT
8 January	Bir Zeit University Radio	Independence of the Palestinian judiciary
9 January	Nile News Channel and Ramatan for Media Production	Hunger strike at Salem detention center
19 January	The Daily Mail, London	Human rights situation in the OPT
19 January	Al-'Aalam Channel, Iran	Developments in Gaza
22 January	Janin Mackey Frayer, Khalil Mari and Marwah Tibi, Canadian Television (CTV)	House demolitions in Rafah
24 January	Sawatel news agency	Child labor
27 January	Al-Ekhbariyah Channel, Saudi Arabia	Human rights situation in the OPT
27 January	Shabab Radio, Gaza	Annexation Wall
27 January	NPN Channel, Lebanon	Human rights situation in the OPT
9 February	<i>Sawt al-Quds</i> (Voice of Jerusalem), Gaza	Annexation Wall and PCHR's activities
10 February	PM Television	Killings of Palestinian civilians
11 February	Dain Ephron, Correspondent, Newsweek	Human rights situation in the OPT
11 February	<i>Sawt Falasteen</i> (Voice of Palestine)	Human rights situation in the OPT
12 February	Abu Dhabi Channel	ICJ advisory opinion on Annexation Wall
12 February	Tilmaa Linguer, Correspondent, Swiss TV	War crimes by IOF
15 February	Palestine Television	Annexation Wall
16 February	Harvey Morris, Bureau Chief, Financial Times	Human rights situation in the OPT
17 February	Abu Dhabi Channel	PCHR's position to funding provided by USAID
17 February	Al-Arabiya Channel	Erez crossing and conditions of Palestinian workers

17 February	MBC	Border crossings and conditions of Palestinian workers and traders
19 February	Ratfaele Oriani, Italian journalist	Human rights situation in the OPT
23 February	Shabab Radio, Gaza	Annexation Wall
23 February	Sawt Falasteen (Voice of Palestine)	ICJ advisory opinion on Annexation Wall
23 February	James Bennet, Bureau Chief, New York Times	Human rights situation in the OPT
23 February	Arab News Network (ANN)	ICJ advisory opinion on Annexation Wall
24 February	Ramatan for Media Production	ICJ advisory opinion on Annexation Wall and freedom of press
26 February	Chris McGreal, Middle East Correspondent, the Guardian	Human rights situation in the OPT
13 March	Al-Mijalla magazine	Human rights situation in the OPT
13 March	Chris Burns, Correspondent; and Riad Ali, CNN	Human rights situation in the OPT
17 March	Sidsel Wold, Journalist, NRK (Norwegian Broadcaster)	Human rights situation in the OPT
22 March	BBC Radio	Human rights situation in the OPT
22 March	BBC Television	Human rights situation in the OPT
22 March	Switzerland Radio	Human rights situation in the OPT
23 March	BBC Radio	Human rights situation in the OPT
23 March	James Bennet, Bureau Chief, New York Times	Human rights situation in the OPT
24 March	Italy Radio	Human rights situation in the OPT
24 March	Javier Espinosa, Middle East Correspondent, El Mundo	Human rights situation in the OPT
24 March	Patric Saint-Paul, Jerusalem Bureau Chief, Le Figaro	Human rights situation in the OPT
25 March	Ito Hitoshi, Jerusalem Bureau Chief, Kyodo News - Japan	Human rights situation in the OPT
25 March	Matthew McAllester, United Nations Correspondent, Newsday	Human rights situation in the OPT
25 March	Farida Ayari, journalist; and Manuel Pocher, journalist, Radio France International	Human rights situation in the OPT
25 March	Robert Tait, Journalist, the Observer, Sunday Herald	Human rights situation in the OPT
25 March	Arne Lapidus, Expressen, Sweden	Human rights situation in the OPT
27 March	Kazuhide Iketaki, Jerusalem Bureau Chief, Japanese Journalist	Human rights situation in the OPT
28 March	Benjamin Depear – Sky News	Human rights situation in the OPT
28 March	Caroline Mangez, journalist, Paris Match	Human rights situation in the OPT
29 March	Islam Voice, South Africa	Human rights situation in the OPT
29 March	Ahmed 'Ouda and Jamal Abu Nahel, Mayadeen Press Institution	Israeli attacks on journalists

31 March	Karby Leggett, Shanghai Bureau Chief, the Asian Wall Street Journal	Human rights situation in the OPT
1 April	Al-Sharq Radio, Paris	Human rights situation in the OPT
16 April	Palestine Satellite Channel	Human rights situation in the OPT
16 April	Workers Radio, Gaza	Palestinian prisoners in Israeli jails
17 April	Cape Town Radio, South Africa	Human rights situation in the OPT
18 April	Media and Information Center	Palestinian prisoners in Israeli jails
2 May	BBC	Human rights situation in the OPT
3 May	Perrin Jean-Sierre, Middle East Correspondent, Liberation	Human rights situation in the OPT
4 May	Matthew Carney, Reporter, Dateline, International News and Current Affairs, SBS Television, Australia	Human rights situation in the OPT
4 May	BBC	Torture of Palestinian and Iraqi prisoners
7 May	Workers Radio, Gaza	Palestinian prisoners in Israeli jails and the policy of unlawful transfer
12 May	Soraya Nelson, Middle East Bureau Chief, Knight Rider Newspaper, USA	Human rights situation in the OPT
13 May	<ul style="list-style-type: none"> <li>• Anna K. Nelson, Bureau Chief and Correspondent, Swissinfo</li> <li>• Kirsi Hyytiainen, Correspondent, Talous Sanomat, Journal Financier Finlandais</li> <li>• Annegret Mathari, Agence Telegraphique Suisse, SDA TATS</li> <li>• Andres Allemand, Journalist, Tribune de Geneve</li> </ul>	Human rights situation in the OPT
17 May	Jamila Abu Shanab, al-Hurra Television	Human rights situation in the OPT
18 May	Su'ad al-Imam, Kuwait Television	Human rights situation in the OPT
18 May	Rula 'Ayad, al-Ekhbariyah News Channel, Saudi Arabia	Human rights situation in the OPT
19 May	Al-Aalam Television	Human rights situation in the OPT
20 May	Al-Manar Television	Human rights situation in the OPT
20 May	Harvey Morris, Bureau Chief, Financial Times	Human rights situation in the OPT
21 May	Tehran Radio	Human rights situation in the OPT
24 May	<i>Sawt Falasteen</i> (Voice of Palestine)	Human rights situation in the OPT
27 May	KPFK Radio, USA	Human rights situation in the OPT
8 June	Nile News Television, Egypt	Human rights situation in the OPT
8 June	Ramatan for Media Production	Human rights situation in the OPT
9 June	Associated Press	Human rights situation in the OPT

9 June	Palestine Television	Human rights situation in the OPT
22 June	<i>Sawt Falasteen</i> (Voice of Palestine)	Human rights situation in the OPT
22 June	Council of Churches	Documentary film on relations between the Council and PCHR
3 July	Matt Corner, photographer, Agenzia Photomedia, Milan	Human rights situation in the OPT
8 July	France Radio	Human rights situation in the OPT
8 July	Cape Town Radio, South Africa	Human rights situation in the OPT
17 July	Reuters	Human rights situation in the OPT
18 July	Yavier Yvon, Journalist, RTL (French Radio)	Human rights situation in the OPT
18 July	Al-Arabiya Television	Human rights situation in the OPT
19 July	News Online	Human rights situation in the OPT
21 July	Reuters	Human rights situation in the OPT
21 July	National Public Radio, USA	Human rights situation in the OPT
21 July	Ferran Sales Aige, Middle East Correspondent, EL PAIS	Human rights situation in the OPT
22 July	Singapore Radio	Human rights situation in the OPT
22 July	Mahdi Ben Siela, Journalist, France Radio	Human rights situation in the OPT
22 July	Harvey Morris, Correspondent, Financial Times	Human rights situation in the OPT
27 July	German Radio	Closure of Rafah International Crossing Point
28 July	Shabab Radio	Closure of Rafah International Crossing Point
28 July	Alan Johnston, Gaza Correspondent, BBC News	Human rights situation in the OPT
1 August	Fayez Abu 'Oun, Women's Voice Newspaper	Divorce announcements in newspapers
2 August	Mahmoud Abu al-Hanoud, al-Sabah Newspaper	Reasons of divorce
3 August	Al-Sahrq Radio, Paris	Human rights situation in the OPT
11 August	Peter Herinann, Reporter, Baltimore Sun	Human rights situation in the OPT
13 August	Palestine Satellite Channel	Human rights situation in the OPT
13 August	Al-Aqsa Radio, Gaza	Scholarships
13 August	Workers Radio, Gaza	Human rights situation in the OPT
14 August	Al-Resala Weekly	Human rights situation in the OPT
14 August	Mayadeen Media Institution	Human rights situation in the OPT
14 August	Palestine Satellite Channel	Human rights situation in the OPT
15 August	Al-Manar Radio, Gaza	Human rights situation in the OPT
15 August	Abu Dhabi Television	Human rights situation in the OPT
15 August	Al-Manar Television	Human rights situation in the OPT
16 August	Palestine Satellite Channel	Human rights situation in the OPT
16 August	Al-Jazeera Satellite Channel	Human rights situation in the OPT
20 August	Al-Aqsa Radio, Gaza	Human rights situation in the OPT
20 August	Tehran Radio	Human rights situation in the OPT

21 August	Shabab Radio, Gaza	Human rights situation in the OPT
22 August	Al-Resala Weekly	Human rights situation in the OPT
23 August	Tehran Radio	Human rights situation in the OPT
23 August	Al-Aalam Television	Human rights situation in the OPT
23 August	Al-Nour Radio, Lebanon	Human rights situation in the OPT
24 August	Al-Sharq Radio, Paris	Human rights situation in the OPT
24 August	South Africa Radio	Human rights situation in the OPT
25 August	Palestine Satellite Channel	Human rights situation in the OPT
29 August	Shabab Radio, Gaza	Human rights situation in the OPT
29 August	Al-Horriya Radio, Gaza	Human rights situation in the OPT
29 August	France Radio	Human rights situation in the OPT
29 August	Herve Kempf, Le Monde	Human rights situation in the OPT
30 August	Nile News Channel, Egypt	Human rights situation in the OPT
30 August	Workers Radio, Gaza	Human rights situation in the OPT
30 August	Palestine Satellite Channel	Human rights situation in the OPT
11 September	Palestine Television	Human rights situation in the OPT
27 September	Fayed Abu Shammala, BBC	Human rights situation in the OPT
2 October	New York Times	Human rights situation in the OPT
2 October	The Guardian	Human rights situation in the OPT
3 October	Arab Radio	Human rights situation in the OPT
3 October	Palestine Radio	Human rights situation in the OPT
3 October	BBC Radio	Human rights situation in the OPT
3 October	National Radio, USA	Human rights situation in the OPT
4 October	Fayed Abu Shammala, BBC	Human rights situation in the OPT
4 October	Dubai Television	Human rights situation in the OPT
4 October	Al-Jazeera Satellite Channel	Human rights situation in the OPT
4 October	Al-Aalam Television	Human rights situation in the OPT
5 October	Nile News Channel, Egypt	Human rights situation in the OPT
5 October	Jamila Abu Shanab, al-Hurra Television	Human rights situation in the OPT
5 October	Switzerland Television and Italy Television	Human rights situation in the OPT
5 October	Abu Dhabi Television	Human rights situation in the OPT
5 October	Harney Morris, Financial Times	Human rights situation in the OPT
6 October	Japanese News Agency	Israeli offensive on Jabalya refugee camp
6 October	Ramatan for Media Production	Israeli offensive on Jabalya refugee camp
6 October	MBN Television	Israeli offensive on Jabalya refugee camp
6 October	New York Times	Israeli offensive on Jabalya refugee camp
7 October	Palestine Radio	Human rights situation in the OPT
11 October	Al-Aalam Television, Iran	Human rights situation in the OPT
12 October	Palestine Radio	Human rights situation in the OPT
12 October	Al-Ekbariya Channel, Saudi Arabia	Human rights situation in the OPT
12 October	Abu Shabi Television	Human rights situation in the OPT
15 October	Al-Aalam Television, Iran	Human rights situation in the OPT



16 October	Jamila Abu Shanab, al-Hurra Television	Human rights situation in the OPT
18 October	Palestine Television	Human rights situation in the OPT
18 October	Al-Aalam Television, Iran	Human rights situation in the OPT
24 October	Allan Johnston, BBC	Human rights situation in the OPT
26 October	Palestine Radio	Human rights situation in the OPT
26 October	Al-Aqsa Radio, Gaza	Human rights situation in the OPT
27 October	BBC Radio	Human rights situation in the OPT
1 November	Shabab Radio, Gaza	Human rights situation in the OPT
1 November	Al-Shams Radio, Nazareth	Human rights situation in the OPT
1 November	Jurgen Mass, Journalist, IKON Radio, Holland	Human rights situation in the OPT
3 November	Christophe Ayad, Service Etranger, Liberation, Paris	Human rights situation in the OPT
6 November	Juan Miguel Munoz, El Pais, Spain	Human rights situation in the OPT
6 November	Gemma Porzgen, Hoffmann, Journalist, Frankfurter Rundschau	Human rights situation in the OPT
7 November	Xavier Yvon, Foreign Correspondent, RTL, France	Human rights situation in the OPT
8 November	France Radio	Human rights situation in the OPT
8 November	Switzerland Radio	Human rights situation in the OPT
10 November	South Africa Radio	Human rights situation in the OPT
10 November	Agnes Rotivel, Middle East Editor, Service International, La Croix	Human rights situation in the OPT
21 November	Susan Taylor Martin, Senior Correspondent, the Times	Human rights situation in the OPT
28 November	Javier Espinosa, Middle East Correspondent, El Mundo, Spain	Human rights situation in the OPT
13 December	Gilles Paris, Le Monde	Human rights situation in the OPT
29 December	Philip Poupin, Editing Journalist, France Radio	Palestinian elections
29 December	Al-Aalam Television, Iran	Human rights situation in the OPT
29 December	Wael al-Dahdouh, al-Jazeera Satellite Channel	Palestinian elections
30 December	Jamila Abu Shanab, al-Hurra Television	Human rights situation in the OPT

## **PCHR's Publications in 2004**

PCHR's publications include press releases, studies, periodic and special reports, leaflets, position papers, interventions to UN and other international bodies and working papers delivered at international and local conferences.

### **1) Press Releases**

PCHR regularly issues press releases providing detailed and timely information regarding specific incidents, violations of human rights and international humanitarian law or other important developments. In 2004 PCHR issued 150 press releases, including 112 (74.6%) focused on human rights violations perpetrated by IOF and 35 (23.3%) that highlighted events relevant to human rights violations perpetrated by the PNA and internal Palestinian issues. The remaining three press releases were focused on other issues. In addition, PCHR issued dozens of news releases on PCHR's activities at the international and local levels.

**Table 39: PCHR's Press Releases on Israeli Violations of Palestinian Human Rights in 2004**

<b>No.</b>	<b>Date</b>	<b>Unit</b>	<b>Title</b>
1.	3 January	Legal Aid Unit	Israeli Occupying Forces Implement Illegal Transfer Order against 18 <sup>th</sup> Palestinian Detainee in Two Months
2.	4 January	Field Work Unit	4 Palestinian Civilians, Including 2 Children, Killed in a Series of War Crimes Committed by IOF in Nablus
3.	13 January	Economic, Social and Cultural Rights Unit	Israeli Occupation Authorities Prevent 386 Pilgrims from Traveling to Saudi Arabia to Attend the Hajj
4.	15 January	Democratic Development Unit	Tom Hurndall Dies Nine Months after Being Shot by IOF in the Gaza Strip
5.	17 January	Field Work Unit	75 Palestinians Left Homeless after Three Israeli Incursions into Rafah
6.	20 January	Economic, Social and Cultural Rights Unit	IOF at Erez Crossing Open Fire at Palestinian Workers
7.	20 January	Economic, Social and Cultural Rights Unit	IOF Demolish 25 Houses in Rafah and Issue Land Confiscation Orders in Deir El-Balah
8.	28 January	Field Work Unit	8 Palestinians killed by IOF During Incursion into al-Zaytoun, Gaza City
9.	2 February	Field Work Unit	IOF Kill Four Palestinians in Rafah , Including One Handicapped Victim
10.	7 February	Field Work Unit	IOF Kill a Palestinian Child and Injure 11 Other Civilians in a Failed Assassination Attempt
11.	8 February	Field Work Unit	One Palestinian Killed and 12 Others Injured by IOF in Rafah

12.	8 February	Field Work Unit	16 Houses Destroyed in the West Bank in One Week, Leaving 120 Palestinians Homeless
13.	11 February	Field Work Unit	13 Palestinians Killed and Dozens Injured by IOF in Gaza City and Rafah
14.	16 February	Economic, Social and Cultural Rights Unit	Palestinian Worker Suffocates at Erez Crossing
15.	19 February	Legal Aid Unit	IOF Implement Transfer Order against a Palestinian from the West Bank
16.	25 February	Legal Aid Unit	The New Netzarim “Security Wall” and Confiscation of Palestinian Land
17.	28 February	Field Work Unit	IOF Break into al-Aqsa Mosque Yard and Injure at Least 20 Worshippers
18.	28 February	Economic, Social and Cultural Rights Unit	IOF Destroy Dozens of Shops in Northern Gaza Strip Town of Beit Hanoun
19.	29 February	Field Work Unit	3 Palestinians Killed and 11 Injured in Gaza in Latest Extra-Judicial Assassination by IOF
20.	2 March	Field Work Unit	IOF Kill a Palestinian Civilian and Admit He Was Not Targeted
21.	2 March	Legal Aid Unit	Israeli Military Appeal Committee Allows Return of Expelled Woman to Home in the West Bank
22.	3 March	Field Work Unit	Israeli Assassination Attack kills 3 Palestinians and Injures 2 Near Gaza City
23.	7 March	Field Work Unit	14 dead, 80 Injured in Israeli Military Incursion into the al-Nusseirat Refugee Camp
24.	9 March	Legal Aid Unit	Israeli High Court Issues Temporary Injunction Halting Demolition of 5 Houses in al-Qarara
25.	15 March	Field Work Unit	One Palestinian Killed in Rafah House Invasion and 4 Injured in Israeli Aerial Attack on Gaza City
26.	16 March	Economic, Social and Cultural Rights Unit	IOF Destroy a Branch Campus of al-Aqsa University in Gaza
27.	17 March	Field Work Unit	6 Palestinians Killed and 15 Others Injured Within a 24-Hour Period
28.	21 March	Field Work Unit	5 Palestinians Killed and 9 Injured by IOF in 'Abasan Village in Khan Yunis
29.	22 March	Field Work Unit	IOF Assassinate Sheikh Ahmed Yassin
30.	1 April	Economic, Social and Cultural Rights Unit	PCHR Calls for Free Access for Humanitarian Agencies and Re-institution of UNRWA Emergency Food Programme

31.	17 April	Economic, Social and Cultural Rights Unit	IOF Prohibit Travel through Rafah Terminal to a Large Segment of the Palestinian Civilian Population
32.	18 April	Field Work Unit	IOF Assassinate Dr. Abdul ‘Aziz al-Rantissi, Leader of Hamas in the Gaza Strip
33.	21 April	Field Work Unit	9 Palestinians Killed and 40 Others Injured in the Northern Gaza Strip
34.	22 April	Field Work Unit	IOF Assassinate 3 Palestinians in Tulkarm
35.	24 April	Field Work Unit	7 Palestinians Killed in 2 Extra-Judicial Assassinations and an Incident of Willful Killing in the West Bank
36.	2 May	Field Work Unit	IOF Kill a Palestinian Child and Injure 9 Other Civilians in Khan Yunis
37.	3 May	Field Work Unit	IOF Kill 4 Palestinians in Nablus
38.	3 May	Democratic Development Unit	PCHR Condemns the Israeli Aerial Attack on a Palestinian Broadcasting Station in Gaza
39.	3 May	Legal Aid Unit	15 Palestinian Houses Demolished and 11 Others Threatened with Demolition
40.	4 May	Field Work Unit	IOF Kill 2 Palestinians and Destroy at Least 40 Houses in Khan Yunis Refugee Camp
41.	11 May	Field Work Unit	5 Palestinians Killed and 80 Injured during Israeli incursion into Gaza City
42.	12 May	Field Work Unit	Israeli Occupying Forces Demolish House in Deir al-Balah Before End of Legal Time for Appeal
43.	13 May	Field Work Unit	12 Palestinian Civilians Killed and at Least 20 Others Injured by IOF in Rafah
44.	15 May	Legal Aid Unit	PCHR Obtains Temporary Injunction Against House Demolitions in Rafah
45.	15 May	Field Work Unit	14 Palestinian Civilians Killed, at Least 30 Others Injured and Hundreds Left Homeless in Rafah by IOF
46.	15 May	Field Work Unit	Israeli Helicopter Gunships Attack Civilian Targets in Gaza
47.	16 May	Legal Aid Unit	Israeli High Court Approves Demolition of Houses in Rafah
48.	17 May	Democratic Development Unit	PCHR Condemns Israeli Attack on Weekly Paper in Gaza
49.	17 May	Field Work Unit	Israeli Helicopter Gunships Attack Civilian Targets in Gaza for the 3 <sup>rd</sup> Consecutive Day
50.	18 May	Field Work Unit	12 Palestinians Killed and 20 Others Injured in a Wide Scale Israeli Offensive on Rafah

51.	19 May	Field Work Unit	Israeli Occupying Forces Launch Missile Attack into Civilian Demonstration in Rafah
52.	20 May	Field Work Unit	Israeli Occupying Forces Continue to Expand Operations in Rafah: 39 Palestinians Killed in Four Days
53.	27 May	Legal Aid Unit	Adalah, PCHR and Al-Haq Ask the Supreme Court to Define the Legal Scope of the “Military Necessity” Exception, and Issue an Injunction Against the Israeli Army’s Home Demolitions Policy, which Violates this Exception
54.	30 May	Field Work Unit	3 Palestinians Killed in Extra-Judicial Execution by IOF
55.	30 May	Field Work Unit	25 Homes Demolished in Rafah: 350 Palestinians Homeless
56.	2 June	Economic, Social and Cultural Rights Unit	Israeli Occupying Authorities Continue Closure of Rafah Terminal
57.	15 June	Field Work Unit	6 Palestinians Killed in Extra-Judicial Execution by IOF
58.	16 June	Field Work Unit	A Palestinian Killed in another Extra-Judicial Execution by IOF
59.	16 June	Legal Aid Unit	PCHR Submits an Appeal to the Israeli High Court Requesting Halt for the Demolition of a Number of Palestinian Homes
60.	21 June	Economic, Social and Cultural Rights Unit	PCHR Calls Upon International Governments and Organizations to Provide Aid for Homeless Civilians in Rafah
61.	27 June	Field Work Unit	6 Palestinians Extra-Judicially Executed in Nablus
62.	28 June	Field Work Unit	3 Palestinians Killed and a Number of Houses and Civilian Facilities Destroyed
63.	29 June	Democratic Development Unit	PCHR Condemns Israeli Aerial Attack on a Press Office in Gaza
64.	29 June	Legal Aid Unit	PCHR gets Temporary Injunction Stopping Seizure of Land in al-Qarara
65.	29 June	Legal Aid Unit	PCHR Is Concerned That 9 Houses May Be Demolished in al-Qarara
66.	4 July	Legal Aid Unit	PCHR Is Concerned about the Lives of 7 Palestinian Detainees in Israeli Custody
67.	6 July	Field Work Unit	A Sleeping Palestinian Child Killed by Israeli Shelling in Khan Yunis

68.	6 July	Field Work Unit	4 Palestinians, Including a University Lecturer and His Son, Killed by Israeli Troops in Nablus
69.	8 July	Field Work Unit	7 Palestinians Killed in Beit Hanoun and 40 Houses Destroyed in Khan Yunis
70.	11 July	Democratic Development Unit	PCHR Welcomes International Court of Justice Ruling on the Annexation Wall
71.	12 July	Field Work Unit	Elderly Palestinian Killed During House Demolition by IOF and 34 Houses Demolished in Khan Yunis
72.	15 July	Legal Aid Unit	Israeli High Court Rejects PCHR Appeal
73.	22 July		PCHR Welcomes UN General Assembly Resolution That Orders Halt the Annexation Wall
74.	25 July	Economic, Social and Cultural Rights Unit	PCHR Calls upon the International Community to Immediately Intervene to Re-open Rafah Terminal
75.	26 July	Field Work Unit	6 Palestinians, Including 2 Children, Extra-Judicially Executed by IOF
76.	3 August	Economic, Social and Cultural Rights Unit	PCHR Condemns Ongoing IOF Military Operations in Beit Hanoun
77.	18 August	Field Work Unit	Unsuccessful Assassination Attempt by IOF against a Hamas Leader
78.	18 August	Legal Aid Unit	Palestinian and Arab Prisoners in Israeli Jails Continue with Hunger Strike Demanding Improved Conditions
79.	3 September	Field Work Unit	IOF kill 4 Palestinians, injure 52 and destroy civilian property in Deir al-Balah
80.	7 September	Field Work Unit	14 Palestinians Killed and 12 Others Injured in Gaza City by IOF
81.	8 September	Field Work Unit	Schoolchild Seriously Injured by Israeli Gunfire While in Her Classroom in Khan Yunis
82.	9 September	Field Work Unit	In Another Israeli Offensive on the Northern Gaza Strip, 4 Palestinians Killed, 50 Others Injured and Infrastructure Destroyed
83.	14 September	Field Work Unit	3 Palestinians Extra-Judicially Executed by IOF in Jenin
84.	20 September	Field Work Unit	One Palestinian Extra-Judicially Executed and 8 Civilian Bystanders Injured by Israeli Troops in Gaza
85.	21 September	Field Work Unit	In a Second Extra-Judicial Execution in Less than 24 Hours, Two Palestinians Killed and 4 Children Injured by Israeli Troops in Gaza
86.	21 September	Democratic Development Unit	PCHR Condemns Continued Closure of 6 Election Registration Centers by Israeli Occupying Authorities in Jerusalem

87.	25 September	Economic, Social and Cultural Rights Unit	IOF Attack Khan Yunis and Destroy 54 Houses, Kill One Palestinian Civilian and Injure 5 Others
88.	28 September	Legal Aid Unit	In Response to an Appeal Submitted by PCHR, Israeli High Court Gives the Israeli Prosecution One Day to Explain Reasons for the Demolition of 6 Palestinian Houses
89.	30 September	Field Work Unit	In a Wide Scale Israeli Military Offensive on the Northern Gaza Strip, 15 Palestinian Killed, at least 120 Others Injured and Civilian Properties Destroyed
90.	1 October	Field Work Unit	IOF Escalate Their Offensive on the Northern Gaza Strip Causing More Casualties among Palestinian Civilians and Destroying More Civilian Properties
91.	2 October	Economic, Social and Cultural Rights Unit	Urgent Appeal to the International Community Deterioration of the Humanitarian Situation in the Gaza Strip Due to the Israeli Total Closure
92.	2 October	Field Work Unit	IOF Continue Their Offensive on the Northern Gaza Strip Causing More Casualties among Palestinian Civilians and Destroying More Civilian Properties
93.	3 October	Field Work Unit	2 Members of the Palestinian Resistance Extra-Judicially Executed by IOF in Gaza
94.	4 October	Field Work Unit	IOF Expand Their Offensive on the Northern Gaza Strip: Excessive and Disproportionate Use of Force Resulted in 60 Palestinian Deaths and at Least 280 Injuries
95.	9 October	Field Work Unit	IOF Commit another Extra-Judicial Execution in Khan Yunis and Number of Palestinians Killed During the Israeli Offensive on the Northern Gaza Strip Increases to 83, Including 25 Children
96.	12 October	Field Work Unit	A Schoolchild Seriously Wounded by IOF in Khan Yunis While Sitting at Her Desk
97.	14 October	Field Work Unit	Forcible Migration in Rafah Refugee Camp: 3 Palestinian Civilians Killed and 35 Houses Destroyed by IOF
98.	23 October	Field Work Unit	Hundreds of Gazan Students Are Still Prevented from Traveling Abroad to Attend Their Universities

99.	25 October	Field Work Unit	An Israeli Offensive on the Southern Gaza Strip: 12 Palestinians Killed, 63 Others Injured and a Number of Houses and Civilian Facilities Destroyed by IOF
100.	2 November	Field Work Unit	3 Palestinians Extra-Judicially Killed by IOF in Nablus
101.	7 November	Economic, Social and Cultural Rights Unit	PCHR Expresses Its Grave Concern by the Humanitarian Situation for Palestinians on the Egyptian Border Waiting to Return to Gaza
102.	8 November	Field Work Unit	4 Palestinians Killed in Jenin by IOF
103.	22 November	Field Work Unit	3 Palestinians Extra-Judicially Killed by IOF
104.	12 December	Field Work Unit	7 Palestinian Schoolchildren Wounded by IOF in a School in Khan Yunis
105.	16 December	Economic, Social and Cultural Rights Unit	PCHR Warns of the Consequences of Closing Rafah Terminal for a Long Time
106.	18 December	Field Work Unit	In an Ongoing Offensive on Khan Yunis, 10 Palestinians Killed, 40 Others Injured and Wide Scale Destruction to Civilian Property
107.	19 December	Democratic Development Unit	PCHR Calls on the International Community to Generate Pressure in Order that an Appropriate Atmosphere for Free and Impartial Election Can Be Created
108.	26 December	Field Work Unit	IOF Extra-Judicially Kill 3 Palestinians in Tulkarm and Bulldoze a House over a Fourth's Head in Jenin
109.	27 December	Field Work Unit	One Palestinian Extra-Judicially Killed by IOF
110.	28 December	Democratic Development Unit	PCHR Condemns Intervention by Israeli Occupation Forces into the Election Process
111.	30 December	Field Work Unit	In an Ongoing Offensive by IOF on Khan Yunis, 5 Palestinians Killed, 11 Others Injured and a Number of Houses Demolished
112.	31 December	Field Work Unit	On the Second Day of an Ongoing Offensive by IOF on Khan Yunis, the Number of Deaths Increases to 10 and the Number of Injuries Increases to 27



**Table 40: PCHR's Press Releases on Violations of Human Rights by the PNA in 2004**

<b>No.</b>	<b>Date</b>	<b>Unit</b>	<b>Title</b>
1.	8 January	Democratic Development Unit	PCHR Condemns Attack Against Al-Arabiya Gaza Correspondent
2.	4 February	Democratic Development Unit	PCHR Condemns the Recent Attack against Al-Dar Magazine
3.	6 February	Democratic Development Unit	PCHR Calls upon the PNA to Investigate the Deadly Events That Occurred in Gaza
4.	7 February	Democratic Development Unit	PCHR Criticizes the Trial of 4 Persons before a Palestinian Military Court in the Case of the Killing of 3 Americans in Gaza
5.	15 February	Democratic Development Unit	PCHR Condemns Attack against Journalist Munir Abu Rezeq
6.	2 March	Democratic Development Unit	PCHR Condemns the Killing of President's Advisor in Gaza
7.	2 March	Legal Aid Unit	PCHR Calls upon the Palestinian Authority to Investigate Attack against Land Authority Headquarters
8.	17 March	Democratic Development Unit	Palestinian Authority Continues to Hold 4 Citizens in Violation of a Judicial Ruling
9.	17 March	Democratic Development Unit	One Palestinian Killed and 21 Injured in Internal Clashes in Gaza City
10.	21 March	Legal Aid Unit	In Response to a Petition Submitted by PCHR, the Palestinian High Court of Justice Orders Release of Bank Accounts of al-Salah Islamic Society
11.	31 March	Democratic Development Unit	PCHR Condemns New Measures Taken against Islamic Charitable Societies, Which Undermine the Rule of Law and the Independence of the Judiciary
12.	8 April	Democratic Development Unit	PCHR calls upon the PNA and Monetary Fund to Release Islamic Charitable Societies Bank Accounts in Accordance with Judicial Ruling
13.	26 June	Democratic Development Unit	PCHR calls for Amendments to the Electoral Law of Local Councils
14.	17 July	Democratic Development Unit	PCHR Condemns the State of Chaos in the Gaza Strip
15.	3 August	Democratic Development Unit	PCHR Condemns Attacking and Killing of Prisoners in Gaza Central Prison
16.	25 August	Democratic Development Unit	PCHR Prepares for Monitoring Elections
17.	28 September	Democratic Development Unit	PCHR Condemns Kidnapping a Journalist in Gaza City and Calls for His Immediate Release

18.	2 October	Democratic Unit	Development	PCHR Condemns Murder of 2 Prisoners in Nablus Central Prison
19.	21 October	Democratic Unit	Development	PCHR Condemns Armed Clashes in Gaza between Members of the Preventive Security Service and Military Intelligence and Repeats Its Warning about the Level of Instability as Regards to Internal Security
20.	31 October	Democratic Unit	Development	PCHR Calls for Adoption of the Principle of Positive Discrimination for Women
21.	6 November	Democratic Unit	Development	PCHR Expresses Its Great Concern over the Decline in Internal Palestinian Security
22.	12 November	Democratic Unit	Development	PCHR Welcomes the Smooth Transition of Authority and the International Community Is Required to Pressure Israel to Permit Holding Palestinian Elections
23.	18 November	Democratic Unit	Development	PCHR Welcomes Declaration of Date for Presidential Election and Calls for Intensive Efforts to be Made to Hold Parliamentary Elections in 2005
24.	28 November	Democratic Unit	Development	Disbandment of "Death Squad" Is Not Enough
25.	1 December	Democratic Unit	Development	A Man and His Son Sentenced to Death by Hanging for Collaboration with IOF
26.	5 December	Democratic Unit	Development	PCHR Calls upon the PNA to Complete Procedures Related to the Establishment of an Election Appeal Court
27.	7 December	Democratic Unit	Development	Following Amendments to Law 13 of 1995 on Elections, PCHR Calls for Establishing an Appropriate Mechanism to Ensure the Impartiality of the Electoral Record
28.	8 December	Democratic Unit	Development	PCHR Condemns Kidnapping and Murdering a Child in Gaza and Calls upon the PNA to Investigate this Crime and Bring its Perpetrators to Justice
29.	9 December	Democratic Unit	Development	PCHR Is Astonished by the Slow Procedures Related to the Operation of the Election Appeal Court
30.	16 December	Democratic Unit	Development	Establishment and Location of an Election Appeals Court Declared
31.	21 December	Democratic Unit	Development	PCHR Welcomes Holding Partial Local Election, But Calls for Reconsidering the Policy of Stages and Holding Elections for Other Local Bodies Together
32.	22 December	Democratic Unit	Development	PCHR Calls upon the Central Election Commission to Stop Early Election

			Campaigning by a Number of Candidates for the Palestinian Presidential Election
33.	23 December	Democratic Development Unit	PCHR Sends 2 Letters to the Central Election Commission Regarding the Election Process
34.	26 December	Democratic Development Unit	PCHR Is Increasingly Concerned at the Further Deterioration in Palestinian Internal Security
35.	30 December	Democratic Development Unit	PCHR Calls upon the Central Election Commission to Amend Procedures of Counting Votes to Conform to the Law

**Table 41: Other PCHR's Press Releases in 2004**

No.	Date	Unit	Title
1.	15 April	International Unit	PCHR Condemns US Denial of Fundamental Palestinian Rights and Legitimization of Israeli War Crimes
2.	28 April	Democratic Development Unit	PCHR Calls upon the Syrian Authorities to Immediately Release Human Rights Activist Aktham Nu'aisa
3.	2 June	Economic, Social and Cultural Rights Unit	PCHR Gravely Concerned for Dismissal of Temporary Contracting Teachers at UNRWA

## 2) Reports, Studies and Other Publications

**Table 42: PCHR's Publications in 2004**

Publication	Kind	Issues	Language
Annual Report 2003	Annual report	1	Arabic and English
The Rights to Freedom of Expression and Peaceful Assembly	Series study	1	Arabic
Palestinian Legislative Council: Performance Evaluation of Eighth Term (March 2003 – March 2004)	Series study	1	Arabic
Crises in the PNA: Events and the Challenge of Reform	Position Paper	1	Arabic and English
Palestinian Prisoners in Israeli Jails	Report	1	Arabic
Palestinian Elections: An Evaluation of the Pre-Election Process, Including the Conclusions of the Monitoring Process Conducted by PCHR on the Registration of Voters in the Fourth Quarter of 2004 (The Gaza Strip)	Report	1	Arabic and English
Extra-Judicial Assassinations (29 September 2003 – 30 April 2004)	Series report	1	Arabic and English
Attacks on Journalists by IOF (1 April 2003 – 31 March 2004)	Series report	1	Arabic

Land Leveling and House and Civilian Facility Destruction (1 April 2003 – 30 April 2004)	Series report	1	Arabic and English
Closure Update: Report on the Israeli Closure of the Gaza Strip (1 December 2003 – 30 June 2004)	Series report	1	Arabic
Report on Violations of Economic and Social Rights by IOF During Their Offensive on Rafah (12 – 24 May 2004)	Non-periodic report	1	Arabic
Killings and Injuries As a Result of Misuse of Weapons in Peaceful Demonstrations	Non-periodic report	1	Arabic
Israeli Attacks on Beit Hanoun and Their Impacts on Economic and Social Rights (29 June – 5 August 2004)	Non-periodic report	1	Arabic
The Israeli Decision to Prevent Palestinians Whose Ages Are between 16 and 35 from Traveling through Rafah International Crossing Point	Non-periodic report	1	Arabic and English
Administration of Scholarships under the PNA	Report on proceedings of a workshop	1	Arabic
Sharon's Gaza Redeployment Plan: A Denial of Human Rights, Not an End to Occupation	Position Paper	1	Arabic and English
Weekly Report on Israeli Violations of Human Rights in the OPT	Series report	51	Arabic and English
Al-Mentar	Monthly newsletter	12	Arabic
The Right to Free Association	Series of leaflets on democratic awareness	1	Arabic
Marriage Contract	Series of leaflets on women's rights	1	Arabic
Effects of Marriage Contracts	Series of leaflets on women's rights	1	Arabic

### 3) PCHR's Web Site ([www.pchrgaza.org](http://www.pchrgaza.org))

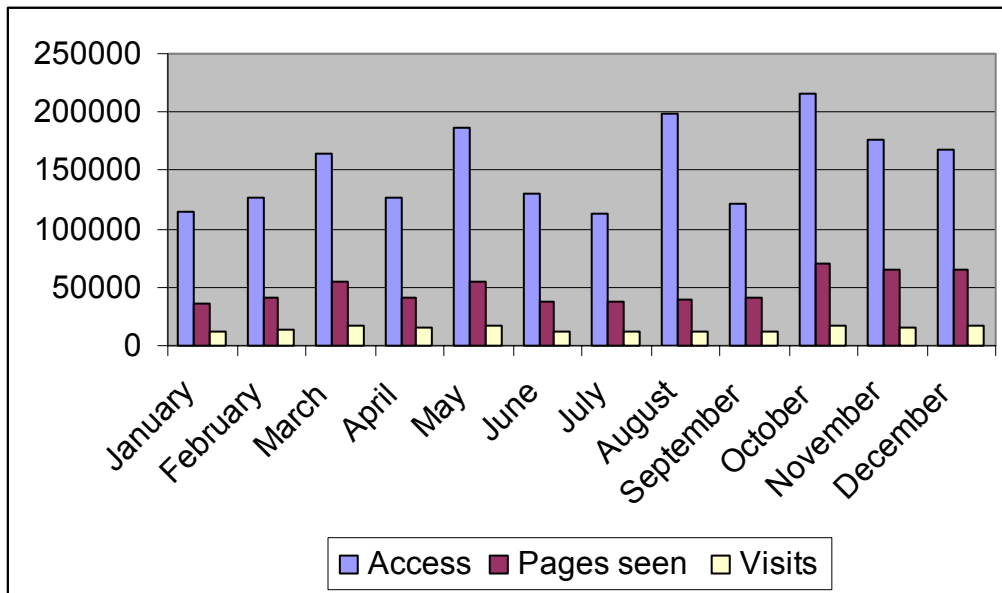
PCHR realizes and appreciates the increasing importance of information technology in our contemporary world. PCHR increasingly depends on its website as a means of disseminating human rights information. PCHR updates its web site daily with publications and information on its activities and events on the ground. The material on the website is available in both Arabic and English. PCHR also distributes its publications via e-mail to at least 4500 subscribers who have registered with PCHR.

- In 2004, PCHR’s web site received 173,809 hits with an average of 14,500 visits monthly and 500 visits daily.
- The number of pages seen by visitors in 2004 was 583,565, with an average of 48,630 pages per month, or 1,615 daily.

**Table 43: Visits to PCHR's Web Site in 2004**

Month	Number of Visits	Number of Pages Seen	Access
January	11,499	35,720	114,094
February	13,055	40,793	126,102
March	16,928	55,320	165,137
April	14,815	40,269	127,363
May	17,300	55,419	185,897
June	12,780	38,444	129,767
July	12,695	37,530	113,846
August	11,752	39,048	108,355
September	12,739	41,311	122,146
October	17,121	69,537	216,225
November	16,045	65,352	177,048
December	17,080	64,822	167,967
<b>Total</b>	<b>173,809</b>	<b>583,565</b>	<b>1,753,947</b>

**Diagram 6: Diagram of Visits to PCHR’s Website**



## Pictures of PCHR's Activities in 2004



Director of PCHR Raji Sourani with a US Jewish delegation during a visit to PCHR on 12 January 2004



Director of PCHR Raji Sourani and Deputy Director Jaber Wishah with Pierre Sane, Assistant Director of General Social and Human Sciences Sector at UNESCO, and Costanza Farina, Head of Ramallah Office of UNESCO during their visit to PCHR on 17 January 2004



Director of PCHR Raji Sourani with members of a British church delegation during their visit to PCHR on 16 February 2004



A colloquium on attacks on the freedom of press organized by PCHR Democratic Development Unit on 24 February 2004



A press conference organized by PCHR for Intissar 'Ajouri, who was unlawfully transferred by IOF from the West Bank to the Gaza Strip, on 14 March 2004 shortly before her return to the West Bank according to an Israeli court ruling



Director of PCHR Raji Sourani and Head of PCHR Women's Rights Unit Muna Shawa with members of a delegation of the Swedish Kvinna Till Kvinna during their visit to PCHR on 15-16 March 2004





PCHR staff with members of international evaluation committee of PCHR's performance: Douglas Saltmarsh; Hakan Jarskog; and Ronnie Graham, 22 March 2004



Lawyer Hanan Matar of PCHR Women's Rights Unit delivering a lecture in Jabalya on 13 April 2004 in the context of legal awareness and assistance project



A number of Palestinian artists while drawing a wall painting on Palestinian Prisoners' Day on 15 April 2004



Ghadeer al-Emari, Editor of PCHR's newsletter, *al-Mentar*, talking to a number of UNRWA elementary schoolchildren during their visit to PCHR on 27 April 2004



Director of PCHR with the Swedish Ambassador to Israel Robert Rybberg and the Swedish Consul General Anne Mawe during their visit to PCHR on 3 May 2004



The UN Special Rapporteur for the OPT John Dugard during his visit to PCHR on 21 June 2004



A workshop on Israeli attacks on Beit Hanoun organized by PCHR Economic, Social and Cultural Rights Unit on 26 August 2004



Laywer Younis al-Jaru delivering a lecture to a number of training lawyers at PCHR's offices in Jabalya during a training course on human rights and democracy organized by PCHR Training Unit on 18 September 2004



Mr. Michel Rocard, former French Prime Minister, MEP and Chief Observer of the EU Election Observation Mission – West Bank and Gaza 2005, during his visit to PCHR on 27 December 2004



Director of PCHR Raji Sourani receiving the emblem of the Islamic University from the university's Head of the Board of Trustees and Jamal al-Khudari and the university's President Prof. Mohammed Shubair in an appreciation for PCHR's efforts to defend Palestinian human rights

**PART THREE**

**PCHR's 2004 FINANCIAL REPORT**