



Palestinian Centre for Human Rights

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**Gaza City:**

29 Omar El Mukhtar Street, Near Amal Hotel  
P.O.Box 1328  
Tel/Fax: +972 8 2824 776

**Khan Yunis Branch:**

El Amal Street, Branch of  
Jamal Abdul-Nasser Street,  
near the College of Education  
Tel/Fax: +972 8 2061 025

**Jabalya Branch:**

Jabalya Refugee Camp,  
Opposite to Timraz Fuel Station  
Tel/Fax: +972 8 2454 150

**West Bank Office:**

Ramallah: Al Beira,  
Nablus Road  
Tel/Fax: +972 2 2406697

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[pchr@pchgaza.org](mailto:pchr@pchgaza.org)  
[www.pchgaza.org](http://www.pchgaza.org)





## The Philosophy of the Centre's Work

The Centre determined after a thorough legal assessment of the peace accords signed by the PLO and the Israeli government that the occupation would continue both physically and legally. According to these agreements Israel has redeployed its forces inside the West Bank and the Gaza Strip, while Israeli settlements and military installations maintain their presence in Palestinian territory. The major legal aspects of the Israeli occupation remain in place. Israeli military orders that safeguard Israeli control over the Palestinian people and their land remain valid in accordance with the peace agreement. The Israeli military court is still functioning and to this day thousands of Palestinians languish in Israeli prisons. The essential elements of the Palestinian issue remain unresolved - the right to self-determination, the right to an independent Palestinian state with its capital in Jerusalem, the right of return for Palestinian refugees, and the right to remove illegal Israeli settlements from the Occupied Territories. All of these constitute basic unfulfilled rights of the Palestinian people. In light of this wide-ranging disregard for Palestinian rights, the Centre concludes it must continue its work to protect Palestinian human rights from ongoing violations by the Israeli government and courts.

The peace accords and the major political changes resulting from the agreement, including the establishment of the Palestinian National Authority in part of the Occupied Territories, has led to a vital and active role for the Centre in protecting civil and political rights and in promoting the development of democratic institutions, an active civil society, and a democratic legal system in Palestine.

## Work Units of the Centre

The Centre is composed of specialised working units which carry out their activities in an autonomous but integrated manner.

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### Field Work Unit

Field work is considered the basic activity of the Centre. Well-trained field workers located in different areas of the Gaza Strip and the West Bank obtain accurate and documented legal information on human rights violations in the Gaza Strip and the West Bank, including occupied East Jerusalem. They gather information in the field from victims and witnesses of human rights violations. The information is received by the co-ordinator of the unit and other researchers to verify accuracy. Through the field workers' presence in the field the Centre has been able to maintain close contacts with the community. In this way, the community is able to influence the work of the Centre and the Centre is able to meet the community's interests and demands.

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### Legal Unit

This unit is composed primarily of a team of lawyers who give free legal

aid and counselling to individuals and groups. The unit also carries out legal intervention with concerned bodies and makes legal representations before courts in cases that involve broad principles of human rights that affect not just the individual before the court but the community as a whole. Furthermore, the unit attempts to support the independence of the judiciary and the rule of law.

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### Democratic Development Unit

This unit specialises in the promotion of democracy, civil society, and the rule of law. The unit's team carries out research and organises workshops and seminars to discuss issues on human rights and democracy. The unit's team also prepares comments on draft laws prepared by the Palestinian Authority in an effort to influence the decision-making process and the adoption of democratic laws. The unit has been also involved in providing training on human rights and democracy for youth groups.

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### Economic and Social Rights Unit

This unit seeks to ensure the importance of economic and social rights through research and study. Such work is particularly important because it tends to be neglected, to some extent, by other human rights organisations. To achieve its goals the unit conducts studies, workshops, and seminars that focus attention on economic and social rights in the West Bank and Gaza Strip. The unit seeks to develop recommendations and standards for each of these rights to be fulfilled in the Palestinian situation. Moreover, the unit reviews and assesses the legislation and draft laws pertaining to these rights adopted by the Palestinian Authority in an effort to secure legislation that is in harmony with international standards. The unit further seeks to provide an informative training base for governmental and non-governmental personnel who are empowered to set plans and implement programs and policies relevant to these rights. The goal of such training is to help

bring economic and social rights into alignment with the standards accepted internationally and to ensure the maximum degree of implementation of these rights.

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**Woman Rights Unit**

This Unit was established as a pilot project in May of 1997 for one year, renewable upon assessment of its accomplishments. The initial project was established after a thorough and comprehensive study of the conditions of Palestinian women and the work of women's institutions in the Gaza Strip. The Unit aims to provide legal aid for women and women's organisations. Intervention on behalf of women in Shari'a courts is included in its mandate. The Unit further aims to raise awareness of women's rights established by international human rights conventions and to raise the awareness of Palestinian women in regard to their rights under local law. Finally, the Unit is carrying out studies on Palestinian women and the

law, while supporting the amendment of local laws inconsistent with women's rights.

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**The Training Unit**

The Training Unit is a main instrument in PCHR's work in disseminating and developing a human rights culture, and promoting democratic concepts in the local community with all its various segments. The Unit organizes and holds training courses and workshops in order to develop theoretical knowledge and provide professional skills that can contribute to a real change in the behavior of the society, which in turn can promote respect for, and protection of human rights and participation in community building. The target groups of the training courses and workshops are particularly the youth, including university students, activists of political parties, lawyers, media, union members, and other civil society groups.

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**The Library**

The Centre has established a specialised legal library in subjects related to local and international law, human rights, and democracy. The library includes books and periodicals in both Arabic and English and includes all Palestinian laws and Israeli military orders. Documents pertaining to laws of neighbouring Arab countries are also available. Furthermore, the library includes a variety of books and periodicals detailing the Palestinian question and the Arab-Israeli conflict. The library is open for the free use of researchers, academics, and students.

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## The Palestinian Centre for Human Rights

The Palestinian Centre for Human Rights is an independent non-profit legal agency based in Gaza city. The Centre was established in April 1995 by a group of Palestinian lawyers and human rights activists in order to protect human rights and promote the rule of law in accordance with international standards, create and develop democratic institutions and an active civil society in Palestine in accordance with internationally accepted standards and practices and support all efforts aimed at enabling the Palestinian people to exercise their inalienable rights according to international law.

The Centre enjoys Consultative Status with the ECOSOC of the United Nations. It was granted three international prominent awards for its efforts in the field of human rights:

- The 1996 French Republic Award on Human Rights; and
- The 2002 Bruno Kreisky Award for Outstanding Achievements in the Area of Human Rights; and
- The 2003 International Service Human Rights Award (UNAIS).

The Centre has wide relationships with human rights and civil society organizations throughout the world. It is an affiliate of five international and Arab human rights organizations, which are active in the international arena:

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### (1) International Commission of Jurists

The International Commission of Jurists (ICJ), headquartered in Geneva, is a non-governmental organisation in consultative status with the United Nations Economic and Social Council, UNESCO, and the Council of Europe and the OAU. Founded in 1952, its task is to defend the rule of law throughout the world and to work towards the full observance of the provisions in the Universal Declaration of Human Rights. its membership is composed of sixty eminent jurists who are representatives of the different legal systems of the world.

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### (2) Federation Internationale des Ligues des Droits de l'Homme

The Federation Internationale des Ligues des Droits de l'Homme (FIDH) is an international non-governmental organisation dedicated to the world-wide defence of human rights as defined by the Universal Declaration of Human Rights of 1948. Founded in 1922, FIDH has eighty-nine national affiliates in all regions.

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### (3) Euro-Mediterranean Human Rights Network

The Euro-Mediterranean Human Rights Network (Euro-Med Network) is a network of human rights organisations and individuals from the Middle East, North Africa and the European Union, established in 1997. The overall objective of the Network is to contribute to the protection of the human rights principles embodied in the Barcelona Declaration of 1995.

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### (4) International Legal Assistance Consortium (ILAC)

The International Legal Assistance Consortium (ILAC) is one of the most important international legal bodies. It is specialized in legal and judicial training. It includes more than 30 members of distinguished legal organizations throughout the world, including American Bar Association; Arab Lawyers Union; and Bar Council of England and Wales.

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### (5) The Arab Organization for Human Rights

It is an NGO founded in 1983. It calls for respect and promotion of human and people rights and fundamental freedoms in the Arab World for all individuals on its land in accordance with international human rights instruments. The Organization signed an agreement with Egypt in May 2000, according to which its headquarter was moved from Limassol in Cyprus to Cairo.

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### (6) World Coalition against the Death Penalty

The World Coalition against the Death Penalty is an alliance of about 48 NGOs, bar associations, local bodies and unions, including the Palestinian Centre for Human Rights. It was created in Rome in May 2002. Since 2003, the Coalition has made 10 October the World Day against the Death Penalty.



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## **Administrative Board**

Raji Sourani  
Jaber Wishah  
Iyad Alami  
Hamdi Shaqqura

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Director General: Raji Sourani

The Palestinian Centre for Human Rights is an independent legal body dedicated to the protection of human rights, the promotion of the rule of law, and the upholding of democratic principles in the Occupied Territories. Most of the Centre's activities and interests concentrate on the Gaza Strip due to the restriction on movement between the West Bank and Gaza Strip imposed by the Israeli government and its military apparatus.

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## **Funding of the Centre**

The Centre is funded by the generous contributions of a number of international non-governmental organizations in the fields of human rights, democracy, and social justice and a number of Governments which has friendly relationships with the Palestinian people. PCHR highly appreciates the contributions of funding organizations, especially:

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*Oxfam NOVIB – Holland*  
*Royal Danish Representative Office – Rammallah*  
*Swiss Agency for Development and Cooperation – SDC*  
*Swedish International Development Cooperation Agency – SIDA*  
*Representative Office of the Kingdom of the Netherland to the Palestinian Authority*  
*European Union*  
*Open Society Institute – U.S.A*  
*Christian Aid – U.K*  
*Dan Church Aid – Denmark*  
*Grassroots International – U.S.A*  
*Representative Office of Norway*  
*Irish Aid*  
*Kvinna Till Kvinna – Sweden*  
*Al Quds Association Malaga – Spain*  
*Trocaire – Ireland*  
*Denis O'Brien – Ireland*  
*CARE International – West Bank and Gaza*  
*ACSUR*  
*Welfare Association*

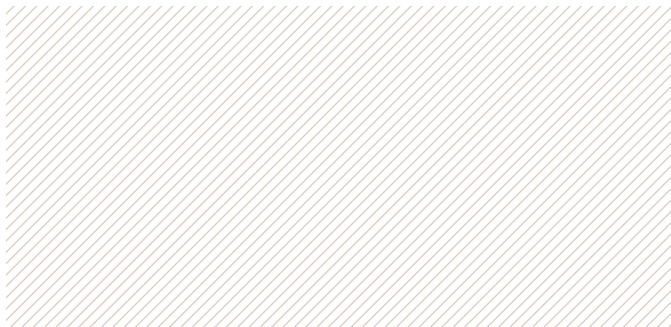


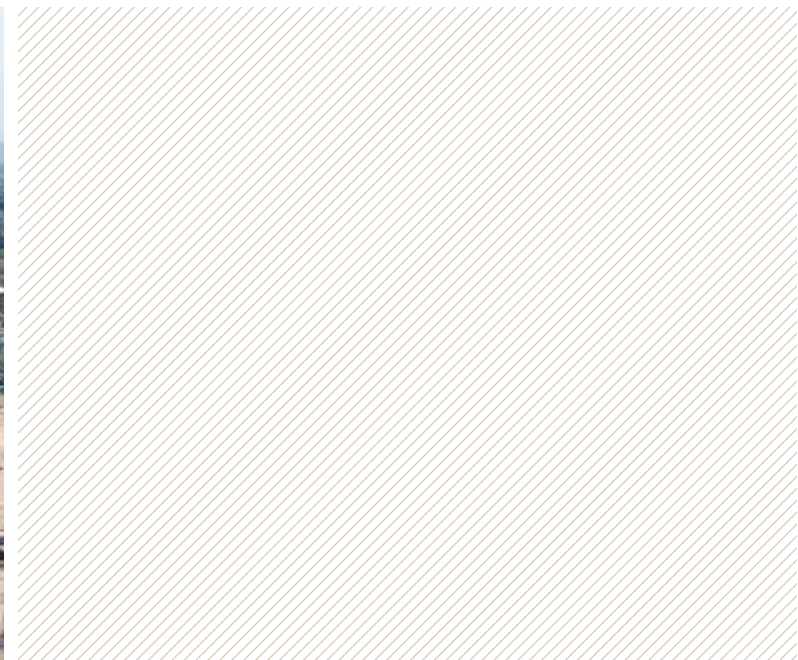
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## Annual Report 2009

This report is the outcome of PCHR's activities in 2009. PCHR has published annual reports since 1997.

PCHR's 2009 Annual Report is divided into two sections:

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- **Part One** provides a comprehensive picture of the human rights situation in the Occupied Palestinian Territory (OPT) from 1 January to 31 December 2009. It is divided into two sub-sections:
- Violations of international human rights and humanitarian law perpetrated by the Israeli Occupation Forces (IOF) in the OPT; and
- Human rights violations perpetrated by the Palestinian National Authority (PNA) and obstacles to democratic reform in the PNA.

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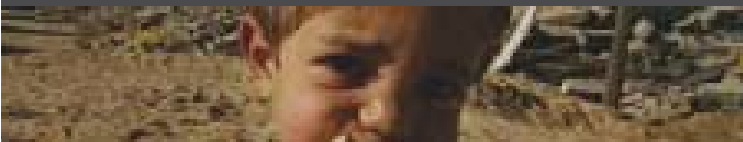
- **Part Two** documents all of PCHR's activities from 1 January to 31 December 2008. It covers activities by PCHR and its units carried out at the local and international levels over the course of the year.

PCHR's 2009 financial report, which is prepared by an independent professional auditing institution, will be published as a separate document.

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 directed at 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 providing services to the community. It should also serve as a call for victims of human rights violations to approach PCHR for advice and assistance.



**PART 1**  
**THE HUMAN RIGHTS**  
**SITUATION IN THE OPT**



## Executive Summary

Israel's offensive on the Gaza Strip (27 December 2008 – 18 January 2010) was the major issue in the record of human rights and international humanitarian law violations in the Occupied Palestinian Territory (OPT) in 2009. As the year ended, the impact of the offensive – which was the bloodiest in 42 years of Israeli occupation and even since the Palestinian Nakba in 1948, when the Palestinian people were uprooted from their land – were still being felt, placing a heavy burden on the Palestinian civilian population in the Gaza Strip. Scenes of destruction caused by Israeli air, sea and land bombing of civilian facilities, including thousands of homes, hundreds of public buildings, civil police stations, hospitals and infrastructure, remained even at the end of the year. Tens of thousands of Palestinian civilians were struggling to rebuild their normal lives, in spite of sustaining permanent disabilities, losing loved ones or becoming homeless. The suffering of Palestinian civilians was exacerbated by the continued illegal closure of the Gaza Strip imposed by Israeli Occupation Forces (IOF). The closure, which constitutes a form of collective punishment, violates numerous fundamental human rights, including the freedom of movement of persons and goods, and the right to adequate shelter, inter alia by denying Palestinian civilians their right to reconstruct the thousands of homes and buildings destroyed during Israel's offensive on the Gaza Strip. The deteriorating humanitarian situation took priority over the Palestinian political scene, especially in the Gaza Strip, where meeting the basic needs of the Palestinian civilian population became a priority at the expense of the national cause and the broader civil and political rights of the Palestinian people.

In the West Bank, the situation was no better than in the Gaza Strip, as Israel continued settlement activities and attempts to perpetuate an apartheid system, turning Palestinian communities into scattered Bantustans. Additionally, IOF continued to take measures aimed at consolidating the illegal annexation and isolation of East Jerusalem through the creation of a Jewish demographic majority in Jerusalem.

Over the course of 2009, the same factors that led to the deterioration of the human rights situation in the past 4 years - since the parliamentary election of January 2006 - continued to be relevant, causing further deterioration to the human rights situation and overall humanitarian conditions. IOF continued to perpetrate grave violations of human rights and international humanitarian law across the OPT, including willful killings and violations of the right to life; collective punishment policies represented by a tightened closure and severe restrictions on the right to freedom of movement; detention and torture of Palestinians; continued settlement activities and attacks by





Israeli settlers; and continued construction of the Annexation Wall inside the West Bank territory. Israel continued to violate its binding legal obligations under international law. Israel did not act as a State of law while the international community, particularly the High Contracting Parties to the Geneva Conventions and the United Nations, failed to intervene to stop violations of human rights and prosecute the alleged perpetrators. The silence of the international community has contributed to a climate of pervasive impunity whereby Israel is allowed to violate international law without consequence.

The international community went even further and effectively participated in imposing sanctions on Palestinian civilians through a financial boycott of the Palestinian government that was established following the January 2006 Palestinian parliamentary elections. Instead of making Israel accountable for its crimes against Palestinian civilians, the international community imposed sanctions on Palestinian civilians who have been under belligerent occupation for more than four decades, a measure that is unprecedented in the history of international relations. Furthermore, the internal political conflict and separation between the West Bank and the Gaza Strip have been major factors leading to the exacerbation of an already dire human rights situation. The vast majority of human rights violations at the internal level were attributed to the conflict between the Hamas and Fatah movements, and included measures taken by the two governments and their security services in Gaza and Ramallah against members of the opposing movement.

In 2009, IOF committed crimes against Palestinian civilians in the OPT in a manner unprecedented since 1967, when IOF first occupied the West Bank and Gaza Strip. IOF killed 1,092 Palestinians, including 831 civilians. The civilian victims included 305 children and 101 women. Of all victims, 1,066 Palestinians (97.6% of the total number of victims) were killed in the Gaza Strip, mostly in the Israeli offensive, which took place between 27 December 2008 and 18 January 2009. During that offensive, IOF killed 1,419 Palestinians, including 1,013 individuals<sup>1</sup> who were killed in the first 18 days of 2009. Additionally, 5,200 Palestinians were wounded in 2009, mostly during the offensive. Thus, the number of Palestinians killed by IOF and Israeli settlers in the West Bank and the Gaza Strip from September 2000 until the end of December 2009 totals 6,520, including 4,955 civilians; tens of thousands of others have been wounded.

In spite of the end of Israeli military operations in Gaza on 18 January 2009, and the effective cessation of military operations by Palestinian resistance groups, IOF continued to commit violations against the population of the Gaza Strip; after the ceasefire 47 Palestinians were killed, including 26 civilians, 7 of whom were children. Twelve of these civilians were killed at time of complete calm by Israeli snipers in buffer zones in the east and north of the Gaza Strip,

<sup>1</sup> This number does not include 8 Palestinians who died in the first 18 days of 2009 of wounds they had sustained before Israel's offensive on the Gaza Strip.

and 5 others were killed when IOF targeted and bombed tunnels along the border between the Gaza Strip and Egypt.

In the West Bank, IOF killed 18 Palestinians, including 15 civilians, 6 of whom were children. Israeli settlers killed 3 Palestinian civilians, including two children. All civilian victims were killed at times when they did not pose a threat to the lives of Israeli soldiers, including during protests against the confiscation of Palestinian land or incursions into Palestinian communities.

According to investigations conducted by PCHR, IOF used excessive and disproportionate force against Palestinian civilians, who are recognized as protected persons under international humanitarian law. In particular, IOF disregarded the principles of distinction and proportionality. There is also evidence that IOF carried out retaliatory actions against Palestinian civilians. These facts are reflected in the high number of Palestinian civilians killed by IOF over the year. These civilians were killed when they did not pose any threat to the lives of Israeli soldiers. There were killed when IOF bombed homes, civilians facilities and vehicles; extra judicially executed Palestinian activists; and conducted incursions into Palestinian communities.

In 2009, IOF continued to impose a tightened closure of the OPT, especially of the Gaza Strip where Palestinian civilians were denied access to their basic needs with regard to food, medicine, fuel, electricity and other necessary commodities. IOF continued to impose severe restrictions on the movement of Palestinian civilians and goods. The total closure imposed by IOF on the Gaza Strip has left a disastrous impact on the humanitarian situation and has violated the economic and social rights of the Palestinian civilian population. It has also paralyzed most economic sectors, resulting in the emergence of a man-made, and completely preventable, humanitarian crisis. The members of the international community, especially the High Contracting Parties to the 1949 Geneva Convention Relative of the Protection of Civilian Persons in Time of War, have shamefully failed to take the action necessary to ensure Israel's respect for the Convention in the OPT, the fulfillment of which would include lifting the closure and ending policies which violate the economic, social, civil and political rights of the Palestinian civilian population.

IOF continued to prevent the Palestinian civilian population from entering Israel, including patients seeking medical treatment and individuals with emergency humanitarian needs. They also continued to prevent thousands of Palestinian civilian who study or work abroad from traveling. Over the year, IOF continued to impose additional restrictions on movement within the West Bank, including Jerusalem, through at least 600 military checkpoints and barriers, turning Palestinian communities into isolated Bantustans. IOF also imposed further restrictions on travel through al-Karama International Crossing Point (also known as Allenby or King Hussein Bridge), on the Jordanian border. They decreased working hours at the crossing point and practiced inhuman and degrading treatment against Palestinian civilians.

The humanitarian crisis in the OPT, especially in the Gaza Strip, was aggravated in 2009. Unemployment rates in the OPT as a whole amounted to nearly 40%, with an even higher rate of 55% in the Gaza Strip, where poverty rates exceeded 80%. Various estimates indicate that at least 1.3



million Palestinians in the OPT live in poverty. The income of the Palestinian labor force has decreased continuously, as the individual income per annum in the first three years of the second Intifada (uprising) dropped by 32%, a decrease that peaked at the end of 2009, reaching 45%. Additionally, the Palestinian gross national product has sharply decreased, affecting all economic sectors.

By the end of 2009, at least 9,381 Palestinians, including 310 children and 34 women, remained in Israeli custody in detention facilities mostly inside Israel, in violation of article 76 of the Fourth Geneva Convention, which obligates the occupying power to detain persons from occupied territory in that territory. The number of prisoners from the Gaza Strip is at least 855. Additionally, IOF have continued to detain hundreds of Palestinians from Jerusalem and those who live inside Israel.

In 2009, IOF continued to arrest Palestinians during house raids, especially in the West Bank, and incursions into Palestinian towns, villages and refugee camps across the West Bank and Gaza Strip. Hundreds of Palestinians were also arrested at Israeli military checkpoints and roadblocks. In 2009, IOF arrested approximately 5,000 Palestinians, including 1,000 from the Gaza Strip.

In addition, arrest campaigns continued to target political leaders and representatives of the Palestinian people. By the end of 2009, IOF continued to detain at least 26 members of the Palestinian Legislative Council (PLC), the majority of whom are of the Change and Reform parliamentary bloc of Hamas, even though Dr. 'Aziz al-Dweik, Speaker of the PLC, was released.

IOF also arrested a number of civil society activists for their work in defending human rights.

Palestinian prisoners are detained under harsh conditions, including the denial of access to medical care, contributing to deterioration of their health conditions, especially among those who suffer from chronic and serious diseases. Many are also denied family visitation; prisoners from the Gaza Strip have been denied family visitation for four years and prisoners from the West Bank have been given the opportunity of family visitation only sporadically. Many prisoners are detained in solitary confinement for prolonged periods of time.

PCHR documented testimonies given by a number of released detainees who were arrested by IOF during the military offensive against the Gaza Strip, confirming that they were subjected to physical and mental torture during detention. Some were handcuffed and blindfolded near tanks in areas of ongoing military clashes, in disregard of international humanitarian law. Others were quoted as saying that they suffered from severe cold, starvation, were forced to sleep in the open and were subjected to insults and beating with gun butts. Some reported Israeli extortion and pressure on detainees in attempts to force them to collaborate with IOF in exchange for their release.

In the course of Israel's offensive on the Gaza Strip, IOF wantonly and extensively destroyed Palestinian civilian property, including homes, agricultural lands, as well as health, educational, religious and economic facilities. During the offensive, IOF attacked some property several times. IOF attempted to destroy most civilian facilities of the Palestinian National Authority (PNA), located in densely populated areas. PCHR documented numerous aerial and land attacks that targeted medical facilities, including hospitals, clinics and civil defense centers, and medical personnel. Dozens of medical facilities were destroyed or heavily damaged when they were directly attacked by IOF or when nearby targets were attacked.

The widespread destruction of homes and residential buildings during Israel's offensive on the Gaza Strip lead to the forced migration of thousands of civilians. Thousands of Palestinians had to leave their homes in order to escape death. PCHR field workers reported that approximately 450,000 individuals had to leave their homes looking for secure

shelters, causing many to recall scenes of the forced mass migration of the Palestinian people in 1948.

According to PCHR's documentation, 2,116 homes were completely destroyed; these contained 2,881 housing units, in which 3,253 families counting 18,750 individuals used to live. Additionally, 3,277 houses were partially destroyed (rendered uninhabitable); containing 4,925 housing units, in which 5,483 families counting 32,703 individuals live; at least 16,000 further homes were damaged. In total 51,453 civilians were forced to leave their homes as a result of destruction.

In the West Bank, IOF continued to demolish Palestinian houses in Area "C" – areas under full Israeli control following the Oslo Accords. In 2009, this policy was focused on occupied East Jerusalem, where IOF have demolished Palestinian homes under various pretexts, including the lack of building licenses.

In 2009, IOF demolished 134 houses in the West Bank, including 83 houses in East Jerusalem. They further forced 23 Palestinian civilians in East Jerusalem to demolish their own houses. Thus, the number of houses destroyed in the West Bank amounted to a total of 157.

The Israeli government, its occupation forces and settlers living in the OPT in violation of international law have continued activities of settlement expansion in the West Bank. Armed Israeli settlers, protected by IOF, have also continued to commit crimes against Palestinian civilians and property. In 2009, Israeli settlers increased their attacks against Palestinian civilians and property, especially following the inauguration of a new Israeli government led by Benjamin Netanyahu.

Over the course of the year, Israeli occupation authorities and their civilian wings, such as the Municipality of Jerusalem, the Ministry of Housing, the Ministry of Interior and the Higher Planning Council, invited bids for the construction of 3,400 housing units in the OPT. They also began construction of a new settlement neighborhood in the south of Jerusalem, a new settlement between "Ma'ale Adumim" settlement and Jerusalem, as well as a new housing units in the Jabal al-Mukaber neighborhood of Jerusalem. They further expanded "Gilo" settlement and completed the infrastructure of the E1 Project.<sup>2</sup>

Over the year, IOF confiscated and/or leveled at least 6,540 donums<sup>3</sup> of land across the West Bank; this figure includes areas of land annexed by Israeli settlers. These figures do not include closed military areas, such as the Jordan Valley along the eastern border of the West Bank.

In 2009, attacks by Israeli settlers against Palestinian civilians and property continued. Such attacks included shootings, running down civilians with vehicles and destruction of or damage to civilian property. In 2009, PCHR documented 233 attacks by Israeli settlers against Palestinian civilians and property, in which 3 Palestinian civilians, including two children, were killed.

IOF have continued to construct the Annexation Wall inside the territory of the West Bank in violation of international humanitarian law and the 9 July 2004 Advisory Opinion issued by the International Court of Justice in The Hague. Over the past 8 years, IOF have completed the construction of a large portion of the Wall, which is being constructed predominantly inside West Bank territory rather than along the Green Line.<sup>4</sup> Facts on the ground demonstrate that

2 In March 2005, a settlement plan was unveiled. Under the plan, 3,500 housing unit would be built in the area known as E1 to create a geographical contiguity between Jerusalem and "Ma'ale Adumim" settlement, the largest settlement (in terms of land) in the West Bank. The implementation of the plan would divide the West Bank into two separate parts without geographical contiguity.

3 One donum is equal to 1,000 square meters.

4 The Green Line is the line separating between Palestinian territories and Israel, established by the United Nations under the 1949 truce following the 1948 war between Arab countries and Israel.

Israel, which cites security reasons, has made the wall in order to create 'facts on the ground', i.e. a border to be negotiated with Palestinians who aspire to establish their state within the pre-1967 borders.

The Israeli judiciary has continued its traditional role of 'legitimizing' the policies of the Israeli occupation. In this context, the Israeli High Court rejected a number of petitions submitted by Palestinian civilians against the confiscation of their lands for the purpose of the construction of the Wall. In very rare cases, the court ordered slight changes to routes of the Wall, but not all such changes have been implemented.

IOF have imposed severe restrictions on the movement of Palestinians on both sides of the Wall. In 2009, IOF imposed additional restrictions on the movement of Palestinians.

IOF reduced the hours during which gates established along the Wall are opened, restricting access of Palestinian farmers to their agricultural lands, which are isolated behind the Wall. During the season of olive cultivation, IOF imposed a strict system of restrictions on the movement of Palestinian farmers. The IOF "Civil Administration" stipulates that Palestinian farmers must obtain permits to be allowed to reach their agricultural land beyond the Wall. To be able to obtain a permit, a farmer must be the registered owner of a tract of land, which is almost unachievable due to complications with land registry resulting from the periods of British, Jordanian, and Israeli rule, for example most of agricultural lands are registered under the names of deceased people (the registries have not been updated) and their heirs do not all live in the West Bank.

The construction of the Wall has resulted in new movement restrictions for Palestinians living near the route of the Wall, in addition to the widespread restrictions that have been in place since the outbreak of the second Palestinian Intifada. Thousands of Palestinians have difficulties accessing their fields and marketing their produce in other areas of the West Bank. Farming is a primary source of income in the Palestinian communities situated along the Wall's route. The harm to the agricultural sector is bound to have drastic economic effects on the residents – whose economic situation is already very difficult – and drive many families into poverty.

The impact of restrictions on the movement of Palestinians living near the Wall has not been limited to the agricultural sector, but includes numerous other aspects of life. Palestinians' access to medical care, education and their relatives has been restricted, as Palestinians are required to obtain permits to move through gates established on the Wall, which are operated under a strict security system. IOF often close these gates for no apparent reason.

The Israeli legal system is fundamentally biased against Palestinians. The system itself, including mechanisms of investigation adopted by the Israeli military, are biased and partial. While Israel has initiated investigations into the events of Operation Cast Lead, the number of investigations initiated comprises only a fraction of the overall complaints submitted.

Additionally, these investigations fall far short of accepted international standards. In accordance with its obligations under international law, Israel must investigate and bring to justice and punish those responsible for crimes, provide an effective remedy for victims, provide fair and adequate compensation, and establish the truth. Israeli investigations fail to meet these five basic requirements. Investigations also fail to meet international standards as regards independence of the judiciary – based on the separation of powers principle – the need for timely investigation and prosecution, and the need for investigations to be conducted outside the military hierarchy in order to ensure a fair and independent investigation and prosecution. Simply put, justice for Palestinians is unattainable in this biased and partial system.

In light of this reality, PCHR, in cooperation with a number of international legal and human rights organizations, has turned to the pursuit of universal jurisdiction. This legal principle empowers national courts, acting as agents of the

international community, to try and prosecute those accused of international crimes – which include grave breaches of the Geneva Conventions, crimes against humanity, genocide and torture – no matter where these crimes occurred. The pursuit of universal jurisdiction forms a longstanding component of PCHR's legal strategy. In 2009 a number of lawsuits were pursued, and the existing legal network strengthened and extended.

The United Nations, and individual member States of the international community – notably the High Contracting Parties to the Geneva Conventions of 1949 – are under an obligation to uphold international law; by granting Israel impunity, the international community is violating its own legal obligations (see Article 1, Fourth Geneva Convention) and becoming complicit in the crimes of the occupation. The Report of the United Nations (UN) Fact Finding Mission on the Gaza Conflict, which was headed by Justice Richard Goldstone, provided an opportunity to enforce the law and prosecute senior officials suspected of committing war crimes and other serious violations of international law. The Report's recommendations laid out specific, detailed, and realistic mechanisms of accountability; these recommendations have been undermined by the international community both at the capital and United Nations level. To-date, political considerations have been placed above the requirements of the rule of law, at the expense of victims' rights.

The United Nations Fact Finding Mission was established by the Human Rights Council with Resolution S-91/. The mission conducted extensive investigations into violations of international humanitarian law and international human rights law perpetrated by Israel and Palestinian armed groups as well as the authorities in the Gaza Strip and the West Bank, including East Jerusalem. The Mission's conclusions confirmed the conclusions of investigations conducted by Palestinian, Israeli and international human rights organizations, and refuted Israel's claims that its military and political operations were conducted in accordance with international law. The Mission concluded that Israel was responsible for perpetrating grave breaches of the Geneva Conventions, war crimes and serious violations of international human rights law and humanitarian law. It also found enough evidence to indicate that crimes against humanity might have been committed.

Over the last quarter of 2009, persistent efforts were made to undermine the report in the UN Human Rights Council, General Assembly and Security Council. The first of these attempts came in the Human Rights Council in September, and it gained momentum due to the political hesitation of the Palestine Liberation Organization, the agendas of some influential States in the United Nations that oppose accountability; such actions amounted to an insistence to ignore victims of Israel's offensive in the Gaza Strip. In response to international pressure, on 2 October 2009, the Palestinian leadership requested delaying the vote on a draft resolution in the Human Rights Council endorsing the recommendations of the report prepared by the UN Fact-Finding Mission (the 'Goldstone Report').

PCHR and other human rights organizations condemned this delay, which denies the Palestinian people their right to effective judicial remedy, equality in the protection of law and places politics above human rights, demeaning victims and their rights.

In response to civil-society and community pressure, the Palestinian leadership sought to convene a special session for the Human Rights Council to consider the report. On 16 October 2009, the 12th Special Session of the UN Human Rights Council issued a Resolution condemning illegal acts of Israel, as an occupying power, especially its illegal annexation of East Jerusalem, and endorsing the conclusions and recommendations of the Goldstone Report. This Resolution constituted a victory for human rights and the rule of law, and a first step towards achieving justice and accountability, supporting victims' rights and holding accountable those responsible for perpetrating serious violations of international law.

Nevertheless, efforts to diminish the report in the UN General Assembly continued. In mid-November 2009, the General Assembly convened to discuss the report, and a draft resolution to consider the report was approved. It became clear



that the draft resolution was an attempt to ensure enough support for a meaningless resolution that failed to protect the rights of victims and achieve accountability. While the draft resolution addresses some of these demands, it does not include any effective steps to implement the recommendations of the Goldstone Report, and does not ensure effective judicial remedy for victims.

Impunity must not be allowed to prevail, and it is unacceptable that international law be subject to the whims of international politics; depriving people all over the world of their basic rights. We, as Palestinians and representatives of victims of human rights violations, call for justice in order to create an environment appropriate to achieving peace in the future. In light of the failure to hold Israel accountable for the human rights violations it perpetrates in the West Bank and the Gaza Strip, and the indecisive international position towards the Goldstone Report, we believe that the human rights situation in the OPT will deteriorate further.

\* \* \* \* \*

Political division and conflict in the Palestinian National Authority constituted a major motive for human rights violations and the obstruction of democratic reform in 2009. Efforts to achieve national reconciliation, which PCHR supports and has contributed to, have failed to end the political division and restore national unity. Currently the Palestinian Legislative Council is paralyzed, while the political division is manifested in the existence of two Palestinian governments, with separate police and security services and two judiciaries.

Throughout the year, the state of political fragmentation imposed a heavy burden on the work and performance of the PLC, which was completely unable to carry out its important role in enacting legislation, and monitoring and holding accountable the executive. In Gaza, the Change and Reform Bloc of Hamas has continued to hold sessions of the PLC since November 2007, claiming that such sessions were legal. Since then, the Change and Reform Bloc has discussed, ratified and issued a number of laws, without ratification by the PNA President. In Ramallah, Palestinian President Mahmoud Abbas has continued to issue Presidential decrees that have the power of law without presenting them to

the PLC. PCHR has expressed reservations regarding the adoption of regulations by the PNA under the ongoing state of fragmentation.

During the year, a number of PLC Members in the West Bank and the Gaza Strip were subjected to attacks by Palestinian security services, including beating and restrictions on their movement in violation of the Basic Law.

On 23 June 2009, IOF released Dr. Aziz al-Dwaik, PLC Speaker. However, Dr. al-Dwaik was unexpectedly prevented from resuming his work, and from even entering the offices of the PLC in Ramallah, by a Palestinian decision.

The political fragmentation and conflict in the PNA impacted the judiciary, as two separate judicial systems have been enforced in the West Bank and the Gaza Strip. The government in Gaza established a separate system, with jurisdiction over the population of the Gaza Strip, in violation of the Basic Law, while the judicial system in the West Bank applies only to those who live in the West Bank. In 2009, the government in Gaza dismissed the acting Attorney General in Gaza and appointed a new one, in violation of the Basic Law.

In the West Bank, the executive has continued to control the judiciary, which undermines its dignity and independence. The military prosecution has continued to usurp the authorities of the Attorney General, and the executive has continued to disobey court rulings, particularly with regard to the release of political prisoners.

The political split and conflict in the PNA impacted the process of democratic reform in 2009; this includes the fact that general and local elections were not carried out. The year 2009 ended without any real preparations for the holding of presidential, legislative and local elections in accordance with the legal schedules, or even an agreement between the parties of the conflict on dates for holding such elections. With the end of 2009 and the beginning of 2010, the public authorization offered by the Palestinian people to their representatives expires, and no politician can now claim to hold a democratic mandate or to represent the will of the public.

On 23 October 2009, Palestinian President Mahmoud Abbas announced that he was issuing a decree calling for free and fair presidential and parliamentary elections in the PNA to be held on Sunday, 24 January 2010. PCHR issued a position paper on the aforementioned presidential decree,<sup>5</sup> in which it stressed that elections are a demand of all national powers and civil society groups. However, elections are not possible before a comprehensive national reconciliation has been reached that can end fragmentation and restore the dignity of the legislative, executive and judicial institutions of the Palestinian government, all of which have been affected by the crisis and have come to reflect the state of political fragmentation. PCHR further pointed out that elections require an appropriate electoral environment, including the upholding of public freedoms; the release of political prisoners; lifting the ban imposed on political activities (those imposed on Hamas in the West Bank and on the Fatah movement in the Gaza Strip); reopening hundreds of closed associations; respecting press freedoms and free expression; and allowing all print, visual and audio mass media to work freely.

In light of Hamas' rejection of elections before reaching a national reconciliation, on 12 November 2009, the Central Elections Commission met to discuss all aspects of the situation. It found that "it cannot hold elections nationwide on the assigned date."

Elections for the local councils have constituted another setback in the process of democratic reform in the PNA. By the end of 2009, the PNA had failed to organize elections for local councils, whose term in office had expired.

<sup>5</sup> "Reconciliation Is a Prerequisite for Elections; Presidential Decree is Constitutionally Sound, But Inappropriate and Impossible without Reconciliation," Position Paper, 25 October 2009.



In 2009, the two governments in Ramallah and Gaza continued to appoint local councils. In Gaza, the government appointed local councils for major towns, where elections had not been held, such as Gaza City, Khan Yunis and al-Nussairat. It appointed new councils to replace those whose legal term had expired. In the West Bank, the PNA continued to appoint local councils in areas where elections had not been held, and replaced some local councils with new councils politically affiliated with the government, in violation of the law.

In 2009, violations of the right of life and attacks on personal security in the OPT continued. In 2009, 115 Palestinians, including 13 children and 14 women, were killed by Palestinian actors and at least 280 others were wounded. The majority of victims were killed in the Gaza Strip, where 94 Palestinians were killed.

In 2009, 37 Palestinians (28 in the Gaza Strip and 9 in the West Bank), including 7 security officers and two children, were killed during law enforcement operations carried out by Palestinian security services against armed groups in the West Bank and the Gaza Strip. Law enforcement officials used excessive force during those operations. Regrettably, no investigation was conducted into these incidents, especially in serious attacks such as the killing of 3 wounded persons who were being evacuated in ambulances, and no legal action was taken against the attackers.

In 2009, 40 Palestinians, including 9 children and 4 women, were killed and at least 140 others were wounded as a result of the misuse of weapons by known and unknown armed groups, in the context of the state of lawlessness plaguing the OPT.

Weapons continued to be employed in personal and clan. In 2009, 11 Palestinians, including a child and a woman, were killed, and 25 others were wounded in personal and clan disputes.

In 2009, 13 Palestinians, including 9 women and one child, were killed in the name of "protecting family honor."

In the early days of 2009, unidentified gunmen killed 5 detainees who fled Gaza Central Prison, which is located in the Palestinian security compound (al-Saraya) in the center of Gaza City, after IOF had bombed the compound on 28 December 2008. A sixth person was killed by unknown persons for allegedly collaborating with IOF. The prisoners who fled included persons sentenced to death for collaboration with Israeli Security Services or convicted of committing other criminal offenses.

In 2009, there was a notable increase in the detonation of bombs in cars, shops and institutions. In the last quarter of the year, the number of such bombings increased notably, targeting internet cafés, shops and charitable organizations.

Illegal arrests and crimes of torture continued in 2009 under the state of political fragmentation in the PNA. Several political leaders and field operatives of the Fatah and Hamas movements were arrested in mutual reactions of the two sides, who did not admit that such arrests were political and claimed that they were based on security or criminal offenses.

In many cases, arrests are not carried out in accordance with appropriate legal procedures. Sometimes, arrests are conducted by parties that are not authorized for law enforcement, in violation of the Palestinian law, under which arrests fall under the mandate of judicial officials, including the civil police, who are under the supervision of the Attorney General. At other times, arrests are conducted by law enforcement officials, but without following necessary legal procedures, including having arrest warrants issued by the Attorney General. Additionally, detainees are held in illegal detention centers, which do not meet the minimum standards of appropriate detention conditions, in violation of the Law of Reform and Rehabilitation Centers of 1998. In 2009, detention conditions further deteriorated after IOF had bombed Gaza Central Prison, which forced the prisons authority to transfer detainees to other prisons that lack

appropriate detention conditions.

In the Gaza Strip, hundreds of Palestinians, especially supporters and members of the Fatah movement, were arrested by security services of the Gaza government. Mostly, these arrests were based on security or criminal allegations, such as accusations of involvement in planting explosives targeting security officials in Gaza or public locations,<sup>6</sup> or maintaining contacts with the Ramallah government. Security services in Gaza waged a wide-scale campaign of arrests against members of an armed group known as “Army of Allah’s Supporters” (Jund Ansar Allah), following armed clashes between members of the group and members of the security services and the ‘Izziddin al-Qassam Brigades (the armed wing of Hamas) in Rafah in the southern Gaza Strip, during which 28 persons were killed, including the group’s leader.

In the West Bank, Palestinian security services waged arrest campaigns against activists and supporters of Hamas, including senior leaders and PLC members. Such arrests were based on allegations of possession of weapons, forming armed groups, establishing an executive force aimed at disrupting public order, or maintaining contacts with the Gaza government. In the second week of May 2009, security services in the West Bank waged an arrest campaign against supporters of Islamic movements, especially of Hamas, in the West Bank. According to a number of released detainees, those arrested were subjected to torture by interrogators.

In the majority of cases of detention in the West Bank and the Gaza Strip against members of the Hamas and Fatah movements, respectively, detainees were subjected to several methods of torture and ill-treatment. Such methods included: insults; beating using batons, sharp tools, feet and hands; tying the feet and hands to a chair and beating with batons or wires; and other methods. PCHR received many complaints from Palestinians who had been detained by the two governments in Gaza and Ramallah, stating that they were subjected to various methods of torture and ill-treatment. In many cases, detainees were taken to hospitals as they had been subjected to extreme torture in detention centers.

In 2009, 9 detainees died in prisons and detention centers in the West Bank and the Gaza Strip; 5 detainees died in the Gaza Strip and 4 others died in the West Bank. PCHR is concerned that those people died as a result of being tortured during their detention by security services. PCHR calls for investigations of these deaths, the publication of the results of investigations, and – if it is concluded that a crime was committed, or that there was a failure to protect detainees in custody – the prosecution of those responsible in accordance with the law.

In 2009, violations of the right to peaceful assembly were reported, the majority of which were carried out against activists of the Fatah movement in the Gaza Strip and activists of Hamas in the West Bank, reflecting the political fragmentation in the PNA. The two governments in Gaza and Ramallah, through their security services, imposed severe restrictions on the right to peaceful assembly.

Restrictions on the right to peaceful assembly peaked in the last three weeks of the year, as both the Hamas and the Fatah movement celebrated the anniversaries of their establishment. On the eve of the 22nd anniversary of the establishment of Hamas, Palestinian security services in the West Bank waged a campaign of arrests, during which they arrested dozens of members and supporters of Hamas. The Preventive Security Service and the General Intelligence Service arrested members of Hamas in numerous locations across the West Bank.

During the last week of December 2009, security services in Gaza took a series of measures against activists of the Fatah Movement in the Gaza Strip to prevent them from commemorating the 45th anniversary of the establishment of the movement on 1 January. They arrested dozens of Fatah activists and a number of detainees were violently beaten and

<sup>6</sup> This does not include those who were convicted and tried before courts.

subjected to inhuman and degrading treatment.

Over the course of the year, restrictions and assaults on the right to freedom of association continued at various levels in disregard for the relevant legislation, and even pursuant to the political agendas of both parties of the ongoing conflict. Such restrictions and assaults included interference with the internal affairs of associations by replacing their boards – especially those affiliated to the other party of the conflict – with appointees of the governments in violation of the law, and attacks by security services, including raids and searches of offices.

In 2009, the issue of application of the death penalty in the PNA saw a negative development, as an increasing number of death sentences was issued; Palestinian military courts in the West Bank and the Gaza Strip issued 17 death sentences (14 in the Gaza Strip and 3 in the West Bank). Thus, the year 2009 has been the worst since the establishment of the PNA with regard to death penalty sentences; 17% of death sentences issued since the establishment of the PNA in 1994 were issued in 2009. However, PCHR expresses its satisfaction that the Palestinian President has not ratified any of these sentences and hopes that his abstention from ratification will be a step towards stopping the application of the death penalty. PCHR is extremely concerned about repeated statements by officials in the Gaza government with regard to the application of the death penalty, and calls upon the government not to approve death sentences.

The political crisis in the PNA, including the conflict of authorities between the two Palestinian governments in Gaza and Ramallah, has negatively impacted the already deteriorated economic and social conditions of the Palestinian population in the Gaza Strip. In January 2009, the Ramallah Ministry of Health ceased the referral of Palestinian patients to Israeli hospitals. This decision was taken in light of the requirement – imposed by Israeli occupation authorities – that the Palestinian Authority cover all treatment expenses. As a result, hundreds of Palestinian patients, especially cancer patients who are in need of chemotherapy, radiology and bone marrow transplants, found their treatments interrupted without any suitable medical alternatives. On the afternoon of 22 March 2009, the Ministry of Health in Gaza took control of the Department of Medical Referrals Abroad. Officials from the Gaza Ministry of Health demanded that the director of the Department relinquish control of all offices in the Gaza Strip. Such measures, and the suspension of work in the Department led to the death of a number of patients, and the deterioration of the health condition of others.

## Recommendations

This section details PCHR's recommendations to the international community and the PNA. PCHR expresses its hope 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, including both governments in Gaza and Ramallah, will work towards realizing these recommendations in the context of its responsibilities.

### Recommendations to the International Community

1. PCHR calls for the implementation of all recommendations contained in the Report of the UN Fact-Finding Mission on Gaza Conflict (the Goldstone Report) through:
  - A- Urging the UN Security Council to endorse the report and immediately implement all accountability mechanisms included in it, particularly referring the situation to the International Criminal Court according to Chapter 7 of the UN Charter if the Israeli and Palestinian sides failed to conduct impartial investigations; and
  - B- Demanding that the Swiss Government, the Depository of the Geneva Conventions, call for a conference of the High Contracting Parties to the Conventions.
2. While PCHR condemns the narrow focus of relevant United Nations Resolutions, it is through these mechanisms that the Report must be implemented, PCHR call on the Council to address whether relevant parties conducted

investigations and to refer these findings to the General Assembly.

3. PCHR calls upon the Quartet (the United Nations, the United States, the European Union and the Russian Federation) to take a clear position and effective steps towards lifting the illegal closure of the Gaza Strip.
4. PCHR calls for taking effective steps to stop collective punishment measures against Palestinian civilians, who are protected under international law, and to lift the strict siege, which has been imposed by IOF on the Gaza Strip since June 2006 and was still ongoing in 2009.
5. PCHR calls upon the High Contracting Parties to the Fourth Geneva Convention to fulfill their legal and moral obligations, including ensuring Israel's respect for the Convention in the OPT in accordance with Article 1. PCHR believes that the international silence with regard to grave breaches of the Convention perpetrated by IOF in the OPT serves to encourage Israel to act as a state above law and results in the perpetration of more grave breaches.
6. PCHR demands that the international community assume its responsibilities with regard to the process of reconstruction in the Gaza Strip following Israel's offensive, including funding this process, and to pressurize Israel to open border crossings of the Gaza Strip to allow the entry of necessary construction materials.
7. PCHR emphasizes that the Israeli occupation of the Gaza Strip remains effective in its physical and legal forms in spite of the implementation of the Disengagement Plan, which is a form of redeployment of IOF rather an end to occupation in the Gaza Strip. Accordingly, the legal status of the Gaza Strip has not changed, which obligates the international community and organizations to deal with the Gaza Strip as a part of the OPT.
8. PCHR calls upon that the High Contracting Parties to the Fourth Geneva Convention to search for and prosecute Israelis responsible for grave breaches, some of which have been defined as war crimes, as the Israeli judiciary does not prosecute them and has even provided legal cover for such individuals in many cases.
9. PCHR calls for an end to all efforts aimed at amending universal jurisdiction laws in European countries to block opportunities of prosecuting alleged Israeli war criminals before their judiciaries.
10. PCHR calls upon international civil society organizations, including human rights organizations, bar associations and solidarity groups, to lobby against such efforts, which impact the rights of millions of victims throughout the world who see universal jurisdiction as the only opportunity for judicial remedy and prosecution of war criminals.
11. PCHR highly appreciates international solidarity delegations and their stance during and after Israel's offensive on the Gaza Strip; however, PCHR stresses that IOF are the party that is responsible for denial of their access to the Gaza Strip rather than any other party.
12. PCHR calls for taking effective steps towards dismantling the Annexation Wall being constructed inside West Bank territory. PCHR particularly calls upon the United Nations to take measures that conform to the Advisory Opinion issued by the International Court of Justice, the highest international judicial body, in 2004, which considers the Wall illegal.
13. PCHR calls upon the international community to stop the crime of settlement in the OPT, and calls upon all global companies to stop all projects in Israeli settlements.
14. 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 the import of goods produced in illegal Israeli settlements inside the OPT.
15. 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 for ensuring the freedom of movement of international delegations visiting the OPT similar to the freedom enjoyed by Israeli citizens abroad.
16. PCHR calls upon the international community to support efforts aimed at achieving Palestinian national reconciliation. It stresses that the boycott, including refusal to deal with the national unity government that was formed following the Mecca Agreement in February 2007, was a major factor that led to internal fighting and political division within the PNA. Accordingly, the international community is called upon to make efforts

to end this situation, to provide explicit guarantees – especially by the European Union – to support efforts of reconciliation and accept its results as well as those of any future elections, so long as they are transparent and fair.

17. 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 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

1. PCHR calls upon the Fatah and Hamas movements to initiate a dialogue to end the current political crisis and end the division in PNA, which has affected all components of the Palestinian political system and exacerbated the separation between the West Bank and the Gaza Strip.
2. PCHR calls for the maintenance of the dignity of the judiciary and for effective measures to ensure its non-politicization in the context of the existing conflict.
3. PCHR calls for on the PNA make efforts to ensure appropriate conditions necessary for holding presidential, parliamentary and local elections.
4. PCHR calls for the reactivation of the legislature by immediately allowing the Speaker of the Palestinian Legislative Council to assume the responsibilities of his post, and abstaining from issuing or freezing laws by the Change and Reform Bloc in Gaza as well as presidential decrees that have the power of laws in Ramallah.
5. PCHR calls for a stop to all political arrests that target activists of the Fatah and Hamas movements in the Gaza Strip and the West Bank, respectively, ensuring the release of political prisoners, and putting an end to torture and cruel treatment in detention centers administered by security services in the Gaza Strip and the West Bank.
6. PCHR calls for effective measures to be taken to end the state of lawlessness plaguing the OPT, which has cost the lives of hundreds of Palestinian civilians.
7. PCHR calls for investigations of all crimes and attacks against citizens and their property. This includes bringing the perpetrators to justice, issuing strict instructions to Palestinian law enforcement officials banning them for carrying their weapons off duty, preventing them from using weapons to threaten people and violate their right to life, and bringing violators of such instructions to justice.
8. PCHR calls for the right of the freedom of expression to be guaranteed, including an end to all attacks against journalists and media institutions, especially those affiliated to parties of the current internal conflict. PCHR further calls upon the PNA to refrain from imposing restrictions on political parties and to ensure pluralism in accordance with the constitution.
9. PCHR calls for the right of peaceful assembly to be ensured, with regards to all peaceful demonstrations and public meetings, provided that the peaceful nature of such activities is maintained.
10. PCHR calls for ensuring the right of association, stopping attacks against associations and partisan offices, abstaining from pushing civil society organizations into any conflict and reopening all associations that were closed for political reasons.
11. PCHR calls for the abolition of the death penalty and abstention from implementing death sentences that have been issued so far.
12. PCHR calls for independent and professional investigations into violations of human rights included in the Goldstone Report that meet international standards and the deadlines set by the report.
13. PCHR calls for activating all possible diplomatic and political influence of the PNA and Palestine Liberation Organization in the UN General Assembly to follow up on efforts to implement the recommendations of the Goldstone Report.
14. PCHR calls upon the PNA to adhere to international human rights standards and ensure that all measures it takes conform to international human rights standards and respect basic rights of citizens.



## Section 1

# Israeli Violations of Human Rights and International Humanitarian Law

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This section of the report focuses on violations of human rights and international humanitarian law perpetrated by IOF against Palestinian civilians and their property in the OPT in 2009. It includes the following subsections: Willful Killings and Other Violations of the Right to Life and Personal Security; Ongoing Policy of Total Closure and Violation of the Right to Freedom of Movement; Arrests, Torture and Other Forms of Cruel and Inhuman Treatment; Destruction of Civilian Property, Including Homes; Settlement Activities and Attacks by Settlers against Palestinian Civilians and Property; The Annexation Wall in the West Bank; and the Absence of Justice in the Israeli Legal System.



## Willful Killings and Other Violations of the Right to Life and Personal Security

In 2009, IOF committed crimes against Palestinian civilians in the OPT in a manner unprecedented since 1967, when IOF occupied the Palestinian territories.<sup>7</sup> IOF killed 1,092 Palestinians, including 831 civilians. The civilian victims included 305 children and 101 women. Of all victims, 1,066 Palestinians (97.6% of the total number of victims) were killed in the Gaza Strip, mostly in Israel's offensive on the Gaza Strip, which took place 27 December 2008 and 18 January 2009. During that offensive, IOF killed 1,419 Palestinians, including 1,013 individuals<sup>8</sup> who were killed in the first 18 days of 2009. Additionally, 5,200 Palestinians were wounded in 2009, most of them during the offensive. Thus, the number of Palestinians killed by IOF and Israeli settlers in the West Bank and the Gaza Strip from September 2000 until the end of December 2009 amounts to 6,520, including 4,955 civilians, and tens of thousands of others have been wounded.

In spite of the end of Israeli military operations in Gaza on 18 January 2009, and the effective cessation of military operations by Palestinian resistance groups in Gaza, IOF continued to commit violations against the population of the Gaza Strip; they killed 47 Palestinians, including 26 civilians, 7 of whom were children. Twelve of these civilians were killed at time of complete calm by Israeli snipers in buffer zones in the east and north of the Gaza Strip, and 5 others were killed when IOF targeted and bombed tunnels along the border between the Gaza Strip and Egypt.

In the West Bank, IOF killed 18 Palestinians, including 15 civilians, 6 of whom were children. Israeli settlers killed 3 Palestinian civilians, including two children. All civilian victims were killed at times when they did not pose a threat to the lives of Israeli soldiers, including during protests against the confiscation of Palestinian land or incursions into

Palestinian communities.

In the first 18 days of 2009, during Israel's offensive on the Gaza Strip, IOF escalated attacks against Palestinian civilians and their property, including homes and civilian facilities. They conducted wide-scale incursions into Palestinian communities, especially in Gaza City and the northern Gaza Strip. During that period, IOF killed 1,013 Palestinians. Contrary to Israeli claims, most of the victims were civilians (774 civilians, constituting 76.5% of the total number of victims) or civil police officers who were in their stations or enforcing the law (5 police officers, which constitutes 0.5% of the total number of victims). The civilian victims included 289 children and 101 women. In addition to these civilians, IOF killed 234 resistance activists (approximately 23% of the total number of Palestinians killed by IOF in that period).

According to investigations con-

<sup>7</sup> See diagram (1), which shows the number of Palestinian civilians killed in each year of the Intifada.

<sup>8</sup> This number does not include 8 Palestinians who died in the first 18 days of 2009 of wounds they had sustained before Israel's offensive on the Gaza Strip.

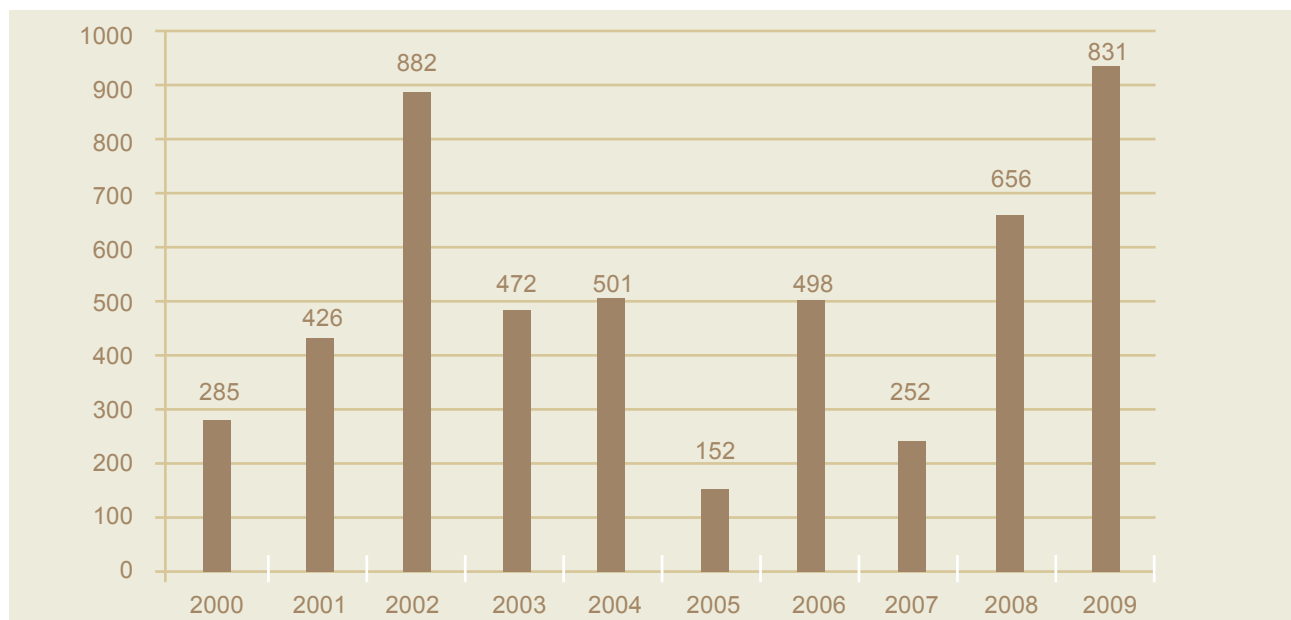


ducted by PCHR, IOF undoubtedly used excessive and disproportionate force against Palestinian civilians, who are protected persons under international humanitarian law. They disregarded the principles of distinction and propor-

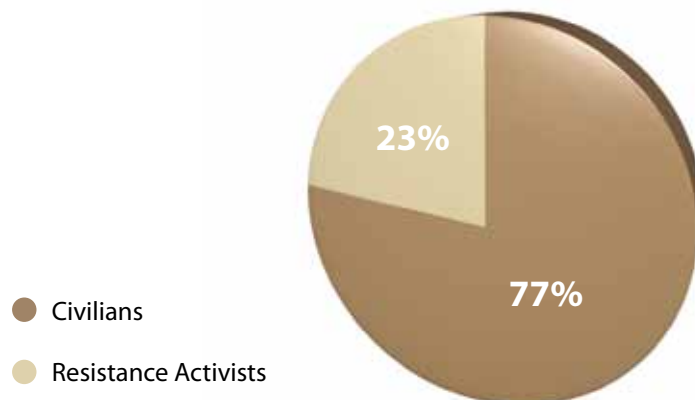
tionality. There is also evidence that IOF carried out retaliatory actions against Palestinian civilians. These facts are reflected in the high number of Palestinian civilians killed by IOF over the year. These civilians were killed when

they did not pose any threat to the lives of Israeli soldiers. There were killed when IOF bombed homes, civilians facilities and vehicles; extra judicially executed Palestinian activists; and moved into Palestinian communities.

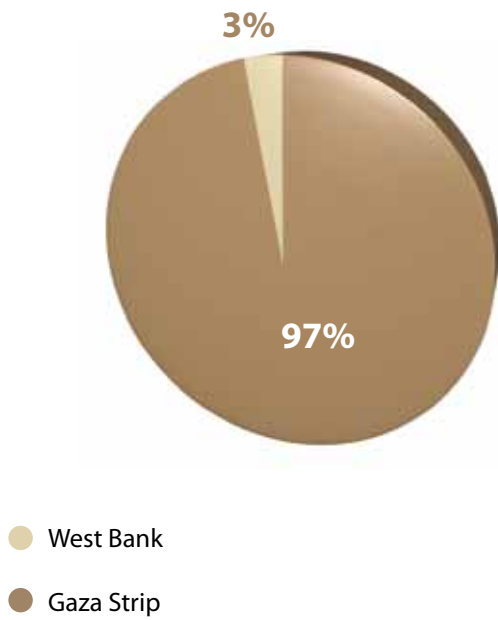
**Diagram 1: Palestinian Civilians Killed by IOF since the beginning of the second Intifada**



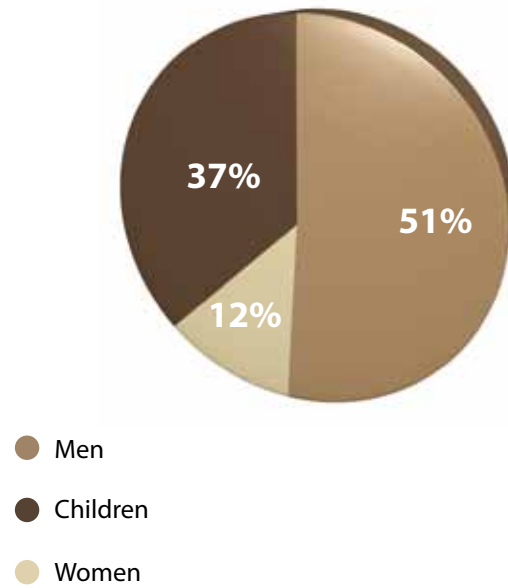
**Diagram 2: Categories of Palestinians Killed by IOF in 2009**



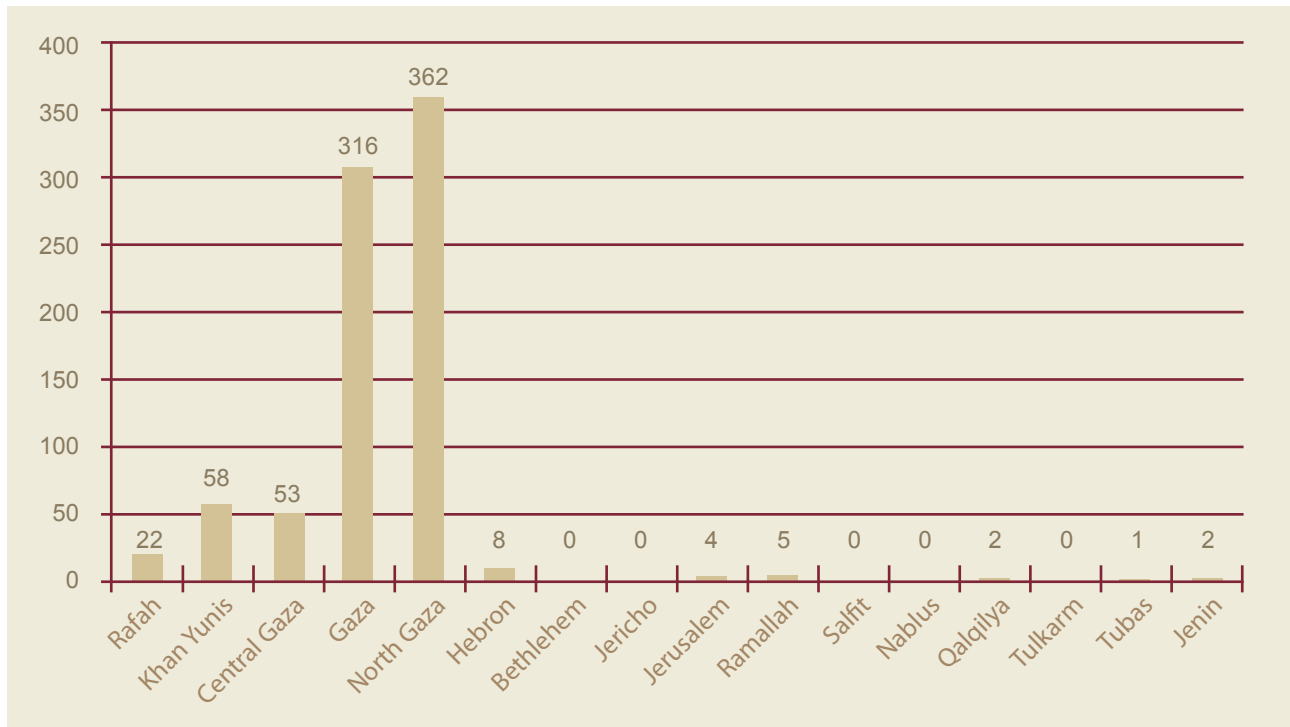
**Diagram 3: Geographical Distribution of Palestinians Killed by IOF in 2009**



**Diagram 4: Categories of Palestinian Civilians Killed by IOF in 2009**

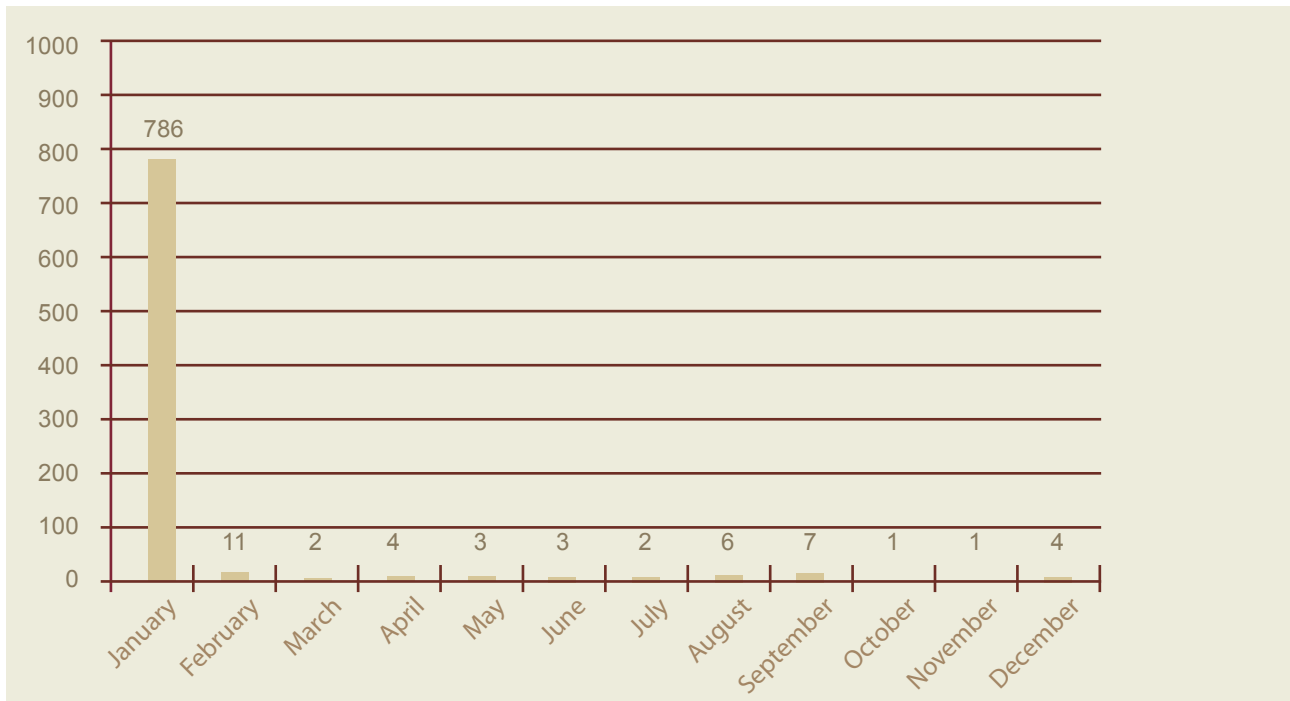


**Diagram 5: Geographical Distribution of Palestinian Civilians Killed by IOF (By District)**





**Diagram 6: Monthly Numbers of Palestinians Civilians Killed by IOF in 2009**



## Contexts of Killings



The contexts in which Palestinian civilians were killed varied, but the majority of victims were killed by various kinds of projectiles fired by Israeli warplanes, gunboats and artilleries in the first 18 days of 2009. Palestinians were killed when IOF bombed houses of resistance activists; other facilities, including mosques, public institutions, etc.; residential communities; cars; and condolence tents. Hundreds of victims and eyewitnesses reported what they had seen to PCHR staff; including gruesome crimes committed by IOF during the offensive, such as the destruction of homes while families were inside and the killing of entire families.



Israeli white phosphorus bombs explode over Gaza City. Photograph by Mohammed al-Baba, Reuters (winner of the second prize in the World Press Photo competition).



Various projectiles fired by IOF during their offensive on Gaza.

Additionally, some civilians were shot dead by IOF while inside or near their homes or while attempting to flee their houses, seeking shelter to protect themselves from the Israeli bombing. A number of civilians were also killed by Israeli snipers who were positioned atop houses during incursions into Palestinian communities.

## 1. Bombing of Civilian Homes

The bombing of houses with civilians inside was one of the features of willful killings and violations of the right to life perpetrated by IOF, especially during the offensive on the Gaza Strip. PCHR documented a number of such crimes that were committed during the offensive in spite of prior knowledge of civilians inside the houses. Such attacks killed dozens, including children and entire families. One of the most hideous of these crimes was the bombing of houses belonging to the al-Sammouni clan in al-Zaytoun neighborhood in the southeast of Gaza City. As a result of the attack, 22 civilians, most of them women and children, were killed. Another crime was the bombing of a house belonging to al-Daya family, also in al-Zaytoun neighborhood, in which 22 civilians were killed. A third example of such attacks is the bombing of a house belonging to the Deeb family in Jabalia refugee camp in the northern Gaza Strip, which resulted in 11 civilian deaths.



Rubble of Wa'el al-Sammouni's home in al-Zaytoun neighborhood, Gaza City.

## 2. Bombing of Activists' Houses

During the second Intifada, IOF have developed and implemented new policies that constitute violations of international law, such as targeting houses of activists throughout Gaza Strip, often with warplanes, absent any military necessity. At the beginning of the second Intifada, IOF demanded that the houses' owners vacate their homes just before the bombing, by way of calling the owner himself or informing neighbors. In many instances, IOF retreated due to the presence civilians inside.

However, during the latest offensive against the Gaza Strip, IOF paid no regard to the presence of civilians inside targeted houses and did not warn the houses' owners before bombing. During the latest offensive, IOF committed dozens of such crimes, which resulted in dozens of deaths, including entire families. For instance, IOF bombed a house belonging to Dr. Nizar Rayan, a senior leader of Hamas, killing him, his 4 wives and 11 of his children.



Rubble of the house of Dr. Nizar Rayan, a Hamas leader.

### 3. Bombing of Civilian Facilities (Mosques, Ministries and Institutions)

During the days of the offensive on the Gaza Strip, IOF did not spare any security or civilian institution from attacks and paid no regard to inviolability of any institution in the Gaza Strip. Israeli bombing targeted mosques, schools, educational institutions, ministries and the Palestinian Legislative Council. The bombings resulted in the killing of dozens of civilians, including women, elderly men and children. The two most distinctive crimes were the killing 5 children from the Ba'lousha family as a result of bombing a nearby mosque and the crime of targeting al-Maqadma Mosque in Beit Lahia as prayers were going on inside, killing 15, including 6 children.

#### 4. Civilian Victims during Extra-Judicial Executions

In 2009, IOF committed more extra-judicial executions that targeted Palestinians allegedly involved in attacks against Israeli targets in the OPT and inside Israel. Over the course of the year, IOF extra-judicially executed 16 Palestinians. Thus, the number of Palestinians killed in extra-judicial execution since the beginning of the al-Aqsa Intifada in September 2000 has mounted to 801, including 220 civilian bystanders. The victims include 5 targeted children and 69 non-targeted children. In the West Bank, 346 Palestinians, including 58 civilian bystanders, have been killed in such attacks. In the Gaza Strip, 455 Palestinians, including 162 civilian bystanders, have been killed in such attacks. During the latest offensive on the Gaza Strip, IOF extra-judicially executed Palestinians, most of whom were leaders of the Palestinian factions. IOF extra-judicially executed Said Siam, a senior leader of Hamas and Minister of Interior in the Gaza Government.

##### Extra-Judicial Execution of Said Siam, Minister of Interior in Gaza

Israeli fighter jets bombed the house of Eyad Siam, 35, in al-Yarmouk neighborhood in the center of Gaza City, destroying it completely. Eyad Siam, his wife Samah, 34, his brother Said Siam, 50, his nephew Mohammed Said Siam, 22, and his nephew Mohammed Ismail Siam, 27, were killed. A nearby house belonging to the Esleem family was destroyed, killing five family members, including 3 children: Samar Ali Esleem, 16; Iman 'Abdul Qader Esleem, 21; Ahmed Mohammed Esleem, 14; Hussam Mohammed Esleem, 10; and Mohammed Nabil Esleem, 20.

In spite of the undeclared truce in the Gaza Strip since the end of Israel's offensive on 18 January 2009, IOF committed additional extra-judicial executions after the end of the offensive, the most notable of which was the execution of 3 members of the al-Quds Brigades (the armed wing of Islamic Jihad) on 25 September.

According to investigations conducted by PCHR, at approximately 20:15 on 25 September 2009, an Israeli drone fired a missile at 3 activists of the al-Quds Brigades (the armed wing of Islamic Jihad) in the east of al-Tuffah neighborhood in the east of Gaza City, approximately 1,500 meters from the border between the Gaza Strip and Israel. The missile hit the three activists directly and killed them instantly:

1. Mahmoud Mousa al-Banna, 24;
2. Mohammed Salem Marshoud, 24; and
3. Kamal Khaled al-Dahdouh, 27.

##### In the West Bank, in 2009, IOF extra-judicially executed 5 Palestinians.

On 26 December 2009, Israeli undercover units extra-judicially executed 3 members of the al-Aqsa Martyrs Brigades (the armed wing of Fatah movement) in Nablus. The three victims in Nablus had been granted amnesty, in coordination with the Palestinian National Authority, and had been allowed to freely move and live normally. Israeli occupation forces claimed that undercover unit fired at the three victims "as they refused to surrender." However, investigations conducted by PCHR concluded that the three victims were executed in cold blood.

According to investigations conducted by PCHR, at approximately 02:00 on Saturday, 26 December 2009, Israeli occupation forces, including undercover units, moved into Nablus. They positioned themselves near al-Nasser Mosque in the old city, where they surrounded and opened fire at a house belonging to the family of Nader 'Abdul Jabbar Mohammed al-Sarkaji, 40. Using megaphones, they ordered al-Sarkaji to leave the house. As soon as he opened the door, Israeli troops opened fire at him. He was hit by a gunshot to the forehead and fell down. Soon after, Israeli occupation forces fired at him from a very close range. He was killed by 6 gunshots to the head, the chest, the left forearm, the pelvis and the left leg. His wife, 32-year-old Tahani Farouq Ja'ara, was wounded by shrapnel to the leg.

At the same time, other Israeli units surrounded a house belonging to the family of Ghassan Fat'hi Abu Sharekh, 38, near Qaderi fish market in the old city. They ordered residents of the house with megaphones to vacate the building. All the inhabitants left the building; Ghassan was the last to leave. Once he appeared, Israeli occupation forces

opened fire at him. He was killed by 7 gunshots to the neck, the chest, the abdomen, the back and the left leg.

At approximately 02:30, Israeli occupation forces surrounded the 5-story Sobeh apartment building in Kshaika Street in the Ras al-'Ein neighborhood in the southeast of Nablus. They used megaphones to call on 'Anan Suleiman Mustafa Sobeh, 36, who lives on the second floor to surrender to them. They opened fire at the building. At approximately 08:00, Israeli occupation forces withdrew from the area, and residents of the area found 'Anan's body on the roof of a car wash facility near the building. He was hit by several gunshots to the chest, the right shoulder, the neck and the lower jaw.

On 28 May 2009, IOF killed an activist of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) during a wide-scale military operation in Deir al-'Asal village, southwest of Hebron.

According to investigations conducted by PCHR, at approximately 03:00, IOF moved into Deir al-'Asal village, southwest of Hebron. They were stationed in the areas of al-Naqab and Wad al-Tour, east of the village, and opened fire and detonated sound and flash bombs. They then destroyed a number of wells and caves in the area. At approximately 05:00, 'Abdul Majid 'Ali 'Abdullah Doudin, 47, a member of the 'Izziddin al-Qassam Brigades from al-Bireh village, clashed with IOF troops, who eventually detonated explosives in the cave in which he was hiding and killed him.

According to investigations conducted by PCHR, IOF moved into the east of Qabatya village, southeast of Jenin at approximately 04:30 on Thursday, 5 February 2009. They surrounded a house belonging to the family of 'Alaa' 'Essam Abu al-Rub, 21, a member of the al-Quds Brigades. They broke through the door and into the house. They moved into a bedroom in which 'Alaa' and his brother Mohammed were located. 'Alaa' was sitting behind his computer. IOF troops immediately shot 'Alaa' dead with several gunshots to the head, the chest and the abdomen.

## 5. Bombing Gatherings of Palestinians

During the offensive on the Gaza Strip, IOF committed crimes of bombing gatherings of Palestinians, killing scores of civilians. The most distinctive crime was the targeting of gatherings of Palestinians near al-Fakhoura School in Jabalia refugee camp, killing 24 civilians, including 8 children and two women. At the same time, IOF warplanes bombed a house belonging to the Deeb family, killing 11 civilians and wounding 3 others.

Targeting a gathering of Palestinians near al-Fakhoura School in Jabalia Refugee Camp

At approximately 15:30 on 6 January 2009, IOF targeted a group of civilians in the vicinity of al-Fakhoura School, killing 24, including 8 children, two brothers and a man and his son. At least 50 civilians were also wounded. Dozens of Palestinian families had left their homes in Beit Lahia seeking shelter in the aforementioned school.

## 6. Bombing Condolence Tents

According to investigations conducted by PCHR, IOF bombed condolence tents at times of calm against civilians attending condolence tents, far from areas of clashes. In all attacks, the victims included children and old people. The most notable of these crimes was targeting a condolence tent in Beit Lahia on 5 January 2009, in which 3 Palestinians civilians, including a child, were killed, and others were wounded.



## 7. Shooting Dead

As detailed earlier in this report, a number of Palestinian civilians were shot dead by IOF while inside, in the vicinity of, or attempting to flee from houses. PCHR documented a number of cases in which IOF killed civilians in cold blood during house raids or while civilians were walking in the streets. In the West Bank, IOF shot dead a number of Palestinian civilians during protests against Israeli practices and during Israeli incursions into Palestinian communities.



## Killings of Children



Children are granted a range of special protections under international human rights instruments. In 2009, IOF killed 305 Palestinian children (296 in the Gaza Strip and 9 in the West Bank) in comparison with 108 children in 2008. Thus, the number of Palestinian children killed by IOF from the beginning of the Intifada in September 2000 until the end of 2009 has mounted to 1,161.

During the first 18 days of 2009, during which time IOF were launching a wide-scale military offensive on the Gaza Strip, IOF warplanes, artillery and gunboats killed 774 Palestinian civilians, including 289 children (37% of the total number of deaths). The circumstances of the deaths of these children indicate that IOF demonstrated blatant disregard for their lives and safety.

All crimes of killing children during the offensive were premeditated and were committed in cold blood and with the perpetrators' full awareness of the expected results of such acts. Children were killed in different contexts; whether inside homes or while playing outside, especially when IOF bombed mosques, public facilities or residential complexes,

extra-judicially-executed Palestinian activists crimes of extra-judicially executions or fired at children directly.

For example, on 16 January 2009, 5 children and their mother from the al-Batran family were killed when IOF fired a missile at the family's house in al-Boreij refugee camp in the central Gaza Strip. The father and a baby survived the attack. The victims are: Manal, 32; Islam, 15; Iman, 9; Ihsan, 9; Bilal, 6; and Zainiddin, 3.

In another crime, 4 members of the Abu 'Eita family (3 children and a woman) were killed when they were hit by two Israeli missiles when they were sitting in front of their house in al-Fakhoura area in Jabalia refugee camp in the northern Gaza Strip. The victims are: Malak, 2.5 years; Anwar, 7; Zakiya, 50; and Ahmed, 16.

Over the course of the year, and in spite of an undeclared Tahdi'a (lull) between IOF and Palestinian resistance groups in the Gaza Strip, IOF killed 7 Palestinian children, most of whom were killed while on their agricultural lands located near the border between the Gaza Strip and Israel. In this context, on 4 September 2009, IOF killed a 14-year-old

child, Ghazi al-Za'anin, in Beit Hanoun in the northern Gaza Strip. Israeli troops shot the child from close range, while he was walking with his family. PCHR's investigations, and eye-witness testimony, indicates that, at approximately 13:40 on Friday, 4 September 2009, Maher Ghazi al-Za'anin drove his four children, including Ghazi, 14, to their farm, 500 meters from the border with Israel, in the northeast of Beit Hanoun town. Before arriving at the farm, al-Za'anin and his children stepped out of the car and approached their land on foot. On their way to the farm, they were surprised by an Israeli military jeep that stopped across from them. Al-Za'anin and his children were frightened, and ran away. Israeli soldiers who were inside the jeep immediately opened fire. Ghazi was wounded by a bullet to the head and fell to the ground. The father carried the child to their car, whereupon IOF soldiers fired at the car, hitting it with two bullets. The father drove to Beit Hanoun Hospital and the child was transferred to Shifa Hospital in Gaza City as he was in a critical condition. Ghazi was admitted to the intensive care unit, where he was pronounced dead the following morning, Saturday, 5 September 2009.

In another crime, on 13 November 2009, Israeli troops positioned at the border between the Gaza Strip and Israel to the east of Gaza Valley village, southeast of Gaza City, opened fire at 7 Palestinian children and young men who were traveling on an animal cart towards the village. As a result, Mustafa Mohammed Sabri Wadi, 15, was killed, and Ahmed Khader Sa'doun, 17, was wounded by two gunshots to the abdomen and the thigh.

In the West Bank, IOF killed 9 Palestinian children. In one of these crimes, on 31 August 2009, Israeli troops stationed at a military ob-

servation tower inside "Beit El" settlement, north of Ramallah, opened fire at five Palestinian children who were near al-Jalazoun UNRWA School, located near the southeastern entrance of al-Jalazoun refugee camp. One of the children, 15-year-old Mohammed Riad Nayef 'Elayan, was wounded by three bullets to the chest. An ambulance from Sheikh Zayed Hospital in Ramallah attempted to reach the area. However, the ambulance was stopped by at least 30 soldiers who prevented the medical crew from attending to the wounded child. Meanwhile, dozens of Palestinian civilians gathered on the spot and attempted to

help the wounded child, but Israeli soldiers fired tear gas canisters at the crowd. The ambulance driver, Usama Hassan Ibrahim al-Najjar, 37, was hit by a tear gas canister to the left leg. 'Ali Ahmed Mohammed Nakhla, 29, also sustained similar injuries. 'Elayan was evacuated to an Israeli hospital in a helicopter, but he died of his wounds the following morning.

In another crime, on 30 September 2009, 17-year-old Fu'ad Mahmoud Nayef Turkman was killed when an Israeli military jeep chased and ran him down at 'Izziddin al-Qassam School at the entrance of Ya'bad village, southwest of Jenin.

*In his testimony to PCHR, Bassam 'Atatra, a teacher at the school, stated:*

*"At approximately 12:15 on Wednesday, 30 September 2009, I and the acting principal, Mohammed Monawer Abu Bassir, exited the school and walked towards a girls' secondary school, approximately 1,000 meters away. When we were approximately 50 meters from our school, I saw two Israeli military jeeps coming from the Toura-al-Nazla intersection and chasing school children. Immediately, we moved back towards the school. When we arrived at the school, I saw Fu'ad Mahmoud Nayef Turkman on the ground, unconscious. His younger brother, Mahdi, was crying near him. An Israeli jeep was inside the school grounds. I moved towards the jeep and asked the Israeli soldiers to call an ambulance. Soon after, another Israeli military jeep moved onto the school grounds and pulled the other jeep out. Israeli soldiers got out of the jeep and fired tear gas canisters at us. While we were gathering near Turkman, an Israeli taxi driver told us that he saw the child at the school's gate, and that an Israeli military jeeps chased and ran him down inside the school. Turkman was evacuated to Jenin Hospital, where he was pronounced dead."*

## Killings of Women



In 2009, IOF killed 101 Palestinian women, all of whom were killed during the first 18 days of 2009, when IOF were launching a wide-scale military offensive on the Gaza Strip. Additionally, hundreds of women were wounded, dozens of whom sustained permanent disabilities.

Age categories of women killed by IOF give a clear evidence for the appalling nature of Israeli crimes. Of the women who were killed, 25 were 60 or above (22.5%), the oldest of whom was Miriam Abu Zaher, 87. A number of pregnant women were also killed, including Somaya Sa'ad, 20, who was in the 9th month of her pregnancy, and Tazal al-Daya, who was in the 5th month of her pregnancy. Other women miscarried because of panic and the inhalation of white phosphorus.

PCHR documented numerous cases in which Palestinian women became victims of Israeli disregard for the lives of Palestinian civilians. Among those cases, entire families were killed or several family members, including children and women in the context of various kinds of crimes, including willful killings, extra-judicial executions and bombing of houses. Hundreds of women endured the pain of witnessing deaths of their husbands and children.

Among the women killed, there were women who were killed inside homes, while fleeing from areas of attacks, while seeking refuge inside UNRWA Schools which were turned into shelters for families who had become homeless or for while carrying white flags.

For instance, on 4 January 2009, Israeli troops fired from a close range at Raya Salama Abu Hajjaj, 64, and her daughter Majeda, 45, although the two women were holding white flags, in Juhor al-Dik village, southeast of Gaza City. The two women were killed, and Israeli troops left their bodies in the area for 16 days, without allowing Palestinian medical personnel to attend them. Israeli bulldozers even covered the mother's body with sand, while they covered the daughter's body with a tin board. There were also bulldozers tracks on the two bodies.

In another crime, Israeli troops shot dead Rawhiya al-Najjar in Khuza'a village, east of Khan Yunis, on 13 January 2009. According to an eyewitness who was also wounded in the attack, Israeli troops fired at a number of women who were raising a white flag. The witness was wounded and Rawhiya al-Najjar was killed. Israeli troops did not provide the women with any medical aid.

In a similar crime, IOF fired at 5 women who fled from homes in al-Qarara village, north of Khan Yunis. Two women were killed: Atheer Mohammed Znaid, 22; and Faten 'Abdul 'Aziz Znaid, 32.

## Attacks on Medical Crews

In 2009, IOF continued to attacks Palestinian medical crews providing medical services to the wounded and patients. They continued to attack ambulances and medical vehicles even though they were clearly marked. Such attacks amount to war crimes according to the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 1949 and the two Additional Protocols to the Geneva Conventions.<sup>9</sup>

In 2009, 6 medical personnel (two physicians and 4 paramedics) were killed by IOF, all of them during Israel's offensive on the Gaza Strip. Three of the victims were killed in one single attack. In the majority of cases investigated by PCHR, the deaths and injuries of these medical personnel were due to the IOF's use of excessive lethal force, their utter disregard for the lives of civilians, and their deliberate targeting of humanitarian workers. By targeting medical personnel, IOF clearly intended to intimidate them, and to prevent them from providing medical aid to the sick and wounded.

### ■ *An Israeli Missile Kills Three Medical Personnel*

On 4 January 2009, IOF killed 3 Palestinian medical personnel, when two ambulances responded to an appeal from a resident of al-Dahdouh area in the south of the Tel al-Hawa neighborhood of Gaza City in order to transfer a number of people who were wounded by Israeli bombing. Israeli warplanes fired several missiles when the ambulances arrived in the area to evacuate the wounded persons. Three paramedics exited the ambulances carrying stretchers and headed towards a dirt road. At this point, an Israeli warplane fired a missile at them. All three were instantly killed: Yasser Kamal Shbair, 24; Anas Fadel Na'im, 25; and Ra'fat 'Abdul 'Aal, 24.

### ■ *A Doctor Beheaded and a Paramedic Wounded*

At approximately 16:10 on Monday, 12 January 2009, IOF fired an artillery shell at al-Banna building in al-Zarqaa' Street in Jabalia in the northern Gaza Strip. Immediately, 3 ambulances arrived from the Military Medical Services, Civil Defense and Ministry of Health and headed to the building to rescue the victims. The same building was targeted by another artillery shell less than 7 minutes later, while medical crews were evacuating one of the dead civilians, who had been beheaded by the first bombing. The artillery shell directly hit a doctor, 'Issa 'Abdul Rahim Saleh, 32, a member of Military Medical Services. He was beheaded. The head hit the body of his colleague, 'Abdul Bari Abu Foul, 25, a member in the Civil Defense, while he and the doctor were carrying the corpse of one of the dead.



The body of Yasser Shbair, a paramedic, who was killed by IOF.

<sup>9</sup> This section of the report does not cover Israeli denial of entry of medical supplies into the Gaza Strip, as this issue is covered in the section on the Israeli siege below.

### ■ IOF Target an Ambulance, Killing a Number of Civilians and a Paramedic

At approximately 10:00 on Sunday, 4 January 2009, IOF attacked a group of civilians near Abu 'Obaida Ben al-Jarrah School in Beit Lahia in the northern Gaza Strip. A number of civilians rushed to evacuate the casualties, and an ambulance belonging to al-'Awda Hospital drove to the location. At approximately 10:10, the same area was bombed again, and 9 civilians were killed, including a father and his two sons; others, including two paramedics, were wounded. One of those paramedics, 'Arafa 'Abdul Dayem, died of his wounds on the following morning.

### ■ IOF Kill an UNRWA Humanitarian Relief Worker

On 8 January 2009, IOF fired at a convoy of trucks waiting for the arrival of UNRWA humanitarian aid. An UNRWA driver was killed and another was wounded while waiting near Beit Hanoun (Erez) crossing to transport UNRWA's humanitarian aid to distribution centers in the Gaza Strip. According to investigations conducted by PCHR, Israeli troops stationed at Erez crossing fired at a group of drivers who were waiting to transport humanitarian aid to the Gaza Strip's population. Bassam Qouta, 32, from Jabalia, was killed and another driver was wounded. Qouta was working for the Shuhaiber Company for Transportation, a contractor of UNRWA.

## Attacks on Journalists



Mohammed Abdul Wahab, a cameraman for al-Aqsa Satellite Channel, who was wounded when IOF attacked a civilian vehicle in Gaza City on 1 January 2009.

IOF have continued to attack journalists despite the protection extended to them under customary international humanitarian law. Journalists have been subjected to various kinds of attacks in apparent attempts by IOF to prevent media coverage of human rights violations those forces have perpetrated against Palestinian civilians in the OPT. During the latest offensive against the Gaza Strip, IOF committed different crimes against journalists and media professionals in spite of the special protection afforded to them under international humanitarian law. Such crimes constituted part of the overall war crimes and other violations of international humanitarian law and human rights law perpetrated by IOF against Palestinian civilians. It is clear that IOF's attacks against press, including willful killings, endangering journalists' personal safety and bombing of media institutions, are part of a systematic campaign to isolate the OPT from the outside world and to cover up crimes committed against civilians. Two journalists were killed while carrying out their work and two others were killed as a result of indiscriminate bombing.<sup>10</sup> Nine journalists were also

<sup>10</sup> On 8 January 2009, journalist Ihab Jamal al-Whidy 32, was killed when IOF directly bombed the balcony of his father-in-law's flat on the 7<sup>th</sup> floor of al-Atiba' apartment building in the Tel al-Hawa neighborhood of Gaza City. Al-Whidy was sitting with his mother-in-law, Ruqaya Mohammed Abu al-Naja, 55, who was killed as well. His wife, Ihsan Jaber Abu al-Najjar, was seriously wounded. On 9 January 2009, journalist Alaa' Mortaja, 26, was killed when IOF bombed his house in al-Zaytoun neighborhood of Gaza City. His mother, Rajaa Ahmed Mortaja, 47, was wounded by shrapnel all over her body; her right foot had to be amputated.

wounded while carrying out their job when IOF bombed media offices and civilian facilities. Additionally, two media teams were detained and fired at by IOF, but no casualties were reported. Five media offices were also bombed.

■ *Two cameramen were killed while conducting their work in two separate attacks by IOF during Israel's offensive on the Gaza Strip:*

- On 3 January 2009, 'Omar 'Abdul Hafez al-Silawy, 28, a cameraman working for al-Aqsa Satellite Channel, was killed when IOF bombed al-Maqadma Mosque, located in north of Jabalia refugee camp in the northern Gaza Strip. He was killed while he was filming scenes of the admission of bodies of killed Palestinians into Kamal Edwan Hospital near the aforementioned mosque, on his way to pray inside the mosque.
- On 6 January 2009, medical sources in an Egyptian hospital declared that Bassel Ibrahim Faraj, 22, a cameraman of Algerian Television, died of wounds he sustained on 27 December 2008, when IOF had bombed the 15-story building of the Husam Society for Prisoners in the Tel al-Hawa neighborhood in the southwest of Gaza City.<sup>11</sup> Faraj was covering Israeli bombings on the first day of the Israeli attacks with three colleagues: Khaled Abu Shammala, 26, Correspondent of the Moroccan Satellite Channel 2; Mohammed al-Tanany, a cameraman of the Moroccan Satellite Channel; and Mohammed Mady, a sound technician. Rubble from the building and shrapnel from bombs hit their car. The four journalists, including Faraj, were wounded. They were evacuated to Shifa Hospital. Faraj was transferred to an Egyptian hospital due to his critical condition.



<sup>11</sup> The building has been utilized as office space for the Wa'ed Association for Prisoners following Hamas' takeover of the Gaza Strip in June 2007.

## Ongoing Policy of Total Closure and Violation of the Right to Freedom of Movement

In 2009, IOF continued to impose a tightened siege on the OPT, especially on the Gaza Strip where Palestinian civilians were denied access to their basic needs with regard to food, medicine, fuel, electricity and other necessary commodities. IOF continued to impose severe restrictions on the movement of Palestinian civilians and goods. The total closure imposed by IOF on the Gaza Strip has left a disastrous impact on the humanitarian situation and has violated the economic and social rights of the Palestinian civilian population. It has also paralyzed most economic sectors. The members of the international community, especially the High Contracting Parties to the 1949 Geneva Convention Relative of the Protection of Civilian Persons in Time of War, have shamefully failed to take the action necessary to ensure Israel's respect for the Convention in the OPT, the fulfillment of which would include lifting the siege and ending policies which violate economic, social, civil and political rights of the Palestinian civilian population.

IOF continued to prevent the Pal-

estinian civilian population from entering Israel, including patients seeking medical treatment and individuals with emergency humanitarian needs. They also continued to prevent thousands of Palestinian civilian who study or work abroad from traveling. Over the year, IOF continued to impose additional restrictions on movement within the West Bank, including Jerusalem, through at least 600 military checkpoints and barriers, turning Palestinian communities into isolated Bantustans. IOF also imposed further restrictions on traveling through al-Karama International Crossing Point (also known as Allenby or King Hussein Bridge), on the Jordanian border. They decreased working hours at the crossing point and practiced inhuman and degrading treatment against Palestinian civilians.

In the Gaza Strip, Rafah International Crossing Point on the Egyptian – Palestinian border has continued to be closed. From 12 June 2007, before the Hamas takeover of the Gaza Strip, until the end of 2009, the crossing point was closed on 882 days. In 2009, the crossing point was com-

pletely closed on 339 days and partially closed on 26 days. As a result of the ongoing closure of the crossing point, thousands of Palestinian civilians wishing to travel from and to the Gaza Strip were prevented from doing so at both sides of the crossing point. When the crossing point was partially opened, it witnessed congestion due to the high number of travelers. Palestinian travelers, especially medical patients, faced extreme difficulties passing through the crossing point and had to wait for long periods of time.

Furthermore, IOF have continued to close Beit Hanoun (Erez) crossing for Palestinian civilians, excluding a small number of patients who are permitted to travel to the West Bank and Israel to receive medical treatment. For the third consecutive year, IOF have continued to deny Gazan detainees in Israeli jails their right to family visitation. Additionally, Gazan students have been denied access to universities and institutes in the West Bank; before the tightening of the siege imposed on the Gaza Strip, 25% of students in universities of the West Bank came



from the Gaza Strip.

The humanitarian crisis in the OPT, especially in the Gaza Strip, was aggravated in 2009. Unemployment rates in the OPT as a whole amounted to nearly 40%, with an even higher rate of 55% in the Gaza Strip, where poverty rates exceeded 80%. Various estimates indicate that at

least 1.3 million Palestinians in the OPT live in poverty. The income of the Palestinian labor force has decreased continuously, as the individual income per annum in the first three years of the al-Aqsa Intifada dropped by 32%, a decrease that peaked at the end of 2009, reaching 45%. Additionally, the Palestinian gross national product has sharply

decreased, impacting all economic sectors.

In early 2009, while the Gaza Strip was under an Israeli military offensive, a severe humanitarian crisis emerged as the Palestinian civilian population was denied access to basic items such as food, medicine, drinking water and electrical power.

### ■ *Aggravation of the Humanitarian Crisis during Israel's Offensive on the Gaza Strip*

During Israel's offensive on the Gaza Strip in January 2009, the humanitarian situation deteriorated severely, and the suffering of more than 1.5 million civilians was exacerbated. The hardship experienced by the Palestinian civilian population continued due to the denial of their economic, social and cultural rights, in addition to their civil and political rights. The search for safe shelters to protect their right to life, safety and security of person became the main concern of all members of the population. Ensuring the basic humanitarian needs, including food, medicine, electricity and fuel, became a difficult and protracted task, as the civilian population was exposed to incessant military attacks, and due to the continued and total tightened closure of all of Gaza's border crossings and the practice of the economic and social strangulation.

At the time, PCHR observed with utmost concern the deteriorating humanitarian conditions, and impact on economic and social rights as a result of the systematic destruction of the entire components of the human life, including the ability to enjoy an adequate standard of living; access to food, medicine and drinking water; access to health-care, adequate and safe shelter, and to the rights to education and work. The Gaza Strip suffered from a catastrophic nutritional status at all levels. The hardship faced by the civilian population was continuously aggravated due to the restricted flow of food consignments to cities, villages and refugee camps in the Gaza Strip.

### ■ *Restrictions on the Freedom of Movement during Israel's Offensive on the Gaza Strip*

During the offensive, IOF closed all border crossings of the Gaza Strip obstructing the freedom of movement of persons and goods. Accordingly, Palestinian civilians were banned from traveling to and from the Gaza Strip, and the flow of basic goods, including food and medicine, was severely restricted.

During the offensive on the Gaza Strip, the Egyptian authorities gave Palestinians who had been wounded during the military offensive and a number of Palestinian patients with preexisting conditions, as well as their escorts, access to hospitals in Egypt or abroad, or permitted them to return to Gaza via Rafah International Crossing Point. Foreign delegations, mostly medical delegations, members of humanitarian organizations, and representatives of media institutions, were also allowed to access the Gaza Strip via the crossing point during the offensive.

IOF closed Beit Hanoun (Erez) crossing and blocked the movement of persons through the crossing. This ban included

patients, diplomats, journalists and employees of international humanitarian organizations. IOF also closed al-Mentar (Karni) crossing and Karm Abu Salem (Kerem Shalom) crossing; the latter was partially opened for a limited number of days to permit the entry of some humanitarian aid. Sofa crossing, which is designed for the entry of construction materials, remained closed. During the offensive, IOF allowed the entry of limited amounts of industrial fuel for the Gaza Power Plant, and cooking gas.

### ■ *Blocking the Reconstruction of the Gaza Strip*

On 2 March 2009, high-level representatives from more than 70 countries and 16 regional and international donors met in the Egyptian resort city of Sharm al-Sheikh, under the auspices of the United Nations, the European Union and the League of Arab States, and pledged funding for the reconstruction of the Gaza Strip. The conference, which was headed by Egypt, the hosting country, and Norway, the head of the coordination committee of assistance to the Gaza Strip, discussed one document submitted by the Palestinian National Authority (PNA), which included the Palestinian national plan for reconstruction in Gaza. The document was prepared by the Palestinian ministries in the West Bank, in cooperation with UN agencies, the EU and the World Bank. Under the plan, the PNA requested US\$ 2.8 billion, of which US\$ 1.326 billion were to be devoted to programs of reconstruction in the Gaza Strip and US\$ 1.45 billion were to be devoted to cover the deficit in the Palestinian budget for 2009. The reconstruction plan was to be implemented within two years (2009 and 2010) and to include various sectors: Provision of temporary shelter for those whose houses were destroyed; repair of the electricity, water and sewage networks; maintenance of wells; reconstruction and repair of houses, mosques, churches and cultural and archaeological sites; provision of assistance to those whose houses were damaged; rehabilitation of the road network; compensation for affected professionals, such as farmers and traders; and reconstruction of industrial, commercial and service facilities.

At the conference, donor states pledged a total of US\$ 4.481 billion, 60% more than the amount requested by the PNA. However, the results of the conference implied that the reconstruction process would not start soon, as no schedule for beginning of the reconstruction process was set. The entire process came to be dependent on the opening of border crossings by IOF to allow the entry of basic materials needed for the reconstruction, resulting in continued suffering of affected Palestinian civilians who lost their property.

The continued closure of border crossings and the ban imposed by IOF on the import of basic construction materials, especially cement and iron, have hindered all stages of the reconstruction process. Accordingly, the humanitarian tragedy of the Palestinian civilian population in the Gaza Strip has





continued, as thousands of families have continued to live in tents and temporary shelters, unable to return to their normal lives, and thousands of people continued to lack access to drinking water and sanitation.

### ■ *Restrictions on the Freedom of Movement in the West Bank*

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 by hospitals in East Jerusalem, to family members, education, work and religious sites in the city. The construction of the Annexation Wall around East Jerusalem establishes a permanent barrier for Palestinians seeking to enter occupied East Jerusalem.

In the West Bank, IOF have continued to impose severe restrictions on the movement of Palestinian civilians through over 600 checkpoints established across the West Bank. IOF have also added new structures to a number of checkpoints, such as the Container checkpoint, south east of Jerusalem, which divides the central and the southern parts

of the West Bank, and Ennab checkpoint on the Nablus-Tulkarm road. They have also completely closed a number of checkpoints, such as “Sahvi Shomron” checkpoint on the Nablus-Jenin road. Additionally, at least 65% of the main roads that lead to 18 Palestinian communities in the West Bank are closed or fully controlled by IOF (47 out of 72 roads).

IOF use several checkpoints as border crossings inside the West Bank, through which they cut off large areas from other each other within the West Bank using 4 checkpoints: Tayseer checkpoint to the east of Tubas, which is located at the entrance of the Northern Jordan Valley; al-Haram checkpoint to the east of Nablus and “Ma’ale Ephraim” to the southeast of the city, both located at the entrance of the Central Jordan Valley; and al-Ouja checkpoint to the west of Jericho, which is located at the entrance of the Southern Jordan Valley. Non-residents of the Jordan Valley are not allowed to enter the area. IOF also regularly enter Palestinian communities and farms in the area and expel those who do

not permanently live in the area. It is worth noting that the lands of the Jordan Valley are the most fertile in the West Bank. IOF have established several agricultural settlements, for the sake of which they have confiscated or isolated large areas of Palestinian agricultural land.

Israeli troops stationed at military checkpoints in the West Bank often arrest Palestinian civilians, who are allegedly wanted. In 2009, they arrested at least 163 Palestinian civilians, including 35 children and 11 women.

The construction of the Wall has brought new restrictions on movement of Palestinians living near the route of the Wall, in addition to the widespread restrictions that have been in place since the outbreak of the second Palestinian Intifada. Thousands of Palestinians have difficulties accessing their fields and marketing their produce in other areas of the West Bank. Farming is a primary source of income in the Palestinian communities situated along the Wall’s route. The harm to

the agricultural sector is bound to have drastic economic effects on the residents – whose economic situation is already very difficult – and drive many families into poverty.

The impact of restrictions on the movement of Palestinians living near the Wall has not been limited to the agricultural sector, but includes numerous other aspects of life. Palestinians’ access to medical care, education and their relatives has been restricted, as Palestinians are required to obtain permits to move through gates established on the Wall, which are operated under a strict security system. IOF often close these gates for no apparent reason.

There are around 500 kilometers of restricted roads across the West Bank, which are used only by Israeli settlers. In addition, approximately one third of the West Bank, including occupied East Jerusalem, is inaccessible to Palestinians without a permit issued by the IOF. These permits are extremely difficult to obtain.

Palestinian civilians passing through an Israeli military checkpoint in the West Bank.



The Annexation Wall in Bil'ein village, west of Ramallah.



The total siege imposed by IOF on the OPT has left a disastrous impact on the humanitarian situation and has violated the economic and social rights of the Palestinian civilian population, particularly the rights to appropriate living conditions, health and education. It has also paralysed most economic sectors.

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 as well as 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.”

## Arrests, Torture and Other Forms of Cruel and Inhuman Treatment

By the end of 2009, at least 9,381 Palestinians, including 310 children and 34 women, were still in Israeli custody in detention facilities mostly inside Israel, in violation of article 76 of the Fourth Geneva Convention which obligates the occupying power to detain persons from occupied territory in that territory. The number of prisoners from the Gaza Strip is at least 855. Additionally, IOF have continued to detain hundreds of Palestinians from Jerusalem and those who live inside Israel.

In 2009, IOF continued to arrest Palestinians during house raids, especially in the West Bank, and Israeli incursions into Palestinian towns, villages and refugee camps across 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 and at border crossings, especially in the West Bank. In 2009, IOF arrested at least 5,000 Palestinians, including 1,000 persons from the Gaza Strip.

In addition, arrest campaigns continued to target political leaders and representatives of the Palestinian people. By the end of 2009, IOF continued to detain at least 26 members of the Palestinian Legislative Council (PLC), the majority of whom are of the Change and Reform parliamentary bloc of Hamas, even though they released Dr. 'Aziz al-Dweik, Speaker of the PLC, and Dr. Mahmoud al-Ramahi, Secretary of the PLC. On 19 March 2009, IOF carried out an arrest campaign across the West Bank. In the northern West Bank city of Nablus, IOF arrested Dr. Nasser al-Din Mohammed al-Sha'er, 48, who held the posts of Deputy Prime Minister and Minister of Education in the 10th Palestinian government; 'Issam Rashed al-Ashqar, 55, a professor at an-Najah National University; and 'Adnan 'Aahed 'Asfour, 49, a leader of Hamas. In Ramallah, IOF arrested Ayman Hussein Daraghma, 45, PLC member. In Hebron, IOF arrested Nizar 'Abdul 'Aziz Ramadan, 42, PLC member; and Dr. 'Azzam No'man Salhab, 53, PLC member. In Bethlehem, they arrested Khaled Tafesh Thwaib, 45, PLC member.

IOF also arrested a number of Palestinian civil society activists for their work in defending human rights. On 22 September 2009, Israeli troops stationed at al-Karama International Crossing Point on the Jordanian border arrested Mohammed 'Othman, member of the Stop the Wall Campaign, when he was on his way back to the West Bank following an advocacy campaign. 'Othman was placed under detention for interrogation for 61 days, after which he was placed under administrative detention. On 10 December 2009, IOF arrested 'Abdullah Abu Rahma, Coordinator of the Popular Committee against the Wall, from his house in Bil'ein village, west of Ramallah. On 22 December 2009, an Israeli military court presented a bill of indictment against Abu Rahma, charging him on "incitement, stone throwing and possession of weapons." The last charge is related to tear gas canisters fired by IOF, which Abu Rahma collected to show them in an exhibition. On 15 December 2009, IOF arrested Jamal Juma', Coordinator of the Stop the Wall Campaign,

from his home. On 21 December 2009, an Israeli military court in Jerusalem extended his detention for 4 days. Although Juma' is a resident of Jerusalem, IOF applied West Bank military orders denying him access to legal counsel during the first week of his detention. No charges have been presented against Juma', who is believed to have been detained for his activities as Coordinator of the Stop, the Wall Campaign.

In the Gaza Strip, IOF arrested at least 1,075 Palestinians in 2009, the majority of them (approximately 1,000) during the Israeli offensive against the Gaza Strip between 27 December 2008 and 18 January 2009. A number of those who were released by IOF were forced to return home on risky roads and without protection during the ongoing fighting, endangering their lives. A civilian was killed in such a case when he was on his way home with his brother after having been released. Yousef Hamad, 31, from Beit Hanoun, stated to PCHR that IOF arrested him, his two brothers, Shady and Esam, and around 22 others and held them in a detention center at Erez Crossing. "My brothers and I were released on the same day," Hamad said. Israeli troops demanded that they go back home alone saying: "You must move towards Gaza walking along Saladin Street only. You are not allowed to go through Beit Hanoun, Izbet Abed Rabbu or Tel al-Za'tar areas, as they are closed military zones. We coordinated your passage through Saladin Road. If you change your route, you will be shot."

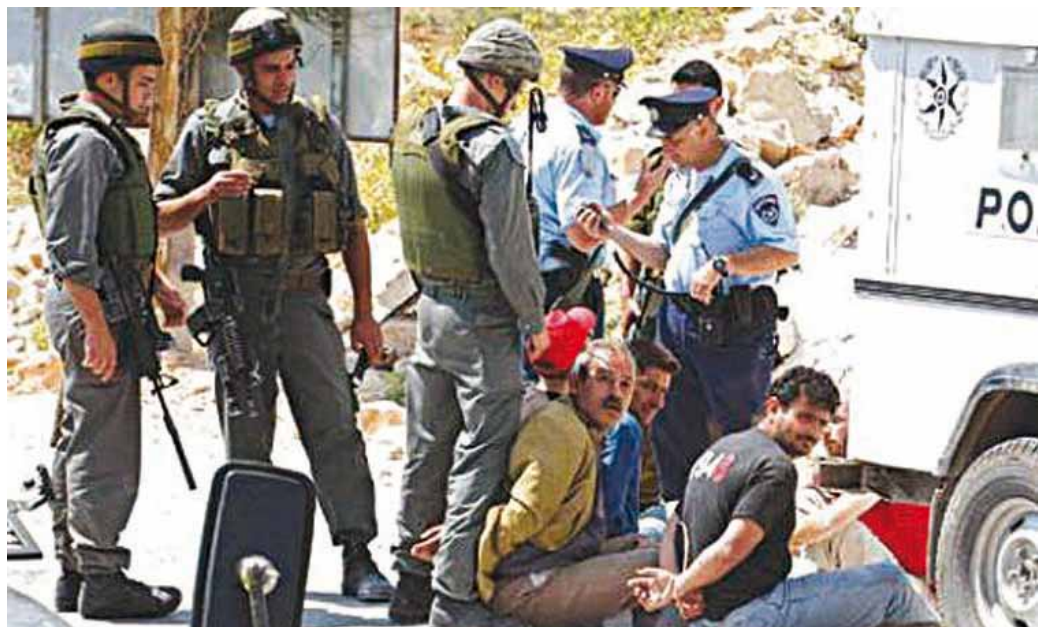
Hamad added:

"We walked along Saladin Street with our hands up until we reached Zimmo intersection, where Israeli troops stationed atop houses opened fire at us, but nobody was hurt. We walked 100 meters further until we reached the Palestinian Red Crescent building, where we were directly fired at. We fell down. My brother, Shady, was shot dead with two bullets to the head and the leg. Two missiles were fired at us, because of which we kept lying on ground until the next dawn of the next day. Essam managed to walk away and I decided to do the same. On walking away, a missile was fired at me, but I was not hurt."

IOF also continued to arrest Palestinians traveling through Beit Hanoun (Erez) crossing at the northern entrance of the Gaza Strip, including patients on their way to hospitals in the West Bank and Israel. For instance, on 25 November 2009, IOF arrested Ahmed Sameer 'As-

four, 19, when he was on his way to Mar Joseph Hospital in Jerusalem, accompanied by his father, even though both men had valid permits issued by IOF to travel to Jerusalem. According to information available to PCHR, 'Asfour was supposed to undergo neurological and bone marrow surgeries in the Jerusalem, after all attempts to treat him in Egypt had failed.

Palestinian prisoners are detained under harsh conditions, including the denial of access to medical care, contributing to deterioration of their health conditions, especially among those who suffer from chronic and serious diseases. Many are also denied family visitation; prisoners from the Gaza Strip have been denied family visitation for four years and prisoners from the West Bank have been given the opportunity of family visitation only sporadically. Many prisoners are detained in solitary confinement for prolonged periods of time.



Early in 2009, the Israeli government established a ministerial committee aimed at intentionally exacerbating detention conditions for Palestinian security prisoners. The committee was headed by Justice Minister Daniel Friedmann, and included a number of ministers. It was reported that a number of potential measures were to be examined, including the reduction of monetary allowances transferred to prisoners by their families to supplement living and food expenses, the restriction of means of communication and news sources, the reduction of family visits and education possibilities, as well as the prevention of any physical contact between detainees and their families. It is believed that these measures aim to reduce detention conditions to “minimal standards.”



PCHR notes that Israeli prison conditions are currently below international standards, as determined by, inter alia, international human rights law and the United Nations Standard Minimum Rules for the Treatment of Prisoners. Worsened conditions may negatively affect prisoner’s physical and psychological well-being.

### ■ Torture and Ill-Treatment

Palestinian prisoners in Israeli jails are subjected to various forms of torture and inhuman and degrading treatment. The long journey of their suffering often begins with violent beatings and insults and extends to various methods of torture carried out against them during interrogation.

The distress caused to Palestinian detainees does not end with the end of the interrogation period, but continues throughout the period of detention. Palestinian detainees are subjected to cruel measures by the administrations of Israeli prisons and detention centers, including: torture and degrading treatment; deprivation of sleep; denial of access to appropriate medical care; denial of family visitation; and obstruction of access to legal counsel.

PCHR documented testimonies given by a number of released detainees who were arrested by IOF during the military offensive against the Gaza Strip, confirming that were subjected to a variety of types of physical and mental torture during detention. Some were handcuffed and blindfolded near tanks in areas of ongoing military clashes, in disregard of international humanitarian law. Others were quoted as saying that they suffered from severe cold, starvation, were forced to sleep in the open and were subjected to insults and beating with gun butts. Some reported Israeli extortion and pressure on detainees in attempts to force them to collaborate with IOF in exchange for their release.

Testimony by Omar al-Qanou’, 26, from al-Atatra area in Beit Lahia:

*“On 4 January 2009, during the land invasion, I was arrested together with my brothers. We were detained with other civilians in the Abu Ja’far al-Mansour School for the entire day. All were released except me and another civilian. We were transferred by tank to another area that was not familiar to us, where we were interrogated and beaten. We were deprived of food and were forced to drink urine. I was brought back to Erez Crossing, where they asked me to collaborate with them amidst cycles of torture due to which my hand was broken. I remained in Erez the whole night without receiving any medical care. I was released on 11 January 2009.”*



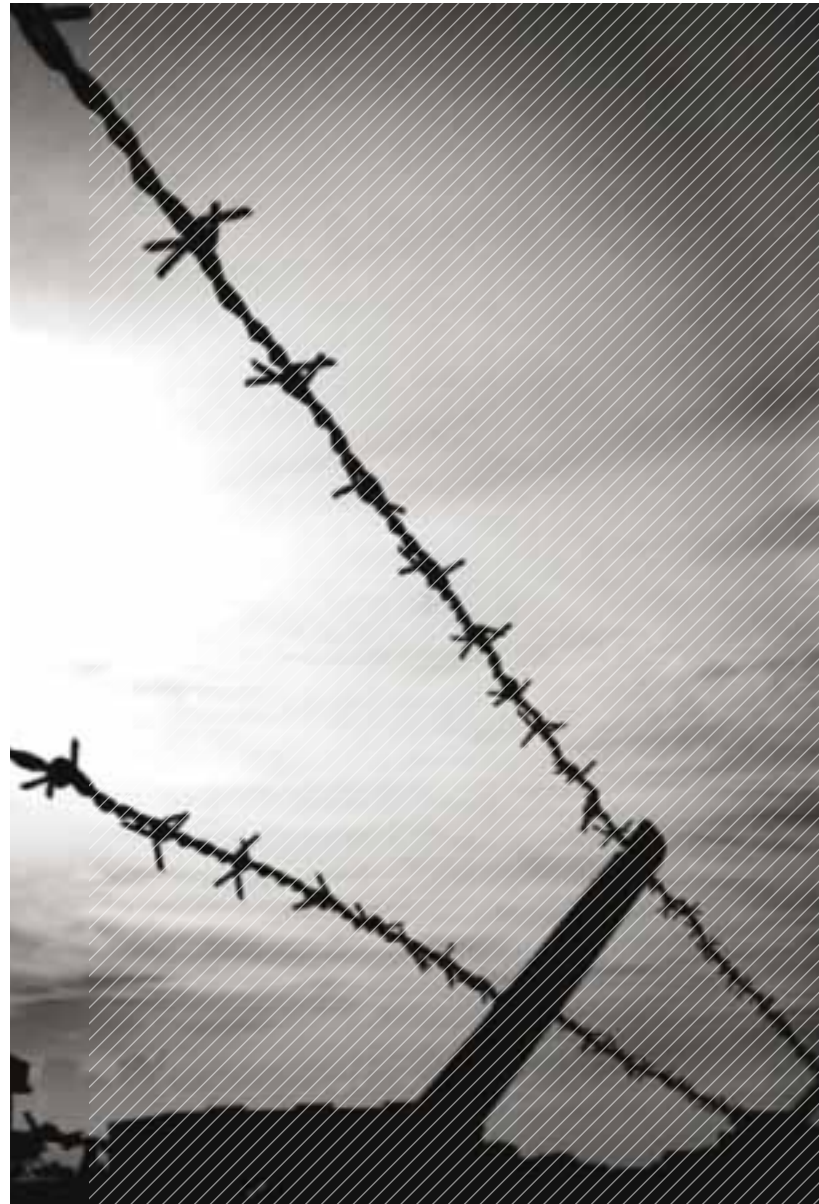
Testimony by Ahmed Abed Rabbu, 20, from the Izbat Abed Rabbu area in Jabalia:

*“At approximately 23:30 on 6 January 2009, Israeli undercover units broke into our house amidst intensive shelling of the area. Israeli troops, armed to the teeth and backed by bloodhounds, positioned themselves in the house for three days. My four brothers and I were handcuffed and used as human shields. On the fourth day, we were forced to walk on bodies of civilians killed earlier. Later, we were taken, handcuffed and almost completely naked, into the Israeli military crossing of Nahal Oz on a tank. We remained there for three days, during which we were subjected to violence to the extent that an Israeli soldier urinated on us. We were then transferred to an interrogation centre in the Negev, where we stayed for seven days with no food, water or medicine. I felt some pain in the abdomen. When I told an Israeli physician about it, he asked me to show the place of pain, and he kicked me seven times in the abdomen. I was put in a cell for seven days. Eventually, I was transferred to al-Ramla Prison in Israel, where we stayed for 36 hours, after which we were released.”*

### ■ Administrative Detention

Administrative detention has been used by IOF to arrest and detain Palestinians without charge or trial for long periods of time. Current administrative detention orders permit for periods of detention of up to 3-6 months, which 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. By the end of 2009, at least 300 Palestinians were still in custody under administrative detention orders issued by IOF. Administrative detention violates the Fourth Geneva Convention, as Article 78 prohibits the use of this measure as a form of punishment, rather as an exceptional measure for “imperative reasons of security.”

In 2009, IOF placed more Palestinians under administrative detention, especially in the West Bank. For instance, IOF placed Mohammed ‘Othman, from Ramallah, under administrative detention for 6 months, after extending



his detention for nearly two months. ‘Othman, an activist in the Stop the Wall Campaign, was arrested by IOF at al-Karama International Crossing Point on the Jordanian border on 22 September 2009, when he was on his way back to the West Bank from Jordan after participating in a series of activities against the construction of the Annexation Wall in the West Bank. Israeli courts extended his detention for 61 days for the purpose of interrogation, after which he was placed under administrative detention based on “classified evidence,” for posing a “security threat in the area.” On 22 December 2009, ‘Othman was placed under administrative detention for a further 6 months without any charge.

## Destruction of Civilian Property, Including Homes

In 2009, IOF escalated its destruction of Palestinian civilian property in the OPT, especially in East Jerusalem and the Gaza Strip. During the wide-scale offensive on the Gaza Strip (27 December 2008 – 18 January 2009), IOF extensively destroyed Palestinian civilian property, including the civilian infrastructure; homes; educational, health and economic facilities; and religious sites. In the West Bank, destruction of Palestinian civilian property was focused on East Jerusalem in the context of Israeli efforts to create a Jewish demographic majority in the city.

Destruction of homes and civilian property constitutes a serious violation of international humanitarian law and human rights law, amounting to a war crime. Article 53 of the Fourth Geneva Convention of 1949 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.” Such attacks are a form of collective punishment and reprisals against the Palestinian civilian population in violation of Article 33 of the Fourth Geneva Convention, which states that “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.” Additionally, extensive destruction of Palestinian civilian property, especially during the course of Israel’s offensive on the Gaza Strip, constitutes a serious violation of international human rights law, including the International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights. International human rights law ensures protection for individuals at all times and each State has an obligation to ensure, protect and respect fundamental human rights. As a party to the aforementioned human rights instruments, Israel has binding legal obligations to take all necessary measures to ensure respect for, and promotion of human rights of its population, and the Palestinian population under its control in the West Bank and the Gaza Strip.<sup>12</sup>

12 The Human Rights Committee concluded that legal obligations included in the International Covenant on Civil and Political Rights and other human rights instruments are applicable to the population of the OPT, and that Israel, as a Contracting Party, has a binding legal obligation to respect and protect fundamental human rights of the population of the West Bank and the Gaza Strip.

## ■ Destruction of Civilian Facilities in the Gaza Strip

In the course of Israel's offensive on the Gaza Strip, IOF wantonly and extensively destroyed Palestinian civilian property, including homes and agricultural lands, as well as health, educational, religious and economic facilities. During the offensive, IOF attacked some property several times.<sup>13</sup>

Such attacks constitute grave breaches of the Fourth Geneva Convention, Article 147 of which prohibits "extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly." In some areas, the destruction of civilian property amounted to the creation of new geographical realities on the ground, as complete localities disappeared.

IOF employed their complete arsenal to attack Palestinian civilian property from the air, sea and land in violation of international humanitarian law and human rights law. Such attacks resulted in extensive destruction of civilian property across the Gaza Strip, which exacerbated the hardship of Palestinian civilians, who have been subjected to a tightened siege imposed by IOF.



A cemetery in Gaza City that was bombed by IOF, 14 January 2009.

## ■ Destruction of Houses and Residential Buildings

The widespread destruction of homes and residential buildings during Israel's offensive on the Gaza Strip lead to the forced migration of thousands of Palestinian civilians. Thousands of Palestinians had to leave their homes in order to escape death. PCHR field workers reported that approximately 450,000 individuals had to leave their homes looking for secure shelters, causing many to recall scenes of the forced mass migration of the Palestinian people in 1948.



Bombing of residential buildings in Gaza City by Israeli warplanes.

<sup>13</sup> For more details, see the Palestinian Centre for Human Rights, "Targeted Civilians: A PCHR Report on the Israeli Military Offensive against the Gaza Strip (27 December 2008 – 18 January 2009)," 2009, available at [www.pchrgaza.org](http://www.pchrgaza.org).



The Al-Andalus apartment building in Gaza City, which was bombed by Israeli warplanes, 12 January 2009.

According to PCHR's documentation, 2,116 homes were completely destroyed; these contained 2,881 housing units, in which 3,253 families counting 18,750 individuals used to live. Additionally, 3,277 houses were partially destroyed; containing 4,925 housing units, in which 5,483 families counting 32,703 individuals live. Furthermore, at least 16,000 homes were damaged and 51,453 civilians were forced to leave their homes.

UNRWA and other international humanitarian organizations provided shelters for these families, who suffered severely from the psychological impact of panic, especially among children, women and aged men. Many of the fleeing families lost all of their property, including personal belongings, identity cards, passports and birth certificates.

According to PCHR's documentation, the majority of destruction of civilian homes took place in the northern Gaza Strip, where 1,920 houses, including 2,818 housing units were completely destroyed, displacing 3,359 families counting 19,515 individuals; and Gaza City, where 1,601 houses, including 2,380 housing units, were completely destroyed, displacing 2,428 families counting 14,272 individuals.



Palestinian families take refuge inside an UNRWA school in Beit Lahia after becoming homeless.

### ■ Bombing of Ministries, Governmental Facilities and Local Councils

During the latest offensive, IOF intentionally destroyed the majority of civilian facilities of the Palestinian National Authority (PNA), located in densely populated areas. The IOF's guided raids targeted facilities that provide daily services to the Palestinian civilian population. IOF bombed most buildings and facilities of the Palestinian Government in the Gaza Strip, including the building of the Palestinian Legislative Council (PLC), ministries and local councils, destroying all files and papers relating to civilian affairs.

IOF repeatedly bombed central Gaza's ministry compound, in which several PNA ministries are located: the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Planning and the Ministry of Public Works. IOF raids also targeted buildings of ministries located outside said compound, including the department of civil affairs of the Ministry of Interior in the west of Gaza City. They also destroyed the buildings of the Council of Ministers, the Governor's Palace, the Ministry of Justice and the Palestinian Legislative Council.

IOF targeted five buildings belonging to governors and local councils: al-Zahra' Municipality; Rafah Governorate; Bani Suhaila Municipality; the fifth floor of the Municipality of Rafah; Rafah Stadium; al-Maghazi Municipality; and the library of al-Nussairat Municipality.

During the offensive, IOF launched numerous air strikes against Palestinian police facilities, including police stations, fixed and mobile posts, security posts and checkpoints. The raids completely destroyed 74 buildings and posts of the Palestinian police across the Gaza Strip: 23 posts in the central Gaza Strip; 17 in Gaza City; 15 in Khan Yunis; 11 in Rafah; and 8 in the northern Gaza Strip.

It is worth noting that Israeli warplanes launched a series of air strikes on 27 December 2008, targeting buildings and posts of the Palestinian police and killing 240 officers, as well as numerous civilian bystanders, and wounding many others.

### ■ Destruction of Infrastructure

IOF caused massive destruction to the infrastructure in many cities and districts across the Gaza Strip. This reflects the IOF practice of collective punishment against approximately 1.5 million civilians in the Gaza Strip. Particularly in areas which IOF ground troops moved into, IOF bulldozed several main roads and side streets. IOF also bulldozed and bombed basic service infrastructure, including main and secondary water networks, main and secondary sewage water networks, high-pressure power transformers, high and low pressure power networks, as well as



The Palestinian ministry compound, which was bombed by Israeli warplanes on 30 December 2008.



The building of the Palestinian Legislative Council, which was bombed by Israeli warplanes on 31 December 2008.



Palestinian police officers killed by Israeli air strikes on the police headquarters (al-Jawazat) in Gaza City, 27 December 2008.

communications networks and facilities.

The IOF offensive caused the destruction of several water wells, including main drinking water wells in several districts. Large military bulldozers, tanks and armored vehicles systematically and extensively uprooted main and secondary water networks in many of the districts that IOF troops invaded on 3 January 2009. In addition, IOF destroyed drainage systems, including main and secondary sewage drains. Many water tanks were either completely destroyed or heavily damaged, and as a result became useless. The Coastal Municipalities Water Utility (CMWU) estimates that as a result of IOF attacks against CMWU facilities, the losses in the water and sanitation sector of the Gaza Strip amount to approximately US\$ 6 million.

IOF military operations caused heavy damage to the power and communication sectors. In the power sector, IOF targeted high and low pressure transformers, electrical poles and power networks in many districts in the Gaza Strip. They also targeted the communication sector and destroyed wired and wireless communication devices, communication lines, relay stations, and internal extensions inside buildings and institutions that were completely or partially destroyed across the Gaza Strip. Power and communications networks were completely destroyed and leveled to the ground in the Industrial Zone, the neighborhoods of al-Zaytoun and Tel al-Hawa in Gaza City, as well as al-'Atatra, al-Salatin, and Abed Rabbu in northern Gaza. The scenes resembled zones struck by earthquakes.

### ■ Destruction of Medical Facilities and Vehicles

IOF intentionally targeted medical facilities and vehicles, including ambulances and fire engines. One of the most remarkable developments at the level of serious crimes was the targeting of medical facilities, including al-Quads Hospital, with phosphorus bombs.



The building of the Palestine Red Crescent Society, which was attacked with white phosphorus bombs on 15 January 2009.

PCHR documented many aerial and land attacks that targeted medical facilities, including hospitals, clinics and civil defense centers, as well as medical personnel. Dozens of medical facilities were destroyed or heavily damaged when they were directly attacked by IOF or when nearby targets were attacked.



An ambulance of the Union of Health Work Committees, which was shelled by IOF on 4 January 2009.

### ■ Destruction of Educational Facilities

During the offensive against the Gaza Strip, IOF targeted numerous public, private and UNRWA schools, destroying them completely or partially. Heavy damages were inflicted upon some schools due to direct bombing, bulldozing or explosions, or as a result of bombing nearby buildings. The main building of the Ministry of Education, which was built five years ago with the help of donations from the Norwegian government, was destroyed due the bombing of the nearby building of the Ministry of Justice.

At least 150 out of 384 public schools in the Gaza Strip, in which around 250,000 students attend classes, were attacked by IOF. Eight schools were largely destroyed, including 5 schools that were rendered unsuitable for classes. Additionally, 158 schools were damaged. The damages included collapsed walls and roofs, destruction of doors, windows and equipment.

IOF also attacked UNRWA schools, paying no regard to UN banners written in Arabic and English and blue UN flags, or the fact that a number of the schools had been turned into shelters for civilians.



White phosphorus shelling of an UNRWA school in Beit Lahia, in which Palestinian civilians had taken refuge.



The American International School in Gaza, which was destroyed by IOF on 3 January 2009.

Forty-six private schools and kindergartens were damaged, including two schools that were completely destroyed by Israeli air strikes. Five kindergartens were completely destroyed when IOF bombed nearby civilian facilities. Eleven private schools and 30 kindergartens were partially destroyed when IOF bombed nearby targets.

Moreover, most universities and institutions of higher education in the Gaza Strip were damaged during the latest offensive. Some facilities were directly targeted, as was the case in the air strikes carried out on Islamic University, the explosions of facilities of the Faculty of Agriculture in Beit Hanoun, which belongs to al-Azhar University, as well as the tank shelling that targeted the University College for Applied Sciences, al-Aqsa University and Palestine University. Other institutions were damaged when nearby civilian facilities were attacked, as was the case with al-Quds Open University and the College of Science and Technology. Given the losses inflicted upon the educational sector, and as confirmed in the Goldstone Report, it is apparent that IOF deliberately targeted many of these institutions, or were reckless in their actions.





Two buildings of the Islamic University in Gaza, which were bombed by Israeli warplanes on 28 December 2008.

### ■ Attacks against NGOs

Twenty-seven NGOs and charitable societies were targeted by IOF during the latest offensive against the Gaza Strip; 15 institutions were directly targeted, while 12 institutions were indirectly targeted due to the bombing of nearby locations. It is worth noting that civilian institutions and societies such as the Palestine Red Crescent Society (PRCS) and the Union of Agricultural Relief Committees provide significant services to the Palestinian society.

The most serious violation carried out in this context was the attack against the PRCS compound and the Union of Agricultural Relief Committees in Gaza City on 15 January 2009, during the Israeli land invasion of the Tel al-Hawa neighborhood. Heavy damages were inflicted upon the two institutions. The PRCS compound is composed of three joint buildings, the 6-story building of al-Quds Hospital, the central administration building and the cultural building. The 6-story central administration building, houses the offices of the administration, the central finance department, the personnel affairs department, the PRCS general archives, the ambulance bay, health care and mental health administration offices, the Qatari Red Crescent offices, as well as the media administration and public relations offices. The 11-story cultural building includes a kindergarten, a nursery school, a theatre, a cinema, a family club, a museum, a conference hall, a hotel and a restaurant. The IOF targeted the PRCS compound with artillery shells and white phosphorus bombs – the use of which is internationally banned in populated areas – due to which heavy damages were inflicted on the PRCS buildings. Al-Quds Hospital as well as the cultural and administrative buildings were set on fire and all contents of the PRCS central medical stores were ruined; the PRCS had to vacate all patients, wounded, staff and civilians to Shifa Hospital.

On the same day, the 3-story building of the Union of Agricultural Relief Committees, located in al-Zaytoun neighborhood, was targeted by IOF artillery shells, causing heavy damage. Some hours later, Israeli troops broke into the building and destroyed all contents.

PCHR also documented other attacks against NGOs and charitable societies in the Gaza Strip. Twelve NGOs and charitable societies were damaged due to Israeli bombing of nearby targets during the last offensive as follows.

### ■ Destruction of Economic Infrastructure

IOF attacks severely damaged the different economic sectors across the Gaza Strip. Data collected from the field indicates that IOF systematically and extensively targeted Gaza's economic establishments and infrastructure. PCHR fieldworkers witnessed destruction caused to economic infrastructure in the Industrial Zone in Gaza City, al-Fukhari village in Khan Yunis and in areas along Gaza's eastern border strip. PCHR notes that the manner in which IOF destroyed Gaza's economic infrastructure indicates that IOF launched indiscriminate attacks and employed excessive force against civilian targets. This constitutes a form of fighting civilians by destroying their livelihoods. PCHR concludes that IOF's destruction of the Gazan economy aimed at preventing any possibility of restoring or developing Gaza's economy in the future. It should be noted that the local economy had already seriously deteriorated due to the total blockade that IOF imposed on Gaza imports and exports for over two years. During their offensive, IOF launched indiscriminate military ground and air attacks, and employed heavy bombs and highly destructive missiles to devastate Gazan economic establishments, including industrial, agricultural, commercial, tourist and service establishments. This destruction was preplanned and systematic. PCHR fieldworkers observed that IOF focused their attacks on the construction sector, including concrete factories, brick factories and construction material warehouses. This indicates that IOF intended to cause massive destruction to Gaza's construction sector in order to obstruct any future development of the economic infrastructure and to obstruct the reconstruction of destroyed civilian property and other objects destroyed by IOF during the offensive.

The extent of destruction caused to the Gazan economy indicates that IOF sought to diminish the productive capacity of Gaza's economic establishments, completely paralyze the Gazan economy and reinforce the dependence of the Gaza Strip on the Israeli economy.

During the IOF offensive on the Gaza Strip, 286 economic establishments were destroyed, 178 of them completely destroyed (60.1% of destroyed establishments) and 58 of them heavily damaged (39.9%). It should be noted that there were only 390 remaining establishments that managed to survive and continue their activities in despite the tight closure imposed on the Gaza Strip. The destroyed establishments represent 73% of the surviving economic establishments in the Gaza Strip. It should also be noted that prior to the tightening of the siege on the Gaza Strip, 3,900 establishments, mostly small-sized establishments with less than 10 employees, operated in the Gaza Strip. Of these establishments, 90% have shut down over the past two years due to the total closure of crossings and the imposition of an economic blockade on the Gaza Strip. These 3,900 establishments previously employed approximately 150,000 workers who provided means of subsistence for 0.5 million people in the Gaza Strip. The majority of these workers were laid off.



Abu Jubba Concrete Factory, which was destroyed by IOF in the east of Gaza City.



Sarayo Factory, which was destroyed by IOF in the east of Gaza City.

## ■ Industrial Sector

IOF launched intentional and indiscriminate attacks against Gaza's industrial sector. Indiscriminate attacks are prohibited under the rules and provisions of International Humanitarian Law. IOF not only targeted factories and industrial establishments in border areas, but also those located inside residential areas across the Gaza Strip.

PCHR documented the destruction of 167 industrial establishments, including 119 that were completely destroyed (71% of destroyed industrial establishments) and 48 that sustained heavy damages (29%). IOF did not target only certain types of establishments; the destroyed establishments included 26 metal work establishments, 15 food production establishments, 6 plastic establishments, 4 sanitary ware establishments, 23 carpentry workshops, 14 mechanical workshops, 5 construction and contracting establishments, 7 concrete production establishments, 9 sewing and textile establishments, 3 aluminum workshops, 12 brick and construction materials production establishments as well as 43 industrial establishments working in different areas.

In the Industrial Zone in the east of Gaza City, IOF completely destroyed all industrial establishments. PCHR's fieldworkers who visited the area immediately following IOF withdrawal reported that the Industrial Zone had been transformed into huge piles of rubble and that it was difficult to even recognize the features of the area. Sixty industrial establishments, most of them large factories, were completely destroyed in that area, where the biggest factories in the Gaza Strip were located.

Prior to the imposition of total closure in June 2006, approximately 65,000 workers were employed in the Gazan industrial sector. The number was reduced to approximately 35,000 workers as many industrial establishments shut down due to the continued siege. After the Israeli offensive, only 1,878 (5.36%) workers continued to be employed by the industrial sector. Unemployment rates increased to unprecedented levels as a result.

## ■ Commercial Sector

IOF mass destruction also seriously affected the commercial sector. The majority of commercial establishments that IOF destroyed were located at the center of residential areas across the Gaza Strip. IOF targeted 92 commercial establishments. 70% of the targeted establishments (65 establishments) were completely destroyed while the remaining 30% (27 establishments) sustained partial damages. Losses incurred by the commercial sector, including construction companies, are estimated at US\$ 30,922,427. This number represents 10% of the total losses incurred by Gaza's economic sector, which amounted to US\$ 309,089,188.

## ■ Agricultural Sector

Agricultural lands that once produced a wide variety of fruits and vegetables were extensively bulldozed by IOF. 6,855 donums, including almond farms and export-oriented flower farms, were destroyed. In addition, IOF destroyed greenhouses, storage facilities used for keeping agricultural tools and equipment, water irrigation networks, water pumps and agricultural water wells.

IOF targeted both the livestock and the plant farming sectors. The agricultural sector, which is the most vital economic sector in the Gaza Strip, sustained the greatest share of losses of all economic sectors in Gaza. Estimates provide that losses caused to the agricultural sector stand at approximately US\$ 170 million – 55% of losses incurred by all of Gaza economic sectors (US\$ 309,089,188 in total). These losses were the result of the razing of thousands of donums of agricultural land; the uprooting of trees; the destruction of crops, greenhouses, irrigation water networks, dozens of animal and poultry farms, egg incubators and hatcheries as well as the destruction of fishing ports and boats.

Thousands of civilians depending on agricultural activities and agricultural workers were deprived of their main source of income and sustenance. It should be noted that Gaza's agricultural sector previously provided job opportunities for more than 40,000 civilians and that the agricultural sector provided food and nutrition for 25% of Gaza's population.

### *Bulldozing Agricultural Lands and Destruction of Water Irrigation Networks*

Over the course of the IOF offensive on the Gaza Strip, IOF bulldozers razed 6,855 donums of agricultural land. Gaza City sustained 43.2% of the losses caused by the razing of agricultural lands (2,957 donums), northern Gaza sustained 30.6% (2,930 donums), central Gaza sustained 14.2% (975 donums), Khan Yunis 7.4% (484 donums), and Rafah 5.4% (311 donums).

IOF tanks and bulldozers destroyed 875 water irrigation networks across the Gaza Strip, including 495 networks in northern Gaza (56.6%); 332 networks in Gaza City (37.4%); 13 networks in central Gaza (1.5%); 27 networks in Khan Yunis (3%); and 8 networks in Rafah (less than 1%). Since the razing of agricultural lands took place over the course of IOF offensive on Gaza, precise times of destruction are unknown. However, the majority of lands were destroyed following the ground invasion that took place on 4 January 2009.

Next to the destruction of open fields and fruits farms, IOF destroyed 206 greenhouses, 151 agricultural water wells and 40 agricultural water collection pools.

### *Animal and Poultry Farms*

During their offensive on Gaza, IOF destroyed 54 livestock and poultry farms, warehouses, hatcheries and incubators, as well as apiaries. IOF destroyed livestock farms while animals were inside, resulting in their death. Fifty of the targeted establishments were completely destroyed (92.5%) and 4 establishments (7.5%) sustained partial damages. The

distribution of the destroyed establishment by governorate is as follows: 35 establishments in northern Gaza (64.8%), 18 establishments in Gaza City (33.3%) and one establishment in Khan Yunis (1.8%).

IOF destruction of livestock and poultry farms resulted in the death of 427 heads of livestock (cows and sheep) and approximately 45,000 chicks and chickens. IOF also destroyed 174 beehives. The destruction of large-scale and household livestock and poultry farms deprived 20,000 families across the Gaza Strip of their livelihoods. In addition, the destruction of the livestock and poultry sector resulted in a steep increase of meat and egg prices. Civilians were unable to obtain sufficient animal protein due to the sharp price increase.

### *Fishing Sector*

During their offensive on the Gaza Strip, IOF directly targeted the fishing sector, causing damages estimated at US\$ 8,400,000.

IOF gunboats attacked fishing ports, especially Gaza seaport, including fishing boats and equipment belonging to local fishermen. Such bombings caused losses estimated at US\$ 8 million.<sup>14</sup> Nezar 'Ayash, head of the Gaza Syndicate of Marine Fishers, stated that direct losses incurred by Gazan fishermen due to IOF attacks against their boats and equipment during the offensive reached US\$ 400,000. He added that since the beginning of the second Intifada, Gazan fishermen have sustained direct losses that stand at US\$ 17 million.

The hardship faced by Gaza's fishermen has increased in the wake of IOF withdrawal. Only 10% of the fishing boats that went to sea before the IOF offensive resumed fishing activities. In addition, further restrictions have been imposed by IOF on the fishing area accessible to Palestinian fishermen. While before the outbreak of the second Intifada, an area up to 20 nautical miles from the shore was accessible to Gaza's fishermen, IOF restricted the fishing limit to 3 nautical miles from the shore, under the best conditions.

Ninety percent of Gaza's fishermen ceased their fishing activity because of the restricted fishing distance. No sufficient amount of fish can be caught within the permitted distance. As a result, the income and living conditions of Gaza's fishermen were seriously affected. In addition, IOF have continued to fire at fishermen and fishing boats fishing off the shore of the Gaza Strip. There are 3,500 fishermen registered in the Gaza Syndicate of Marine Fishers. These registered fishermen use 700 fishing boats of different sizes. In addition, there are approximately 2,000 workers who work in activities relating to the fishing industry and whose income provide for approximately 40,000 individuals.



A Palestinian fishing boat that was attacked by Israeli gunboats.

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<sup>14</sup> Report on direct economic losses inflicted by IOF offensive on Gaza, Palestinian Economic Council for Development and Reconstruction (PECDAR), 2009.

## ■ Transportation

IOF attacks launched during the offensive causes heavy losses in the transportation sector of the Gaza Strip. IOF attacks deliberately targeted means of transport used to transfer individuals, vehicles used in commercial, industrial and agricultural activities, as well as vehicles belonging to governmental institutions. Further, IOF targeted vehicles belonging to medical and humanitarian institutions, including ambulances, fire trucks and civil defense vehicles.

PCHR documented IOF targeting of 1,629 vehicles of different models. Of the targeted vehicles, 1,085 vehicles sustained partial damages while the remaining 544 vehicles were completely destroyed.

## ■ Tourism

The total offensive carried out by the IOF affected Palestinian tourist facilities in Gaza. Deliberate and indiscriminate IOF attacks affected 16 tourist and entertainment establishments; including 4 wedding halls, 3 restaurants, 3 coffee shops, 3 cafeterias, two resorts, and one hotel. Eight of these establishments were completely destroyed and the others were partially damaged. Eleven of these establishments were located in Gaza City (68.7% of the affected tourist establishments). Initial losses of the tourism sector are estimated at US\$ 20 million.<sup>15</sup>



Shibab Palace and al-Jazeera hotels, on the Gaza beach, were bombed by IOF.

## ■ Destruction of Cultural Property

International law provides special protection for the cultural property of any nation. For the purposes of this protection, a State or an Occupying Power has obligations towards property that constitutes a part of cultural heritage

<sup>15</sup> Ibid.

of occupied territories. Cultural property includes movable or immovable property of great importance to the cultural heritage of every people, such as architectural, artistic or historical monuments or artifacts, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives. Cultural property covers buildings whose main and effective purpose is to preserve or exhibit the movable cultural property such as museums, large libraries and depositories of archives, and buildings intended to shelter, in the event of armed conflict, the movable cultural property, as well as centers containing a large amount of cultural property.<sup>16</sup>

The military offensive launched by IOF on the Gaza Strip resulted in the destruction of a significant number of cultural sites. The air, sea and ground attacks of the IOF did take into consideration the particular status of archaeological and historical sites that were targeted daily throughout the offensive. Cultural artifacts in the Gaza Strip constitute an important part of the Palestinian cultural history as well as of human cultural heritage as a whole. The willful destruction of this cultural heritage severely violated the right to the protection of human heritage, including historical and archaeological buildings, places of worship and museums. The military operations implemented by IOF targeted cultural sites in the Gaza Strip, gravely violating the UNESCO Declaration concerning the International Destruction of Cultural Heritage of 2003. It also constitutes a flagrant violation of International Humanitarian Law, especially those articles in the Geneva Fourth Convention of 1949 dealing with the protection of cultural property during times of war and under occupation, the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954, and principles codified in UNESCO conventions and their recommendations relative to the provision of protection to cultural heritage.

### *Archaeological Buildings and Museums*

Many archaeological sites were damaged due to the continued IOF bombing during the military offensive on the Gaza Strip. PCHR documented the bombing of some important archaeological sites as follows:

- Bombing of the historic site of Anthedon (al-Iblakhiya)
- Repeated bombing of the archaeological site Tel al-'Ejoul
- Repeated bombing of the archaeological site Tel al-Sakan

### *Religious Sites*

Throughout their offensive, IOF targeted mosques across the Gaza Strip. IOF used warplanes to launch air strikes on mosques, and they demolished and damaged a number of mosques during their ground incursions. During the offensive, approximately 100 mosques were destroyed or partially damaged. Some of the mosques were targeted during prayers times, resulting in the death and injury of a large number of civilians inside, or in the vicinity of, the targeted mosques. The targeting of places of worship constitutes a form of reprisal and unjust punishment action practiced against the civilian population. It violates Article 33 of the Fourth Geneva Convention of 1949 relative to the protection of the civilian population in times of war.

IOF directly targeted 45 mosques in the Gaza Strip, resulting in their total destruction (PCHR maintains a list of the destroyed mosques). Dozens of civilians were killed or injured inside these mosques, or in houses adjacent to or in the proximity of these mosques. Following is a review of some cases of total destruction of mosques:

16 Definition of cultural property as in Article 1 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954. See the International Committee of the Red Cross Office in Cairo, *Encyclopedia of International Humanitarian Law Conventions, Official Texts of Conventions and Signatory and Ratifying States*, 2002, Page 390.



Dar al-Fadeela Mosque and School, which were bombed by Israeli warplanes on 11 January 2009.

> *Destruction of al-Khulafa'a al-Rashedin Mosque in Jabalia*

- On 1 January 2009, Israeli warplanes dropped several bombs on al-Khulafa'a al-Rashedin Mosque in Jabalia. The Mosque was almost completely destroyed. Al-Khulafa'a al-Rashedin Mosque is one of the largest mosques in the Gaza Strip. It is close to the house of Dr. Nizar Rayan, who was killed during the course of this offensive when IOF bombed his house some hours before the bombing of al-Khulafa'a al-Rashedin Mosque. The bombing of the mosque caused heavy damages to dozens of neighboring houses.

> *Destruction of an Archaeological Mosque*

- On 2 January 2009, IOF bombed al-Nasser Mosque, which was built in 738, in Beit Hanoun in the northern Gaza Strip, completely destroying it.
- On 2 January 2009, Israeli warplanes fired bombs at al-Salam Mosque in the east of al-Qerem Street in the east of Jabalia. The Mosque was completely destroyed.
- At approximately 17:20 on 3 January 2009, an IOF drone fired a missile at the western gate of Martyr Ibrahim al-Maqadma Mosque in the north of Jabalia refugee camp, near Martyr Kamal 'Odwan Hospital. The missile landed only two meters from the Mosque's gate. It struck the edge of the mosque's wall and ceiling from the outside. Twelve civilians, including 4 children and a father with his son, who were in the back lines during the prayer, were immediately killed. In addition 30 civilians were wounded in the attack. A number of the wounded were transferred to Shifa Hospital in Gaza City. Later, medical sources announced the deaths of three of them. Thus, the number of civilians killed in this attack increased to 15.
- At approximately 23:10 on 4 January 2009, IOF bombed 'Omar Ben 'Abdul 'Aziz Mosque in Beit Hanoun town. The Mosque was completely destroyed and several neighboring houses were damaged. It should be noted that the mosque is surrounded by residential homes and Beit Hanoun Sports Club is located to the south of the mosque.
- At approximately 21:00 on 7 January 2009, Israeli warplanes bombed al-Taqwa Mosque in al-Sheikh Radwan



neighborhood of Gaza City. Four hours later, Israeli warplanes bombed the mosque again. Heavy damages were caused to the mosque and to neighboring houses as a result of the bombing.

### *Historical Buildings and Heritage Centers*

During the IOF offensive on the Gaza Strip, many historic sites and ancient buildings were completely destroyed after being directly targeted. The Presidential Palace, located within the Ansar Security Compound, was directly targeted and was fully destroyed as a result. The Palace is of historical value because it once served as the Egyptian Governor's residence. It also had a distinctive architectural design. Al-Saraya Security Compound was also directly targeted by IOF; large parts of the Compound were completely destroyed while other parts were heavily damaged. The historical building of the Gaza municipality was also directly targeted. Parts of the building were completely destroyed and other parts were heavily damaged. Dr. Nehad al-Mughani, Assistant of the Director of Civil Planning Division in the Gaza Municipality, said the Gaza municipality's building stood in a distinctive location directly overlooking 'Umar al-Mukhtar Street. The building includes three floors; the ground floor contains commercial stores while the two upper floors contain administrative offices. He also explained that the front part of the building was decorated with colored tiles and that it had long windows with arched tops and that the building contained many small balconies. Dr. al-Mughani said that the building dates back to the 1940s, the time of the British mandate. It was built by Fehmi Beck al-Huseini, then head of the Gaza municipality. Upon its establishment, the building was used as a court for Gaza municipality. Then the building had been used as headquarters for the policemen employed by the Gaza municipality.

Further, many historic buildings, especially ancient buildings in the old city of Gaza, were partially damaged due to IOF air strikes. Engineer Mahmoud al-Bal'awi stated that dozens of ancient buildings in the center of the old city were affected by IOF shelling and bombing with artillery shells, missiles and other explosives. Walls in the affected buildings were cracked; as a result, a number of the structures are in danger of collapsing. They are especially at risk because they are old, and because no preservation work can be carried out to maintain these buildings. They are of architectural value because they contain important elements, such as corridors with broken entrances, coverings with criss-cross decorations, broad open front yards, and other rare Islamic architectural features. In addition, these buildings are distinctive because they were built according to the Islamic architectural style of the Ottoman Empire.

The extent of damages differed from one building to another. While in some affected buildings, complete parts were destroyed because of strong tremors resulting from nearby explosions, in other buildings the walls cracked. Some of the cracked buildings sustained significant structural damage, creating the fear that these buildings may completely collapse. Concerned authorities are urged to conduct rehabilitation and restoration work in order to save these buildings.

IOF also bombed the headquarters of the Palestinian Ministry of Tourism and Antiquities in the Palestinian ministry compound. The direct targeting of the compound resulted in the destruction of large amounts of data and material sources in the Ministry of Tourism and Antiquities.

### ■ **Destruction of Civilian Property in the West Bank**

In the West Bank, IOF continued to demolish Palestinian houses in Area "C" (under full Israeli control under the Oslo Accords). In 2009, this policy was focused on Arab parts of occupied East Jerusalem, where IOF demolish Palestinian houses under various pretexts, including the lack of building licenses.<sup>17</sup> IOF require Palestinians to obtain building permits in East Jerusalem and areas located near Israeli settlements and bypass roads, but prolonged and compli-

<sup>17</sup> Destruction of houses and civilian property in the West Bank is not separate from the policies of settlement expansion and the construction of the Annexation Wall, as will be seen below.

cated procedures must be followed to obtain such licenses, which are only granted in very rare cases. The policy adopted by IOF regarding the granting of building licenses is of a racist nature, as Palestinian civilians have to follow very complicated procedures to obtain licenses, whereas Israelis can obtain such licenses easily. In light of this policy and the pressure of the need to expand housing, Palestinian civilians are forced to build houses without licenses, even though they are aware this could cause them problems in the future.



An Israeli bulldozer demolishes a house belonging to the Siam family in the Beit Hanina neighborhood of East Jerusalem.

In 2009, IOF demolished 134 houses in the West Bank, including 83 in East Jerusalem. They further forced 23 Palestinian civilians in East Jerusalem to demolish their own homes. Thus, the total number of houses destroyed in the West Bank amounted to 157. Palestinian civilians, forced by the IOF, often destroy their houses themselves in order to avoid having to pay extremely high fines.

### *Settlement Activities and Attacks by Settlers against Palestinian Civilians and Property*

The Israeli government, its occupation forces and settlers living in the OPT in violation of international law have continued the expansion of settlements in the West Bank. Armed Israeli settlers, protected by IOF, have also continued to commit crimes against Palestinian civilians and property. In 2009, Israeli settlers escalated their attacks against Palestinian civilians and property, especially following the inauguration of a new Israeli government led by Benjamin Netanyahu.

### *Settlement Expansion*

In 2009, the new Israeli government intensified its settlement activities in all areas of the West Bank, especially in East Jerusalem. In spite of increasing international criticism, the Israeli government increased its settlement activities, allegedly to meet the needs of natural growth of settlements. PCHR emphasizes that Israeli settlement activities in the OPT clearly violate international humanitarian law, particularly the Fourth Geneva Convention. PCHR calls upon the international community to immediately intervene to force the Israeli government to stop all settlement activities in the OPT, especially in East Jerusalem, and dismantle Israeli settlements, which constitute a war crime under international humanitarian law.

In 2009, Israeli occupation authorities waged an intensified campaign against Palestinian construction in Area "C" – which is under full Israeli control according to the Oslo Accords signed between the Palestine Liberation Organization and the government of Israel in 1993 – under the pretext that no building licenses had been obtained from the Israeli organization and construction department in "Beit El" settlement. It is worth noting that Israeli occupation forces impose restricted and complicated procedures on Palestinian applications for building permits. Palestinian families often build on their private land to meet their natural growth needs, but Israeli occupation authorities have a discriminatory approach in dealing with unlicensed buildings in Palestinian communities as opposed to those in Israeli settlements.

Over the course of the year, Israeli occupation authorities and their civilian wings, such as the Municipality of Jerusalem, the Ministry of Housing, the Ministry of Interior and the Higher Planning Council, invited bids for the construction



Construction works in an Israeli settlement in the West Bank.



Construction works in "Pisgat Ze'ev" settlement, in East Jerusalem.

of 3,400 housing units in the OPT. They also began construction of a new settlement neighborhood in the south of Jerusalem, a new settlement between "Ma'ale Adumim" settlement and Jerusalem, as well as a new housing units in the Jabal al-Mukaber neighborhood of Jerusalem. They further expanded "Gilo" settlement and completed the infrastructure of the E1 Project.

### *Confiscation of Palestinian Civilian Property*

In 2009, IOF continued to confiscate Palestinian civilian property for the purpose of settlement expansion, in violation of international humanitarian law, which prohibits changing the nature of an occupied territory without military necessity, a condition that is not fulfilled in this case.

During the year, IOF confiscated and/or leveled at least 6,540 donums of land across the West Bank; this figure includes areas of land annexed by Israeli settlers. These areas are distributed as follows: 3,115 donums in Hebron; 1,723 donums in Bethlehem; 530 donums in Jerusalem; 142 donums in Ramallah; 110 donums in Nablus; 416 donums in Jenin; 94 donums in Qalqilya; and 410 donums in Salfit. These figures do not include closed areas, such as the Jordan Valley along the eastern border of the West Bank.

Additionally, IOF and Israeli settlers uprooted or burnt at least 14,000 olive trees in the West Bank. IOF uprooted at least 1,455 olive trees during the olive cultivation season and at least 7,000 others for the purpose of settlement expansion, while Israeli settlers uprooted more than 5,500 trees. Such attacks were focused mainly on the northern West Bank; in Nablus, 6,000 trees were uprooted; in Salfit, 5,720 trees were uprooted; in Qalqilya, 400 trees were burnt or uprooted; in Hebron, 1,600 trees were uprooted; and in Bethlehem, 80 trees were uprooted.<sup>18</sup>



Olive groves burnt by Israeli settlers in the West Bank.

<sup>18</sup> Source: Applied Research Institute – Jerusalem.

### *Efforts to Create a Jewish Demographic Majority in Jerusalem*

The Israeli government and its occupation forces have continued settlement activities in East Jerusalem and its suburbs in an effort to create a Jewish majority in the city. They have cut off the city from its Palestinian hinterland in the West Bank, constructed new sections of the Annexation Wall and continued activities of settlement expansion inside and around the city. The Israeli Municipality of Jerusalem has continued to demolish Palestinian houses under the pretext of unlicensed construction.

In addition to such illegal practices, the Israeli Ministry of Interior continued to cancel the permanent residence of Palestinians in the city. The Israeli daily newspaper Ha'aretz reported on 2 December 2009, that in 2008, Israel cancelled the permanent residency status of 4,577 Palestinians, and in 2009, this policy was practiced at a similar pace.

In 2009, IOF, through the Municipality of Jerusalem, continued to demolish Palestinian houses throughout the city and its suburbs, claiming unlicensed construction as the reason. The municipality continued to impose prolonged and complicated procedures on Palestinian civilians who attempt to obtain construction licenses. Many Palestinians are under pressure to build new houses or expand existing homes due to natural growth, and thus do so without obtaining licenses. IOF, through the Municipality of Jerusalem, the Ministry of Housing, the Ministry of Interior and settlement associations, approved the construction of thousands of housing units for Israeli settlers inside and around the city. PCHR stresses that Israeli practices in Jerusalem are illegal and that the Municipality of Jerusalem discriminates in its approach to issuing building licenses to the Palestinian population. According to a report prepared by the EU Consuls General in East Jerusalem, Silwan village, for example, has obtained only 20 building licenses since 1967, and Palestinians living in Jerusalem obtain only 200 building licenses annually, while their actual need requires more than 1,500 permits.

Additionally, IOF have continued to impose severe restrictions on activities of Palestinian NGOs in Jerusalem, claiming that they are linked with Palestinian Liberation Organization (PLO) and/or the Palestinian National Authority (PNA), even though the identity and activities of those NGOs are clear. Measures by IOF included raiding the offices of NGOs and prohibiting or closing down official and public meetings even if they were of a social nature, claiming that such activities are linked with the PLO or the PNA.



Palestinian women wait to pass through a checkpoint near Bethlehem in order to travel to Jerusalem to pray at al-Aqsa Mosque.

IOF have further continued to violate Palestinian religious rights by denying access to religious sites in the city, and continued excavations in the vicinity of the al-Aqsa Mosque.

Efforts to create a Jewish demographic majority in Arab Jerusalem began with the occupation of East Jerusalem in 1967, and continued with the confiscation of Palestinian property, the establishment of Jewish settlements, construction of the Annexation Wall, the prevention of the construction of new houses and demolition of existing ones, the issuance of racist orders that aim at expelling the Palestinian population and the isolation of the city by cutting it off from its socio-economic surroundings. PCHR believes that encouraging or orchestrating the forced migration of Palestinian civilians from Jerusalem is one of the

methods by which Israel creates a new reality in the city, where Jews constitute the overwhelming majority of the population. Successive Israeli governments have made efforts to ensure that the number of Palestinians never exceeded 22% of the city's total population. To achieve this goal, those governments have taken a series of measures, the latest of which have been the construction of the Annexation Wall, which has effectively left thousands of Palestinian Jerusalemites outside the city boundaries, the confiscation of Jerusalem identity cards from Palestinians and the integration of Israeli settlement blocs as part of the city.

### *Attacks by Israeli Settlers against Palestinian Civilians and Property*

In 2009, attacks by Israeli settlers against Palestinian civilians and property continued. Such attacks included shootings, running down civilians with vehicles as well as destruction of or damage to civilian property. In 2009, 3 Palestinian civilians, including two children, were killed by Israeli settlers in the OPT. This brings the number of Palestinian civilians killed by Israeli settlers to 47 since the beginning of the second Intifada in September 2000.

Attacks by Israeli settlers often take place before the eyes of IOF, who often protect the settlers, especially in Hebron. IOF also neglect to follow up on complaints submitted by Palestinian civilians concerning attacks carried out by settlers, thus encouraging the latter to launch more attacks.

In a serious development, IOF and armed Israeli settlers launched joint attacks on Palestinian civilians and property in 2009. For example, on 8 April 2009, dozens of Israelis settlers, accompanied by IOF, stormed Kherbat Safa village, northwest of Hebron. They injured 9 Palestinian civilians. On 24 April 2009, 12 Palestinian civilians, including two children, were wounded, when armed Israeli settlers, accompanied by IOF, stormed 'Ourif village, south of Nablus.



Attacks by Israeli settlers against Palestinian civilians in the West Bank.

In 2009, 3 Palestinian civilians, including two children, were killed by Israeli settlers. On 13 January, an Israeli settler shot dead a Palestinian child in 'Azzoun village, east of Qalqilya, and wounded two others. On 17 April, Israeli settlers shot dead a Palestinian child from al-Zaytoun neighborhood in Hebron. On 2 June, an Israeli extremist shot dead a Palestinian civilian in East Jerusalem.

In 2009, PCHR documented 233 attacks by Israeli settlers, the majority of them in Hebron. Attacks in 2009 were distributed as follows: 86 in Hebron; 67 in Nablus; 11 in Ramallah and al-Bireh; 14 in Qalqilya; 22 in Jerusalem; 11 in Salfit; 12 in Bethlehem; 3 in Jenin; and 7 in Tulkarm. The categories of the attacks were: 47 cases of harassment; 40 attacks against houses; 63 attacks against farmers, shepherds and their property; 12 shootings; 9 attacks against religious sites; 6 attack carried out with cars; and 56 other attacks, including closing roads and throwing rocks at Palestinian civilian vehicles.

### ■ The Annexation Wall in the West Bank

In late June 2002, the Israeli government, headed by Ariel Sharon, decided to construct a separation barrier between Israel and the West Bank, in order to prevent Palestinians from entering Israeli territory except through a security system it was to establish. At first, the Israeli government claimed that the barrier was a security measure and without any political implications. Over time, as new facts were created on the ground, some Israeli politicians declared that the barrier would constitute the border line between Israel and a future Palestinian state.

Over the past years, Israel has completed the construction of many sections of the Wall, which is being constructed inside West Bank territory rather than along the Green Line (the pre-1967 border) separating the West Bank from Israel. Israel, which cites to security concerns in order to unilaterally create new facts on the ground, has used the Wall in its negotiations with Palestinians, who aspire to establish their state within the 4 June 1967 boundaries. The Wall, with its effective annexation of Palestinian land, has created a new reality on the ground that makes it difficult to discuss the establishment of a viable, contiguous Palestinian state.

On 9 July 2004, the International Court of Justice (ICJ) issued an advisory opinion regarding the legal consequences of the Wall, in response to a request by a UN General Assembly resolution of 3 December 2003. The Court ruled that the Wall's construction inside 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, dismantle the sections already constructed, abolish all relevant legislation and orders and compensate Palestinians harmed by the construction of the wall.

In spite of the ICJ Advisory Opinion, IOF have continued to construct the Annexation Wall. In 2009, the construction was mainly focused around Jerusalem. IOF have completed the construction of the majority of the Wall around the city according to the plans of the Israeli Municipality of Jerusalem.

The main principle determining the route in the Jerusalem area is that the route follows the city's municipal borders. In 1967, Israel annexed substantial parts of the West Bank to the municipality of Jerusalem, a total of approximately 70,000 donums. Some 220,000 Palestinians now live in these annexed areas. There are two sections in which the Wall does not run along the municipal border. One is in the Kufr 'Aqab neighborhood, the other is in the area of the Shu'afat refugee camp. These are separated from the rest of the city by the barrier even though they lie within the city's municipal area.

The Israeli judiciary has continued its traditional role of serving the policies of Israeli occupation authorities. In this context, the Israeli High Court rejected a number of petitions submitted by Palestinian civilians against the confiscation of their lands for the purpose of the construction of the Wall. In very rare cases, the court ordered slight changes to the route of the Wall, but these changes have not been implemented.

### *Restrictions on the Movement of Palestinian Farmers*

IOF have imposed severe restrictions on the movement of Palestinians on both sides of the Wall. In 2009, IOF imposed additional restrictions on the movement of Palestinians.

IOF reduced the hours during which gates established along the Wall are opened, restricting access of Palestinian farmers to their agricultural lands, which are isolated behind the Wall. During the season of olive cultivation, IOF imposed a strict system of restrictions on the movement of Palestinian farmers. The IOF “Civil Administration” stipulates that Palestinian farmers must obtain permits to be allowed to reach their agricultural land beyond the Wall. To be able to obtain a permit, a farmer must be the registered owner of a tract of land, which is almost unachievable due to complications with land registry resulting from the periods of British, Jordanian, and Israeli rule, for example most of agricultural lands are registered under the names of deceased people (the registries have not been updated) and their heirs do not all live in the West Bank.

The construction of the Wall has brought new restrictions on movement of Palestinians living near the route of the Wall, in addition to the widespread restrictions that have been in place since the outbreak of the second Palestinian Intifada. Thousands of Palestinians have difficulties accessing their fields and marketing their produce in other areas of the West Bank. Farming is a primary source of income in the Palestinian communities situated along the Wall’s route. The harm to the agricultural sector is bound to have drastic economic effects on the residents – whose economic situation is already very difficult – and drive many families into poverty.

The impact of restrictions on the movement of Palestinians living near the Wall has not been limited to the agricultural sector, but includes numerous other aspects of life. Palestinians’ access to medical care, education and their relatives has been restricted, as Palestinians are required to obtain permits to move through gates established on the Wall, which are operated under a strict security system. IOF often close these gates for no apparent reason.

## ■ The Absence of Justice in the Israeli Legal System

The Israeli legal system is fundamentally biased against Palestinians. The system itself, including mechanisms of investigation adopted by the Israeli military, are biased and partial. While Israel has initiated investigations into the events of Operation Cast Lead, the number of investigations initiated comprises only a small fraction of the overall complaints submitted.

Additionally, these investigations fall far short of accepted international standards. In accordance with its obligations under international law, Israel must investigate and bring to justice and punish those responsible for crimes, provide an effective remedy for victims, provide fair and adequate compensation, and establish the truth. Israeli investigations fail to meet these five basic requirements. Investigations also fail to meet international standards as regards independence of the judiciary – based on the separation of powers principle – the need for timely investigation and prosecution, and the need for investigations to be conducted outside the military hierarchy in order to ensure a fair and independent investigation and prosecution. Simply put, justice for Palestinians is unattainable in this biased and partial system.

In light of this reality, PCHR, in cooperation with a number of international legal and human rights organizations, has turned to the pursuit of universal jurisdiction. This legal principle empowers national courts, acting as agents of the international community, to attempt to prosecute those accused of international crimes – which include grave breaches of the Geneva Conventions, crimes against humanity, genocide and torture – no matter where these crimes occurred.

In 2009, a number of cases begun in 2008 went to court. On 29 January 2009, the Central Investigative Judge No. 4 of the Spanish Audiencia Nacional ruled that the Israeli authorities were not willing to investigate and bring to trial the persons presumed responsible for the Al-Daraj assassination; Spanish competence was accordingly asserted over the case. This decision marked the launch of a judicial enquiry into the events of July 22 2002. On 4 May 2009, the Audiencia Nacional overturned an appeal by the State Prosecutor and declared its intention to continue investigating the 2002 Al-Daraj attack. This decision set an important legal precedent: the Court held that, as an Occupying Power, Israel does not have primary jurisdiction over the Gaza Strip. As a result of this decision, PCHR was in a position to present cases directly to the Spanish judicial system, bypassing the Israeli courts. However, the Israeli authorities appealed this decision and on 30 June 2009, the Appeals Court of the Audiencia Nacional upheld an appeal from the public prosecutor, closing the case on the grounds that Israel had primary jurisdiction. This decision was expected, and has been a feature of previous – ultimately successful – universal jurisdiction cases in Spain. This decision is currently being appealed by PCHR and Spanish counterparts. The case will be heard by the Spanish Supreme Court in 2010. The case, which relates to the Al-Daraj attack, has also been expanded to include recent cases arising consequent to Israel's offensive on the Gaza Strip (27 December 2008 – 18 January 2009).

On 26 October 2009, a Court of Appeals in the Netherlands denied a complaint taken against Ami Ayalon, former head of the Israeli General Security Services (Shin Bet). This case was taken following a May 2008 complaint submitted by Prof. Dr. Liesbeth Zegveld of Dutch law firm BFKW, instructed by PCHR. Sufficient evidence was presented to allow the Court to find Mr. Ayalon guilty of the torture of Mr. Al-Shami. However, despite the denial of the complaint, some of the Court's findings represent a victory with respect to the future prosecution of alleged torturers. The Court established that the accused's presence is sufficient to establish jurisdiction, and that in principle no action from the prosecutor is required. PCHR and legal partners, in consultation with Mr. Al-Shami, are currently considering future legal options.

Over the course of the year, PCHR continued to refine and develop its universal jurisdiction system. Further contacts with lawyers were established in numerous jurisdictions and a significant number of cases were prepared. PCHR cannot comment publicly on these issues as they relate to specific details of cases that are not yet in the public domain. However, in this regard, PCHR organized a number of conferences and workshops on universal jurisdiction, including a conference in Madrid in late January 2009, and a follow-up conference in London in March 2009. These conferences serve a twofold purpose, they are intended to increase knowledge and awareness of the principle of universal jurisdiction, and to facilitate contacts between lawyers in order to expand PCHR's network.









## Section 2

### **Palestinian Violations of Human Rights and Obstacles to Democratic Reform**

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This section of the report focuses on Palestinian violations of human rights and obstacles to democratic reform in the PNA-controlled areas in the West Bank and the Gaza Strip. The internal political conflict and separation between the West Bank and the Gaza Strip have been a major factor that led to further deterioration of the human rights situation. The vast majority of human rights violations at the internal level were attributed to the conflict between the Hamas and Fatah movements, and included measures taken by the two governments and their security services in Gaza and Ramallah against representatives of the other party, respectively. This section includes the following subsections: Violations of the Right of Life and Attacks on Personal Security; Arrests, Torture and Other Forms of Cruel and Inhuman Treatment; Continued Disruption of the Legislature; Deterioration of Judicial Authority; Obstruction of General and Local Elections; Violations of the Right to Freedom of Opinion and Expression; Violations of the Right to Peaceful Assembly; Violations of the Right to Association; The Death Penalty; Political Division Impacting Economic and Social Rights in the Gaza Strip: The Right of Health As an Example.

## Violations of the Right of Life and Attacks on Personal Security

In 2009, violations of the right of life and attacks on personal security in the OPT continued. In 2009, 115 Palestinians, including 13 children and 14 women, were killed and at least 280 others were wounded. The majority of victims were killed in the Gaza Strip, where 94 Palestinians were killed. The excessive use of force by law enforcement officials was the main form violations of the rights to life took. Palestinians were also killed as a result of other forms of violence and misuse of weapons, which constitute part of the state of lawlessness and security chaos spreading across the OPT. The state of lawlessness included the misuse of weapons by well-known and unknown armed groups; the use of weapons in personal and clan disputes; and extra-judicial killings of persons, allegedly to protect “family honor.”

### Victims during Police Missions

In 2009, 37 Palestinians (28 in the Gaza Strip and 9 in the West Bank), including 7 security officers and two children, were killed during law enforcement operations carried out by Palestinian security services against armed groups in the West Bank and the Gaza Strip. Excessive force was used by law enforcement officials during those operations. Unfortunately, no investigations into these incidents were conducted, which is especially regrettable in the case of serious attacks such as the killing of 3 wounded persons who were being evacuated in ambulances, where no legal action was taken against the attackers.

- On 30 May 2009, armed clashes occurred between members of the ‘Izziddin al-Qassam Brigades (the armed wing of Hamas) and Palestinian security services. The incident took place in the northern West Bank town of Qalqilya. The clashes continued until the early morning of 31 May 2009, and resulted in six deaths (two members of the ‘Izziddin al-Qassam Brigades, the owner of a house in which the two members were harbored and three security officers). A number of other persons were also wounded. Those killed are:
  1. Hussam Hassan Fares Abu al-Rokh, 43, a member of the National Security Forces, from Jenin refugee

- camp;
  - 2. Shafer Hnaini Shraim, 42, a member of the Preventive Security Service;
  - 3. ‘Abdul Rahman Hussein Yassin, 33, a member of the Preventive Security Service;
  - 4. Mohammed ‘Abdul Fattah al-Samman, 25, from the ‘Izziddin al-Qassam Brigades;
  - 5. Mohammed Rasheed Yassin, 24, from the ‘Izziddin al-Qassam Brigades; and
  - 6. ‘Abdul Nasser al-Basha, 38, the owner of the house.
- On 4 June 2009, a member of the Palestinian Preventive Security Service (PSS) and two members of the ‘Izziddin al-Qassam Brigades were killed during an operation aimed at arresting a number of members of the Brigades in Qalqilya. A large force of Palestinian security services surrounded a two-story house belonging to ‘Abdul Fattah Shraim in the Shraim neighborhood southwest of Qalqilya. The operation aimed to arrest a group of members of the ‘Izziddin al-Qassam Brigades. Those who were killed are:
    1. Taleb Bakir Zain al-Din, 26, a PSS officer;
    2. Mohammed Hussam ‘Atiya, 27, a member of the ‘Izziddin al-Qassam Brigades; and
    3. Eyad ‘Abdul Fattah ‘Abdullah al-Abtali, 27, a member of the ‘Izziddin al-Qassam Brigades.

- On 14 July 2009, the Palestinian police stormed a wedding party of the al-Madhoun clan in Beit Lahia in the northern Gaza Strip. Police officers fired into the air and at the house of the groom's father, 'Abdul Hakim al-Madhoun. As a result, 4 persons, including two women, were wounded. The police stormed the wedding party after members of the clan raised a portrait of Sameeh al-Madhoun, a Fatah activist who was killed by Hamas militants on 14 June 2007.
- On 14 August 2009, bloody confrontations erupted between the police and the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) on one side and members of an armed group known as "Army of Allah's Supporters" (Jund Ansar Allah), on the other side. The clashes continued until the following morning, taking the lives of at least 28 persons and wounding more than 100 others, some of whom sustained serious wounds. The dead included the armed group's leader, Sheikh 'Abdul Latif Mousa. On 31 August 2009, PCHR sent an official letter to Prime Minister Isma'il Haniya, demanding a comprehensive investigation into those deadly incidents and the circumstances of the use of force, which caused many casualties. In the letter, PCHR expressed its astonishment regarding the involvement of members of the 'Izziddin al-Qassam Brigades, emphasizing that the armed wing of Hamas is not a law enforcement body and its involvement in the incidents overturns the authority of proper law enforcement bodies. PCHR also demanded an investigation into claims that members of the 'Izziddin al-Qassam Brigades executed 3 wounded persons, who were being evacuated in ambulances.
- On 07 January 2009, Hassan Ahmed Hijazi, 37, from Jabalia refugee camp, was shot dead by 3 masked gunmen. In a statement issued on 12 January 2009, Hamas announced that its members had killed Hijazi by mistake.
- On 08 January 2009, armed persons wearing civilian clothes abducted 'Ata Yousef 'Abdul Wahab al-Bura'ei, 39, from his house in al-Shati refugee camp, claiming that they were police officers. Approximately half an hour later, they left him near his home after having violently beating him. He was evacuated to Shifa Hospital in Gaza City, but died of his injuries on 7 February 2009.
- On 22 January 2009, Hani Ibrahim Abu Raida, 27, from Khuza'a village east of Khan Yunis, was found wounded. He was evacuated to a hospital, but medical efforts to save his life failed. Abu Raida had been abducted by militants on 17 January 2009.
- Also on 22 January 2009, the body of 7-year-old Nada Ahmed al-Sheikh Khalil, from Rafah, was brought to Abu Yousef al-Najjah Hospital in the town. She was killed by a bullet from a gun that her brother mishandled.
- On 05 February 2009, Rami Jameel 'Aashour, 27, was killed and 5 other persons were wounded when unknown individuals detonated a bomb near the entrance of Oasis Café in al-Remal neighborhood in the west of Gaza City.
- On 14 February 2009, Buthaina Mohammed Abu Rabee', 46, was killed by a bullet to the chest, while she was at home in al-Mughraqa village, south of Gaza City. According to her son, she was hit by a bullet when militants were training on a site located hundreds of meters from the house.
- On 26 February 2009, masked militants abducted Hamza Mahmoud al-Shoubaki, 40, from al-Daraj neighborhood in the east of Gaza City. On the following day, al-Shoubaki's body was brought to Shifa Hospital; he had been killed by two bullets to the head.
- On 16 April 2009, militants fired at three young men near the al-Sultan apartment building in Jabalia in the northern Gaza Strip. The three young men who were wounded are:

### Misuse of Weapons by Known and Unknown Armed Groups

In 2009, 40 Palestinians, including 9 children and 4 women, were killed and at least 140 others were wounded as a result of the misuse of weapons by known and unknown armed groups, in the context of the state of lawlessness plaguing the OPT. These incidents continued to cause casualties and endanger the safety of Palestinians, in the absence of effective legal action to tackle such violations. Incidents of the misuse of weapons included violations carried out by unknown groups and by militias.

1. Isma'il Mohammed Mousa Dardouna, 30, wounded by six bullets to the feet and hit by shrapnel;
2. Mus'ab Mohammed Ibrahim Dardouna, 29, wounded by three bullets to the left leg and hit by 10 pieces of shrapnel; and
3. Khaled Mohammed Mohammed Dardona, 30, wounded by three bullets to the feet.

In addition, a bystander, Yousif Khamis Jneid, 24, was wounded by two bullets to the feet.

- On 17 May 2009, Ahmed Ali Hamdan, 13, was killed by shrapnel from an explosive device. He had been playing with the device inside his family home, which is located in Block "G" of Khan Yunis refugee camp in the south of the Gaza Strip.
- On 21 July 2009, a large explosion occurred beneath a stage during the wedding party of Mahmoud Dahlan, 25. Sixty-one civilians were injured.
- On 12 August 2009, Jihad Rebhi Rabah Shaqqour, 17, from al-Zawia village west of Salfit, died of a wound he had sustained on the previous evening when a bullet was discharged from his father's pistol as he mishandled it.
- On 25 November 2009, a home-made rocket hit the third floor of a house belonging to Rajab 'Abdul Rahim al-Mughari in al-Nussairat refugee camp in the central Gaza Strip. As a result, Mahmoud Rajab al-Mughari, 42, was hit by shrapnel and sustained fractures, and his wife, 40-year-old Omaima 'Abdul Latif al-Mughari, was hit by shrapnel to the face.

### Using Weapons in Personal and Clan Disputes

Weapons continued to be employed in personal and clan disputes in the context of the state of lawlessness plaguing the OPT. In 2009, 11 Palestinians, including a child and a woman, were killed, and 25 others were wounded in personal and clan disputes.

- On 04 January 2009, Kifahj Salem al-Masri, 35, from Khan Yunis, was killed by a gunshot to the chest in an inter-clan dispute involving members of the Subeh clan.

- On 14 January 2009, Mousa Hassan Abu Nar, 35, from Nussairat refugee camp in the central Gaza Strip was killed by a gunshot to the chest in a dispute between the Abu'Oraiban and Hejji clans.
- On 30 June 2009, Maher 'Abdul Latif Abu Snaina, 29, from Hebron, was killed in an inter-clan dispute.
- On 4 July 2009, the body of Feras Shafiq Imreizeq, 34, from Ethna village in the northwest of Hebron, was found in the Baqar area on the Halhoul-Noba road, northwest of Hebron. His body was transferred to al-Ahli Hospital in Hebron. Medical sources at the hospital reported that Imreizeq was killed, while driving his car, by two bullets to the head and several bullets in the upper chest. Local sources in Ethna reported that the crime was a family revenge attack and that the victim was not directly involved in the affair.
- On 15 August 2009, the body of Rasheed 'Aashour Dughmush, 40, from al-Sabra neighborhood in Gaza City, was brought to Shifa Hospital. He had been killed by a gunshot to the head during an inter-clan dispute.
- On 25 August 2009, a family dispute took place between members of the al-Jamala family and those of the al-Bughdadi family in the Sheikh Radwan neighborhood, north Gaza city. When a member of the al-Jamala family asked children from the al-Bughdadi family, who were playing with firecrackers in front of his house, to leave the area, the issue developed into a dispute between the two families. During the dispute one of the parties opened fire, killing two civilians: Ghazi Munir Deeb al-Jamala, 20, hit by a bullet to the heart; and Shadi Nabil Deeb al-Jamala, 23, hit by a bullet to the forehead.
- On 5 September 2009, a number of militants fired at 'Emad Jom'a 'Ayash, 23, and his brother Eyad, 22, in the center of al-Jalazoun refugee camp, north of Ramallah. The two brothers were wounded by several gunshots to the feet. Soon after, the assailants stabbed the two brothers to death with sharp tools. According to eyewitnesses, the attack was motivated by a clan dispute.
- On 31 December 2009, a verbal quarrel between members of the Abu Mandil family and those of Darwish family in al-Boreij refugee camp in the central

Gaza Strip developed into armed clash, during which 5 people, including a child, were wounded.

### Extra-Judicial Executions in the Name of “Protecting Family Honor”

In 2009, 13 Palestinians, including 9 women and one child, were killed “to protect family honor.” PCHR has repeatedly expressed its deep concern regarding the continuation of murders related to the so-called “protection of family honor,” as murderers in such cases are granted impunity with sentences of short periods. PCHR calls for deterring measures to deal with such murders, which are a form of willful killing, taking into consideration the law and relevant international human rights instruments.

- On 12 March 2009, Tahani ‘Afif ‘Ouda, 18, from Habla village south of Qalqiliya, was strangled to death by her brother, allegedly to “maintain family honor.”
- On 24 March 2009, ‘Ula Hassan Safi, 31, from al-Maghazi refugee camp in the central Gaza Strip, was killed by her relatives to “maintain family honor.”
- On 9 April 2009, the Palestinian police found the bodies of Sofian ‘Aarafat ‘Olaiwa, 45, his wife, Miriam al-Majdoub, 30, and their child Jawhar, 5, in their house in al-Shoja’eya neighborhood in the east of Gaza City. They were killed by several gunshots to various parts of their bodies. According to police sources, the killings were motivated by “family honor.”
- On 13 April 2009, the body of Rihab ‘Ali al-Hazin, 28, from al-Nussairat refugee camp in the central Gaza Strip, was brought to al-Aqsa Martyrs Hospital in Deir al-Balah in the central Gaza Strip. According to police sources, she was strangled to death by her 21-year-old brother, allegedly to “maintain family honor.”
- On 07 June 2009, the Palestinian police found the body of Siham Abu Snaina, 32, from Hebron, covered with a white cloth. According to police sources, the victim’s father was arrested as the murder was committed allegedly to “maintain family honor.”
- On 10 June 2009, the body of Sahdia ‘Abdul Rahman Abu Sa’ad, 21, from Deir al-Balah refugee camp, was brought to al-Aqsa Martyrs Hospital in Deir al-Balah. According to police sources, the victim’s father con-

fessed to the police that he had killed her to “maintain family honor.”

- On 13 June 2009, the Palestinian police found the body of Ahlam Ghnaimat, 39, from Sourif village north of Hebron, inside her house. According to police sources, she was allegedly murdered to “maintain family honor.”
- On 15 June 2009, a number of gunmen fired at Liwaa’ al-Din Fawzi al-Najmi, 26, from Gaza City, after intercepting a taxi in which he was traveling near Khan Yunis. Al-Najmi was instantly killed by several gunshots. The police indicated that al-Najmi was killed for sexually harassing a child earlier in 2009.
- On 23 July 2009, Fadia Jawdat al-Najjar, 27, from Jabalia refugee camp, was killed allegedly “to maintain family honor.” According to police sources in Jabalia, Jawdat al-Najar, from Jabalia, turned himself in at the police station in Jabalia and confessed that he had killed his daughter. Sources of the forensic medicine department at Shifa Hospital reported that signs of torture were found on the victim’s body and that she had sustained a fractured skull from the impact of an iron chain.
- On 27 November 2009, Rifqa Ghazi ‘Abdullah Salama, 29, from al-Shati refugee camp west of Gaza City, was killed allegedly “to maintain family honor.” According to police sources, the woman’s brother, two uncles and two cousins strangled her using a wet towel while she was sleeping at home near the Hmaid intersection in al-Shati refugee camp.

### Killings of Prisoners and Detainees Who Fled Gaza Central Prison during the Israeli Military Offensive on Gaza

In the early days of 2009, unidentified gunmen killed 5 detainees who had fled Gaza Central Prison, which lies in the Palestinian security compound (al-Saraya) in the center of Gaza City, after IOF had bombed the compound on 28 December 2008. A sixth person was killed by unknown individuals for alleged collaboration with the IOF. The prisoners who fled included persons sentenced to death for collaboration with Israeli Security Services or convicted of committing other criminal

offenses. According to testimonies given to PCHR by the families of those who were killed, as well as by eye-witnesses, unidentified gunmen abducted a number of prisoners as they were fleeing Gaza Central Prison, and their dead bodies were found several days later in different locations in the Gaza Strip.

- On 1 January 2009, Talal 'Emad al-Mughrabi, 26, from al-Boreij refugee camp in the central Gaza Strip, was killed by unknown gunmen who abducted him from his grandfather's house in Khan Yunis in the southern Gaza Strip. Al-Mughrabi had been incarcerated at Gaza Central Prison for collaboration with an enemy state.
- On 2 January 2009, Saleh Khalil Abu Zaid, 59, from Rafah in the southern Gaza Strip, was killed near his house by unknown gunmen. Abu Zaid had been incarcerated at Gaza Central Prison for collaboration with an enemy state.
- On 7 January 2009, unknown gunmen abducted Haidar Mahmoud Ghanem, 46, from his house in Rafah in the southern Gaza Strip, and shot him dead. Ghanem had been sentenced to death for collaboration with an enemy state.
- On 15 January 2009, Ahmed 'Izzat Shaqqura, 52, from Khan Yunis in the southern Gaza Strip, was found injured near Nasser Hospital. Medical efforts to save his life failed. Shaqqura had been abducted on 8 January 2009, and had been beaten and tortured. After being transferred to the hospital, he was abducted from it on 9 January, and was later found seriously injured near the hospital. The 'Iziddin al-Qassam Brigades, the military wing of the Hamas, published a video which apparently showed Shaqqura confessing that his collaboration with Israeli security services.
- On 25 January 2009, unknown gunmen killed Sa'id Jameel Zuhod, 24, from Gaza City, who had been sentenced to death for being involved in the rape and murder of a child in 2003.
- On 26 January 2009, 'Abdul Fattah Sammour, 27, from Gaza City, was killed by unknown gunmen. Sammour had been sentenced to death for being involved in the rape and murder of a child in 2003.

## Detonation of Bombs

In 2009, there was a notable increase in the detonation of bombs in cars, shops and institutions. In the last quarter of the year, the number of such bombings increased notably, targeting internet cafés, shops and charitable organizations. The perpetrators of most of these attacks were not identified, nor were they brought to justice. The following are the most notable attacks:

- On 30 October 2009, unknown persons detonated an explosive charge near the entrance of the Gallery Café in Mustafa Hafez Street in the west of Gaza City. The café is owned by the Palestinian Contractors Union. Lua'i Abu al-Qomsan, 32, the guard of the café, was injured by glass shards as a result of the explosion. Heavy damage was caused to the entrance of the café and the furniture of the interior.
- On 1 November 2009, unknown persons detonated an explosive charge near the entrance of al-'Andalib café in Jamal Abdul Naser Street in the west of Gaza City. Al-'Andalib café is built on an area of 250 square meters, and is owned by Mohammed Salem Taher. The explosion caused material damage to the entrance and the glass windows and doors. In addition, a car that was parked near the targeted café was damaged. No casualties were reported.
- On 21 December 2009, unknown persons detonated an explosive device near the entrance of a building containing the offices of al-Bait Society for Heritage and Sharia' Sciences and the National Center of Research and Studies. The building is located on 'Ali Bin Abi Taleb Street in the center of Gaza City. As a result, a civilian was injured by shrapnel and the building was damaged.



## Arrests, Torture and Other Forms of Cruel and Inhuman Treatment

This section of the report highlights crimes of torture and other forms of cruel and inhuman treatment by security forces of the two Palestinian governments in the Gaza Strip and the West Bank. It particularly details arbitrary arrest campaigns by the security services of both governments in Gaza and Ramallah, respectively targeting the other side. According to PCHR's documentation, illegal arrests and crimes of torture continued in 2009 under the state of political fragmentation in the PNA. Several political leaders and field operatives of Fatah and Hamas movements were arrested in mutual reactions of the two sides, who did not admit that such arrests were political and claimed that they were based on security or criminal offenses.

In many cases, arrests are not carried out in accordance with appropriate legal procedures. Sometimes, arrests are conducted by parties that are not authorized for law enforcement, in violation of the Palestinian law, under which arrests fall under the mandate of judicial officials, including the civil police, who are under the supervision of the Attorney General. At other times, arrests are conducted by law enforcement officials, but without following necessary legal procedures, including having arrest warrants issued by the Attorney General. Additionally, detainees are held in illegal detention centers, which do not meet the minimum standards of appropriate detention conditions, in violation of the Law of Reform and Rehabilitation Centers of 1998. In 2009, detention conditions further deteriorated after IOF had bombed Gaza Central Prison, which forced the prisons authority to transfer detainees to other prisons that lack appropriate detention conditions.

Palestinian lawyers, including PCHR lawyers, face extreme difficulties in their attempts to visit clients in prisons and detention centers in the West Bank and the Gaza Strip. In Gaza, lawyers were allowed to visit security detainees only on 14 October 2009, and criminal detainees

on 3 March 2009. PCHR is concerned that this ban was motivated by the perpetration of illegal actions such as torture and other forms of cruel and inhumane treatment against prisoners, and views it as a violation of the Palestinian law and relevant international standards. Specifically, it violates detainees' right of access to legal counsel.

In the Gaza Strip, hundreds of Palestinians, especially supporters and members of the Fatah movement, were arrested by security services of the Gaza government. Mostly, such arrests were based on security or criminal allegations, such as accusations of involvement in planting explosives targeting security officials in Gaza or public locations,<sup>19</sup> or maintaining contacts with the Ramallah government. Security services in Gaza waged a wide-scale campaign of arrests against members of an armed group known as "Army of Allah's Supporters" (Jund Ansar Allah), following armed clashes between members of the group and members of the security services and the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) in Rafah in the southern Gaza Strip, during which 28 persons were killed, including the group's leader.

The largest arrest campaign waged by security services

<sup>19</sup> This does not include those who were convicted and tried before courts.

in the Gaza Strip in 2009 took place on 18 April. The Internal Security Service in Gaza delivered summons to a number of Fatah activists and area secretaries in Khan Yunis and Rafah in the southern Gaza Strip. When they presented themselves before the authorities, the individuals were detained for several hours. They were questioned about the activities of the Fatah movement, security services' actions in the West Bank, and the attempted attack on Sheikh Hamed al-Bitawi, PLC Member representing the Change and Reform Bloc of Hamas, in Nablus on 19 April 2009.

On 6 June, security services in the Gaza Strip arrested dozens of Fatah activists and former members of the Fatah-affiliated security services. According to families of the detainees and eyewitnesses, the arrests were accompanied by house searches and the confiscation of mobile phones, computers and documents. Arrest warrants were presented in a limited number of the cases. On the following day, the Ministry of Interior in Gaza issued a statement on its web site proclaiming that the security services in Gaza had arrested a number of groups and cells seeking to undermine internal security.

On 9 November 2009, security services in the Gaza Strip sent summons to numerous leaders and activists of the Fatah movement in the Gaza Strip. The summoned persons were questioned about their preparations for the commemoration of the death of President Yasser Arafat, and were then released. In a statement issued on 10 November 2009, the government stated that it did not receive any official application from the Fatah movement to organize activities for this occasion in the Gaza Strip.

During the last week of 2009, security services in Gaza waged a wide-scale arrest campaign against dozens of members and activists of the Fatah movement across the Gaza Strip. A number of the detainees were subjected to violent beatings and inhuman and degrading treatment. Security services also banned celebrations organized in private locations commemorating the 45th anniversary of the establishment of Fatah. They took down flags of the Fatah movement and summoned a number of persons who had lit candles.

In addition to arrest campaigns against members and supporters of the Fatah movement, security services

in Gaza also waged a wide-scale campaign of arrest against members of an armed group known as "Soldiers of Allah's Supporters," following armed clashes between members of the group on one side and those of security services and the 'Izziddin al-Qassam Brigades (the armed wing of Hams) on the other side on 14 August 2009. Those clashes took the lives of 28 persons, including the group's leader.

In the West Bank, Palestinian security services waged arrest campaigns against activists and supporters of Hamas, including senior leaders and PLC members. Such arrests were based on allegations of possession of weapons, formation of armed groups, establishment of an executive force aiming at disrupting public order, or having maintenance of contact with the Gaza government.

In the second week of May 2009, security services in the West Bank waged an arrest campaign against supporters of Islamic movements, especially Hamas, in the West Bank. According to a number of released detainees, they were subjected to torture by interrogators.

In early June, security services in the West Bank waged another arrest campaign against members of Islamic movements, especially Hamas, including a number of women, journalists, university professors and Imams of mosques. The arrest campaign followed armed clashes in Qalqilya on 31 May and 4 June 2008, in which 4 members of the 'Izziddin al-Qassam Brigades of Hamas, 4 security officers and one civilian were killed.

Security forces waged a further campaign of arrests, coinciding with the 22nd anniversary of the establishment of Hamas, during which they arrested dozens of members and supporters of the movement. At least 116 individuals were arrested: 50 in Hebron; 17 in Ramallah and al-Bireh; 5 in Nablus; 6 in Jericho; two in Bethlehem; 3 in Tubas; 26 in Tulkarm; 4 in Qalqilya; one in Salbit; and two in Jenin. The detainees included journalists, lawyers, engineers, schoolteachers and students, university professors and students as well as a number of children.

Furthermore, security services in the West Bank arrested a number of public figures of the political opposition, including Dr. 'Abdul al-Sattar Qassem, 61, professor of

political science at an-Najah National University in Nablus. On 20 April 2009, Dr. Qassem received a telephone call from al-Aqsa Satellite Channel, the mouthpiece of Hamas. He was asked to comment on an attack against Sheikh Hamed al-Beitawi, PLC Member from the Change and Reform Bloc of Hamas. Dr. Qassem responded over the phone, noting that the incident served Israeli and American interests. As soon as he finished the call, he received several telephone threats from persons in Nablus. On the following morning, Dr. Qassem drove his car to the police station in the center of Nablus city in order to submit a complaint regarding the threats he received. There, he was shocked that he was placed under detention because of a complaint submitted by two persons who accused him of defamation against them in the media. A court ordered Dr. Qassem's detention for a 24-hour period.

### Torture and Ill-Treatment

In the majority of cases of detention in the West Bank and the Gaza Strip against members of the Hamas and Fatah movements, respectively, detainees were subjected to several methods of torture and ill-treatment. Such methods included: insults; beating using batons, sharp tools, feet and hands; tying the feet and hands to a chair and beating with batons or wires; and other methods. PCHR received many complaints from Palestinians who had been detained by the two governments in Gaza and Ramallah, stating that they were subjected to various methods of torture and ill-treatment. In many cases, detainees were taken to hospitals as they had been subjected to extreme torture in detention centers.

A victim of torture by Palestinian security services.



A victim of torture by Palestinian security services.

In 2009, 9 detainees died in prisons and detention centers in the West Bank and the Gaza Strip; 5 detainees died in the Gaza Strip and 4 others died in the West Bank. PCHR is concerned that those people died as a result of being tortured during their detention by security services. PCHR calls for investigations of these deaths, the publication of the results of investigations, and – if it is concluded that a crime was committed, or that there was a failure to protect detainees in custody – the prosecution of those responsible in accordance with the law.

**In the Gaza Strip, 5 detainees died in detention centers; 4 had been subjected to torture and the fifth died of a heart attack.**

- On 6 February, medical sources at Nasser Hospital in Khan Yunis, declared that Jameel Shafiq Shaqqura, 51, died from a brain clot caused by torture and severe beating to his head. Security officers had transferred Shaqqura to Nasser hospital on 31 January, as his health had deteriorated while he was in their custody. The victim's brother stated to PCHR that he saw signs of beating on his head and limbs, and that Jameel told him that as soon as he and his friends entered Khan Yunis Sports Club, they were handcuffed, blindfolded and taken to an unknown destination, where they were violently beaten. He added that security officers beat him to force him to change a testimony in the case. He fainted due to being subjected to violent beating.
- On 9 February, medical sources from al-Aqsa Martyrs Hospital in Deir al-Balah pronounced Nihad Sa'adi

al-Dabbaka, 47, from al-Maghazi refugee camp in the central Gaza Strip, dead. On 6 February, masked gunmen had abducted Nihad al-Dabbaka from his house in al-Maghazi refugee camp. On Monday morning, 9 February, medical sources at al-Aqsa Martyrs Hospital in Deir al-Balah informed the al-Dabbaka family that Nihad's body was in the hospital. Nihad's brother, Majed al-Dabbaka, stated to PCHR that his brother's body had been transferred to the Forensic Unit in al-Shifa Hospital in Gaza City, and that he and his family had seen the body, which bore clear signs of torture and beatings on the feet, back, hands, ears and chest. Medical sources from the forensic unit at al-Shifa Hospital spoke to a PCHR field worker, and confirmed that the body of Nihad al-Dabbaka bore clear signs of beating on the hands and feet as well as torture on the entire body. This indicates that, with a high likelihood, Nihad al-Dabbaka died as a result of having been beaten and tortured by members of the Palestinian police.

- On 16 March, Zayed 'Aayesh Mabrouk Jaradat, 40, from al-Shouka village southeast of Rafah, was pronounced dead on arrival at Martyr Mohammed Yousef al-Najjar Hospital in Rafah. His body was then transferred to the forensic medicine department at Shifa Hospital in Gaza City for further examination. Jaradat had been arrested by the police on the morning of Monday, 15 March 2009. Police sources told PCHR that Jaradat had been detained in al-Quds Secondary School for Girls, near al-'Awda Square in the center of Rafah. The police have been using the school as their headquarters since Israeli warplanes destroyed Rafah's police station during their latest offensive on Gaza. According to police sources, Jaradat was arrested on charges of drug possession. A PCHR field worker, who visited the forensic department at al-Shifa Hospital in Gaza City, and took photographs of the body, observed bruises on the body, which were concentrated in the area around the neck and shoulders. The PCHR field worker also reported that Jaradat's toenails had been removed, indicating that Jaradat had been subjected to torture during his detention.
- On 24 March, medical sources at Shifa Hospital in Gaza City announced the death of Jamil Naser 'Assaf, 20, from 'Asqoula neighborhood in the east of Gaza City. 'Assaf died after suffering from severe kidney failure, resulting from beating and torture carried out by members of

the Security Services. The injuries were sustained while Jamil 'Assaf was detained at al-Tufah police station on charges of theft. 'Assaf was arrested by the police on 8 March 2009. On 13 March 2009, he was transferred to Shifa Hospital in Gaza City. He was unconscious and was immediately admitted into the intensive care unit due to the seriousness of his condition. He died on 24 March 2009. Dr. Abdullah al-Qishawi, a specialist in kidney and internal diseases, said that 'Assaf was admitted to the hospital because he suffered from severe kidney failure due to muscle tearing, and that he had bruises on his body. In addition, medical sources in the forensic medicine department at Shifa Hospital stated that 'Assaf has been beaten and tortured, and that bruises were clearly visible on his upper and lower limbs.

- On 11 December, Fareed Ahmed Abu Shahma, 42, from Khan Yunis refugee camp, died while in detention at the Khan Yunis police station for criminal charges. According to information available to PCHR, Abu Shahma lost consciousness while he was praying. He was evacuated to Nasser Hospital in Khan Yunis, where he was admitted into the intensive care unit, but he was dead. His body was transferred to the forensic medicine department at Shifa Hospital in Gaza City. According to the department, he died due to hypertension. His family refused to permit an autopsy of his body.

#### In the West Bank, 4 detainees died in detention centers after having been subjected to torture.

- On 8 February, a Palestinian security source declared that Mohammed 'Abdul Jameel al-Hajj, 30, from Jalqamous village east of Jenin, had died in custody with the Preventive Security Service (PSS) in Jenin. The source claimed al-Hajj had committed suicide and that the PSS had transferred his body to a medical center to ascertain the cause of death. Mohye al-Hajj, the victim's brother, told PCHR that at approximately 15:00 on Thursday, 5 February, a vehicle with a Palestinian license plate arrived at his brother's house in Jalqamous village. Two people in civilian clothes exited the vehicle, claiming they were members of the PSS. They said they wanted to speak to Mohammed al-Hajj for five minutes. After 5 February, no member of Mohamed al-Hajj's family had seen him. They did not inquire about his whereabouts because he had been arrested on five separate occasions since June

2007. Mohye al-Hajj also indicated that his brother had been released from detention ten days prior to his last arrest, and that Mohammed al-Hajj had told him that he had previously been interrogated by PSS about the possession of a pistol and that he had been subjected to torture during previous detentions.

- On 15 June, Haitham 'Amru, 33, from Upper Beit al-Roush village southwest of Hebron, died while in the custody of the General Intelligence Service (GIS). According to investigations conducted by PCHR, a joint force arrested 'Amru from his house on 11 June 2009 and took him to a GIS detention facility. At noon on Sunday, 14 June 2009, 'Amru's father went to the detention center and requested that he be allowed to visit his son. This request was denied, as was a request to meet the GIS Chief. At midnight, 'Amru was transferred to Hebron Hospital in critical condition. At approximately 02:00 on Monday, 15 June 2009, he was pronounced dead. At approximately 07:00, the family was informed of his death through notable members of his clan. The family informed PCHR that security forces claimed that their son attempted to escape, and in doing so had jumped from the second floor. It was claimed that 'Amru fell onto his knees and abdomen, and accordingly suffered a hemorrhage in the lungs that led to his death. Eyewitnesses told the family that they had seen 'Amru immediately after his arrival at the hospital, and had noticed signs of torture on his face. The family also reported that their son's body had been transferred to the Forensic Medicine Institute in Abu Dis for autopsy. The family was not informed of the autopsy, which was conducted in private. A PCHR field worker, who saw the corpse before burial, reported that he noticed blue signs on the back, the buttocks, the legs, the feet and the left hand; large blue spots on the thighs; and a large red spot on the left buttock.
- On 4 August, Kamal 'Aamer Abu Tu'aima, 44, from al-Fawar refugee camp south of Hebron, died as his health conditions deteriorated after he was allegedly subjected to torture while in the custody of the Palestinian Preventive Security Service (PSS) in Hebron. According to investigations conducted by PCHR, the PSS arrested Kamal 'Aamer 'Abdullah Abu Tu'aima, a member of Hamas, on 15 September 2008. He was interrogated in the headquarters of the

PSS. While in custody, he was denied family visitation for 48 days, a time during which he was allegedly beaten and tortured. Later in 2008, Abu Tu'aima was transferred to al-Zahiriya Prison, south of Hebron, where he served two months of imprisonment, before he was taken back to the headquarters of the PSS, where he was interrogated again. When members of his family were able to visit him, he told them that he had been tortured. The family filed a petition at the Palestinian High Court of Justice demanding his release, and the Court ordered his immediate release on 2 November 2008. However, the PSS did not abide with the ruling of the Court. During his detention, Abu Tu'aima suffered from a brain clot, which caused disabilities in the mouth, the right hand and leg, and affected his speaking and hearing. He was transferred to a hospital in Hebron. On 31 May 2009, a PSS officer phoned Abu Tu'aima's family and informed them of a decision to release him from the hospital; he was taken home on the same day. However, his health condition deteriorated, and his family was forced to take him back to the hospital. Doctors decided to transfer him abroad to receive advanced medical treatment. On 30 June 2009, he was transferred to a Jordanian hospital, where he was admitted to the intensive care unit. On 20 July 2009, he underwent surgery, but his health conditions continued to deteriorate. At approximately 15:30 on Tuesday, 4 August 2009, he died.

- On 10 August, the Municipality of Northern 'Assira received a phone call from the Commander of the General Intelligence Service (GIS) in Nablus, who announced the death of Fadi Husni 'Abdul Rahman Hamadna, 27. Hamadna had been detained in Junaid Prison in Nablus since 15 June 2009. Brigadier Adnan al-Dumairi, Spokesman of Palestinian security services, stated to PCHR that Fadi Hamadna had been detained by the GIS since 15 June 2009, and that his interrogation was concluded on 25 June 2009, pending a decision to release him. He had been detained in a single room in Junaid Prison, not the place of interrogation, according to Brigadier al-Dumairi. He added that security officers had found him dead with a blanket tied around his neck. They immediately brought his brother-in-law, Shaker Dababsa, who was detained in a nearby

room, to look at him and be sure that he hanged himself. Hamadna's body was transferred to the autopsy institute at an-Najah National University, and the victim's uncles were invited. They entered the room and saw the corpse covered with a white cloth, except for the head and the neck. They told PCHR that his neck was blue and lines appeared on

it. They also indicated that they saw some bruises on one shoulder. Two hours later, they were asked to return by Dr. Samir Abu Za'rour. The victim's brother, Mohammed, who wanted to see the corpse, accompanied them this time. He told PCHR that he saw blue bruises on the neck and the chest and lines on the neck.

## Continued Disruption of the Legislature

The Palestinian Legislative Council (PLC) continued to be entirely unable to function due to the political fragmentation in the Palestinian executive, which impacted all components of the political system, and due to IOF activities. The current crisis of the legislature and the legislative process is the result of the same factors that led to the unprecedented deterioration in the status of human rights and PNA institutions following Hamas' victory in the legislative elections of January 2006. The first of these factors are war crimes that IOF continue to commit against the Palestinian civilian population, including continued detention of 27 other PLC members. Further, IOF flagrantly intervene in the work of the legislature through restrictions on movement, which include hindering PLC members' access to the offices of the PLC in Ramallah. The second factor that has contributed to the deterioration taking place in the legislature is the internal crisis and the fragmentation of PNA following the events of June 2007 and the Hamas takeover of the Gaza Strip, which followed numerous political rifts between Fatah and Hamas.

Throughout the year, the state of political fragmentation imposed a heavy burden on the work and performance of the PLC, which was completely unable to carry out its important role in legislation, monitoring and accountability over the executive. In Gaza, the Change and Reform Bloc of Hamas had continued to hold sessions for the PLC since November 2007, claiming that

such sessions were legal.<sup>20</sup> Since then, the Change and Reform Bloc has discussed, ratified and issued a number of laws, without ratification by the PNA President, as required by Article 41 of the Palestinian Basic Law. In Ramallah, Palestinian President Mahmoud Abbas has continued to issue decrees that have the power of laws without presenting them to the PLC, relying on

<sup>20</sup> On 7 November 2007, the Change and Reform Bloc of Hamas held a session for the PLC in Gaza City with the attendance of PLC members in Gaza. Prior to the session, the Change and Reform Bloc members in Gaza gathered authorizations from PLC colleagues imprisoned by Israel. The other parliamentary blocs, including that of Fatah movement, considered these authorizations as illegal, and lacking support from the Basic Law or PLC bylaws. PCHR viewed the 7 November session and subsequent sessions as part of the outstanding political crises. PCHR believed that those sessions were legally irrelevant and were part of the crisis deepening the division and separation between the West Bank and Gaza Strip.

Article 43 of the Palestinian Basic Law: “The President of the National Authority shall have the right, in cases of necessity that cannot be delayed, and when the Legislative Council is not in session, to issue decrees that have the power of law.”

PCHR has expressed reservations regarding the adoption of regulations by the PNA under the ongoing state of fragmentation, as they are beyond current needs and solidify the ongoing political split.

Over the year, a number of PLC Members in the West Bank and the Gaza Strip were subjected to attacks by Palestinian security services, including beatings and restrictions on their movement, in violation of the Basic Law. The following are the most notable of these attacks:

- On 19 April 2009, Sheikh Hamed Khader al-Beetawi, 64, PLC Member from the Change and Reform Bloc in Nablus, was fired at by a number of gunmen. According to Sheikh al-Beetawi, a white car containing three individuals stopped near him. One of the men stepped out of the car, and began to insult Allah and Hamas. He threatened Sheikh al-Beetawi and warned him not to appear in public locations, otherwise he would kill him. Several locals, including the Sheikh's son Nasser, 32, surrounded Sheikh al-Beetawi and the other men. Nasser approached the individual and asked him what justification he had for insulting his father. The individual then pulled out a pistol and pointed it at Sheikh al-Beetawi. Before he could shoot, Nasser took the hand of the man and directed it downwards; a single bullet was fired into the ground. As a result, Sheikh al-Beetawi was injured by shrapnel to the right foot.
- On 31 May 2009, Palestinian security services in Gaza prevented four PLC Members from the Fatah movement from traveling to Ramallah to attend a meeting of the Fatah Bloc in the PLC. According to PLC Member 'Abdul Hamid al-'Eila, 50, he and three other PLC Members representing the Fatah movement, Mohammed Hijazi, 62; Raja'ei Baraka, 50; and Dr. Ibrahim al-Musaddar, 57, travelled towards Beit Hanoun (Erez) crossing at approximately 11:00 on Sunday, 31 May 2009. The four intended to travel to Ramallah in order to discuss the formation of the new government in Ramallah. When they arrived at the Customs checkpoint to the south of Beit Hanoun (Erez) crossing, they were stopped by police officers who held them for one hour and confiscated their identification documents and mobile phones. The police officers then ordered the PLC Members to return to Gaza and go to offices of the Internal Security Services to obtain back their belongings.
- On 3 June 2009, Palestinian security services in the West Bank prevented 6 PLC Members from the Change and Reform Bloc affiliated with Hamas from entering Qalqilya to express their condolences to families of Hamas members who were killed by security services on 31 May. According to Muna Saleem Saleh Mansour, 47, PLC Member from the Change and Reform Bloc, she and 5 other PLC Members from the same bloc traveled from Nablus to Qalqilya to give their condolences to families of members of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) who were killed by Palestinian security services. The five PLC Members who accompanied Mansour are: Ahmed al-Hajj 'Ali, 70; Hamed Khader al-Beetawi, 64; Mahmoud Ibrahim Mosleh, 66; Fat'hi Mohammed al-Qara'awi, 51; and 'Abdul Rahman Fahmi Zaidan, 48. When they arrived at the entrance to Qalqilya, they were stopped by Palestinian security officers who prevented them from entering the town and instructed them to turn around, although the PLC Members identified themselves to the officers. The PLC Members exited their private cars and attempted to enter the town again in taxis, but once again Palestinian security officers stopped them. This time, a security vehicle followed them until they left the town.
- On 23 June 2009, IOF released Dr. Aziz al-Dwaik, Speaker of the PLC. While PCHR was fully aware of the difficulties facing the PLC, including IOF's measures against the results of the democratic process and the internal Palestinian political fragmentation, it hoped that Dr. Aziz al-Dwaik would be able to immediately resume his work as PLC Speaker and play a role in restoring the status of the legislature as an encouraging and uniting element that can end fragmentation and unite the Palestinian governmental establishment. However, these hopes were in vain, as Dr. al-Dwaik

was unexpectedly prevented from resuming his work, and even entering the offices of the PLC in Ramallah, by a Palestinian decision. PCHR considers this decision a violation of the Palestinian Basic Law and the PLC Statute and calls upon the Palestinian president to restore the dignity of the PLC Speaker and allow him to resume his work.



Dr. Aziz Dwaik, Speaker of the Palestinian Legislative Council was prevented from entering the building of the Council in Ramallah.

## Deterioration of the Judicial Authority

The political fragmentation and conflict within the PNA affected the judiciary, as two separate judicial systems have been enforced in the West Bank and the Gaza Strip. The government in Gaza established a separate system, to which the population in the Gaza Strip is subject, in violation of the Basic Law. On the other hand, the judicial system in the West Bank applies only to those who live in the West Bank.

Palestinian civil society organizations, including PCHR, appealed to the concerned parties in Ramallah and Gaza to exclude the judiciary from the ongoing authority conflict. In addition, PCHR demanded that



these parties take necessary steps to preserve the independence of the judiciary and to refrain from politicizing the judicial system in order to protect the interests of the populace.

These warnings and pleas, regrettably, were not heeded, and the judiciary was brought into the conflict of authority through a series of measures and decisions taken by both the government in Ramallah and the government in Gaza. The first days after the Hamas takeover of the Gaza Strip in mid-June 2007 witnessed hasty developments that resulted in the obstruction of the judicial authority's work, especially in the Gaza Strip. The most notable development was the decision of the Chief of Police to suspend the work of the civilian police force in the Gaza Strip. Simultaneously, the Attorney General suspended his work in the Gaza Strip. The Attorney General is responsible for public prosecution and claims, investigating crimes, and filing criminal charges.

In the context of the state of emergency declared in response to Hamas' takeover of the Gaza Strip, President Mahmoud Abbas issued a presidential decree on 6 July 2007 pertaining to the military judiciary during the state of emergency. The decree transferred the jurisdiction of civilian courts to military courts. PCHR's position was that this decree would open the doors for a militarization of Palestinian society, potentially leading to a military dictatorship and destroying the civil life and judiciary under the pretext of the existing state of emergency, through: 1) The usurpation of the authorities of the civil judiciary in favor of the military judiciary; 2) The usurpation of the authorities of the Attorney General in favor of the military judiciary; and 3) The usurpation of the authorities of judicial warrant officials in favor of all members of security services.

On 14 August 2007, Dr. Yousef al-Mansi, acting Minister of Justice of the government in Gaza, suspended

the Attorney General from his work with the claim that the Attorney General's legal appointment procedures had not been completed. Two days later, on 16 August 2007, the Executive Force raided the Attorney General's office in Gaza, assaulted the Attorney General and detained him and his assistants. On 29 August, the Gaza government appointed an Assistant Attorney General and several prosecutors to fulfill the functions of the Attorney General in the Gaza Strip.

On 4 September 2007, the Gaza government issued a decision establishing a "Higher Justice Council," and charged the Justice Minister with nominating its members. On 11 September 2007, the Gaza government approved the Justice Minister's nomination of 6 members of this council, presided over by lawyer 'Abdul Ra'ouf al-Halabi. PCHR affirmed that the Gaza government's decision is a usurpation of the authority of the Higher Judicial Council that is functioning legally and is governed by the Judicial Authority Law. PCHR stated that the newly established council is an unconstitutional and illegal body. In addition, PCHR affirmed that the decision creates an alternative judicial body and causes a split in the Palestinian judicial authority, creating a state of judicial chaos that will paralyze the civilian judiciary and undermines the people's interests.

The most serious development took place on 26 November 2007 in the form of an attack on the civilian court compound in the Gaza Strip, when members of the so-called "Higher Justice Council" formed by the Gaza government broke into the offices of the President of the Higher Judicial Council and President of the High Court. The Court Compound was illegally brought under the authority of the Higher Justice Council. As a result, the Higher Judicial Council announced an indefinite suspension of the work of the civilian court system in the Gaza Strip<sup>21</sup>

21 With a full understanding of the seriousness of the situation, PCHR, in conjunction with other human rights organizations and the Palestine Bar Association, exerted extensive efforts to save the civilian court system from total collapse, to return to the situation prior to the takeover, and to exclude the judicial system from the ongoing power struggle. Regrettably, these efforts failed. It was clear that the government in Gaza was not serious in reaching a solution other than its own, and was not keen to rescind its illegal decisions. In a press conference on 6 December 2007, human rights organizations demanded that the Gaza government immediately overturn this illegal measure that will destroy judicial authority. These organizations expressed full support for the decision of the Higher Judicial Council to suspend its work in the civilian courts, and for the decision of the Bar Association to suspend the work of lawyers. Human rights organizations held the government in Gaza fully responsible for the consequences of the collapse of the judicial authority, and the resulting impact on the interests of the populace.

In the past two years, the collapse of the Palestinian judiciary has been further aggravated, and a judiciary separate from that in the West Bank was established in the Gaza Strip. In 2009, the government in Gaza dismissed the acting Attorney General in Gaza and appointed a new one. In this regard, PCHR reminds that such an appointment violates the constitution, as article 107(1) of the Amended Basic Law of 2003 states that the Attorney General “shall be appointed by the President based on nomination by the Higher Judicial

Council, and the Palestinian Legislative Council’s approval is not required.”

In the West Bank, the executive has continued to control the judiciary, undermining its dignity and independence. The military prosecution has continued to usurp the authorities of the Attorney General, and the executive has continued to disobey court rulings, especially with regard to the release of political prisoners.

## Obstruction of General and Local Elections

The political split and conflict in the PNA impacted the process of democratic reform in 2009; this includes the fact that general and local elections were not carried out. The year 2009 ended without any preparations for the holding of presidential, legislative and local elections in accordance with the legal schedules, or even an agreement between the parties of the conflict on dates for holding these elections. With the end of 2009 and the beginning of 2010, the public authorization offered by the Palestinian people to their representatives expires, and no politician can then claim to hold a democratic mandate or to represent the will of the public.

### Obstruction of Presidential and Legislative Elections

The second half of 2008 witnessed widespread national controversy regarding the end of Palestinian President Mahmoud Abbas’ term in office on 9 January 2009. Hamas and the government in Gaza claimed that the Presidential term would end on 8 January 2009, in accordance with the end of the four-year period, as the last Presidential Election was held on 9 January 2005. They stated that, unless new Presidential elections were held at that time, the Presidential post would become vacant. At this point, the PLC Speaker would temporarily fill the vacancy for 60 days, during which period new elections would be held in order to elect a new President of the PNA, as stated in the Palestinian Basic Law. However, the Fatah movement and the government in Ramallah claimed that Election Law No. 9 (2005), which was passed by the PLC, extended the President’s term in order to allow

simultaneous elections for the PLC and the Palestinian Presidency to be held at the end of the PLC’s term in January 2010.

PCHR issued a position paper at the time, in which it asserted that although aware that the end of the Presidential term requires Presidential elections prior to 10 January 2009, holding such elections require the appropriate conditions and environment to ensure fairness and transparency at all stages of the electoral process, in order to reflect the electorate’s will. In light of the ongoing split between the Fatah and Hamas movements, the conditions and environment in the OPT are not conducive to free and transparent elections. Current conditions do not indicate that this environment will change in the foreseeable future, unless both sides immediately initiate a serious and constructive dialogue in order to end the split and agree on elections or another solution in order

to re-unify the OPT and the political leadership of the PNA. PCHR added that if the PLC Speaker took over the Presidential post after 9 January 2009, this would lead to further fragmentation that would not allow for free and fair elections in the OPT within 60 days.

The legislative elections were supposed to be held before 25 January 2010, as stipulated under the law. Also according to the law, the Palestinian President must declare the date of legislative elections three months in advance. However, the year 2009 ended without the completion of any preparations for such elections.

On 23 October 2009, Palestinian President Mahmoud Abbas announced that he was issuing a decree calling for free and fair presidential and parliamentary elections in the PNA to be held on Sunday, 24 January 2010. The decree added a new dimension to the ongoing political crisis, as it elicited conflicting reactions and positions. The presidential team considered the decree to be constitutionally legitimate and a non-contradictory component of the reconciliation process, while Hamas and the Gaza government considered the decree to be unconstitutional, given that the President's term in office had ended in January 2009. They thus claimed that the President does not have the authority to issue such a decree prior to the finalization of a national reconciliation agreement, which would necessarily include an agreement regarding the presidential office, and the problems arising following the end of the presidential term.

PCHR issued a position paper on the aforementioned presidential decree,<sup>22</sup> in which it stressed that elections are a demand of all national powers and civil society groups. However, elections are not possible before a comprehensive national reconciliation has been reached that can end fragmentation and restore the dignity of the legislative, executive and judicial institutions of the Palestinian government, all of which have been affected by the crisis and have come to

reflect the state of political fragmentation. PCHR further pointed out that elections require an appropriate electoral environment, including the upholding of public freedoms; the release of political prisoners; lifting the ban imposed on political activities (those imposed on Hamas in the West Bank and on the Fatah movement in the Gaza Strip); reopening hundreds of closed associations; respecting press freedoms and free expression; and allowing all print, visual and audio mass media to work freely. Additionally, PCHR asserted that elections could never be held without appropriate judicial guarantees and without the existence of an independent and united judiciary, including a tribunal that can address electoral affairs and consider electoral conflicts. This tribunal must be regarded as neutral and independent by all parties.

Following the presidential decree issued on 23 October 2009 calling for presidential and legislative elections to be held on 24 January 2010, the Central Elections Commission commenced its operational preparations for elections by publishing the legal electoral timeline, recruiting staff in all electoral districts and opening accreditation for local observation bodies. In light of Hamas' rejection of elections before a national reconciliation has been reached, the Commission met to discuss all aspects of the situation on 12 November 2009. It found that "it cannot hold elections nationwide on the assigned date," and decided to inform the President, "updating him on the developments on the ground and confirming its readiness to implement elections once the appropriate conditions for doing so in all Palestinian territories are met, in accordance with the law and in the service of the public interest."<sup>23</sup>

The public authorization obtained from the Palestinian people in the 2005 presidential election and the 2006 legislative elections expires by 24 January 2010. From that point on, no politician claim to hold a democratic mandate or to represent the will of the public, and all must return to the people for a new mandate.

22 "Reconciliation Is a Prerequisite for Elections; Presidential Decree is Constitutionally Sound, But Inappropriate and Impossible without Reconciliation," Position Paper, 25 October 2009.

23 For more details, see the press release issued by the Central Elections Commission on 12 November 2009 (<http://www.elections.ps>).

## Appointments Instead of Elections in Local Councils

The elections of local council have constituted another setback in the process of democratic reform in the PNA. By the end of 2009, the PNA had failed to organize elections for local councils, whose term in office had expired. The fourth stage of elections of local councils took place in December 2005, while elections have never been organized for 59 local councils in the West Bank and the Gaza Strip, including those of major cities; elections of those councils were supposed to be held during a fifth stage.

In 2009, the two governments in Ramallah and Gaza continued to appoint local councils. In Gaza, the government appointed local councils for major towns, where elections had not been held, such as Gaza City, Khan Yunis and al-Nussairat. It appointed new councils to replace those whose legal term had expired. In the West Bank, the PNA continued to appoint local councils in areas where elections had not been held, and replaced some local councils with new councils politically affiliated with the government, in violation of the law.

## Violations of the Right to Freedom of Opinion and Expression

In 2009, violations of the right to freedom of expression and assaults on press freedoms escalated in an unprecedented manner. The two parties of the intra-Palestinian conflict, the Gaza government headed by Isma'il Haniya and the Ramallah government headed by Salam Fayad, and their executive services perpetrated serious violations of this right in their respective areas of control. Palestine Television and its reporters and correspondents as well as al-Hayat al-Jadeeda newspaper were prevented from working in the Gaza Strip, and al-Aqsa Television and its reporters as well as Palestine and al-Resala newspapers were prevented from working in the West Bank.<sup>24</sup> Other violations of this right by the two governments included detention of journalists; beating and humiliation of journalists; banning the distribution of newspapers; preventing journalists from carrying out their job; threatening media institutions; and the expulsion of foreign journalists.<sup>25</sup>

### In the Gaza Strip, the most significant violations of this right were as follows:

- On 7 February 2009, the Ministry of Interior in Gaza ordered the expulsion of Wa'el 'Essam, a reporter from al-Arabiya Satellite Channel delegated to Gaza after the Israeli offensive, from the Gaza Strip. Police officers took 'Essam from al-Deera Hotel, where he was staying,

towards Rafah International Crossing Point in order for him to cross to Egypt.

- On 7 March 2009, unknown persons placed a bomb at the entrance of the offices of al-Jazeera Satellite Channel on the 11th floor of al-Jalaa' Building in the center of Gaza City. The office staff found the bombs and found a letter near it, saying: "To those who have pale media consciences, if you think of a solution, it is well-known,

<sup>24</sup> On 23 August 2008, the Palestinian police in Gaza decided to allow the distribution of al-Quds Daily in the Gaza Strip in response to a request from the Governmental Media Office. On 11 February 2009, the Governmental Media Office decided to allow the distribution of al-Ayyam Daily in the Gaza Strip. However, since 12 February 2009, Israeli occupation authorities have not allowed the two newspapers into the Gaza Strip.

<sup>25</sup> For more details, see PCHR, "Violations of the Right to Freedom of Expression and the Right to Peaceful Assembly under the Palestinian National Authority," 1 August 2008 – 31 October 2009.

leave immediately.” The letter was signed “Sameeh al-Madhoun’s Ghosts.”<sup>26</sup> Wa’el al-Dagdouh, an al-Jazeera correspondent, stated to PCHR that he informed the police, who came immediately, deactivated the bomb and initiated an investigation.

- On 18 March 2008, Sakher Midhat Abu al-’Oun, a reporter of the Agence France-Presse (AFP) and Secretary of the Palestinian Journalists’ Syndicate, was questioned by the Internal Security Service about the nature of his work as a journalist. Interrogators accused him of insulting the Hamas movement, but he denied this accusation. He also was questioned about the nature of his work in the Palestinian Journalists’ Syndicate and his relation with the International Federation of Journalists and the Federation of Arab Journalists. The interrogators took his e-mail address and password. Before he was released, Abu al-’Oun was ordered to appear before the Internal Security Service on 21 March. He responded to the order and appeared before the Service, when his passport was confiscated. In early August 2009, the Governmental Information Bureau announced, in a press release, that the passport of Abu al-’Oun was returned after intervention from the Minister of Interior and the Chief of the Internal Security Service.
- On 10 June 2009, Mohammed Zuhdi al-Mashharawi, reporter for al-Quds Channel in Gaza City, was attacked by security officers while covering the visit of an international delegation headed by Sheikha Hissa Al Thani, UN Special Rapporteur on Disability, to Shifa Hospital.
- On 28 June 2009, a number of activists of the Islamic Liberation Party were beaten by members of the police in different areas of the Gaza Strip for distributing a statement issued by the Islamic Liberation Party entitled “The Authority of Hamas typically follows the Authority of Fatah.” The statement criticized arguments made by the Head of the political bureau of Hamas, Khaled Mashaal, on 25 June 2009, in which he expressed Hamas’ acceptance of the establishment of a Palestinian State along the 1967 borders.
- On 8 August 2009, Nasser Ahmed Shabat, from Beit Hanoun town in the northern Gaza Strip, was summoned to appear immediately before the police. Shabat headed to the police station in Beit Hanoun, where he was interrogated about a position paper that he prepared and presented on 6 August 2009 in a seminar held in the headquarters of Palestine Red Crescent Society in the west of Gaza city, organized by Palestinian Democratic Gathering for Lawyers in cooperation with the Palestinian NGO Network. The position paper was titled “The consequences of the decision to force female lawyers to wear the headscarf.”
- On 11 August 2009, the Ministry of Interior in Gaza issued a press statement in which it accused the Independent Commission for Human Rights (ICHR) of not being neutral and subscribing to a double-standard when addressing issues in the Gaza Strip and the West Bank. The Ministry also denounced ICHR’s positions for being motivated by security and political factors rather than legal considerations. The statement from the Ministry of Interior was issued in response to a demand by ICHR made in a workshop held in ICHR head offices in Gaza on 11 August 2009, in which ICHR called upon the Ministry of Interior to reveal the locations of detainees held by the Interior Security Service and to allow ICHR to visit them. In the same context, the Ministry of Information in Gaza issued a press statement on Wednesday, 12 August, in which it denied “accusations” made by ICHR, demanded that these be taken back, and asked the Ministry of Interior to follow up and take legal action against ICHR. The press statement announced that the Ministry was considering boycotting ICHR because “in more than one situation, ICHR proved that it is not independent and does not operate impartially.” The Ministry called upon ICHR to “return to human rights work ...” and warned ICHR and other organizations of “losing the legal track in addressing the Palestinian situation.” This can be understood as an implicit threat to all human rights organizations.
- On 12 August 2009, two security guards from the Ansar security compound stopped staff members of al-Ittijah Satellite Channel who were reporting from the main street that leads to the Ansar site. The security guards led the staff members, including Mazen al-Balbisi, a reporter, Jifara al-Safadi, a cameraman, and Abdul Rahman Zaqqout, a cameraman assistant, into the site. Inside, an

<sup>26</sup> Sameeh al-Madhoun, 30, an officer in the Palestinian Presidential Guard (Force 17) and a leader of the al-Aqsa Martyrs Brigades (the armed wing of Fatah), was killed by members of the ‘Izziddin al-Qassam Brigades (the armed wing of Hamas) on 14 June 2007.

officer confiscated the videotape and destroyed it.

- On 14 August 2009, the Ministry of Interior prevented journalists and all mass media from covering incidents that took place in Rafah in the southern Gaza Strip between members of the security services and militants belonging to the 'Izziddin al-Qassam Brigades on one hand and members of an armed group known as "Army of Allah's Supporters" led by Sheikh Abdul Latif Mousa on the other hand.<sup>27</sup> On 18 August 2009, the Ministry of Information in Gaza issued a press release claiming that preventing the media from covering the incidents in Rafah was aimed at protecting the lives of journalists and the sensitivities of the population.
- On 31 August 2009, members of the Internal Security Service stopped Ibrahim Mohammed Qannan, a reporter of Maan News Agency, and Ahmed Ghabayen, a Maan cameraman, while they were preparing a report on the UNRWA projects that had suspended as a result of the siege imposed on the Gaza Strip. The two journalists were taken to the offices of the Internal Security Service. An officer arrived and checked their press cards and questioned them about the nature of their work and about their relationship with Palestine Television. The two journalists were released after one hour of detention.
- On 1 November 2009, Sami Ibrahim Fouda, an author from Jabalia refugee camp, was summoned by the Internal Security Services for writing an article titled "The Scenario Is Over." He was questioned about articles he wrote.
- On 8 November 2009, the government in Gaza prohibited a conference of the International Federation of Journalists in Gaza. The conference was due to be held on 9 and 10 November 2009, and linked to the West Bank meeting via videoconference. The conference was titled "Declaration of Ethical Journalism Initiative and Standards of Media in Palestine," and Roots Restaurant was booked on 9 and 10 November 2009 to host the Gaza event. However, on Sunday evening, 8 November 2009, the administration of the Roots Restaurant received a phone call from the Governmental Media Office, that the conference had been barred, as the organizers did

not obtain permission from official bodies.

- On 10 November 2009, members of the police investigation bureau and the Internal Security Service, armed and wearing civilian clothes, broke into the offices of Ramattan News Agency in the Shawa & Hussari Building in the center of Gaza City. They prevented a press conference organized by the National Action Commission in Gaza City to publicize the Gaza government's cancellation of a ceremony that was supposed to be held in Rashad al-Shawa Center on Wednesday, 11 November 2009, in commemoration of the death of the late Palestinian President Yasser Arafat. The security officers claimed that the press conference was unauthorized. They also confiscated videotapes belonging to Ramattan News Agency and al-Quds Television and ordered members of the National Action Commission to leave the offices.
- On also on 10 November 2009, 4 members of the Internal Security Service wearing civilian clothes intercepted Hatem 'Omar, a photographer for Maan News Agency, near Rafah International Crossing Point in the southern Gaza Strip. 'Omar was photographing the arrival of the Miles of Smiles Convoy to the Gaza Strip.
- On 24 November 2009, the Internal Security Service detained and questioned Hamed Mohammed al-Nouri, a folklore singer from Beit Lahia in the northern Gaza Strip. Al-Bouri was questioned about singing in support of the Fatah movement. They requested that he refrain from singing such songs and released him the following day.
- On 6 December 2009, the Governmental Information Office in Gaza issued an urgent statement demanding that journalists deal with Dr. Hassan Khalaf, Undersecretary of the Ministry of Health in Gaza, as the only credible source of information regarding Swine Flu in the Gaza Strip.

**In the West Bank, the most significant violations of this right were:**

- On 2 January 2009, members of the Palestinian security services prevented journalists and reporters working for local and international mass media from covering the dispersal of a peaceful demonstration organized

<sup>27</sup> Armed confrontations erupted near Ibn Taimiya Mosque in the southern Gaza Strip town of Rafah, after Sheikh Abdul Latif Mousa had declared the established of an Islamic emirate in the Gaza Strip. The bloody confrontations took the lives of 28 persons, including Sheikh Mousa, and wounded dozens of others.

by Hamas and other Palestinian factions in Ramallah in support with the population of the Gaza Strip during the Israeli offensive on Gaza. They used force to prevent journalists from accessing the location of the demonstration. As a result of the use of force, Majdi Eshtayeh, a reporter for the Associated Press, sustained a fractured nose. During the same incident, members of the security forces detained Jamal 'Arouri, a photographer for the Palestinian newspaper al-Ayam, and confiscated his camera.

- On 8 January 2009, Najib Farraj, a reporter for al-Quds newspaper in Bethlehem, received a phone call from a person who introduced himself as a member of the Palestinian security services. The caller threatened Farraj on the grounds of the publication of photos that Farraj had taken of a demonstration in Bethlehem organized in solidarity with Gaza. The images Farraj had taken showed members of the Palestinian police attacking a boy while dispersing the demonstration.
- On 9 January 2009, members of the security services in Ramallah prevented journalists from accessing a gathering of dozens of civilians planning to participate in a demonstration organized by a number of Palestinian factions in solidarity with the people of Gaza during the Israeli offensive on the Gaza Strip. They confiscated cameras and mobile phones in an attempt to prevent participants from taking photographs of the demonstration.
- On 18 January 2009, the Preventive Security Service in Hebron arrested Khaled Mohammed al-'Amayra, a reporter for al-Ahram Weekly from Dora village in Hebron. Al-'Amayra was interrogated regarding an interview that he had given to al-Quds Satellite Channel during the Israeli offensive on Gaza and in which he had criticized the performance of the Palestinian Authority. On 21 January, al-'Amayra was released.
- On 23 January 2009, unknown persons raided the house of Dr. Abdul Sattar Qasem, a lecturer at an-Najah National University in Nablus in the northern West Bank. They set fire to his car, which was parked in the garage connected to the house. According to Dr. Qassem, the attack followed an interview he had given to al-Quds Satellite Channel on the same day.
- On 24 January 2009, the Preventive Security Service (PSS) arrested Samer Amin Khwaira, 27, reporter for al-Quds Satellite Channel in Nablus. Khwaira was interrogated about personal information and his work as a journalist for al-Quds Satellite Channel. The following day, he was transferred to Junaid prison in Nablus, where he was also placed under interrogation. Khwaira was released on 1 March 2009. Two days before Khwaira's arrest, a number of members of the PSS had entered the office of al-Quds Satellite Channel and questioned Khwaira about his work for the Channel.
- On 25 January 2009, the Military Intelligence Service arrested Ahmed 'Ata al-Bikawi, 37, a reporter for al-Quds Satellite Channel in Ramallah. He was interrogated about his personal life and the nature of his work. On 27 January, al-Bikawi was transferred to Junaid Prison in Nablus, where he was held in custody for approximately 75 days, during which he was subjected to several rounds of interrogation. He was released on 14 April 2009.
- On 26 January 2009, the Preventive Security Service (PSS) arrested 'Essam al-Reemawi, a photographer for the Palestine News Agency (Wafa), from his workplace in Ramallah. Al-Reemawi was taken to the PSS headquarters in Bitounia, west of Ramallah, where he was detained until 10 February. Al-Reemawi told PCHR that he was subjected to torture in the first five days of his detention, and that he was placed in solitary confinement for 15 days. He stated that he was interrogated about the media institutions to which he sells his photographs.
- On 27 January 2009, the Military Intelligence Service detained Ibrahim 'Aahed Rantisi, a reporter for al-Quds Satellite Channel in Ramallah. During his detention, Rantisi was interrogated about personal affairs and his work for al-Quds Channel. He was released after 6 hours of detention.
- Also on 27 January 2009, the General Intelligence Service detained Mamdouh Mahmoud Hamamra, a reporter for al-Quds Satellite Channel in Bethlehem. Hamamra was interrogated about personal affairs and the nature of his work for al-Quds Channel. He was released after several hours of detention.
- On 19 February 2009, the General Intelligence Service arrested Yazid Khader, from Deir al-Ghosoun village north of Tulkarm, editor-in-chief of Manbar al-Islah newspaper. Khader was interrogated about the nature of his work as a journalist. He was released on 22 February 2009.
- On 22 February 2009, the Preventive Security Service ar-

rested Qais Abu Samra, from Sneiria village in Qalqilia, a reporter of the Jordanian newspaper Fact International and of the website Islam-Online. Abu Samar remained in custody for 3 days and was interrogated about the nature of his work as a journalist.

- On 2 March 2009, the General Intelligence Service (GIS) summoned Dr. Issam Shawar, a writer and a journalist from Qalqilya. When Dr. Shawar arrived at the GIS headquarters, security officers took his ID card and ordered him to wait. Several hours later, they ordered him to go home and come back on the following day. The following day, Dr. Shawar arrived at the GIS headquarters, but nobody interviewed him. He also waited for several hours and then was ordered to come back the following day. Dr. Shawar continued to go to the GIS headquarters, waiting, going home and returning the following day until 27 March 2009. He told PCHR that during the last ten days, members of the GIS took his personal belongings and detained him in a solitary confinement cell from 10:00 until 18:00.
- On 29 March 2009, members of the GIS stopped two crews of al-Quds Satellite Channel and Ramattan News Agency in Deir Estia village in Salfit, who were conducting interviews with residents of the village. Members of the two crews were transferred to the GIS headquarters in Salfit and interrogated about the nature of their work in the village.
- On 30 March 2009, unknown gunmen fired at the offices of al-Hayat al-Jadeeda newspaper in the West Bank town of al-Bireh. This attack was the third of its kind in 2009, as the offices had been fired at previously on 8 and 20 February. Doors and windows of the offices were damaged, but no casualties were reported.
- On 20 April 2009, the Palestinian police arrested Dr. Abdul Sattar Tawfiq Qassem, 61, a professor of political science at an-Najah National University in Nablus. PCHR's investigations indicate that on Monday evening, 20 April 2009, Dr. Qassem received a telephone call from al-Aqsa Satellite Channel, the mouthpiece of the Islamic Resistance Movement (Hamas). He was asked to comment on the recent attack against Sheikh Hamed al-Bitawi, Member of the Palestinian Legislative Council for the

Reform and Change Bloc (Hamas). As soon as he completed the call, he received several telephone threats. At approximately 19:00 on Monday, 20 April 2009, a vehicle of the Preventive Security Service arrived at Dr. Qassem's house. The persons in the vehicle served Dr. Qassem with a summons, requesting that he present himself before the Preventive Security Service the following day. Immediately, Dr. Qassem drove his car to the police station in the center of Nablus in order to submit a complaint regarding the threats he had received. There, Dr. Qassem was arrested following an order given by the Attorney General. The arrest was in connection with case no. 864/864 Nablus and upon an order by Nablus Magistrate Court in connection with case no. 794/2009. The Nablus Magistrate Court held a session on 21 April 2009 to consider case no. 794/2009, filed by Mahdi Subhi Abdul Rahim Maraqa against Dr. Qassem on charges of defamation. The Court postponed its session until 14 May 2009 and ordered Qassem's release on bail, but the police did not implement the order. Another complaint was filed by Ne'man 'Aamer, a member of the Preventive Security Service. 'Aamer had been detained by the Military Intelligence Service in Nablus in relation to a 19 April 2009 attack on Hamed al-Bitawi, a PLC member for the Reform and Change Bloc.<sup>28</sup> The court postponed considering the two cases several times, and did not issue a final judgment in 2009.

- On 21 April 2009, the Preventive Security Service (PSS) arrested Mustafa 'Ali Sabri, a freelance journalist from Qalqilya, from his house and took him to the PPS headquarters in the town. According to the PSS legal advisor, the chief military justice ordered the detention of Sabri on 22 April 2009. On 15 June 2009, the High Court of Justice ordered Sabri's release, but the order was not immediately implemented.<sup>29</sup> Sabri was released on 26 July 2009. According to Sabri, he was subjected to beatings and torture during his detention. Following his release, Sabri received several summons by the PSS.
- On 4 May 2009, the PSS arrested Mohammed Eshtaiwi, West Bank Bureau Chief of al-Aqsa Satellite Channel, from his house in Far'oun Street, south of Tulkarm. Eshtaiwi was questioned about the nature of his work, and was released then.

<sup>28</sup> For more details about the attacks on Sheikh al-Bitawi, see PCHR, Press Release 5220 ,2009/ April 2009.

<sup>29</sup> For more details, see PCHR, Press Release 604 ,2009/ May 2009.



- On 18 May 2009, the PSS arrested Usaid Amarna, correspondent for al-Aqsa Satellite Channel in Bethlehem, after summoning him. 'Amarna was detained for approximately 25 days, during which he was interrogated about the nature of his work. According to his mother, who visited him in custody, he showed visible signs of torture and beatings.
- On 29 May 2009, the General Intelligence Service in Tulkarm detained Mohammed Eshtaiwi, West Bank Bureau Chief of al-Aqsa Satellite Channel, for one day, during which he was questioned about the nature of his work.
- On 30 May 2009, Palestinian security services denied access to Kfar Saba neighborhood in Qalqilya to journalists reporting on armed confrontations between security services and members of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) that took the lives of 6 persons.<sup>30</sup>
- On 1 June 2009, the Military Intelligence Service questioned 'Awadh al-Rajoub, a reporter for Aljazeera.net from Hebron, for 5 hours. The interrogation focused on an interview al-Rajoub had conducted with Fawzi Barhoum, Spokesman of Hamas, which was published on the web site.
- On 3 June 2009, the Preventive Security Service (PSS) arrested Younis Ibrahim Hassasna, correspondent for Iqraa Satellite Channel, from his house in al-Shoyoukh village near Hebron. Hasasna told PCHR that he was questioned several times by PSS interrogators regarding personal information and on the nature of his work as a journalist. He added that the PSS released him two months later.
- On 3 June 2009, the General Intelligence Service arrested Mohammed Eshtaiwi, West Bank Bureau Chief of al-Aqsa Satellite Channel, from his house in Tulkarm. Eshtaiwi told PCHR that was interrogated several times about the nature of his work for al-Aqsa Satellite Channel. He stated that he was released 9 days later.
- On 4 June 2009, Palestinian security services denied journalists access to the Shraim neighborhood of Qalqilya city in the northern West Bank, where armed confrontations were taking place between security forces and militants from the 'Izziddin al-Qassam Brigades (the armed wing of Hamas), which took the lives of a security officer and two militants.<sup>31</sup>
- On 10 June 2009, the General Intelligence Service arrested Dr. Fareed 'Abdul Fattah Abu Duhair, Director of an-Najah Press Office and a lecturer at an-Najah National University in Nablus. He was detained until 14 June; during this time he was interrogated about the nature of his work.
- On 15 June 2009, members of the Preventive Security Service (PSS) in Hebron detained a crew of al-Jazeera Satellite Channel after the journalists had covered the funeral procession of Haitham 'Amru, who was said to have passed away in a General Intelligence Service prison in Hebron that morning. They confiscated the crew's camera and equipment. The camera and equipment were returned to the crew later at the PSS headquarters. The crew members found that the PSS had deleted the footage recorded on the camera.
- On 21 June 2009, the Military Intelligence Service in Jenin in the northern West Bank arrested journalist Sirri Sammour after summoning him for publishing a report on armed confrontations in Qalqilya. Sammour was released on 13 July 2009.
- On 22 June 2009, the Preventive Security Service arrested Qais Abu Samra, correspondent of the Jordanian newspaper Fact International and Islam-Online after searching his home office and confiscating his personal computer. Abu Samra was released on 18 September 2009. During his detention, he was subjected to beatings and torture.
- On 15 July 2009, Dr. Salam Fayad, the Palestinian Prime Minister and Acting Minister of Information in Ramallah, issued a decision suspending the work of Al-Jazeera Satellite Channel (JSC) in Palestine and preventing its staff from carrying out any activities in Palestine pending a final judicial ruling in this regard.<sup>32</sup> After taking this decision, the Palestinian Prime Minister in Ramallah stated that he charged Mr. Ahmed al-Moghanni, Attorney Gen-

<sup>30</sup> Fore details on PCHR's position on this confrontation, see PCHR, Press Release, 6931 ,2009/ May 2009.

<sup>31</sup> For more details about PCHR's position on these confrontations, see PCHR, Press Release 6931 ,2009/ May 2009.

<sup>32</sup> For more details, see PCHR, "Violations of the Right to Freedom of Expression and the Right to Peaceful Assembly under the Palestinian National Authority," 1 August 2008 – 31 October 2009.

eral, to take all necessary legal action to sue the JSC “due to its flagrant incitement against the Palestine Liberation Organization and the Palestinian National Authority, which implied an attempt for provoking disorder.” On 26 July 2009, the JSC announced that Dr. Fayad had suspended his decision to halt its work, but decided to continue judicial action against it.

- On 18 July 2009, Mustafa Sabri, a freelance journalist from Qalqilya, was summoned by the Military Intelligence Service. He was detained for 12 hours, during which he was questioned about his work and political affiliation.
- On 4 August 2009, the Preventive Security Service arrested author Dr. ‘Essam Shawar from his house in Qalqilya. Dr. Shawar was questioned about articles he had written that were published in the Gaza-based Palestine Daily and other web sites. Dr. Shawar was released on 31 August 2009 after being forced to sign an oath that he would abstain from undermining the status of the Palestinian National Authority and would comply with its laws.
- On 30 August 2009, the Military Intelligence Service in Ramallah arrested Mohamed Eshtaiwi, West Bank Bureau Chief of al-Aqsa Satellite Channel. Eshtaiwi was detained for 5 days, during which he was interrogated

about his work.

- On 5 September 2009, the General Intelligence Service in Bethlehem arrested Usaid ‘Amarna, who had previously worked as a cameraman for al-Aqsa Satellite Channel. ‘Amarna was released on 19 September 2009. During his detention, he was interrogated about his work.
- On 6 October 2009, Palmedia Group in Ramallah, the offices of which are located near the Palestinian presidential compound, received an order from the Military Intelligence Service barring Palmedia from allowing crews of al-Quds Satellite Channel to enter its offices.
- On 3 November 2009, the Military Intelligence Service arrested ‘Alaa’ al-Titi, a reporter of al-Aqsa Satellite Channel, from his house in al-‘Arroub refugee camp north of Hebron. Al-Titi was released on 25 November 2009.
- On 8 November 2009, the Military Intelligence Service arrested Tariq Abu Zaid, who had previously worked for al-Aqsa Satellite Channel, after summoning him for interrogation.
- On 11 November 2009, the Military Intelligence Service again arrested Usaid ‘Amarna, who had previously worked as a cameraman for al-Aqsa Satellite Channel, from his house in al-Duhaisha refugee camp near Bethlehem. ‘Amarna was released on 25 November 2009.

32 For more details, see PCHR, «Violations of the Right to Freedom of Expression and the Right to Peaceful Assembly under the Palestinian National Authority,» 1 August 2008 – 31 October 2009.

## Violations of the Right to Peaceful Assembly

In 2009, violations of the right to peaceful assembly were reported, the majority of which were carried out against activists of the Fatah movement in the Gaza Strip and activists of the Hamas movement in the West Bank, reflecting the political fragmentation within the PNA. The two governments in Gaza and Ramallah, through their security services, imposed severe restrictions on the right to peaceful assembly, which is ensured by the Palestinian Basic Law, the Public Meetings Law of 1998 and international human rights instruments. Such measures have created self-restraint among political parties, preventing them from organizing activities in the Gaza Strip and the West Bank. While the two governments displayed differences in the majority of their decisions, they employed the same illegal measures for curbing peaceful assembly of the political opposition, including the Executive Bill of the Public Meetings Law. These measures went beyond their purpose and affected private meetings, which do not fall under the category of public meetings that require a notification of competent official bodies, including colloquia, parties or conferences that were to be held in closed locations. Article 26(5) of the Amended Basic Law of 2003 allows “holding private meetings without the presence of the police, and organizing public meetings, convoys and gatherings in accordance with the law.”

**The most significant violations of the right to peaceful assembly in the Gaza Strip and the West Bank were as follows:**

### ■ *Violations of the Right to Peaceful Assembly in the Gaza Strip*

- On 25 March 2009, the Ministry of Interior in the Gaza Strip prevented the organization of a eulogy ceremony organized by the National Work Commission for Kamal Naji, Deputy Representative of Palestine Liberation Organization in Lebanon, who was killed in mysterious circumstances two days earlier. The Commission had informed the Ministry of its intention to organize the ceremony according to the law, but the Ministry rejected it.
- On 14 April 2009, Palestinian police deployed near al-Quds Open University in Rafah in the evening and prevented students from entering the campus. The police sought to prevent the Fatah Youth Organization, the student wing of the Fatah movement, from preparing for a ceremony that was to be held on the following day to commemorate Khalil al-Wazir, a leader of Fatah movement who was killed in 1988, as well as Palestinian Prisoners’ Day. On the same day, the Internal Security Service summoned a number of leaders of the organization, and informed them that organizing a ceremony was prohibited. On the following day, the police again deployed near the campus and prevented students from entering it.
- On 16 April 2009, the Palestinian police in Gaza prevented the National Work Commission in Rafah from organizing a march for Palestinian Prisoners’ Day on the following day. According to the secretary of the commission in Rafah, ‘Abdul ‘Aziz Abu ‘Amra, representatives from the Democratic Front for the Liberation of Palestine contacted the police on behalf of the National Work Commission and the police agreed to permit the march, but this agreement was withdrawn one day prior to the event.
- On 7 May 2009, the supervisor of Young Palestinian Parliament in Rafah, ‘Abdul Ra’ouf Barbakh, received a phone call from a person who introduced himself as an officer in the police investigation bureau in Gaza and informed him that the police banned an honor

ceremony for media professional and civil society activists that was supposed to be organized by the Parliament in Rafah Service Sports Club. Barbakh received also a phone call from a board member of the club, who informed him that the police came to the club and announced the banning of the ceremony.

- On 14 May 2009, the Government in Gaza banned the organization of peaceful marches called for by the National Work Commission in commemoration of the Palestinian Nakba (the uprooting of the Palestinian people from their land in 1948). The Commission had obtained police approval for the organization of such activities following the intervention of political factions and public figures, but the police later withdrew its approval. The Internal Security Service of the Ministry of Interior also arrested a number of activists of the Fatah movement for their participation in preparations of these activities, and forced them to sign pledges not to conduct any political or public activities in the Gaza Strip.
- On 20 May 2009, Palestinian security services in the Gaza Strip prevented women's rights activists from traveling to Ramallah to participate in the fifth conference of the General Union of Palestinian Women (GUPW).<sup>33</sup> According to investigations conducted by PCHR, 87 women, who are elected conference members from across the Gaza Strip, traveled towards Ramallah to participate in the fifth conference of GUPW, in response to a formal invitation. When they arrived at the Customs checkpoint to the south of Beit Hanoun (Erez) crossing in the northern Gaza Strip, they were stopped by police officers and members of the Internal Security Service. The security officers informed the women that they were prohibited from traveling to Ramallah for political reasons, without revealing who issued this decision. On 21 May 2009, the women attempted to communicate with the conference, which was being held in Ramallah, via video conference from the Grand Palace Hotel in Gaza, but the administration of the hotel refused to allow them this a permission from the relevant authorities.
- On 12 June 2009, a number of women participated in a peaceful demonstration called for by GUPW in Beit Hanoun in the northern Gaza Strip, protesting against the closure of al-'Ataa' Charity in the town. On the following morning, at least 45 women who had participated in the demonstration were summoned to the local police station.<sup>34</sup> Their husbands went to the police station and were forced to sign pledges not to allow their wives to participate in incitement against the Government in Gaza. However, the police investigation bureau insisted on summoning Shadia Bahjat al-Kafarna, 36, member of the GUPW, personally and detained her father until she arrived at the police station.
- On 13 June 2009, the Popular Front for the Liberation of Palestine organized a peaceful demonstration calling for an end to the current internal Palestinian fragmentation. The demonstration began at Palestine Square and ended at the Unknown Soldier Square in the center of Gaza City. While PFLP affiliates were returning to the PFLP office in al-Sarraj Building in central Gaza City, a car driven by members of the police's general investigation service stopped the PFLP car; the car had been broadcasting a call for an end to the Palestinian internal fragmentation via loudspeakers. An argument ensued between the PFLP affiliates and police officers. The dispute was terminated when the police officers opened fire into the air and at the feet of the PFLP affiliates. As a result, 3 civilians were wounded:
  1. Fareed al-Hawajri, 23, wounded by a gunshot to his right side;
  2. 'Aatef Abu 'Ouda, 54, wounded by shrapnel to the head, and
  3. Sroul Ibrahim 'Abdul Rahman, 25, wounded by shrapnel to the head.
- On 14 July 2009, the Palestinian police stormed a wedding party of the al-Madhoun clan in Beit Lahia in the northern Gaza Strip. Police officers fired into the air and at the house of the groom's father, 'Abdul Hak-

<sup>33</sup> For more details, see "PCHR Condemns Gaza Security Services' Prevention of Women's Rights Activists from Traveling to Ramallah," Press Release, 6521, 2009/ June 2009.

<sup>34</sup> The police transformed offices of al-Taher Charity into a police station after the police station in Beit Hanoun was destroyed by Israeli Occupation Forces during the offensive against the Gaza Strip..

im al-Madhoun. As a result, 4 persons, including two women, were lightly wounded. Police officers also violently beat a number of guests and participants. According to information obtained by PCHR from eyewitnesses, the police stormed the wedding party after members of the clan had raised a portrait of Sameeh al-Madhoun, a Fatah activist who was killed by Hamas militants on 14 June 2007.

- On 30 September 2009, Palestinians security services prevented the National Work Commission from organizing a peaceful demonstration in Khan Yunis in protest against Israeli practices in Jerusalem. According to 'Abdul Ra'ouf al-Farra, a leader of the Popular Front for the Liberation of Palestine, the Commission submitted a written notice to the police chief in Khan Yunis on 29 September informing him of the timing and path of the demonstration, but the Commission received a number of phone calls from the police and the Internal Security Services on the following day informing them that the demonstration was prohibited.
- During the last week of December 2009, security services in Gaza took a series of measures against Fatah activists in the Gaza Strip to prevent them from commemorating the 45th anniversary of the establishment of the movement on 1 January. They arrested dozens of activists and a number of detainees were violently beaten and subjected to inhuman and degrading treatment. Security services also prevented private celebrations in closed locations, took down Fatah flags from houses and summoned a number of people who had lit candles. On 30 December 2009, members of the security services wearing civilian clothes – some of whom were armed – stormed the campus of al-Azhar University in Gaza City. They confiscated kefiyehs (traditional Palestinian scarves) and mobile phones from a number of students. Dr. Riad al-'Eila, Dean of Student Affairs, and Dr. Jaber al-Da'our, Deputy President of the University, intervened in an attempt to persuade security officers to end their actions, but the security officers moved towards the campus for female students in order to storm it. When Dr. al-'Eila intervened again, a security officer insulted him and slapped him across the face.

### ■ *Public Gatherings Whose Peaceful Nature was Undermined*

- On 26 September 2009, 3 civilians, including a school child, were wounded, when militants from Islamic Jihad opened fire during the funeral procession of 3 members of the al-Quds Brigades (the armed wing of Islamic Jihad) who had been killed by Israeli Occupation Forces on 25 September 2009. The 3 civilians were lightly wounded by shrapnel from gunshots.

### ■ *Violations of the Right to Peaceful Assembly in the West Bank*

- On 2 January 2009, Hamas and a number of other political factions in Ramallah called for the organization of peaceful demonstrations in solidarity with the population of Gaza during the Israeli military offensive against the Gaza Strip. One of those demonstrations was to start at Hussein Ben 'Ali Mosque in Ramallah following the Friday prayers. When the worshippers exited the mosque and began to gather, the police arrived and prevented them from moving forward. A number of participants threw stones at the police and security officers. At least 10 police and security officers were injured. A number of participants also sustained bruises when police and security officers beat them. The police and security officers also fired into the air to disperse the crowd, but no casualties were reported. Journalists were forcibly denied access to the area, and one journalist was injured. The police and security officers also arrested 20 participants, but released a number of them on the same day.
- On 5 January 2009, students of Birzeit University, west of Ramallah, organized a peaceful demonstration in solidarity with the population of the Gaza Strip. The demonstration moved from the campus towards 'Attar intersection. Palestinian security forces prevented the demonstrators from moving forward and established a barrier of rocks. They also violently beat students. At least 50 students sustained bruises.
- On 8 January 2009, Palestinian security forces in Bethlehem used force to disperse a peaceful demonstration organized in solidarity with the population of the

Gaza Strip, who were subject to an Israeli military offensive. A number of demonstrators sustained bruises. Journalists were denied access to the area.

- On 9 January 2009, Palestinian security forces used force to disperse a peaceful demonstration organized after the Friday prayers by a number of Palestinian factions in solidarity with the population of the Gaza Strip. They violently beat a number of demonstrators who raised Hamas flags and used tear gas canisters against the demonstrators. A number of demonstrators sustained bruises or suffered from tear gas inhalation. Journalists were denied access to the area.
- On 25 January 2009, families of a number of Palestinians detained by Palestinian security services in Hebron organized a sit-in near a checkpoint to the north of the security complex in Hebron. They held signboards calling for the release of detainees. Immediately, security forces arrived and used force to disperse the participants.
- On 23 February 2009, the Ministry of Interior prevented the Eve Center for Culture and Arts from holding a political colloquium on the Palestine Liberation Organization (PLO) that was to be held in Nablus with the participation of Ghassan al-Shaka'a, Member of the PLO Executive Committee. The Ministry claimed that the colloquium was unauthorized.
- On 4 June 2009, about 20 women gathered in the western part of Qalqilya to protest against the siege imposed by Palestinian security forces on a house belonging to the Shraim family, where a number of members of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) were being harbored. When the women reached a distance of 200 meters from the house, security officers fired into the air to disperse them. An officer fired directly near women's feet. Two women were seriously wounded.<sup>35</sup>
- On 28 June 2009, the government in Ramallah prevented the organization of a peaceful public conference by the Islamic Hizb-Ut-Tahreer (Liberation Party) in Ramallah. According to information obtained by PCHR from Ibrahim al-Shareef, a member of the Hizb-Ut-Tahreer media committee, on 9 June 2009, the party sent a letter to the Governor of Ramallah and al-Bireh informing him that the party would organize a conference at 17:30 on Saturday, 4 July 2009, at the Ramallah Secondary School, on the anniversary of the dismantlement of the Islamic Caliph's Rule. On 28 June 2009, the party received a phone call from the director of the Governor's office, during which they were informed that the Ministry of Interior in Ramallah rejected the holding of the conference at the aforementioned school, and proposed holding it in a closed hall, but the party refused. On Saturday morning, 04 July 2009, Palestinian security services erected a number of checkpoints inside and at the entrances of Ramallah and al-Bireh towns, and stationed a number of security vehicles inside the school at which the conference was supposed to be held. Palestinian security services prevented members and supporters of the Hizb-Ut-Tahreer from reaching the school, so the party was forced to cancel the conference.
- On 23 July 2009, the Government in Ramallah prevented the Islamic Hizb-Ut-Tahreer (Liberation Party) from organizing a colloquium in al-Jalazoun Social Youth Club in al-Jalazoun refugee camp, north of Ramallah. The party was supposed to organize a colloquium on the Islamic Caliph, but security services prevented it.
- On the eve of the 22nd anniversary of the establishment of Hamas, Palestinian security services in the West Bank waged a campaign of arrests, during which they arrested dozens of members and supporters of Hamas. The Preventive Security Service and the General Intelligence Service arrested members of Hamas in numerous locations across the West Bank. At least 116 individuals were arrested: 50 in Hebron; 17 in Ramallah and al-Bireh; 5 in Nablus; 6 in Jericho; two in Bethlehem; 3 in Tubas; 26 in Tulkarm; 4 in Qalqilya; one in Salfit; and two in Jenin. The detainees included journalists, lawyers, engineers, school teachers and students, university professors and students as well as a number of children.

<sup>35</sup> PCHR has documented the names of the two women.

## Violations of the Right to Association

In 2009, violations of the right to association continued across the OPT. Such violations escalated under the ongoing political fragmentation in the PNA, which followed the incidents of June 2007. They have constituted part of a breadth of human rights violations. Hundreds of associations and NGOs have been subject to attacks, mainly those affiliated with the Fatah movement in the Gaza Strip and those affiliated with the Hamas movement in the West Bank.<sup>36</sup>

Over the course of the year, restrictions and assaults on the right to freedom of association continued at various levels in disregard for the relevant legislation, and even pursuant to the political agendas of both parties of the ongoing conflict. Such restrictions and assaults included interference with the internal affairs of associations by replacing their boards – especially those affiliated to the other party of the conflict – with appointees of the governments in violation of the law, and attacks by security services, including raids and searches of offices.

Although the Charities and NGOs Act #1 of 2000 and its executive bill impose extensive restrictions on civil society associations, the two parties of the conflict went beyond the law and its executive bill.

In the West Bank, violations against associations affiliated with Hamas escalated in the context of the political conflict between Hamas and Fatah. In 2009, 11 temporary managing committees were appointed for charities affiliated with Hamas, while 22 others were disbanded. The Ministry of Interior in Ramallah claimed that such steps were taken because these charities had committed administrative offences, but the closure of some of these charities was clearly politically motivated in the context of the conflict between Hamas and Fatah in the West Bank and the Gaza Strip.

In the Gaza Strip, violations of the right to freedom of association continued, especially against associations related to the Fatah movement. In 2009, 3 temporary managing committees were appointed for 3 charities, while 40 associations were disbanded. The Ministry of Interior in Gaza claimed that these associations had committed administrative and financial offences. However, investigations conducted by PCHR indicate that the closure of some of these associations was politically motivated in the context of the conflict between Hamas and Fatah in the West Bank and the Gaza Strip.

There were attempts to restrict activities of some association and even to take them over illegally, the most notable of which was the case of the Patient's Friends Society in Gaza. Over two months, the society faced a major crisis that peaked with a decision issued by the Ministry of Interior in Gaza on 1 July 2009 declaring an end of the crisis by appointing a new board of directors without elections for the period 2009 – 2012. This decision completed a series of illegal measures taken by the Ministry of Interior in Gaza to take over the society, including a decision to establish an administrative committee for the society. Following that arbitrary decision, the administrative board of the Palestinian NGO Network and representatives of human rights organizations, including PCHR, met with Dr. Faisal Abu Shalha,

<sup>36</sup> Following the incidents of June 2007, the OPT witnessed two major campaigns against civil society associations. In the West Bank, on 28 August 2007, the Palestinian government disbanded 103 civil society organizations and associations affiliated to Hamas, claiming that they committed administrative and financial offences in violation of Charities and NGOs Act #1 of 2000. On the other hand, in July and August 2007, the government in Gaza and its security services waged a wide scale campaign against at least 214 civil society organizations, including sports clubs and partisan offices, mostly affiliated to Fatah movement.

Member of the Palestinian Legislative Council and Head of the Board of Directors of the Patient's Friends Society, on 17 June 2009 to discuss the decision. The attendees considered the Ministry of Interior's attempt to take over the Patient's Friends Society a violation of Charities and NGOs Act #1 of 2000 as well as the right to freedom of association ensured by the Palestinian Basic Law. They also pointed out that the Ministry of Interior deliberately intervened in the affairs of the Patient's Friends Society, in violation of the law, by obstructing the conduction of elections, by appointing an administrative committee and by revising membership eligibility, which is the mandate of the board of board of directors according to the society's statute, which was approved by the Minis-

try of Interior.

The offices of a number of associations were raided and inspected. For instance, at 11:00 on Monday, 10 August 2009, four persons arrived at the offices of the National Association for Democracy and Law located in the Zo'rob building in Rafah. The individuals introduced themselves as members of the Institutions Security Service and requested to see Ibrahim Mo'amar, Chairman of the Board of Directors. He told them to wait in the Executive Manager's office until he had finished a meeting he was holding in his office. A few minutes later, he entered the Executive Manager's room and saw the security officers checking two of the association's computers.

## The Death Penalty

In 2009, the issue of the application of the death penalty in the PNA witnessed a negative development, as an increasing number of death sentences were issued. Palestinian military courts in the West Bank and the Gaza Strip issued 17 death sentences (14 in the Gaza Strip and 3 in the West Bank). Thus, the year 2009 has been the worst since the establishment of the PNA with regard to the application of the death penalty; 17% of death sentences issued since the establishment of the PNA in 1994 were issued in 2009.

PCHR expresses its grave concern regarding this significant increase in the number of death sentences issued by Palestinian courts in the West Bank and the Gaza Strip. PCHR emphasizes that the death penalty constitutes a flagrant violation of international human rights instruments. It is a form of cruel, inhuman and degrading punishment, and also it does not constitute a deterrent. Accordingly, PCHR calls upon the PNA to make the legal amendments necessary to abolish laws that allow for the application of the death penalty.

However, PCHR expresses its satisfaction that the Palestinian President has not ratified any of these sentences and hopes that his abstention from ratification will be a step towards stopping the application of the death pen-

alty. PCHR is extremely concerned about repeated statements by officials in the Gaza government with regard to the application of the death penalty, and calls upon the government not to approve death sentences.

### **PCHR is extremely concerned about the continued application of the death penalty in the Palestinian National Authority (PNA), and therefore:**

1. Calls upon the PNA to announce an immediate moratorium on the use of this form of punishment, which violates international human rights standards and instruments, especially the Universal Declaration of Human Rights (1948), the Covenant of Civil and Political Rights (1966), and the UN Convention against Torture (1984).



2. Calls upon Palestinian President Mahmoud Abbas not to ratify these cruel and inhumane sentences, and to prevent their implementation.
3. Reiterates that abolishing the death penalty does imply leniency towards dangerous criminals, who must be subjected to punishments that act as a deterrent, but also maintain human dignity.
4. Calls upon the PNA to review all legislation relative to the death penalty, especially Law No. 74 (1936) that remains effective in the Gaza Strip, and the Jordanian Penal Code No. 16 (1960) that remains effective in the West Bank, and to enact a unified penal code that conforms to the spirit of international human rights instruments, especially those pertaining to the abolition of the death penalty.

### *Death Sentences Issued in 2009*

No.	Name	Area	District	Sentencing Body	Date	Charge
1	Mahran Rashad Jouda	West Bank	Hebron	Military Court	25-Jan	Collaboration with Israeli security services
2	Nasser Salam Abu Fraih	Gaza Strip	North Gaza	Military Court	22-Feb	Collaboration with Israeli security services
3	Aamer Saber Jundiya	Gaza Strip	Gaza City	Military Court	10-Mar	Murdering Fawzi Jameel ḤAjjour, 40, on 4 October 2008
4	Salem Farahat Jundiya	Gaza Strip	Gaza City	Military Court	10-Mar	Murdering Fawzi Jameel ḤAjjour, 40, on 4 October 2008
5	Moḥmen Hussein Jundiya	Gaza Strip	Gaza City	Military Court	10-Mar	Murdering Fawzi Jameel ḤAjjour, 40, on 4 October 2009
6	Mohammed Salem al-Mazloun	Gaza Strip	Gaza City	Military Court	07-Apr	Murdering Hussein Ahmed ḤAbu ḤAjwa on 5 July 2006
7	Naḥel Salah Juha	Gaza Strip	Gaza City	Military Court	07-Apr	Murdering Hussein Ahmed ḤAbu ḤAjwa on 5 July 2006
8	Bassam Kamal Rahmi	Gaza Strip	Gaza City	Military Court	07-Apr	Murdering Hussein Ahmed ḤAbu ḤAjwa on 5 July 2006
9	Hani Ibrahim Zaidiya	Gaza Strip	Gaza City	Military Court	07-Apr	Murdering Hussein Ahmed ḤAbu ḤAjwa on 5 July 2006
10	Anwar Mahmoud Ibraighaith	West Bank	Hebron	Military Court	28-Apr	Collaboration with Israeli security services
11	Raḥed Sabri al-Maqqoussi	Gaza Strip	Gaza City	Military Court	24-May	Kidnapping and murdering journalists Mohammed ḤAbdu and Suleiman al-ḤAshi on 13 May 2007
12	Shadi Khader Ahmed	Gaza Strip	Gaza City	Military Court	24-May	Kidnapping and murdering journalists Mohammed ḤAbdu and Suleiman al-ḤAshi on 13 May 2007
13	Shadi ḤAbdul Karim al-Madhoun	Gaza Strip	Gaza City	Military Court	24-May	Kidnapping and murdering journalists Mohammed ḤAbdu and Suleiman al-ḤAshi on 13 May 2007
14	Saleem Mohammed al-Nabahin	Gaza Strip	Central Gaza	Military Court	07-Oct	Collaboration with Israeli security services
15	Abdul Karim Mohammed Shirrir	Gaza Strip	Gaza City	Military Court	29-Oct	Collaboration with Israeli security services
16	Mohammed Ibrahim Ismaḥil	Gaza Strip	Gaza City	Military Court	03-Nov	Collaboration with Israeli security services
17	Izziddin Rasseem Daghra	West Bank	Ramallah	Military Court	09-Dec	Collaboration with Israeli security services

## Political Division Impacting Economic and Social Rights in the Gaza Strip: The Right to Health as an Example

The political crisis in the PNA and the conflict of authorities between the two Palestinian governments in Gaza and Ramallah have negatively impacted the already deteriorated economic and social conditions of the Palestinian population in the Gaza Strip. Measures taken by the two governments, including the cutting of salaries of thousands of public services employees, the employment of new individuals in a violation of the Civil Service Law, and the dismissal, marginalization and substitution of hundreds of employees in the public service in the Gaza Strip, have left a severe impact on the living conditions of employees and undermined their ability to provide means of subsistence for themselves and their families. In 2009, all public services, especially educational and health services, were negatively affected by a general strike organized by the public service employees in the Gaza Strip.

In January 2009, the Ramallah Ministry of Health ceased the referral of Palestinian patients to Israeli hospitals. This decision was taken in light of the requirement – imposed by Israeli occupation authorities – that the Palestinian Authority cover all treatment expenses. As a result, hundreds of Palestinian patients, especially cancer patients in need of advanced medical treatment not available in the Gaza Strip found their treatments interrupted without any suitable medical alternatives. On the afternoon of 22 March 2009, the Ministry of Health in Gaza took control of the Department of Medical Referrals Abroad. Officials from the Gaza Ministry of Health demanded that the director of the Department relinquish control of all offices in the Gaza Strip. The effective operation of the Medical Referrals Abroad Department in the Gaza was halted for more than one month. A number of patients from the Gaza Strip died as a result, while the health of hundreds of others deteriorated severely.

On 25 November 2009, the Ministry of Interior an-

nounced that it was opening an office for the registration of travelers in the Abu Khadra governmental complex in Gaza City. The Ministry requested each individual from the Gaza Strip wishing to travel abroad to refer to this office in order to obtain permission three days prior to the time of travel. This measure especially impacted patients wishing to travel to hospitals in the West Bank and Israel.

### *Halting Financial Coverage for Patients Receiving Medical Treatment in Israeli Hospitals*

On 19 January 2009, the Ramallah Ministry of Health ceased referring Palestinian patients to Israeli hospitals in light of the requirement – imposed by Israeli occupation authorities – that the Palestinian Authority cover all treatment expenses. As a result, hundreds of Palestinian patients, especially cancer patients in need of chemotherapy, radiology and bone marrow transplants, found their treatments interrupted without any suitable medical alternatives. PCHR, Physicians for Human Rights, Gisha and B'Tselem protested against this politicization of medical treatment. The decisions taken by the Palestinian Authority and the Israeli authorities used Palestinian patients as tools in the conflict, violating their right to life and the right to access medical treatment. The exploitation of patients, including patients with life-threatening diseases, for political or economic purposes constitutes a grave violation of human rights and medical ethics.

PCHR demanded that Ramallah Ministry of Health immediately reinstate financial coverage for the hundreds of Palestinian patients who needed to complete life-saving treatment in Israeli hospitals, including chemotherapy and radiation therapy. These included 57 children who needed to complete ongoing treatment at Hadasah Hospital in Jerusalem. Suspending medical referrals in the context of the ongoing siege of Gaza put these patients' lives at risk, and the Government in Ramallah

must accept responsibility for this situation.

Palestinian and Israeli human rights organizations also demanded that Israeli occupation authorities fulfill their obligations, as an Occupying Power, with respect to the protection of the Palestinian population in the OPT as codified in, inter alia, the Fourth Geneva Convention of 1949, and the two Additional Protocols of 1977.

### *Conflict over the Medical Referrals Abroad Department*

On the afternoon of 22 March 2009, the Ministry of Health in Gaza took control of the Medical Referrals Abroad Department. Officials from the Gaza Ministry of Health demanded that the director of the Department relinquish control of all offices in the Gaza Strip. The Director, Dr. Bassam al-Badri, had been appointed by the government in Ramallah with the approval of the Gaza government. Overall authority for the Department was placed in the hands of Dr. Basem Na'im, the Minister of Health in Gaza. In the aftermath of the takeover – which included the seizure of the Department's stamps – approximately 30 departmental employees left their offices.

PCHR called upon the Ministry of Health of the Gaza government to overturn its decision to take over the Medical Referrals Abroad Department, and to let the Director and staff of the Department return to their work immediately, in order to serve the hundreds of patients in need of medical treatment abroad.

PCHR followed up on developments with regard to the crisis of the Medical Referrals Abroad Department in Gaza. It also called for a campaign to resume the department's work and to cancel the decision to stop financial coverage for Palestinian patients transferred to Israeli hospitals. The campaign included several activities, including following field developments, issuing press releases on the crisis, holding a press conference, giving media interviews and forming a committee to monitor the crisis.

A committee established to follow up on the crisis – consisting of PCHR, the health sector of the Palestinian NGO Network, and a number of national figures, under the auspices of World Health Organization – conducted negotiations with the Ministry of Health in Gaza and the Ministry of Health in Ramallah. These negotiations were aimed

at ending the dispute over the department, and keeping patients out of the political conflict. The committee called upon the two parties to ensure that the interests of patients were placed above political considerations. The committee presented a number of initiatives to ensure the resumption of work at the Medical Referrals Abroad Department. It also carried out a number of media activities to exert pressure on the two parties to accept these initiatives. The unit also issued 4 press releases calling for an end to the crisis. The committee was finally able to conclude an agreement between the two parties and made efforts to ensure its implementation.

On 27 April 2009, PCHR issued a press release welcoming the resumption of work at the Medical Referrals Abroad Department of the Palestinian Ministry of Health. The agreement to resume work was reached consequent to successful mediation efforts made by the committee established to monitor the crisis. On 27 April 2009, Dr. Bassam al-Badri, Director of the Medical Referrals Abroad Department in Gaza City, and other staff members of the department, resumed their previously held positions. Mr. Fayez al-Shaltouni, mandated by Dr. Bassem Na'im, Minister of Health in Gaza, handed over the office – including electronic data and patients' files – to Dr. al-Badri. This process was witnessed by Mr. Khalil Shaheen, Director of PCHR's Economic, Social and Cultural Rights Unit, Mr. Mahmoud Dhaer, Director of the World Health Organization Office in Gaza, and Mr. Hamada al-Bayari, of the United Nations Office for the Coordination of Humanitarian Affairs in Gaza.

PCHR believes that the agreement that was concluded preserves the dignity of Gazan patients, promotes their right to adequate physical and mental health treatment, and ends the suffering endured by patients who had previously been forced to go to the homes of officials authorized to sign referral documents for external medical treatment. PCHR also stressed that it would continue to follow up on the work of the Medical Referrals Abroad Department, to consider complaints by patients, and to provide them with legal assistance, especially those whose access to medical treatment outside the Gaza Strip is restricted by Israeli occupation authorities. PCHR further called upon the Minister of Health in Ramallah to commit to the agreement, including the reform of the Higher Medical Committee for External Medical Treatment in the Gaza Strip.

### *Obstruction of Travel of Patients Receive Medical Treatment in Hospitals outside Gaza*

#### *Obstruction of Travel of Patients Receiving Medical Treatment Abroad*

On 25 November 2009, the Ministry of Interior in Gaza announced that it was opening of an office for the registration of travelers in the Abu Khadra governmental complex in Gaza City. The Ministry requested that each individual from the Gaza Strip wishing to travel abroad refer to that office in order to obtain permission three days prior to the time of travel. The application form for such permission is divided into three sections: personal information; destination and purpose of travel and escorts; and a pledge requiring signatures. In addition, two passport photographs, photocopies of the identity card and the passport, photocopies of documents that explain the purpose of travel and a photocopy of the permit obtained from the other side (Israel) must be attached to the application form. The originals of all of these documents must be brought to the office to confirm they are true copies.

On 7 December 2009, the Palestinian police stationed at the Customs Checkpoint near Beit Hanoun (Erez) crossing prevented 37 patients and their escorts from heading towards the crossing to travel to hospitals in the West Bank, including East Jerusalem, and Israel. The police claimed that these patients did not obtain exit permits from the Office of Travel Registration at the Ministry of Interior. According to a number of these patients, they were forced to return back to the governmental complex to apply for permission, where they were forced to wait for more than

three hours. A number of these patients were scheduled for surgery in Palestinian or Israeli hospitals that day, and the new measures obstructed their travel to the hospitals outside Gaza, raising concerns regarding their health.

These restrictive measures were imposed as the Palestinian civilian population in the Gaza Strip suffered from the impact of the complete ban imposed by IOF on their travel out of the Gaza Strip since 25 June 2006, when IOF tightened the siege imposed on the Gaza Strip. Under this closure regime, the majority of the Palestinian civilians have been prevented from leaving the Gaza Strip through Beit Hanoun (Erez) crossing, with the exception of a very limited number of patients and businesspeople. In addition, dozens of patients have endured the complications involved in obtaining permission to receive medical treatment in Palestinian and/or Israeli hospitals outside of Gaza, and many of them have been prevented from traveling even though they had permits; others were forced to wait for hours and even days. It is worth noting that the issuance of permits by IOF for patients is often announced late at night, and patients are instructed to travel to Beit Hanoun (Erez) crossing on the following morning, which makes it impossible to meet the condition to obtain travel permission from the Ministry of Interior in Gaza.

PCHR followed with utmost concern the restrictions and hindrances imposed by the Ministry of Interior, which limited the travel of the Gazan population abroad. PCHR believes that such measures violate the right of each Palestinian to freedom of movement, including travel outside the PNA controlled areas





**PART 2**  
**PCHR'S ACTIVITIES IN**  
**2009**



# Introduction

The first part of this report has comprehensively surveyed violations of human rights and international humanitarian law in the OPT. As shown in the first part, Israel's offensive on the Gaza Strip (27 December 2008 – 18 January 2009) and its repercussions were the most significant issue in the record of human rights violations in 2009. Over the year, IOF also continued to violate human rights and international humanitarian law in the OPT and impose a tightened siege on the Gaza Strip, which aggravated the hardship facing Palestinian civilians and deprived them of basic means of subsistence, and left them unable to reconstruct what the IOF had destroyed. At the internal level, the continued political fragmentation and its ramifications were reflected in all segments of Palestinian society and the entire Palestinian political regime, while the two governments in Gaza and Ramallah and their security services continued to violate human rights.

Under such difficult conditions, PCHR has continued its efforts to defend human rights. During and after Israel's offensive on the Gaza Strip, PCHR intensified its efforts to defend human rights in the OPT. Although PCHR was committed to its 2009 annual plan, it was forced to carry out additional activities that were not included in the plan, as will be shown in the activity reports of the individual units.

## 1. PCHR's Work on the Israeli Offensive on the Gaza Strip and Its Repercussions

During Israel's offensive on the Gaza Strip, PCHR worked hard to report in detail on incidents related to the offensive. PCHR continued its monitoring, publication and media communications activities throughout the 23-day offensive, under highly complicated and risky circumstances. PCHR published a number of special reports, including a comprehensive report on Israel's offensive on the Gaza Strip and a number of other reports, including thematic reports on the offensive's impact on women and children. Additionally, PCHR made intensive efforts to assist international inquiry missions that visited the Gaza Strip to investigate Israeli crimes committed during the offensive.

During that period, PCHR served as a major source of objective, detailed and credible data on the Israeli offensive. It revealed the truth without exaggeration, in the face of official Israeli accounts. It became clear that the offensive was in fact a war against civilians and civilian targets. To meet the requirements of this work, PCHR provided its Field Work Unit with highly trained field workers in all areas of the Gaza Strip.



PCHR's work related to the offensive against Gaza Strip was divided into two integral phases:

### ■ The First Phase (during the Offensive)

PCHR's work during the offensive was focused on 3 major areas:

#### 1. Monitoring and Documentation

From the outset of the offensive, PCHR staff members worked on monitoring and documenting all human rights violations, including killings of civilians and destruction of civilian property across the Gaza Strip. They worked under highly complicated and risky circumstances because of ongoing bombing. They demonstrated a high degree of professionalism and courage in collecting information and prepared daily reports to serve as comprehensive sources of data covering all aspects of the offensive.

#### 2. Publications

PCHR's staff members published press releases and reports on Israeli violations of human rights during the offensive around the clock, under very adverse conditions, including electricity blackouts, repeated disconnection with field workers and the inability to access the sites of incidents due to continued bombing. They provided information and facts objectively as an alternative perspective to the Israeli narratives through reports and press releases in both English and Arabic.

#### 3. Media Communications

PCHR's staff members worked day and night to convey the national, professional and moral message through communication with the local, Arab and international media. They were able to provide the real and objective story of the suffering of the Palestinian civilian population and report on incidents on the ground.

### ■ The Second Phase (after the Offensive)

Following Israel's unilateral declaration of a ceasefire on 18 January 2009, PCHR's staff members were able to reach areas that had been inaccessible during the offensive due to the presence of IOF. PCHR's work during this stage focused on 3 different areas:

#### 1. Comprehensive Documentation

Through its Field Work Unit, which was staffed with a number of additional field workers, PCHR investigated and documented all crimes committed during Israel's offensive on the Gaza Strip. The team was able to document all Israeli attacks on Palestinian civilians and property. Data collected by the Field Work Unit formed the basis for subsequent legal work and efforts to prosecute suspected Israeli war criminals.

#### 2. Legal Work

PCHR's Legal Aid Unit investigated crimes in the field. It also opened its doors for hundreds of Palestinian civilians who submitted complaints regarding Israeli crimes they had been subjected to during the offensive. It then began to compile evidence and case files with regard to Israeli crimes committed during the offensive. The unit's work focused on two fields:

- Submission of complaints to the Israeli judiciary according to applicable rules in order to exhaust all domestic mechanisms of remedy before recourse to international justice;
- Preparing legal files in order to continue efforts at the international level to prosecute suspected Israeli war criminals.

#### 3. Publications

Based on its thorough investigation and documentation, and complementing its daily updates and reports during Israel's offensive on the Gaza Strip, PCHR published several additional in-depth reports on the offensive, including:

- Targeted Civilians: A PCHR Report on the Israeli Military Offensive against the Gaza Strip (27 December 2008 – 18 January 2009)

The report consists of 5 sections, in addition to the introduction and recommendations. The first section surveys the sequence of events over the course of the offensive. The second section addresses crimes committed by IOF from the perspective of international law. The third section highlights in details and statistics willful killings and

other violation of the right to life and personal security. The fourth section focuses on destruction of civilian property, including homes and agricultural lands. The final section highlights the humanitarian crisis during the offensive against the Gaza Strip, including the displacement of thousands of Palestinian families and the denial of entry of medical supplies.

- War Crimes Against Children: A PCHR Investigation into Palestinian Children Killed by Israeli Forces in the Gaza Strip (27 December 2008 – 18 January 2009)

Containing numerous eyewitness testimonies, the report brings to light Israel's widespread targeting of unarmed civilians, including children, throughout the offensive. It exposes the abject failure of Israeli authorities to uphold international humanitarian law, which provides protection for children in armed conflict, and the lack of adequate precautions taken by IOF to distinguish between civilians and military targets. The report also details the indiscriminate shelling of homes and schools where internally displaced people were taking shelter, the psychological impact of the offensive, and the alarming scale of physical injuries inflicted on young people.

- Through Women's Eyes: A PCHR Report on the Gender-Specific Impact and Consequences of "Operation Cast Lead"

The report highlights the gender-specific impact of 'Operation Cast Lead' and the illegal Israeli closure, as well as the difficulties women in the Gaza Strip face as they attempt to come to terms with their grief and their injuries; with the loss of their children, their husbands, their relatives, their homes, and their livelihoods. The report includes a number of narratives which are illustrative, not only of the trials faced by women in the Gaza Strip, but of the resilience and strength they have demonstrated over 42 years of conflict and occupation.

#### 4. Cooperation with International Inquiry Missions

PCHR and other human rights organizations demanded that the international community and the United Nations investigate crimes committed by IOF during the offensive on the Gaza Strip. PCHR made intensified efforts

to facilitate the work of inquiry mission sent to the Gaza Strip. It provided them with important information, and its staff escorted international experts and provided them with necessary technical and logistical support. In this context, PCHR cooperated with, and facilitated the work of the following inquiry missions:

- Independent Fact-Finding Mission Mandated by the League of Arab States to Investigate Israeli Crimes and Human Rights Violations Perpetrated during Israel's Offensive on the Palestinian People in the Gaza Strip

The mission consisted of 6 international experts in the field of international law and humanitarian law: John Dugard, Former UN Rapporteur for the Occupied Palestinian Territory; Finn Lynghjem, a judge and legal expert; Paul De Waart, an international legal expert; Gonzalo Boye, a lawyer and representative of PCHR in Spanish courts; Raelene Sharp, an international lawyer; and Francisco Corte-Real, an expert in forensic medicine. The mission was also accompanied by 3 members of the secretariat general of the League of Arab States: Radwan Ben Khadra, Legal Advisor of the Secretary General; Aliaa Al-Ghussain, Director of the Palestinian Affairs Department; and Ilham al-Shajani, First Secretary of Demography and Immigration Policies Department.

PCHR hosted the fact-finding mission in coordination with the League of Arab States. PCHR prepared an integrated schedule for the visit, which continued from 22 to 27 February 2009. It also coordinated field visits and provided logistical support for the mission. During their visit to the Gaza Strip, members of the mission met with dozens of victims of Israeli crimes, their relatives and eyewitnesses. They also met with representatives of civil society organizations, human rights organizations, representatives of international organizations, officials, members of the Palestinian Legislative Council and political leaders.

On 7 May 2009, the Council of Arab Foreign Ministers endorsed the report prepared by the international fact-finding mission mandated by the League of Arab States to investigate Israeli crimes and human rights violations during the military offensive on the Gaza Strip. It also thanked PCHR for its efforts in facilitating the mission's work.

The press conference held by the Independent Fact-Finding Mission of the League of Arab States headed by Professor Johan Dugard in PCHR's office in Gaza.



- UN Fact-Finding Mission Established by the UN Human Rights Council

The Human Rights Council established the Independent Fact-Finding Mission on the Gaza Conflict. The mission was headed by Justice Richard Goldstone, former Chief Prosecutor of the International Criminal Tribunals for Rwanda and the former Yugoslavia. The mission also included Professor Christine Chinkin, Professor of International Law at the London School of Economics; Hina Jilani, Advocate of the Supreme Court of Pakistan and former Special Representative of the Secretary General on Human Rights Defenders; and Colonel (retired from the Irish Armed Forces) Desmond Travers, member of the Board of Directors of the Institute for International Criminal Investigations (IICI). The mission visited the Gaza Strip to investigate crimes committed by IOF during the offensive on the Gaza Strip. PCHR received the members of the mission several times and provide them with detailed information on investigations it conducted into crimes committed by IOF in the Gaza Strip. PCHR followed the mission's work closely. On 2 July 2009,

PCHR testified again before the United Nations Human Rights Council's Fact-Finding Mission on the Gaza Conflict, which held meetings in Jordan between 1 and 3 of July 2009.



Members of the Fact-Finding Mission during their visit to the American International School in Gaza, which was destroyed by IOF during the offensive on the Gaza Strip.



Members of the UN Fact-Finding Mission, watching a presentation by PCHR lawyers on crimes committed by IOF during the offensive on the Gaza Strip.



Jaber Wishah, Deputy director of PCHR, briefing Desmond Travers, member of the UN Fact-Finding Mission on the Gaza Conflict, on weapons used by IOF during the offensive on the Gaza Strip.

The interior of a house that was attacked by IOF during the offensive on the Gaza Strip. Photograph by Kent Klich.



- UN Board of Inquiry into Incidents in Gaza

The Board of Inquiry was established by the United Nations Secretary-General, Ban Ki-moon, to review and investigate a number of specific incidents that occurred in the Gaza Strip between 27 December 2008 and 19 January 2009 and in which death or injuries occurred at, and/or damage was done to, United Nations premises or in the course of United Nations operations. The Board was led by Ian Martin, former Secretary-General of Amnesty International. PCHR hosted members of the Board during their visit to the Gaza Strip, and provided them with information and documents related to attacks on United Nations premises and schools.

## 5. Cooperation with the Media

PCHR cooperated with media professionals and artists to contribute to showing suffering of the Palestinian civilian population in the Gaza Strip during the Israeli offensive. PCHR provided media institutions and professionals with comprehensive information through press releases and reports. PCHR's staff members were also interviewed by press agencies and journalists.

PCHR cooperated with media professionals and artists to contribute to raising awareness of the Palestinian civilian population's suffering during the Israeli offensive on

the Gaza Strip. PCHR provided media institutions and professionals with comprehensive information through press releases and reports. PCHR's staff members also gave interviews to a number of press agencies and journalists.

- PCHR cooperated with a number of artists who visited the Gaza Strip to produce art works that show the suffering of Palestinian civilians. In this context:
- PCHR assisted a French photographer of an Egyptian origin, Sameer 'Abdullah, in producing a film on the suffering of Palestinian civilians. 'Abdullah visited the Gaza Strip with a French solidarity delegation that arrived in Gaza on 21 February 2010. PCHR's staff members assisted 'Abdullah in photographing the suffering of Palestinian civilians. The film produced by 'Abdullah was shown in a number of European cities.
- PCHR assisted a Swedish photographer, Kent Klich, who visited the Gaza Strip in March 2009, in taking hundreds photographs that show the effects of Israel's offensive. Sixty of these photographs were selected to be included in a book published by the photographer and PCHR. The book highlights the impact of Israel's offensive on the Gaza Strip based on personal narratives. In November 2009, 4,000 copies of the book were published in English, Swedish and Danish.

## 2. Intensified Efforts to Prosecute Alleged Israeli War Criminals in Foreign Jurisdictions

In 2009, PCHR continued its persistent efforts to search for and prosecute Israeli political and military leaders for crimes committed against Palestinian civilians. Files have been prepared regarding individuals suspected of committing international crimes, such as grave breaches of the Geneva Conventions, torture, and crimes against humanity. These files currently exist in a number of distinct foreign jurisdictions, and will be presented to the relevant authorities should suspects travel.

The pursuit of universal jurisdiction forms a longstanding component of PCHR's legal strategy. The shortcomings of the Israeli judicial system have been well documented; PCHR believes that this system is biased, partial, and incapable of providing justice to Palestinian victims. Consequently, PCHR has turned to universal jurisdiction, a legal mechanism that allows foreign national courts to investigate and prosecute international crimes, no matter where these crimes were perpetrated. In 2009, a number of lawsuits were pursued, and the existing legal network strengthened and extended. Raji Sourani, Director of PCHR, supported by PCHR staff, participated in numerous meetings and conferences aimed at highlighting and promoting efforts to prosecute suspected Israeli war criminals.

### Lawsuit in Spain

On 24 June 2008, PCHR filed a lawsuit to the Audiencia Nacional (National Court) in Spain. The suit was taken against seven senior Israeli officials, including Benjamin Ben-Eliezer, Michael Herzog, Moshe Ya'alon, Avi Dichter and Dan Halutz. On 29 January 2009, the Central Investigative Judge No. 4 of the Audiencia Nacional ruled that the Israeli authorities were not willing to investigate and bring to trial the persons presumed responsible for the Al-Daraj assassination; Spanish competence was accordingly asserted over the case. The 29 January decision was appealed by the Spanish Prosecutor and the State of Israel. However, on 4 May 2009, Judge Fernando Andreu of the Audiencia Nacional announced his decision to continue the investigation. The Spanish court explicitly rejected the arguments of the State Prosecutor and the State of Israel, which claimed that Israel had

adequately investigated the crime. On 30 June 2009, the Appeals Court of the Audiencia Nacional upheld an appeal submitted by the public prosecutor following the 4 May decision, closing the case on the grounds that Israel had primary jurisdiction. This decision is currently being appealed by PCHR and its Spanish counterparts. The case will be heard by the Spanish Supreme Court in 2010, where the court will be presented with sufficient evidence to find the accused guilty of war crimes and crimes against humanity.

### Lawsuit in the Netherlands

On 26 October 2009, a Court of Appeals in the Netherlands denied a complaint taken against Ami Ayalon, former head of the Israeli General Security Services (Shin Bet). Sufficient evidence was presented to allow the Court to find Mr. Ayalon guilty of the torture of Mr. Al-Shami. However, despite the denial of the complaint, some of the Court's findings represent a victory with respect to the future prosecution of alleged torturers. The Court established that the accused's presence is sufficient to establish jurisdiction, and that in principle no action from the prosecutor is required. PCHR and legal partners, in consultation with Mr. Al-Shami, are currently considering future legal options.

### Conference in Madrid

A universal jurisdiction conference organized by ACSUR and PCHR took place in Madrid between 29 January and 1 February 2009. The conference focused on establishing cooperation and coordination among universal jurisdiction practitioners, and reacting to the Israeli offensive on the Gaza Strip. On the evening of the 29th, ACSUR, one of PCHR's Spanish partners, organized a meeting with over 400 members of Spanish civil society. This provided an excellent opportunity to directly address Spanish civil society, in order to share PCHR's experiences, and to raise the awareness and understanding of universal jurisdiction.

### Conference in London

On 18 March 2009, PCHR in association with the UK law firm Hickman & Rose, organized a conference at the Brit-

ish Museum in London. The London conference had two principal aims: first, to clearly explain the practice of universal jurisdiction and its motivations, and second, to increase coordination and cooperation among lawyers, particularly in the aftermath of the Gaza offensive. The meeting was held in accordance with the Chatham house rule,<sup>37</sup> however, a number of journalists were invited to attend the conference and the dinners in order to facilitate improved public understanding.

The conference attracted a broad range of participants, including members of the UK's Crown Prosecution Ser-

vice, members of the UK Parliament's Joint Committee on Human Rights, representatives of the Arab League, Emma Playfair, and lawyers from the Netherlands, Belgium, South Africa, Spain, Palestine and the UK. Numerous human rights organizations also participated, including Human Rights Watch, REDRESS, Amnesty International, the International Commission of Jurists, the International Center for Transitional Justice, and Adalah. Governmental officials from the Netherlands and the UK, and journalists from, inter alia, the Guardian, the Economist and the BBC, were also in attendance.

### 3. Promotion of Cooperation with Civil Society Organizations to Face Deterioration of the Human Rights Situation

PCHR promoted cooperation with Palestinian civil society in the context of efforts to ensure protection for human rights and support for democratic reform. In this context, in 2009, PCHR organized dozens of joint activities in conjunction with more than 150 civil society organizations in the Gaza Strip, including workshops, lectures and training courses. At least 4,000 persons benefited from these activities. Most of these activities were conducted in offices of civil society organizations across the Gaza Strip, which gave PCHR better access to the public, especially in marginalized areas. PCHR's staff members are also members of a number of associations.

Additionally, PCHR participated in activities and initiatives organized by civil society organizations, especially those aimed at ending the political division and ensuring the national unity of the Palestinian people. PCHR participated in the following committees:

#### National Reconciliation Committee

PCHR participated in various activities of the committee, which made efforts to achieve Palestinian national reconciliation. The committee held meetings with leaders of a number of Palestinian political parties and factions,

including the Prime Minister in Gaza, Isma'il Haniya, and the Prime Minister in the West Bank, Salam Fayad, in the context of efforts to bridge the gaps between the two parties and restore national unity.

#### National Committee to Defend Public Freedoms and Restore National Unity

PCHR actively participated in activities of the committee, which was established by a number of political parties and factions and civil society organizations in the West Bank and the Gaza Strip to defend public freedoms and end political division.

#### Contribution to an Operetta, "Jerusalem, the Bride of All Capitals"

The operetta was prepared by the Intellectual Creativity Forum – Ibhar, in the context of activities celebrating Jerusalem as the capital of Arab culture in 2009. This artistic production was produced in cooperation with the Swiss Agency for Development and Cooperation, PCHR and Sharek Youth Forum. It was shown at the Rashad al-Shawa Center in Gaza City on 19 and 20 August 2009. It is sung in the dialects of the 22 Arab countries.

<sup>37</sup> When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.



A scene from "Jerusalem, the Bride of All Capitals."

#### 4. Coordination and Cooperation with Other Human Rights Organizations

PCHR promoted coordination and cooperation with Palestinian and Israeli human rights organizations. Israel's offensive on the Gaza Strip in late 2008 and early 2009 and its consequences constituted a major aspect of joint activities and coordination among human rights organizations. Such work included advocacy and lobbying at various levels, including issuing press releases, holding press conference and sending letters to relevant international bodies.

The report of the UN Fact-Finding Mission on Gaza Conflict, headed by Justice Richard Goldstone (known as the 'Goldstone Report') has been a major issue of joint work and coordination between PCHR and other human rights organizations. PCHR and these organizations sought to urge Member States of the Human Rights Council to endorse the Goldstone Report and its recommendations in order to ensure the activation of UN mechanisms to prosecute suspected Israeli war criminals.

Following the Human Rights Council's decision to postpone considering the Goldstone Report to March 2010, in response to a demand by the Palestinian leadership, PCHR made intensive efforts in cooperation with other

human rights organizations. The Palestinian leadership was strongly criticized and was called upon to initiate a special session of the Human Rights Council. Based on an initiative by PCHR, human rights organizations issued a joint press release on 3 October 2009 titled "Justice Delayed is Justice Denied: Decision of Palestinian Leadership and International Pressure an Insult to the Victims."

Following successful Palestinian efforts to hold a special session, PCHR and other human rights organizations made efforts to ensure the endorsement of the Goldstone Report and its recommendations. On 14 October 2009, based on a PCHR's initiative, human rights organizations submitted a joint intervention to the Human Rights Council titled "Victims' Rights Must Be Upheld," in which States are called upon to vote in favor of the Goldstone Report and uphold their commitment to the principles of international humanitarian law.

Such efforts, which were the fruit of cooperation and coordination between human rights organizations and the Palestinian leadership, were successful, as the Human Rights Council adopted a resolution condemning Israel's illegal actions as an Occupying Power – in particular its



illegal annexation of East Jerusalem – and endorsing the findings and recommendations of the UN Fact-Finding Mission led by Justice Goldstone. In this context, lawyer Raji Sourani, Director of PCHR, delivered an oral intervention at the 12th Special Session of the Human Rights Council in Geneva during deliberations on the Goldstone Report.

Joint activities of PCHR and other human rights organizations did not end after the endorsement of the Goldstone Report since the resolution was less strong than had been hoped, as some States, most notably the United States and Israel, made attempts to stop it. Following up on the issue, PCHR and a number of human rights organizations sent a letter on 3 November 2009, urging Member States of the UN General Assembly to endorse the Goldstone Report and act on its recommendations, one day before the report was tabled before the Plenary of the UN General Assembly in New York. Human rights organizations called on the UN General Assembly to endorse the recommendations of the Goldstone Report and to promote and support the primacy of international law in the necessity of ensuring justice and accountability for the war crimes and possible crimes against humanity that characterized Israel's offensive on Gaza in December 2008 and January 2009.

Coordination and cooperation between PCHR and other human rights organizations was not limited to the developments related to the Goldstone Report, and extended to other areas of interest. For instance, on 4 May 2009, PCHR and Palestinian and Israeli human rights organizations issued a joint fact sheet on the conference of international donors convened in Sharm al-Sheikh to collectively respond to the destruction caused by Israel's 23-day military offensive on the Gaza Strip. The human rights organizations stressed that by repeatedly restricting their action to providing aid, without holding Israel accountable for its specific obligations, international donors were relieving Israel of its legally binding responsibilities.

On 2 June 2009, PCHR and other Palestinian human rights organizations delivered a joint open letter to United Nations Secretary-General Ban Ki-Moon. The letter addressed key concerns arising consequent to Mr. Ban's comments and actions in relation to the report of the UN Board of Inquiry into certain incidents in the Gaza Strip between 27 December 2008 and 19 January 2009. Mr. Ban unambiguously stated "I do not plan any further inquiry." This explicit recommendation preempted a discussion by the Security Council, effectively taking the decision out of their hands. This decision is in conflict with the protection of victims and the interest of justice.

## 5. Cooperation with International Civil Society Organizations

In 2009, PCHR continued its active efforts to develop and enhance relations and cooperation with international and regional civil society organizations. Israel's offensive on the Gaza Strip was a major point of cooperation between PCHR and such organizations especially regarding efforts to demonstrate the destructive impact of the offensive. This type of cooperation has played a major role in efforts to ensure the prosecution of suspected Israeli war criminals.

PCHR has a wide network of international and regional partners. It is also a member of 6 active international organizations and coalitions: the International Commission of Jurists (Geneva); International Federation for Human Rights - FIDH (Paris); Euro-Mediterranean Human Rights Network (Copenhagen); International Legal Assis-

tance Consortium (Stockholm); World Coalition against the Death Penalty; and the Arab Organization for Human Rights (Cairo). In 2009, PCHR participated in numerous meetings and activities of these organizations.

### PCHR Awarded Human Rights Prize of Andalusia 2009

On 10 December 2009, Raji Sourani, Director of PCHR, was awarded the 2009 Human Rights Prize of Andalusia. The award was presented to Mr. Sourani and PCHR in recognition of their work for the promotion and protection of human rights, and for their commitment to justice, human rights, and the rule of law. The award was presented on International Human Rights Day, which in 2009 marked the 61st anniversary of the United Nations General Assembly's adoption of the Universal Declaration of Human Rights.

The award was presented at a major event at the University of Seville, attended by academics, politicians, members of civil society, and solidarity activists; it was presented by Virtues Garcia, of the Human Rights Association of Andalusia (APDHA). During the ceremony, interventions were

made by Professor Isidoro Moreno, of the University of Seville and APDHA member, Maribel Mora, General Counsel of APDHA, and Juan Jose Teilez, journalist, writer and poet. Mr. Sourani gave a speech on international law relating to Palestine.



Raji Sourani, Director of PCHR, during the award ceremony of the Human Rights Prize of Andalusia 2009.

On the receipt of this award PCHR would like to express its gratitude and honor. PCHR recognizes this award to be an acknowledgement of the work of all human rights defenders in Palestine. This official recognition, and message of solidarity, serves as a motivation to all Palestinians as they continue to struggle for justice and human rights.



Raji Sourani, Director of PCHR, in a meeting with the Speaker of the Parliament of Andalusia, Spain.



Raji Sourani, Director of PCHR, in a meeting with the Human Rights Commissioner of Andalusia, Spain.

## 6. Promotion of Work in the West Bank

In 2007, PCHR established an office in Ramallah to coordinate PCHR's activities in the West Bank, especially those related to the documentation of human rights violations and networking with Palestinian civil society organizations. PCHR's field workers document human rights violations in the West Bank, including Jerusalem. In 2009, PCHR intensified its activities in the West Bank, in light of escalating Israeli violations of Palestinian human rights, as well as the continued Palestinian political division and its impact on the human rights situation.



The staff of PCHR's Ramallah office.

## Activities of PCHR's Units

### Field Work Unit

In 2009, the Field Work Unit continued to monitor and document the human rights situation across the Occupied Palestinian Territory (OPT), including Jerusalem, as set out in its 2009 annual plan. It also carried out other activities aimed to promote PCHR's role in the local community. It is worth noting that Israeli Occupation Forces (IOF) escalated their attacks on Palestinian civilians and property and imposed a tightened siege on the Gaza Strip. In the West Bank, IOF continued settlement activities and Israeli settlers continued to attack Palestinian civilians and property. Additionally, IOF continued efforts to create a Jewish majority in Jerusalem. In the last days of 2008, IOF launched an unprecedented military offensive on the Gaza Strip, which continued until the middle of January 2009. PCHR field workers made their best to monitor and documents crimes committed by IOF.

#### Output 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

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

The unit carried out the following activities:

- Documentation of willful and extra-judicial killings, injuries, bombings, incursions, house raids and arrests perpetrated by IOF

The first month of the year witnessed an unprecedented offensive on the Gaza Strip, during which IOF committed serious crimes against Palestinian civilian and property. In 2009, the unit documented 1,092 killings, 5,446 injuries, 1,607 arrests, 2,160 incursions and house raids and 450 cases of aerial, sea and ground shelling by IOF.

- Documentation of restrictions imposed by IOF on the freedom of movement

The unit monitored and documented restrictions imposed by IOF on the freedom of movement, including the tightened siege imposed on the Gaza Strip and its impact on Palestinian civil, political, economic, social and cultural rights.

In this context, PCHR field workers wrote hundreds of reports on the movement of goods and persons, including patients, at border crossings of the Gaza Strip. They documented the death of 11 patients in the Gaza Strip due to denial of access to medical treatment outside the Gaza Strip. The unit also wrote hundreds of reports on the effect of the siege on infrastructure, education, health and other vital sectors in the Gaza Strip. In the West Bank, the unit documented 125 cases of arrests of Palestinians by Israeli troops stationed at military checkpoints. It also documented 273 cases of harassment of Palestinian civilians at Israeli military checkpoints.

- Documentation of confiscation and destruction of civilian property

The first month of the year witnessed wide-scale attacks against Palestinian civilian property in the Gaza Strip. Over the year, IOF waged a systematic campaign of house demolitions in Jerusalem in the context of Israeli attempts to create a Jewish majority in the city. In the second half of the year, IOF and Israeli settlers seized and destroyed Palestinian agricultural land and civilian property in the West Bank in the context of settlement activities and the construction of the Annexation Wall.

In 2009, IOF destroyed 4,800 houses and 600 governmental, non-governmental and security facilities in the OPT, mostly in the Gaza Strip. IOF also razed at least 8,140 dunums of agricultural land.

- Documentation of settlement activities, attacks by Israeli settlers against Palestinian civilians and property and developments related to the construction of the Annexation Wall in the West Bank

In 2009, the unit documented over 300 attacks by Israeli settlers against Palestinian civilians and property. The unit also documented 260 injuries and dozens of arrests of Palestinians by IOF during the dispersal of peaceful demonstrations organized in protest against the construction of the Annexation Wall in the West Bank. The unit also wrote dozens of reports on restrictions imposed by IOF on access of Palestinian farmers to their lands.

- Documentation of violations of the right to freedom of expression and attacks against journalists and media institutions

In 2009, the unit documented 85 attacks by IOF against journalists and media institutions, including the closure of a number of institutions.

- Database of killings, injuries, house demolitions and land leveling, bombings and detentions.

In 2009, the unit entered approximately 15,285 files into the database.

To be able to document such human rights violations, field workers carry out the following activities:

### 1. Field Visits and First-Hand Information

Field workers conduct visits to the sites of human rights violations, despite the dangers often present in these areas. On average, a field worker makes 2-3 field visits to document one incident. The four months following the end of Israel's offensive on the Gaza Strip saw the highest number of such visits by field workers for the purpose of documentation or escorting visiting international delegations and inquiry missions.

#### *Means of Verification*

- In 2009, field workers in the Gaza Strip and the West Bank conducted more than 15,000 field visits.

## 2. Interviews with Victims and/or Their Families and Eyewitnesses

Field workers usually conduct interviews with several individuals regarding every single violation, in order to verify the accuracy of information provided. Eyewitnesses are very important to draw a clear and accurate picture of violations, especially when field workers are not able to reach the site of a violation immediately due to dangers they may face. Field workers work hard to obtain interviews with as many people as possible to ensure the accuracy of information, although interviews usually require a significant time commitment.

### *Means of Verification*

- In 2009, field workers conducted over 12,000 interviews with victims and eyewitnesses.
- Field workers obtained over 6,700 testimonies from victims and eyewitnesses.

## 3. Completion of Forms for Reports on Violations of Human Rights

These forms are designed to gather clear and accurate information for entry into the database. Each form asks for basic details on an incident, its location, timing, victims and witnesses. Field workers are required to complete one form for each violation they report. In many cases, incidents require a number of different individual reports.

### *Means of Verification*

- In 2009, field workers completed 16,235 forms for reports on violations of human rights in the Gaza Strip and the West Bank.

## 4. Collating Photographic/Video Evidence

Field workers are required to take photographs or video footage of the scenes of violations wherever possible. Photographic or video evidence can provide a valuable documentation of incidents for both legal and historical records.

### *Means of Verification*

- The unit obtained photographic evidence documenting hundreds of human rights violations.

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

Official documents, including medical reports, ownership documents, personal photographs, and maps, are also necessary evidence to complete the legal and historical record of incidents.

### *Means of Verification*

- Hundreds of documents were referred to various PCHR units according to their areas of specialization.
- Some of these documents were utilized by PCHR units.

## 6. Reporting 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*

- In 2009, field workers wrote at least 17,000 field reports on human rights violations.

## 7. Filing Israeli Violations of Human Rights

In 2009, the unit prepared a number of files of various human rights violations perpetrated by IOF in the West Bank and the Gaza Strip, which are categorized according to governorates.

## 8. Scanning of Documents to Be Entered into the Database

Hundreds of documents were scanned and entered into PCHR's database.

### *Indicators*

- All documented human rights violations were entered into PCHR's database.
- All documented human rights violations were covered in PCHR's 51 weekly reports.
- A number of cases were referred to the PCHR Legal Aid Unit.
- Documents relating to restrictions on the freedom of movement were referred to PCHR's Economic, Social and Cultural Rights Unit.
- Materials available from the unit were used in writing PCHR's annual report on the human rights situation in the OPT.
- Photographs taken by field workers were published on PCHR's web site and in reports.
- Materials available from the unit were used in press releases and reports issued by PCHR, especially by the Economic, Social and Cultural Rights Unit.
- The unit director received over 200 phone calls from other organizations inquiring about human rights violations.
- Materials available from the unit, including figures and statistics, were used in media interviews given by PCHR staff.

### *Means of Verification*

- The unit maintains hundreds of field reports on Israeli violations of human rights in the Gaza Strip and the West Bank, including East Jerusalem.
- The unit established 15 file categories of human rights violations.
- Dozens of photographs taken by field workers were published on PCHR's web site.
- Photographs and other documents were used by other international, regional and local organizations.
- The unit wrote 51 weekly reports and 36 press releases.
- Weekly reports and press releases prepared by the unit were published on PCHR's web site.
- All documented human rights violations were entered into PCHR's database.
- Information gathered by the unit was used in a comprehensive report issued by PCHR on Israel's offensive on the Gaza Strip (27 December 2008 – 18 January 2009).
- The unit staff gave over 20 media interviews.
- PCHR's Legal Aid Unit has pursued cases referred to it by the Field Work Unit.
- Materials available from the unit were used in a report prepared by the Economic, Social and Cultural Rights Unit on Israeli attacks against Palestinian fishermen in the Gaza Strip.

- Materials available from the unit were used in a report on the impact of Israel's offensive on the Gaza Strip on the water and sanitation sector.
- Materials available from the unit were used in a report prepared by the Democratic Development Unit on Israeli attacks against journalists and media institutions.
- Materials available from the unit were used in a report prepared by the Economic, Social and Cultural Rights Unit on Israeli attacks against Palestinian medical crews during Israel's offensive on the Gaza Strip.

### *Risks and Obstacles*

- The dangerous situation in the Gaza Strip during the Israeli offensive.
- Difficulties of accessing sites of incidents due to ongoing attacks.
- Difficulties in obtaining testimonies from victims and eyewitnesses due to their psychological condition.
- The large number of attacks.
- The expanse of the area of the West Bank, the small number of field workers working there and the partition of the West Bank territory into isolated cantons has made it difficult for field workers to gain swift access to sites of human rights violations, which in effect can disrupt legal intervention.
- Victims have begun to lose trust in the possibility of reparation for human rights violations by IOF, which has negatively affected their cooperation with field workers.
- The change in the nature of the conflict and the separation between the West Bank and the Gaza Strip has made it difficult to maintain effective communication with field workers in the West Bank.

## B. Documentation of Palestinian Violations of Human Rights

The unit carried out the following activities:

### ■ *Documentation of the State of Lawlessness and Proliferation of Weapons*

- Documentation of Killings and Injuries

In this context, the unit documented 90 killings, including those related to "family honor," and over 180 injuries related to the state of lawlessness and the misuse of weapons.

- Documentation of Attacks on Public and Private Property

The unit documented over 50 such attacks.

- Documentation of Attacks on Public Freedoms and the Right to Peaceful Assembly

The unit documented over 150 such attacks.

- Documentation of Torture by Armed Groups

The unit documented dozens of cases of torture practiced by armed groups.



### ■ *Documentation of Mass and Individual Arrests by Security Services of the Governments in Gaza and the West Bank*

The unit documented hundreds of political arrests in the West Bank and the Gaza Strip.

### ■ *Documentation of Cases of Torture in Detention Centers Administered by Hamas in the Gaza Strip and Those Administered by Palestinian Security Services in the West Bank*

The unit documented dozens of cases of torture in both West Bank and Gaza Strip detention centers.

### ■ *Documentation of Violations of the Rights to Freedom of Expression and Peaceful Assembly and Attacks on Journalists and Media Institutions*

The unit documented dozens of attacks on journalists and media institution or persons because of their positions, opinions or participation in peaceful assemblies.

### ■ *Observation of the State of Economic and Social Rights in the Gaza Strip*

The unit monitored strikes of municipalities, hospitals, the public sector and others, as well as environmental problems.

To be able to document human rights violations, field workers carry out the following activities:

#### 1. *Field Visits and First-Hand Information*

Field workers conducted field visits to scenes of incidents, police stations, and hospitals to obtain further information on incidents. They also interviewed eyewitnesses. Field workers conducted thousands of field visits in 2009.

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

Field workers are required to conduct interviews with several individuals regarding each incident in order to verify and cross-check information. Difficulties in obtaining accurate and detailed statements include witnesses' fears of reprisals. In 2009, field workers conducted at least 3,500 interviews with victims and eyewitnesses, and gathered over 2,000 testimonies from victims and eyewitnesses.

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

Field workers are required to take photographs or video footage of the scenes of violations wherever possible. Photographic or video evidence can provide a valuable documentation of incidents for both legal and historical records.

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

Official documents, including medical reports, ownership documents, personal photographs, and maps, are also necessary evidence to complete the legal and historical record of incidents. While obtaining such documents is not a simple task, efforts made by field workers to obtain such documents are often fruitful.

#### 5. *Reporting 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. In 2009, field workers wrote at least 2,800 reports on human rights violations.

## 6. Files Palestinian Violations of Human Rights

The unit creates files of human rights violations that are classified in accordance of the kind of violation.

### *Indicators*

- Information related to killings was entered into the database.
- Cases documented by the unit with regard to the state of lawlessness and proliferation of weapons were transferred to PCHR's Democratic Development Unit for the purpose of writing press releases and field updates.
- Cases documented by the unit with regard to killings in the name of "family honor" were transferred to the Women's Rights Unit and the Democratic Development Unit.
- Most documented human rights violations were highlighted in press releases issued by PCHR.
- All publications were published on PCHR's web page.
- Information gathered by the unit was used to compile PCHR's annual report.
- Information gathered by the unit was used in specialized reports written by other units.
- Photographs taken by field workers were used on PCHR's web site and publications.
- PCHR was accredited as a reliable source of information and statistics for international, regional and local organizations. The unit received many phone calls and e-mails requesting information.

### *Means of Verification*

- The unit has a well-classified database on Palestinian violations, which has been utilized by PCHR's units and the media.
- A number of field updates on the state of lawlessness and proliferation of weapons were published on PCHR's web page.
- The unit has at least 2,800 field reports on such violations in the Gaza Strip and the West Bank, including Jerusalem.
- The unit maintains an archive of field photographs.
- Information and photographs gathered by the unit were used by other local, regional and international organizations.
- The unit received over 100 phone calls from individuals inquiring about certain violations.
- Information gathered by the unit was used in PCHR's annual report.
- Information gathered by the unit was used in a comprehensive report published by PCHR on Palestinian violations of the right to freedom of association.
- Information gathered by the unit was used for a PCHR report on Palestinian violations of human rights during Israel's offensive on the Gaza Strip.

### *Risks and Obstacles*

- Executive bodies impose severe punishment on individuals who provide information about violations of human rights, making it difficult for field workers to obtain such information.
- There are no official parties in the West Bank that can confirm political arrests of Hamas members by Palestinian security services.
- Field workers have received threats from for publishing field information.

## Output 2

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

#### *Verifiable Indicators*

1. Weekly Report on Israeli violations of human rights in the OPT
2. Press Releases on Israeli violations of human rights in the OPT
3. Strengthening relations with the community
4. Escorting international delegations on field visits

#### **1. Weekly Report on Israeli Violations of Human Rights in the OPT**

The unit director prepares weekly reports on Israeli violations of human rights in the OPT. The weekly reports are based on information collated each week by the field workers and aim to provide a comprehensive account of Israeli violations of human rights of Palestinians across the OPT each week. They are published on Thursdays in both Arabic and English.

#### *Indicators*

- Preparation of weekly reports on Israeli violations of human rights in the OPT.
- Dissemination of the report.

#### *Means of Verification*

- The unit prepared 51 weekly reports in 2009.
- Summaries of the reports are often published in local newspapers and online.
- There are increasing demands to obtain copies of these reports.
- The unit director received dozens of follow-up inquiries for further information on incidents described in the reports from a number of organizations working in the Gaza Strip.
- Some information included in the reports was used by PCHR's staff in interventions at conferences and meetings abroad.

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

The unit staff members prepare press releases on specific incidents as they occur. Press releases are issued on events that are of particular significance. Sometimes, two or more press releases are issued in one day. The highest number of press releases issued by PCHR was in January 2009, during Israel's offensive on the Gaza Strip.

#### *Indicators*

- Preparation of press releases.

#### *Means of Verification*

- The unit prepared 41 press releases in 2009.
- Press releases are published on PCHR's web page and distributed to a large number of subscribers to PCHR's e-mail list.
- Press releases are often covered by local and international media.

### 3. Strengthening Relations with the Community

#### ■ Meetings and Contacts with Victims of Human Rights Violations

Field workers meet with victims of human rights violations, provide them with information about the services provided by PCHR and encourage them to visit PCHR's offices to receive appropriate legal aid and assistance.

#### ■ Media Activities

The unit staff members were interviewed by the local and international media on violations of human rights perpetrated by IOF and on the deterioration of the internal situation in the OPT.

#### *Indicators*

- Clients' visits to the PCHR offices to receive legal consultations or to learn more about PCHR's activities.
- Dissemination of copies of the weekly report in the Gaza Strip and the West Bank.
- Media interviews.
- Cooperation of local population with field workers.
- Cooperation of public institutions and security services with field workers.
- Cases investigated by PCHR and legal aid provided accordingly.
- Participation in community activities.
- Interventions by the unit's staff at conferences and workshops.
- Requests for information by scholars and universities for research purposes.

#### *Means of Verification*

- Hundreds of victims were referred to PCHR's Legal Aid Unit by field workers.
- Hundreds of people participated in activities organized by PCHR, including conferences, workshops and training courses.
- Hundreds of copies of the weekly report were circulated by field workers in the Gaza Strip and the West Bank each week.
- Hundreds of copies of PCHR's Annual Report 2008 were circulated in the Gaza Strip and the West Bank.

The unit's director and staff were interviewed by a variety of media outlets.

### 4. Escorting International Delegations on Field Visits

In 2009, the unit staff members escorted visiting international delegations and individuals on visits to locations across the Gaza Strip and provided on the spot briefings on recent incidents. They also organized meetings for international public figures and PCHR international staff with victims.

#### *Indicator*

- The unit staff members briefed the international delegations they escorted on the human rights situation in the OPT.

#### *Means of Verification*

- In 2009, the unit staff members escorted visiting international delegations and individuals on at least 150 field visits across the Gaza Strip.

## Legal Aid Unit

The unit worked on all activities included in its annual plan for 2009 and made efforts to carry out all of these activities. The unit provides legal assistance to victims of human rights violations. In 2009, the unit carried out the following activities:

### Israeli Agenda

The unit carried out all activities set out in its annual plan regarding the provision of legal assistance to victims of human rights violations perpetrated by IOF. On 27 December 2008, IOF began a wide-scale military offensive on the Gaza Strip, which lasted for 23 days. It was the most brutal in the history of the Israeli occupation. The unit worked intensively to provide legal assistance to victims of Israeli violations, during and after the offensive. For the purpose of handling the significantly increased workload, the unit employed 7 volunteers.

### Output 1

#### *Legal Aid for Palestinian Prisoners in Israeli Jails*

1. Representing Palestinian Prisoners before Israeli Courts
2. Submitting Complaints and Petitions
3. Ensuring Medical Care for Prisoners
4. Legal Consultations for Victims

### Activities

The unit continued to provide legal aid to Palestinian prisoners in Israeli jails, by representing them before courts, visiting them and submitting complaints and appeals to concerned bodies on their behalf. In 2009, 150 Palestinian prisoners benefited from the legal aid provided by the unit.

#### ■ Representing Palestinian Prisoners before Israeli Courts

The unit provided legal aid for 150 Palestinian prisoners in Israeli jails, identifying the places of their detention, visiting them and representing them before court. The lawyer authorized by the unit conducted 52 visits to Palestinian prisoners in Israeli jails to monitor their health conditions and determine their legal status.

#### ■ Submitting Complaints and Petitions

**1. Complaints:** The unit submitted complaints to official Israeli bodies, including the prisons authority, the Attorney General and the military legal advisor:

- The unit submitted a complaint to the Israeli prosecution demanding an investigation into a case of torture.

- The unit submitted a complaint to the legal advisor of the Israeli Ministry of Interior concerning a decision to expel a Palestinian detainee to Egypt.
- The unit submitted an application to the Israeli military prosecution to release a Palestinian detainee and cancel a decision to expel him to Egypt.
- The unit sent 16 letters to the Israeli prisons authority demanding necessary steps be taken to ensure medical check-ups for a Palestinian detainee in Be'r Saba Prison.
- The unit submitted 3 complaints to the Israeli prisons authority, as well as to the Public Committee against Torture in Israel and Physicians for Human Rights regarding the death of Palestinian detainee Fadel Shaheen in an Israeli jail.

**2. Petitions:** In 2009, the unit submitted two petitions:

- On 2 January 2009, the unit submitted a petition to the Israeli High Court demanding disclosure of the whereabouts of Palestinians arrested by Israeli Occupation Forces during the offensive against the Gaza Strip during the period 27 December 2008 – 18 January 2009.
- On 21 July 2009, the unit submitted a petition to the Israeli High Court demanding the return of a Palestinian detainee to his home in the Gaza Strip, as he had continued to be detained despite a release order issued in 2008.

■ Ensuring Medical Care for Prisoners

The unit coordinates and cooperates with a number of Israeli health care organizations, including Physicians for Human Rights and the Public Committee against Torture in Israel, to monitor the health conditions of Palestinian prisoners in Israeli jails by providing physicians who visit the prisoners. In 2009, the unit contacted Physicians for Human Rights and the Public Committee against Torture to visit 19 Palestinian prisoners to check their health conditions.

■ Legal Consultations for Victims

In 2009, the unit continued to receive clients in PCHR's offices in Gaza, Khan Yunis and Jabalia. The unit lawyers provided 212 legal consultations to clients who were family members of Palestinian prisoners in Israeli detention. It is worth noting that the unit continued to provide legal services to victims during Israel's offensive on the Gaza Strip (27 December 2008 – 18 January 2009).



Lawyer Ibrahim Sourani, of the Legal Aid Unit, receives a complaint from victims.

### Indicators

- The unit provided legal aid to 150 Palestinian prisoners in Israeli jails.
- 72 prisoners, whose cases were pursued by the unit, were released without any charge.
- The lawyer authorized by the unit conducted 52 visits of Palestinian prisoners in Israeli jails.
- The unit monitored the health conditions of 19 Palestinian prisoners to ensure better health conditions for them.
- The unit received two responses from the legal advisor of the Israeli Ministry of Interior concerning a decision to expel a Palestinian detainee from the Gaza Strip to Egypt.
- The unit received a response from the Israeli prosecution of the GOC – Southern Command, which stated that they were waiting a response from the Israeli General Security Service and the border police concerning the cancellation of a decision to expel a Palestinian detainee to Egypt.
- The unit received a response from the Israeli immigration department stating that the Israeli police approved a decision to release a Palestinian detainee and allow him to return to the Gaza Strip.
- The unit was able to obtain the bills of indictment of 25 Palestinian detainees, and court rulings for 18 detainees.
- The unit issued a press release on the Palestinian Prisoners' Day.
- The unit provided 212 legal consultations to families of Palestinian prisoners.
- The unit filed two petitions regarding Palestinian detainees in Israeli jails, one of which achieved a positive result.
- The unit received positive feedback from clients.

### Means of Verification

- The number of Palestinians arrested from the Gaza Strip increased.
- The unit documented 14 cases of detention under the “unlawful combatant law” among Palestinian civilians arrested during Israel’s offensive on the Gaza Strip.
- The unit staff ascertained that a number of Palestinian detainees had been used as human shields during Israel’s offensive on the Gaza Strip.
- The unit was able to achieve a positive ruling regarding the petitions it filed.
- Several prisoners were visited by PCHR lawyers more than once.
- The unit ascertained that a number of prisoners were suffering from health problems.
- The unit assisted a number of released prisoners in obtaining bills of indictment.
- The unit assisted families of prisoners in Israeli jails in providing pocket money for their detained family members.
- The press release issued on the anniversary of Palestinian Prisoners’ Day received positive feedback.

## Output 2

### *Legal Aid for Victims of Israeli Violations of International Human Rights Law and International Humanitarian Law*

1. Obtaining Compensation for Victims
2. Making Use of Universal Jurisdiction
3. Conducting Meetings on Universal Jurisdiction

### Obtaining Compensation for Victims

To achieve this output, the unit carried out a number of activities as set out in its annual plan:

### ■ Legal Documentation

The unit has continued to document Israeli violations of human rights. In 2009, the unit documented 1,033 files on Israeli violations of Palestinian human rights as shown in the following table.

*Table 1: Legal Files Prepared by the Unit on Israeli Violations of Human Rights in 2009*

<b>Violation</b>	<b>Number of Files</b>
Killings	411
Injuries	320
Destruction or robbery of property	302
<b>Total</b>	<b>1,033</b>

### ■ Submitting Legal Complaints to Concerned Bodies on Behalf of Victims

The unit made exceptional efforts to assist Palestinian victims of serious violations of human rights by IOF, especially during Israel's offensive on the Gaza Strip. The unit worked intensively under risks to assist the victims, and employed 7 volunteers to complete the additional workload caused by the attacks in a timely manner and to ensure the rights of victims to file lawsuits before Israeli courts according to amendments of the Israeli Tort Law of 2002, which requires written notices to be sent to the Israeli Ministry of Defense in 60 days.

In 2009, the unit submitted 955 complaints to the Israeli military prosecutor and the compensation officer at the Israeli Ministry of Defense, demanding reparation for the victims. The complaints included cases of killing, injury, torture as well as the destruction or robbery of property.

*Table 2: Complaints Regarding Cases of Killing, Injuries and Destruction and Robbery of Property and Results of Pursuits in 2009*

<b>Subject of Complaint</b>	<b>Number of Complaints</b>	<b>Current Status</b>
Killings	392	Still being pursued
Injuries	295	Still being pursued
Destruction or robbery of property	268	Still being pursued
<b>Total</b>	<b>955</b>	

In addition, the unit sent 1,033 written notices to the Israeli Defense Ministry in accordance with amendments made to the Tort Law on 24 July 2002.

The unit also sent two complaints to the Israeli military prosecution and the legal advisor of the Israeli Ministry of Defense concerning the destruction of Palestinian houses in Khuza'a village, east of Khan Yunis, and al-Shojaeya neighborhood in the east of Gaza City during Israel's offensive on the Gaza Strip.

Moreover, the unit continued to pursue complaints submitted in 2008, and for this purpose, sent dozens of reminders to the Israeli military prosecution and the compensation officer of the Israeli Ministry of Defense.



### ■ Complaints Concerning Attacks against Palestinian Fishermen

In 2009, the unit submitted 28 complaints concerning attacks against Palestinian fishermen, including 5 complaints from 2008, as shown in the following table.

Table 3: Complaints Concerning Attacks against Palestinian Fishermen

Subject of Complaint	Number	Current Status		
		Positive	Negative	Under pursuit
Confiscation of fishing boats	24	19	Nil	5
Destruction of fishing boats	2	Nil	1	1
Collision with fishing boats	1	Nil	Nil	1
Chasing and interception of fishing boats	1	1	Nil	Nil
<b>Total</b>	<b>28</b>	<b>20</b>	<b>1</b>	<b>7</b>

Israeli naval troops often chase and fire at Palestinian fishing boats. They also regularly detain and interrogate Palestinian fishermen.

In one illustrative case, on 17 January 2009, Israeli gunboats fired at 3 Palestinian fishermen who were fishing off the coast of al-Sudaniya area to the east of Gaza City. As a result, a fisherman was killed and the two others were wounded. On 18 January 2009, the unit sent a list of damages to the compensation officer of the Israeli Ministry of Defense, and on 21 July, the unit submitted a complaint to the military prosecution of the Israeli GOC Southern Command demanding investigation into the attack. The complaint is still being pursued by the unit.

### Claims before the Israeli Judiciary

In 2009, the unit continued to file claims before the Israeli judiciary against the State of Israel on behalf of victims of Israeli violations of human rights, including killings, injuries and house demolitions. The unit demanded compensation for the victims.

1. On 21 April 2009, the unit filed a compensation claim before Israeli courts concerning the killing of 3 Palestinian children by the Israeli military.
2. On 1 June 2009, the unit filed a petition at the Israeli administrative court in Bir Saba demanding the release of a Palestinian fishing boat, which resulted in a positive ruling.
3. On 30 June 2009, the unit filed a compensation claim before Israeli courts concerning the death of a patient due to Israeli denial of access to medical treatment in Israeli hospitals.
4. On 30 June 2009, the unit filed a compensation claim before Israeli courts concerning the wounding a Palestinian journalist by Israeli troops on 5 July 2007.

### Indicators

- The unit filed 3 compensation claims before Israeli courts.
- The unit filed one petition at the Israeli administrative court in Ber Saba demanding the release of a Palestinian fishing boat.
- The unit received two positive responses from the Israeli prosecution that showed willingness to pay compensation to two fishermen who lost their boats; the compensation is currently being negotiated.
- The unit cooperated with the Economic, Social and Cultural Rights Unit in preparing a report on Israeli attacks against Palestinian fishermen.

- The unit received a negative response from the Israeli military prosecution and the legal advisor of the Israeli Ministry of Defense to a complaint regarding the destruction of Palestinian houses in Khuza'a village, east of Khan Yunis, and al-Shojaeya neighborhood in the east of Gaza City during Israel's offensive on the Gaza Strip.
- The unit was able to retrieve the sum of money stolen by an Israeli soldier during Israel's offensive on the Gaza Strip.
- The unit was able to refute IOF claims concerning the number of deaths caused by Israel's offensive on the Gaza Strip, and stressed that IOF used excessive, disproportionate and indiscriminate force against Palestinian civilians and property.
- The unit insisted on demanding the opening of investigations into crimes committed by IOF during the offensive on the Gaza Strip, in spite of a decision taken by the Israeli Attorney General to close such investigations, and attempts by the Israeli military establishment to legitimize the crimes.
- The unit pursued 89 compensation claims before Israeli courts on behalf of victims.
- The unit paid financial insurance for numerous claims before Israeli courts, especially those related to compensation.

### *Means of Verification*

- The unit established 1,033 files of human rights violations, including killings, injuries and destruction or robbery of property.
- In 2009, the unit received a number of responses to its correspondences from official Israeli bodies.

*Table 4: Responses Received by the Unit from Israeli Authorities in 2009*

<b>Concerned Party</b>	<b>Positive</b>	<b>Negative</b>	<b>Under pursuit</b>	<b>Total</b>
Compensation officer at Defense Ministry	Nil	42	48	<b>90</b>
Israeli military prosecutor	Nil	Nil	44	<b>44</b>
Israeli military police	Nil	Nil	118	<b>118</b>
<b>Total</b>	<b>Nil</b>	<b>42</b>	<b>210</b>	<b>252</b>

### *Notes:*

- The unit received a response from the compensation office stating that complaints concerning the so-called 'Operation Cast Lead' against the Gaza Strip were still being considered.
- In response to complaints submitted by the unit, the Israeli military prosecution opened investigations into crimes committed by IOF against Palestinian civilians, and requested to hear some victims and eyewitnesses. Accordingly, the unit lawyers accompanied 35 victims and eyewitnesses to testify before the Israeli military police at Beit Hanoun (Erez) on the northern border of the Gaza Strip.

### *Means of Verification*

- The Israeli Administrative Court in Ber Saba ordered the release of a Palestinian fishing boat.
- An Israeli court agreed to a compromise of paying a compensation of 200,000 NIS to the family of Sayed Abu Safra, who was killed by IOF on 28 November 2003.
- Arbitrary Israeli court rulings, especially concerning compensation claims, were taken.
- The Israeli courts decided to nullify several claims.

## Making Use of Universal Jurisdiction

### ■ Prosecution of War Criminals

Prosecution of Israeli war criminals constitutes a major part of the unit's activities, as the Israeli judicial system has failed to ensure justice for Palestinian civilians and has worked to provide a legal cover for crimes committed by IOF against Palestinian civilians. To achieve this output, the unit carried out a number of activities as set out in its annual plan:

### ■ Legal Documentation

The unit has continued to document Israeli violations of human rights. In 2009, the unit established 1,033 files on Israeli violations of Palestinian human rights as shown in the following table.

*Table 5: Legal Files Prepared by the Unit on Israeli Violations of Human Rights in 2009*

Violation	Number of Files
Killing	411
Injuries	320
Destruction or robbery of property	302
<b>Total</b>	<b>1,033</b>

### ■ Contacts with International Attorneys and Legal Experts

The unit has maintained contacts with international attorneys and legal experts in the context of its efforts to search for and prosecute Israeli war criminals.

- On 29 January 2009, the Spanish National Court, the highest Spanish judicial council, instructed 7 Israeli military and political officials; former Defence Minister Benjamin Ben-Eliezer (who is now the Israeli Infrastructure Minister); his [former] military advisor, Michael Herzog; former Israeli Army Chief of Staff Moshe Ya'alon; Dan Halutz, former Commander of the Israeli Air Force; Abraham Dichter, Former Head of the Israeli Intelligence Service; Doron Almog, former Head of the Israeli Southern Command; and Giora Eiland, former Head of the Israeli National Security Council, to present themselves to the court in Spain within 30 days. The Court further announced that, if intent to exterminate the Palestinian population could be proven, the charge might be increased to genocide.
- On 4 May 2009, Judge Fernando Andreu of the Spanish Audiencia Nacional (National Court) announced his decision to continue the investigation into the events surrounding the al-Daraj bombing of July 2002. This attack resulted in the deaths of 16 Palestinians, including 14 civilians. The decision represents a major step towards achieving justice for victims. It opens the door for accountability, whereby suspected Israeli war criminals may be held responsible for the suffering they have inflicted on the Palestinian people in Gaza.
- On 7 May 2009, the Council of Arab Foreign Ministers endorsed the report of the fact-finding mission delegated by the League of Arab States to investigate Israeli crimes and violations of human rights during the latest offensive against the Gaza Strip.
- On 30 June 2009, the Spanish Appeals Court voted 144- in favor of closing the investigation of the Spanish Audiencia Nacional (National Court) into the Al-Daraj attack of July 2002. PCHR intends to appeal the decision before the Supreme Court.
- On 30 June 2009, PCHR received Ms. Anne Massagee, Director of the Middle East and North Africa Program in the International Center for Transitional Justice. This visit mainly aimed at reinforcing the cooperation between the two organizations.

- An application was submitted to the Dutch authorities to arrest Ami Ayalon, currently Minister without Portfolio in the Israeli Government, while he was visiting the Netherlands from 16 to 20 May 2008, by Khalid al-Shami, who alleged that he was a victim of torture in 1999/2000, when Ami Ayalon was the Director of Shin Bet (the Israeli General Security Services – GSS). Mr. al-Shami's evidence file was collected by his lawyers at PCHR and he only sought justice abroad after the Israeli authorities failed to act on his allegations, in part because torture is routinely sanctioned in Israel. The Dutch authorities failed to arrest Mr. Ayalon, even though there was a prima facie case and they concluded he was not immune from prosecution. On 6 October 2008, Mr. al-Shami applied to the Court of Appeal in The Hague for an order requiring the Prosecutor to start a criminal investigation into Mr. Ayalon and to issue an extradition order or an international arrest warrant to secure his presence in the Netherlands during any trial. Alternatively, Mr. Al-Shami at least seeks an Order for an 'anticipatory investigation', so that a criminal investigation file is opened. On 26 October 2009, a Court of Appeals in the Netherlands denied a complaint taken against Ami Ayalon. Sufficient evidence was presented to allow the Court to find Mr. Ayalon guilty of the torture of Mr. Al-Shami. However, despite the denial of the complaint, some of the Court's findings represent a victory with respect to the future prosecution of alleged torturers. The Court established that the accused's presence is sufficient to establish jurisdiction, and that in principle no action from the prosecutor is required. PCHR and legal partners, in consultation with Mr. Al-Shami, are currently considering future legal options.
- Additionally, PCHR has maintained cooperation with the Center for Constitutional Rights (CCR) in New York and Hickman & Rose in London. PCHR cooperated with Hickman & Rose in filing a similar lawsuit against Major General (retired) Doron Almog, according to which an arrest warrant was issued against him on 10 September 2005 by Chief London Magistrate Timothy Workman. However, Almog evaded justice and the arrest warrant was not implemented.

### *Indicators*

- In 2009, PCHR filed two lawsuits against Israeli war criminals before the Spanish and the Dutch judiciaries.
- The Spanish National Court instructed 7 Israeli military and political officials to present themselves to the court in Spain within 30 days. The Court further announced that, if intent to exterminate the Palestinian population could be proven, the charge might be increased to genocide.
- The National Court of Spain accepted the lawsuit filed by PCHR and Spanish partners against 7 former Israeli officials.
- The Dutch prosecution authorities accepted the complaint submitted against Ami Ayalon, Former Director of the Israeli General Security Service (Shin Bet).
- An application was submitted to the Court of Appeal in The Hague for an order requiring the Prosecutor to start a criminal investigation into Ami Ayalon and to issue an extradition order or an international arrest warrant to secure his presence in the Netherlands during any trial, or alternatively, an order for an 'anticipatory investigation', so that a criminal investigation file is opened.
- On 26 October 2009, the Court of Appeal in the Netherlands denied a complaint taken against Ami Ayalon, former head of the Israeli General Security Services, although sufficient evidence was presented to allow the Court to find Mr. Ayalon guilty of torture.
- Movement of a number of Israeli officials responsible for war crimes against Palestinians has been restricted in several of countries due to claims brought against them before courts.
- The arrest warrant issued on 10 September 2005 by Chief London Magistrate Timothy Workman against Major General (retired) Doron Almog is still effective.
- The Council of Arab Foreign Ministers endorsed the report of the Independent Fact-Finding Mission on Gaza mandated by the League of Arab States to investigate crimes and human rights violations perpetrated by IOF

during the offensive on the Gaza Strip.

- The unit issued a press release on its efforts to prosecute Israeli war criminals.

### *Means of Verification*

- The Spanish National Court instructed 7 Israeli military and political officials to present themselves to the court in Spain within 30 days.
- This issue received special Palestinian, Israeli and international legal attention.
- Raising the issue of universal jurisdiction may deter individuals from committing war crimes out of fear of prosecution before the international judiciary.
- Movement of a number of Israeli officials suspected of war crimes against Palestinians has been restricted in a number of countries due to claims brought against them before courts.

## 3. Conducting Meetings on Universal Jurisdiction

PCHR, in cooperation with Spanish civil society partners and national and international human rights organizations, organized two events in Madrid, Spain, on 22 and 24 June 2009, in defense of universal jurisdiction. The events took place in the Spanish Cultural Centre and the Spanish Congress.

### Output 3

#### *Legal Aid to Those Denied Freedom of Movement*

The unit continued to provide legal aid for Palestinian civilians with regard to restrictions imposed on their freedom of movement. In 2009, IOF tightened the siege imposed on the Gaza Strip and continued to keep its border crossings closed. They imposed additional restriction on the movement of Palestinian civilians, including medical patients. To achieve this output, the unit carried out a number of activities, as set out in its annual plan.

#### *Complaints Regarding Freedom of Movement*

The unit pursued 408 complaints in 2009, including a number of complaints that were submitted to the humanitarian cases center at Erez crossing.

Table 6: Complaints Regarding Freedom of Movement and Results of Pursuits in 2009

Subject of Complaint	Number of Complaints	Current Status		
		Positive	Negative	Under pursuit
Denial of traveling to Israel for medical treatment	64	55	7	2
Denial of traveling to the West Bank for medical treatment	132	84	44	4
Denial of traveling to accompany patients	178	124	50	4
Denial of allowing Palestinians who have Israeli citizenship to enter the Gaza Strip to join their families	2	2	Nil	Nil

Denial of traveling abroad	20	10	10	Nil
Denial of traveling to the West Bank and Israel to join families	9	1	7	1
Denial of traveling to Israel to apply for visas to travel to the United States	1	Nil	1	Nil
Family union	1	Nil	Nil	1
Denial of renewing magnetic cards and permits	1	1	Nil	Nil
<b>Total</b>	<b>408</b>	<b>277</b>	<b>119</b>	<b>12</b>

The unit also submitted 43 appeals to the Israeli appeals department of the state prosecution concerning freedom of movement. The unit received 28 positive and 15 negative responses.

### *Lawsuits and Petitions*

- On 13 May 2008, 9 human rights organizations, including PCHR, petitioned the Israel High Court demanding that the Israel stop restricting fuel supply to the Gaza Strip as part of a policy of collective punishment. In 2009, PCHR continued to follow up on this petition and the developments on the ground related to it.

### *Networking with Human Rights Organizations*

- PCHR maintains strong relations with a number of human rights organizations to ensure the freedom of movement of Palestinian civilians. In this context, PCHR has relations with Physician for Human Rights - Israel:
- The unit sent 36 letters to Physicians for Human Rights to facilitate medical treatment of Gazan patients in Israeli hospitals. The unit received 33 positive and 3 negative responses.
- The unit followed up a letter sent to the director of al-Maqassed Charitable Hospital in Jerusalem in 2008 to exempt a child from the financial burden of her treatment. The letter received a positive response.

### *Indicators*

- In 2009, the unit pursued 408 complaints concerning freedom of movement.
- The unit received 277 positive and 119 negative responses to the complaints it submitted.
- The unit submitted 43 appeals to the appeals department at the Israeli state prosecution. It received 7 positive and 8 negative responses to its appeals.
- The unit received 36 positive responses to its letters to health organizations concerning patients.
- The unit received a positive response from Leumi Bank in Israel agreeing to pay a pension to a Palestinian.
- The unit followed up on one petition submitted in conjunction with other human rights organizations to the Israeli High Court.

### *Means of Verification*

- The unit noted an increase in the number of responses to its complaints.
- Israeli courts issued a number of rulings preventing patients from receiving medical treatment in Israel, but allowing them to receive medical treatment in Egypt or Jordan.
- The unit documented a number of cases in which Palestinian patients died because IOF denied them passage through Beit Hanoun (Erez) crossing to receive medical treatment at hospitals in Israel or the West Bank.

## Obstacles

- Israeli occupation authorities have maintained the closure of border crossings of the Gaza Strip.
- The strike in the Palestinian public health sector.

## Output 4

### Contribution to International Advocacy Projects:

1. Contribution to interventions with UN bodies
2. Providing assistance to international organizations and inquiry missions

#### 1. Contribution to Interventions with UN Bodies

On 15 and 16 October 2009, Raji Sourani, Director of PCHR, submitted an oral intervention before the 12th Special Session of the UN Human Rights Council, which discussed the human rights situation in the OPT, including East Jerusalem. The session discussed 3 issues: the illegal Israeli annexation of East Jerusalem; recommendations of the United Nations Fact-Finding Mission on Gaza Conflict (the 'Goldstone Report'); and the illegal Israeli-imposed closure of the Gaza Strip.

#### 2. Providing Assistance to International Organizations and Inquiry Missions

In 2009, the unit held meetings with and provided assistance to a number of international human rights organizations that were interested in the human rights situation in the OPT:

- 24 – 28 January: Meeting and escorting a fact-finding mission delegated by the International Federation of Human Rights to investigate crimes committed by the Israeli military during the latest offensive against the Gaza Strip (27 December 2008 – 18 January 2009).
- 2 February: Meeting with the central committee to document Israeli war crimes, which was established by the government in Gaza.
- 23 – 27 February: Meeting and escorting a fact-finding mission delegated by the League of Arab States to investigate Israeli war crimes during the latest offensive on the Gaza Strip. The mission consisted of 6 international experts in the field of international law and humanitarian law: John Dugard, Former UN Rapporteur for the Occupied Palestinian Territory; Finn Lynghjem, a judge and legal expert; Paul De Waart, an international legal expert; Gonzalo Boye, a lawyer and representative of PCHR in Spanish courts; Raelene Sharp, an international lawyer; and Francisco Corte-Real, an expert in forensic medicine. The mission was also accompanied by 3 members of the secretariat general of the League of Arab States: Radwan Ben Khadra, Legal Advisor of the Secretary General; Aliaa Al-Ghussain, Director of Palestinian Affairs Department; and Ilham al-Shajani, First Secretary of Demography and Immigration Policies Department. PCHR hosted the fact-finding mission in coordination with the League of Arab States. PCHR prepared an integrated schedule for the visit, which lasted from 22 to 27 February 2009. It also coordinated field visits and provided logistical support for the mission. During their visit to the Gaza Strip, members of the mission met with dozens of victims of Israeli crimes, their relatives and eyewitnesses. They also met with representatives of civil society organizations, human rights organizations, representatives of international organizations, officials, members of the Palestinian Legislative Council and political leaders.
- 27- June: Meetings with the UN Fact-Finding Mission to investigate violations of human rights perpetrated by the Israeli military during the offensive against the Gaza Strip. The mission was headed by Justice Richard Goldstone, former Chief Prosecutor of the International Criminal Tribunals for Rwanda and the former Yugoslavia. The mission also includes Professor Christine Chinkin, Professor of International Law at the London School of Economics; Ms. Hina Jilani, Advocate of the Supreme Court of Pakistan and former Special Representative of the Secretary General on Human Rights Defenders; and Colonel (retired from the Irish Armed Forces) Desmond Travers, member of the Board of Directors of the Institute for International Criminal Investigations.



Legal Aid Unit lawyers provide the UN Fact-Finding Mission with information on Israeli crimes.

- 30 June: Receiving the Director of the Middle East and North Africa Program of the International Center for Transitional Justice, in the context of cooperation between the two centers.
- 2 July: Phone conference with Spanish and British lawyers to discuss universal jurisdiction cases.
- 23 August: Meeting with a delegation from the Ministry of Interior in Gaza headed by Ali al-Nablusiya, Director of Public Relations Department in the Ministry.
- 2 September: Meeting with Andre Marty, from Swiss Television, to produce a documentary on the al-Sammouni clan, victims of Israel's offensive on the Gaza Strip.
- 29 September: Meeting with a number of human rights defenders on the human rights situation in the OPT, particularly in the Gaza Strip.
- 2627- October: Hosting a delegation of medical professionals and coordinating a field tour for them in the Gaza Strip.
- 26 October: Meeting with a delegation from Oxfam Novib, discussing the human rights situation in the Gaza Strip.
- 26 October: Meeting with a delegation from Christian Aid, discussing the human rights situation in the Gaza Strip.
- 4 November: Meeting with a delegation from Le Conseil General du Essonne in France, discussing the human rights situation in the Gaza Strip.
- 17 December: Receiving a delegation from the Representative Office of Norway to The Palestinian National Authority. Meetings with the delegation discussed the human rights situation in the OPT, especially in the Gaza Strip, and activities, plans, programs and methods to face the unprecedented deterioration of human rights.
- 22 December: Meeting with an ICRC official in Gaza, discussing cooperation and coordination in a number of humanitarian issues.



### Indicators

- PCHR provided assistance to 16 international delegations.
- The unit escorted the delegations on field visits in the Gaza Strip to witness the human rights situation.
- The unit issued a number of press releases on activities of these delegations.
- PCHR received a letter of thanks from the office of Secretary-General of the League of Arab States for its efforts in assisting the Independent Fact-Finding Mission to investigate crimes committed in Gaza.

### Means of Verification

- Positive feedback.
- Information provided by PCHR was incorporated into reports published by international fact-finding missions.

## Output 5

### Raising Awareness of Legal Rights:

1. Legal Consultation for Clients
2. Participation in Training Activities Organized by PCHR

#### 1. Legal Consultation for Clients

Legal consultations are a means of raising awareness legal rights. Legal consultations were made through referrals from PCHR's offices in Gaza City, Jabalia and Khan Yunis. In 2009, 4,844 individuals referred to the unit for basic legal consultations. The unit lawyers provided 2,876 legal consultations on various issues.

### Indicators

- There was an increase in the number of clients seeking legal consultations (4,844).
- There was an increase in the number of legal consultations provided by the unit (2,876).

### Means of Verification

- Clients expressed satisfaction with legal services provided by the unit.

#### 2. Participation in Training Activities Organized by PCHR

Due to the heavy workload in the wake of the Israeli attacks on Gaza, the unit was only able to participate in 5 training courses organized by PCHR's Training Unit, during which its staff delivered lectures on the rule of law and the independence of the judiciary.

### Indicator

- Positive feedback.

### Means of Verification

- The unit's staff delivered 5 lectures in training courses organized by PCHR's Training Unit.
- The number of trainees who attended these lectures was 117.

## Output 6

- *Providing Legal Aid to Ensure the Release Bodies of Palestinians Held by IOF*

- In 2009, the unit continued to follow up on 18 requests for the return of victims' bodies, including cases from previous years. IOF have continued to hold the bodies of some Palestinians, refusing to deliver them to their families for burial, in violation of humanitarian norms.
- Petitions

As Israeli authorities have procrastinated replying to letters sent to them with regard to victims' bodies held, the unit filed a petition before the appeals department of the Israeli military prosecution.

### *Indicators*

- The unit filed a petition before the appeals department of the Israeli military prosecution concerning the continued detention of the bodies of 18 Palestinian victims.
- The unit received a response from the appeals department of the Israeli military prosecution, stating that the case was being considered.

### *Means of Verification*

- The unit pursued 18 cases of requests for the return of victims' bodies.

### *Obstacles*

- IOF have continued to use this issue for political extortion, in violation of humanitarian norms.

## Output 7

### *Ensuring Medical Care for Patients*

The unit has maintained professional contacts with a number of human rights and health organizations, including Physicians for Human Rights - Israel, to ensure Palestinian patients' access to medical treatment at Israeli hospitals. In 2009, the unit provided legal assistance to 735 patients who required urgent medical treatment.

### *Indicator*

- The unit provided legal assistance to 735 patients.

### *Means of Verification*

- Positive feedback from clients.
- Contacts with human rights and health organizations have proved to be fruitful with regard to ensuring access of Palestinian patients to medical treatment.
- Medicine was provided for an infant by al-Maqassed Hospital in Jerusalem.

### *Obstacles*

- The continued siege imposed by IOF on the Gaza Strip.
- The strike in the Palestinian public health sector.

## Palestinian Agenda

In 2009, Israeli Occupation Forces waged a large-scale offensive against the Gaza Strip. In addition, the OPT witnessed exacerbated forms of lawlessness in the streets as well as continued political fragmentation, which was characterized by political arrests and attacks on civil society organizations. All of these aspects impacted activities conducted by the unit.

### Output 1

#### *Providing Legal Aid to Prisoners in Palestinian Jails*

The unit continued to provide legal aid to Palestinian prisoners in Palestinian jails. PCHR lawyers visited detainees in detention centers to observe their health conditions and legal status and ensure better detention conditions. Concerning political arrests, the unit made efforts to ensure immediate release of political prisoners, and visited detainees to check their health and detention conditions. In this context, in 2009, the unit carried out the following activities:

#### ■ *Appeals and Press Releases*

- The unit received information regarding 209 Palestinians detained in various detention centers in the Gaza Strip, including 19 political prisoners and 3 women.
- On 18 June 2009, a letter was sent to the Comptroller of the Ministry of Interior concerning the prevention of PCHR lawyers from visiting detainees held by the Internal Security Service following the Israeli offensive against the Gaza Strip (27 December 2008 – 18 January 2009).
- The unit sent a letter to the General Monitoring, Human Rights and Public Freedoms Committee in the Palestinian Legislative Council concerning detention centers of the Internal Security Service.
- The unit submitted 3 complaints to the comptroller of the police concerning illegal detention, kidnapping and torture of individuals.
- The unit sent two letters to the legal advisor of the Ministry of Interior demanding identifying places of detention of a number of persons who had been detained in Gaza Central Prison (Saraya) before it was bombed by IOF.

#### ■ *Observing Court Sessions*

The operation of Palestinian courts has continued to be instable due to the political fragmentation in the Palestinian National Authority and the subsequent measures taken by the government in Gaza, including attacks on the judiciary, the establishment of special courts such as the military court, and the establishment of the Higher Justice Council. Such measures have largely undermined the respect for human rights and the separation of powers.

- In 2009, unit lawyers observed 13 sessions of military courts in Gaza.
- The unit lawyers attended one session in the High Court in Gaza concerning illegal detentions.
- In 2009, the Gazan military court issued 16 death sentences.
- The unit, in cooperation with PCHR's Democratic Development Unit, issued 9 press releases appealing to the Palestinian President not to ratify death sentences.

#### ■ *Meetings*

The unit held several meetings to discuss problems related to the judiciary, especially those related to detainees:

- On 2 March 2009, the unit held a meeting with the director of discipline and rehabilitation centers to discuss detention conditions and the release of political prisoners.

- On 6 April 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss detention conditions.
- On 4 May 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss detention conditions.
- On 8 June 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss detention conditions.
- On 18 June 2009, the unit held a meeting with the comptroller of the Ministry of Interior to discuss the decision to prevent PCHR lawyers from visiting detainees.
- On 22 June 2009, the unit held a meeting with the legal advisor of the Ministry of Health to discuss cases of medical negligence.
- On 23 June 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss detention conditions.
- On 6 July 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss detention conditions.
- On 8 July 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss discussed detention conditions.
- On 14 July 2009, the unit held a meeting with the comptroller of the Ministry of Interior to discuss the confiscation of passports of a number of persons for allegedly participating in a conference of the Fatah Movement in the West Bank.
- On 15 September 2009, the unit held a meeting with the chief of Gaza Central Prison to discuss detention conditions.
- The unit held a meeting with the public relations officer of Ansar Prison to allow PCHR lawyers to visit persons detained by the Internal Security Service.
- The unit held a meeting with the legal advisor of the Ministry of Interior to facilitate detainee visits.
- On 12 October 2009, the unit held a meeting with the detention officer of the Internal Security Services to discuss detention conditions.
- On 21 October 2009, the unit held a meeting with the public relations officer and the detention officer of the Internal Security Services to discuss detention conditions.
- On 20 October 2009, the unit held a meeting with the chief of the police investigation bureau in Gaza concerning retrieval of the identity card and personal belongings of a person who had been detained by the police.
- A unit lawyer participated in a workshop organized by the Independent Commission for Human Rights in Gaza concerning the trying of civilians before military courts.
- On 25 November 2009, the unit held a meeting with the public relations officer of the Internal Security Service concerning the summons of an individual.
- The unit held a meeting with the chief of the civil prison to discuss detention conditions.
- On 30 December 2009, the unit held a meeting with the Attorney General in Gaza, Mohammed 'Abed, to discuss a number of issues, especially detention and torture, measures taken with regard to the travel of patients through Erez crossing and the closure of civil society organizations.

### *Indicators*

- The unit lawyers conducted visits to detention centers in the Gaza Strip, including two comprehensive visits of all detainees held at Ansar detention center.
- The unit was informed about the detention of 271 persons, including a number of individuals who were arrested

because of their political affiliation and 3 females.

- The unit lawyers visited 306 detainees.
- The lawyers were prevented from visiting 60 detainees held by the Internal Security Service.
- The unit assisted two detainees by facilitating their medical check-ups as well as two detainees who had been subjected to methods of torture.
- The unit submitted 7 complaints.
- The unit received a negative response from the Minister of Interior to a complaint concerning a missing detainee.
- The unit assisted a detainee in obtaining a temporary release in order to attend a family member's wedding.
- The unit obtained statistics about detainees from the Discipline and Rehabilitation Center.
- 15 detainees were released in response to the unit's intervention.
- The unit lawyers visited one detention center.
- The unit lawyers attended 14 court sessions of the military and civil judiciary.
- The unit lawyers held 20 meetings to discuss problems related to the judicial system and detention conditions.
- The unit lawyers participated in a workshop on the prosecution of civilian detainees before military courts.
- The Gaza military courts issued 16 death sentences.
- The unit, in cooperation with PCHR's Democratic Development Unit, issued 9 press releases.

### *Means of Verification*

- The unit documented a number death sentences issued by Palestinian military courts against Palestinians.
- Press releases issued by the unit on death sentences were met with significant interest.
- The unit lawyers were prevented from visiting several detainees.
- The unit noted continued concealment of information regarding detainees and of the locations of their detention.
- The unit documented a number of cases in which detainees were subjected to methods of torture.
- The unit documented a number of cases considered by the military judiciary.
- The unit received positive feedback in meetings held with officials.
- The unit assisted families of persons detained by the Internal Security Services in sending them supplies.

### *Obstacles*

The Palestinian Legislative Council was not able to hold sessions and enact laws due to the political fragmentation in the PNA, and a state of lawlessness continued to plague the OPT. Additionally, the establishment of the High Justice Council and the operation of military courts further impacted the judiciary.

## Output 2

### *Legal Assistance to Victims of the Abuse of Authority*

1. Ensuring the Application of the Civil Service Law
2. Ensuring the Right to Freedom of Association

#### **1. Ensuring the Application of the Civil Service Law**

The unit was not able to carry out this activity due to the situation following the Israeli offensive against the Gaza Strip, during which governmental buildings were destroyed, and in light of the current political fragmentation between the West Bank and the Gaza Strip.

### ■ Complaints and Claims before Courts on Behalf of Victims of the Abuse of Authority

In 2009, the unit conducted a limited number of interventions with official bodies:

- The unit sent a letter to the General Department of Insurance and Pension concerning a retired employee, Saleem Shurrab.
- The unit sent a letter to the Minister of Education regarding due salary of a teacher.
- The unit intervened with the office of Ministry of Social Affairs in Khan Yunis and that in Ramallah concerning the halting of the payment of cheques.
- The unit held a meeting with Director of the Religious Endowments Department in Deir al-Balah to discuss the issue of a house belonging to the Abu Houli family in Deir al-Balah.
- The unit sent 6 letters to mayors and specialists in the Gaza Strip to obtain maps of educational institutions, tourist sites and mosques that were destroyed during Israel's offensive on the Gaza Strip.
- The unit held 10 meetings with a number of technical specialists to facilitate access to maps of educational institutions, tourist sites and mosques that were destroyed during Israel's offensive on the Gaza Strip.
- The unit documented the refusal of the government in Ramallah to pay the pension and the end of service reward of a deceased employee, 'Abdul Hai Mousa al-'Ajrami.

In addition, 29 complaints submitted to official bodies and 17 court cases pursued by the unit continued to be suspended due to the instability in the judiciary and official bodies.

### *Indicators*

- The unit sent 7 letters to official bodies.
- The unit conducted a visit to the Director of the Religious Endowments Department in Deir al-Balah.
- The unit received 6 positive responses from mayors.
- The unit received a negative response from General Department of Insurance and Pension.
- The unit held 10 meetings with technical specialists.
- The unit intervened with the Ministry of Social Affairs regarding the payment of cheques.
- The unit issued a press release on a decision to impose veils and traditional robes on female lawyers in the Gaza Strip.
- 29 complaints submitted by the unit in previous years on behalf of victims of the abuse of authority continued to be suspended in 2009.

### *Means of Verification*

- The unit received a number of responses from bodies it had addressed.
- The press release issued by the unit on a decision to impose veils and traditional robes on female lawyers in the Gaza Strip was met by significant interest.
- The work of courts and official bodies were instable in 2009.

### *Obstacles*

- The political fragmentation in the PNA, the state of lawlessness that continued to plague the OPT and the establishment of the High Justice Council impacted the judiciary.

## 2. Ensuring the Right to Freedom of Association

- On 17 June 2009, the unit submitted a complaint to the comptroller of security services in the Gaza Strip regarding the closure of Insan Development Society in al-Qarara village near Khan Yunis.
- On 10 August 2009, the unit documented an attack by security services on offices of the National Association of Democracy and Law in Rafah.
- The unit held a meeting with the director of the office of the Ministry of Interior in Khan Yunis to discuss the closure of Insan Development Society in al-Qarara village.
- The unit sent a letter to the Minister of Interior regarding the closure of Insan Development Society in al-Qarara village near Khan Yunis.
- The unit sent a reminder to the comptroller of security services in the Gaza Strip regarding the closure of Insan Development Society in al-Qarara village.

### *Indicators*

- The unit submitted two complaints.
- The unit, in cooperation with PCHR's Democratic Development Unit, issued a press release regarding an attack by security services on offices of the National Association of Democracy and Law in Rafah.
- The unit held one meeting regarding the closure of Insan Development Society in al-Qarara village.
- The unit received a negative response from the Ministry of Interior regarding the closure of Insan Development Society in al-Qarara village.

### *Means of Verification*

- Positive feedback.

### *Obstacles*

- The state of lawlessness and the suspension of work at the Attorney General's office and courts in the Gaza Strip.
- The continued political fragmentation within the PNA.

## Output 3

### *Legal Aid to Victims of Lawlessness*

1. Confronting the State of Lawlessness and the Proliferation of Weapons
2. Making Efforts to Stop attacks on Public Property

Due to the suspension of the work of the Attorney General's office and courts, the inavailability of official bodies to address and the political fragmentation in the PNA, the unit was not able to carry out all activities related to this output, and its activities were limited to:

- Gathering affidavits concerning the killing of two civilians by unknown militants in Gaza.
- Documentation of an attack by a number of gunmen on 3 members of the Dardouna family.
- Documentation of an attack by the police on a wedding part of the al-Madhoun family.
- The unit, in cooperation with PCHR's Democratic Development Unit, issued a number of press releases on assaults against the rule of law.

*Indicators*

- The unit filed two attacks by gunmen in Gaza.
- The unit filed two attacks by the police and 3 attacks by the Internal Security Service in Gaza.
- The unit, in cooperation with PCHR's Democratic Development Unit, issued a number of press releases on assaults against the rule of law.

*Means of Verification*

- A number of persons were attacked by unknown militants and members of security services in Gaza.
- Positive feedback.

*Obstacles*

- The state of lawlessness and proliferation of weapons has persisted in the OPT.
- The Palestinian National Authority has failed to enforce the law and order.
- The Attorney General's office and the courts in the Gaza Strip suspended their activities.
- Cases of a penal nature were not considered.

**Output 4***Legal Aid for Victims of Medical Negligence***■ Complaints**

- The unit submitted a complaint to the Minister of Health demanding an investigation into the death of a boy due to alleged medical negligence.
- The unit submitted 3 complaints to the Minister of Health demanding investigations in 3 cases of alleged medical negligence.
- The unit continued to follow up on a complaint demanding an investigation into the death of a woman due to alleged medical negligence.

**■ Compensation Claims**

A compensation claim that had been filed before the Palestinian courts in 2006 has continued to be suspended.

*Indicators*

- The unit received a negative response to a complaint submitted to the Minister of Health demanding an investigation into the death of the boy due to alleged medical negligence.
- The unit received a negative response to 3 complaints to the Minister of Health demanding investigations in 3 cases of alleged medical negligence.
- The compensation claim was postponed.

*Obstacle*

- The unit faces difficulties in following up on complaints regarding medical negligence due to the lack of appropriate medical equipment in local hospitals and medical centers.



## ■ Activities Not Included in the Annual Plan

### **Monitoring the Crisis of Medical Referrals Abroad Department**

In early January 2009, the Ramallah Ministry of Health ceased referring Palestinian patients to Israeli hospitals. This decision was taken in light of the requirement – imposed by Israeli occupation authorities – that the Palestinian Authority cover all treatment expenses. As a result, hundreds of Palestinian patients in need for advanced medical treatment that is not available in Gaza found their treatments interrupted without any suitable medical alternatives. On 22 March 2009, the Ministry of Health in Gaza seized control of the Medical Referrals Abroad Department, halting its effective operation.

The Legal Aid Unit assumed the responsibilities of the Medical Referrals Abroad Department, and cooperated with several parties to ensure financial coverage of Gazan patients' receive medical treatment in hospitals outside the Gaza Strip. During the crisis, between 22 March and 27 April 2009, the unit was able to coordinate medical treatment outside the Gaza Strip for at least 88 patients.

### **Meetings and Press Releases**

A committee established to follow the crisis – consisting of PCHR, the health sector of the Palestinian NGO Network, and a number of national public figures, under the auspices of World Health Organization – conducted negotiations with the Ministry of Health in Gaza and the Ministry of Health in Ramallah. These negotiations were aimed at ending the dispute over the department, and keeping patients out of the political conflict. The committee called upon the two parties to ensure that the interests of patients were placed above political considerations. The committee presented a number of initiatives to ensure the resumption of work at the Medical Referrals Abroad Department. It also carried out a number of media activities to exert pressure on the two parties to accept these initiatives. The committee was finally able to conclude an agreement between the two parties and made efforts to ensure its implementation.

On 25 November 2009, the Ministry of Interior in Gaza announced that it was opening of an office for the registration of travelers in Abu Khadra governmental complex in Gaza City. The Ministry requested that each individual from the Gaza Strip wishing to travel abroad refer to that office to obtain permission three days prior to the time of travel. The application form for this permission is divided into three sections: personal information; destination and purpose of travel and escorts; and a pledge that requires signatures. Following this decision, the unit held a series of meetings with officials to explain the risks for patients posed by the decision. In this context, the unit held a meeting with the director of Beit Hanoun (Erez) crossing at the Ministry of Interior, and demanded that he facilitate the passage of patients.

### **During the two crises, PCHR issued a number of press releases:**

- On 23 March 2009, PCHR issued a press release in which it warned of the consequences of denying Gazan patients' access to medical treatment outside the Gaza Strip.
- On 25 March 2009, PCHR issued a press release in which it appealed to the two parties of the conflict to fulfill their legal and moral obligations and save the lives of Gazan patients.
- On 7 April 2009, PCHR issued a press release in which it called upon the two Palestinian governments in Ramallah and Gaza to save the lives of Gazan patients.
- On 19 April 2009, PCHR issued a press release in which it reported the deaths of 10 patients and called upon the Palestinian President to intervene to solve the of external medical treatment crisis.
- On 27 April 2009, PCHR issued a press release welcoming the resumption of work of the Medical Referrals Abroad Department in Gaza.

- On 7 December 2009, PCHR issued a press release condemning measures taken by the Ministry of Interior in Gaza that restricted access of patients to medical treatment outside the Gaza Strip.

### Meetings and Workshops

- On 9 February 2009, the unit held a meeting with physicians and lawyers from Morocco. The meeting discussed cooperation between the two sides and efforts to prosecute Israeli war criminals.



Director and staff members of the Legal Aid Unit meet with physicians and lawyers from Morocco.

- On 23 June 2009, the unit's staff participated in a workshop at the Palestinian Legislative Council on the non-profit companies statute.
- The unit prepared a legal memorandum to explain the legal status of ministerial decision #8 of 2009 concerning non-profit companies.
- The unit held a meeting with the Italian organization CRIC to resolve the dispute between it and dismissed employees concerning their financial rights. The unit also held a meeting with lawyer Nabeel Abu Zer, representative of the dismissed employees.
- The unit lawyers participated in a Hebrew language course.
- The unit held two meetings with the director of UNDP's engineering department and director of the program to assist those affected by the war to ensure financial assistance to the most severely affected individuals.
- The unit lawyers participated in a training course on Sharia' judiciary proceedings.
- The unit held a meeting with the central committee to prosecute Israeli war criminals to discuss documents related to cases followed up by the unit.
- The unit held a meeting with the director of office of the Minister of Health in Gaza. The meeting discussed medical reports related to victims of Israel's offensive on the Gaza Strip.
- On 22 November 2009, the unit lawyers participated in a workshop organized by the legal affairs department in the Ministry of Health regarding the steps of writing medical reports for judicial purposes.
- The unit held a meeting with the director of Beit Hanoun (Erez) crossing at the Ministry of Interior in Gaza to facilitate the passage of victims and eyewitnesses to testify before the Israeli military prosecution.

- The unit held a meeting with the director of Beit Hanoun (Erez) crossing at the Ministry of Interior in Gaza to facilitate the passage of patients.
- The unit participated in an open study day in the Islamic University of Gaza on the injustice cases council and its role in the Palestinian society.
- The unit held a series of meetings to urge official bodies not to involve civilians in the political conflict, after the Ministry of Health in the Gaza government took over the Medical Referrals Abroad Department on 22 March 2009. Due to this measure, many patients were unable to receive advanced medical treatment outside the Gaza Strip. A committee that included that unit was established to solve this problem, and it was able to conclude an agreement between the Ramallah government and the Gaza government that ensured the resumption of the department's work.

#### *Indicators*

- The unit issued a legal memorandum on ministerial decision #8 of 2009 concerning non-profit companies.
- The unit held a number of meetings at several levels.
- The unit, in cooperation with other PCHR units, issued 5 press releases.

#### *Means of Verification*

- Positive feedback to the unit's publications.
- Lawyers developed their Hebrew language skills.
- PCHR and other civil society groups were able to solve the crisis of external medical treatment for Gazan patients.

#### **Networking with Arab Human Rights Organizations**

- The unit sent letters to the Secretary General of the Arab Organization for Human Rights and the Egyptian Organization for Human Rights in Egypt inquiring about health conditions of 8 Palestinians detained by the Egyptian authorities.
- The unit sent a letter to the Serbian Embassy in Tel Aviv with regard to a Serbian citizen in Palestinian detention.

#### *Indicator*

- The unit sent 9 letters in 2009.

#### *Means of Verification*

- PCHR maintains strong relations with Arab human rights organizations.
- Human rights organizations welcomed cooperation with PCHR.

## Democratic Development Unit

The unit's activities in 2009 were affected by two factors: Israel's offensive on the Gaza Strip and the continued Palestinian political fragmentation and its repercussions. The unit was involved in PCHR's efforts to follow up on Israeli's offensive on the Gaza Strip and its ramifications. The unit director was nominated to supervise the preparation of a comprehensive report on Israel's offensive on the Gaza Strip, which PCHR decided to publish based on the investigation and documentation conducted by the Field Work Unit and the Legal Aid Unit regarding all crimes committed by IOF against Palestinian civilians and property. The report was prepared by a team of researchers from the Democratic Development Unit and the Economic, Social and Cultural Rights Unit. The unit's activities related to the offensive fall under Output 1 of the unit's 2009 annual plan.

At another level, a sense of frustration and setback in democracy and human rights values was noted by way of communication with various segments of society in the Gaza Strip. This situation can be attributed to the same factors that have led to deterioration of the human rights situation in the OPT over the past years; namely, the escalation of attacks by IOF against Palestinian civilians and property, the continued intra-Palestinian political conflict and division as well as the negative international position towards the results of the 2006 Palestinian parliamentary elections and the continued sanctions against the Palestinian civilian population. Accordingly, the unit decided to incorporate new activities into its annual plan, targeting various youth groups across the Gaza Strip by organizing workshops and lectures, in cooperation with civil society groups. These events were used to discuss basic issues related to democracy and fundamental human rights, including the right to freedom of opinion and expression, the right to peaceful assembly, the right to freedom of association and the right to political participation. Such activities aimed at creating a positive spirit among the youth and emphasizing the importance of these rights and democracy - not as the magical key that solves all problems, but rather an agreement on how to face and solve such problems. Although those activities fall under Outputs 3 and 4, they are presented as activities of another, newly added Output: Raising awareness of 500 young people of the values of democracy, human rights and basic liberties through organizing workshops and lectures in cooperation with civil society organizations.

Activities included in the 2009 annual plan are detailed below and their implementation is measured by verifiable indicators and means of verification.

### Output 1

*Raising Awareness of the International Community and the Local Public on Violations of Civil and Political Rights and International Human Rights Law in the OPT*

#### **1. PCHR's Annual Report Containing a Detailed Evaluation of the Human Rights Situation in the OPT**

- The report was prepared and published by PCHR in both Arabic and English in May 2009.
- A summary of the report was also published separately.
- On 25 May 2009, the unit director held a press conference on the report at PCHR's head office in Gaza City.



Press conference held by PCHR on the publication of PCHR Annual Report 2008.

## 2. Targeted Civilians: A PCHR Report on the Israeli Military Offensive against the Gaza Strip (27 December 2008 – 18 January 2009)

- This report was not included in the unit's annual plan. PCHR approved it as part of the activities that were added to the annual plan for 2009 in response to Israel's offensive on the Gaza Strip.
- The unit director supervised the preparation of the report by a team of researchers from the Democratic Development Unit and Economic and the Social and Cultural Rights Unit, based on the investigations and documentation carried out by the Field Work Unit and Legal Aid Unit regarding all crimes committed by IOF against Palestinian civilians and property.
- The report was published in Arabic in September 2009 and in English in October 2009.
- The report is the most comprehensive documentation of Israel's offensive on the Gaza Strip.

## 3. Inter-Palestinian Human Rights Violations in the Gaza Strip

- This report was not included in the unit's annual plan, but PCHR decided to publish it in light of the escalation in inter-Palestinian human rights violations during Israel's offensive on the Gaza Strip.
- The report was published on 3 February 2009.

## 4. Press Releases and Other Media Outputs

- The unit issued 77 press releases on Palestinian violations of human rights.<sup>38</sup>

38 See Field Updates below, another means to document Palestinian violations of human rights.

- These press releases addressed violations of the right to freedom of opinion and expression, the right to peaceful assembly, the death penalty and other issues.<sup>39</sup>
- The unit issued 3 fact sheets on extra-judicial executions committed by IOF against Palestinian activists.

## 5. Meetings and Contacts

### ■ Media Interviews

The unit staff members gave 91 media interviews on several issues related to human rights and democracy, including Israel's offensive on the Gaza Strip and the internal Palestinian situation.<sup>40</sup>

### ■ Meetings with Palestinian Official and Partisan Figures

The unit director participated in a series of meetings with Palestinian governmental, parliamentary and partisan figures. The most significant of these meetings were as follows:

- On 12 August 2009, the unit director attended a meeting of the Agreement and Reconciliation Committee with Prime Minister Isma'il Haniya; his advisor, Dr. Yousef Rizqa; the Undersecretary of the Foreign Ministry, Dr. Ahmed Yousef; and the Spokesman of the Government, Taher al-Nounu.
- On 31 August 2009, the unit sent a letter to Prime Minister Isma'il Haniya regarding the clashes in Rafah and suspicions that wounded persons were killed while being evacuated to hospitals.
- On 9 September 2009, the unit director attended a meeting of the Agreement and Reconciliation Committee with Prime Minister Salam Fayad via videoconference.
- On 7 October 2009, the unit director attended a meeting for human rights organizations with Dr. Mahmoud al-Zahhar, a senior leader of Hamas and Minister of Foreign Affairs in the Gaza Government; Dr. Yahia Mousa, PLC Member; Sami Abu Zuhri; Ayman Taha; and Taher al-Nounu, Spokesman of the Government in Gaza. During the meeting, the human rights situation and the Goldstone report were discussed. The leadership in Gaza was urged to establish an inquiry investigation committee as recommended in the Goldstone report.
- On 26 October 2009, the unit director and the director of the Legal Aid Unit participated in a meeting for human rights organizations with the Minister of Justice in the Government in Gaza, Mohammed Faraj al-Ghoul; the Undersecretary of the Foreign Ministry, Dr. Ahmed Yousef; and the Spokesman of the Government, Taher al-Nounu. The attendees discussed the Goldstone report and the establishment of an inquiry committee. PCHR's representatives stressed the need to establish an independent, impartial judicial inquiry committee to investigate alleged crimes committed by Palestinians during Israel's offensive on the Gaza Strip.

### ■ Meetings with International Public Figures

The unit director participated in a number of meetings with international public figures.<sup>41</sup>

### ■ Participation in Activities Organized by Civil Society Organizations

The unit accepted a number of invitations to participate in activities organized by civil society organizations. The unit staff members submitted working papers at the following activities:<sup>42</sup>

- The unit director participated in a workshop organized by Office of the High Commissioner for Human Rights in

39 See the detailed table of press releases issued by PCHR in 2009 below.

40 See the table of media interviews below.

41 See details on these meetings in the section of PCHR's meetings with below.

42 Other participations are highlighted in other relevant sections of this report.

Gaza and the Gaza Community Mental Health Programme titled "Palestinians between a Rock and a Hard Place," on the occasion of International Day in Support of Victims of Torture on 25 June 2009. The workshop was held at the Commodore Hotel in Gaza City. The unit director submitted a presentation titled "The Experience of Palestinian Organizations in Confronting Torture at the International Level."

- On 7 September 2009, the unit director participated in a colloquium organized by the Union of Women's Work Committees titled "Public Liberties in Palestinian Society." The colloquium was held in the headquarters of the Palestinian Red Crescent Society. The unit director submitted an intervention on public liberties in the OPT, especially in the Gaza Strip in light of the alleged imposition of a special school uniform for girls, and special clothing requirements for female lawyers.
- On 11 October 2009, the unit director participated in a conference organized by the National Association for Democracy and Law in Rafah on means of prosecuting war criminals. He submitted an intervention on the role of human rights organizations in the prosecution of war criminals. The conference was attended by dozens of civil society activists and representatives of political factions in Rafah.
- On 22 October 2009, in response to an invitation from Norwegian People's Aid and the Palestinian NGO Network, the unit director presented an overview of the Goldstone report and its conclusions to staff members of Norwegian People's Aid.

#### ■ Testifying before International Inquiry Missions

- 16 June: Meeting with Gill Kitley, Member of the UN Fact-Finding Mission on the Gaza Conflict headed by Justice Richard Goldstone.
- 4 August: Testifying via telephone before the UN Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs in the Occupied Territories.

#### ■ Contribution to Training Courses Organized by PCHR's Training Unit

The unit staff members contributed to training courses organized by PCHR's Training Unit. They delivered 11 lectures (22 hours) on the right to freedom of expression, political participation of women and the death penalty.



Mahmoud Efranji, a researcher in the Democratic Development Unit, during a workshop on the right to freedom of opinion and expression, Sharek Youth Forum in Rafah, 29 July 2009.

*Indicators*

- Local, regional and international media reported on these activities.
- Demands for information published by PCHR.

*Means of Verification*

- PCHR maintains documentation of news items published in the media about the unit's activities.
- PCHR maintains documentation of several international reports that were based on information included in PCHR's publications.

**Output 2***Documentation of the State of Lawlessness and Attacks on the Rule of Law***1. Field Updates**

In 2009, the unit issued 23 field updates on human rights violations related to the state of lawlessness and attacks on the rule of law, including 6 updates on murders related to "family honor."

**2. Press Releases**

A number of the press releases issued by the unit in 2009 focused on the state of lawlessness.

*Indicators*

- Wide media coverage of these activities.
- Positive feedback.

*Means of Verification*

The unit maintains documentation of media coverage.

**Output 3***Efforts to Minimize Violations of the Rights to Freedom of Expression and Peaceful Assembly through Reporting on These Violations***1. Periodic Report on Violations of the Rights to Freedom of Expression and Peaceful Assembly**

This series of reports highlights violations of the rights to freedom of expression and peaceful assembly under the Palestinian National Authority. A report covering the period 1 August 2008 – 31 October 2009 was published in December 2009. A news release was issued on the publication of the report.

**2. Silencing the Press**

This periodic report highlights attacks by IOF against journalists and media institutions. The eighth report in this series, covering the period 1 November 2007 – 31 August 2009, was prepared, but has not been published.

**3. Press Releases**

The unit issued 11 press releases on violations of the rights to freedom of expression and peaceful assembly, including attacks against journalists and the banning of peaceful demonstration and public meetings by security services of the



two Palestinian governments in the West Bank and the Gaza Strip.<sup>43</sup>

*Press Releases Issued by the Unit on Violations of the Right to Freedom of Opinion and Expression and the Right to Freedom of Association*

No.	Date	Title
1.	09 February	Unknown Persons shoot at Offices of al-Hayat al-Jadeeda Newspaper in al-Bireh, and Car of Government Official in Nablus
2.	12 February	PCHR Condemns Continued Detention of Journalists by Preventive Security Service in the West Bank
3.	22 April	PCHR Notes with Grave Concern the Arrest of Dr. Abdul Sattar Qasem by the Palestinian Police in Nablus
4.	04 May	Journalist Mustafa Sabri Detained for 2 Weeks by Palestinian Preventive Security Services in Qalqilya
5.	15 June	Policemen Fire on Peaceful Demonstration Injuring Three Civilians
6.	30 June	PCHR Condemns Detention of Hizb-Ut-Tahreer members in the Gaza Strip
7.	05 July	PCHR condemns ban on Hizb-Ut-Tahreer peaceful conference in Ramallah
8.	16 July	PCHR Condemns Decision to Suspend Al Jazeera's Work in the West Bank
9.	20 July	Preventive Security Service Refuse to Implement High Court of Justice Ruling Ordering Release of Journalist Mustafa Sabry
10.	10 November	PCHR Condemns Gaza Government's Decision to Ban International Federation of Journalists Conference in Gaza
11.	12 November	PCHR Condemns Raid on Ramattan News Agency in Gaza, and Expresses Deep Concerns over Measures Taken by the Gaza Government to Prevent Commemoration of Late President Yasser Arafat's Death

### **3. Participation in Advocacy Activities in Support of Press Freedoms, the Right to Freedom of Expression and the Right to Peaceful Assembly**

The unit staff participated in the following advocacy activities in support of press freedoms, the right to freedom of expression and the right to peaceful assembly:

- On 10 June 2009, the unit director participated in a panel discussion organized by the Hadaf Center for Human Rights on the right to freedom of expression. He talked about the right to freedom of expression as one of the basic rights, and then surveyed violations of this right by the two governments in Gaza and Ramallah and their security services.

<sup>43</sup> See the table of press releases issued by the unit below.

- On 6 May 2009, the unit director participated in a symposium organized by the College of Media at al-Aqsa University in Gaza on the occasion of World Press Freedom Day. He submitted an intervention on Palestinian legislations regulating freedom of expression.

### Indicators

- Decreased attacks against journalists and media institutions: Regrettably, the political fragmentation and conflict between the Fatah and Hamas movements contributed to increased attacks on the freedom of expression and peaceful assembly in the Palestinian Territories.
- Organization of peaceful demonstrations and public meetings: There was a decrease of such activities due to the above-mentioned reasons.
- Media coverage: The unit's activities were covered by the media.

### Means of Verification

- PCHR maintains documentation of violations of the rights to freedom of expression and peaceful assembly.
- PCHR maintains documentation of media coverage of its activities.

## Output 4

### *Efforts to Protect the Right to Freedom of Association through Reporting on Violations of This Right and Advocacy Activities*

#### 1. Press Releases

The unit issued 7 press releases on violations of the right to freedom of association.

#### *Press Releases Issued by the Unit on the Right to Freedom of Association*

No.	Date	Title
1.	18 June	PCHR Condemns Takeover of Patients' Friends Society by Ministry of Interior in Gaza
2.	12 August	PCHR Expresses Concern Regarding Security Forces Inspection of the National Association for Democracy and Law in Rafah
3.	13 August	PCHR Expresses Concern Over Statement by Governmental Source in Gaza against Independent Commission of Human Rights
4.	25 October	PCHR Condemns Detention and Beating of Its Field Worker in Hebron and Bethlehem by IOF
5.	16 November	PCHR Condemns Raid on al-Dameer Association for Human Rights in Gaza
6.	13 December	PCHR Strongly Condemns Attacks on PNGO and CHF Offices in Gaza
7.	16 December	PCHR Is Gravely Concerned over Increasing Attacks and Robberies against NGOs in Gaza, and Demands Competent Authorities to Investigate these Crimes and Bring Perpetrators to Justice

## 2. Periodic Report on the Right to Freedom of Association

The unit prepared the report, which was published by PCHR on 9 November 2009. The unit also issued a news release on the publication of the report.

## 3. Advocacy and Lobbying in Support for Freedom of Association

PCHR participated in a series of activities organized by civil society organizations to confront violations of the right of association by the government in Gaza:

1. The unit director and the director of the Legal Aid Unit participated in a meeting organized by the Palestinian NGO Network to discuss the Ministry of Interior's intervention into the affairs of Patients' Friends Society. The participants agreed to initiate a series of contacts with decision-makers in the government and the Palestinian Legislative Council. They also issued a press release condemning measures taken by the Ministry of Interior and its intervention into the affairs of the Patients' Friends Society and called for maintaining the independence of civil society organizations and the right of association.
2. On 23 June 2009, the unit director joined a delegation of the Palestinian NGO Network and human rights organizations, which met with Dr. Ahmed Bahar, Deputy Speaker of the Palestinian Legislative Council, to urge him to intervene to stop measures taken by the Ministry of Interior against the Patients' Friends Society.

### Indicators

- Decreased violations of the right to freedom of association: Such violations continued under the ongoing political fragmentation.
- Media coverage: The local media reported on the unit's activities.

### Means of Verification

- PCHR maintains documentation of media coverage of its activities.

## Output 5

### Abolishment or Suspension of the Death Penalty

#### 1. Conference on the Death Penalty

On 8 October 2009, PCHR, in cooperation with the Office of the High Commissioner for Human Rights, organized a conference titled "Death Penalty in OPT." This conference was organized on the occasion of the World Day Against the Death Penalty, which is commemorated on 10 October every year. The organization of the conference was part of PCHR's efforts to abolish the death penalty from the Palestinian legislation. The conference highlighted extra-judicial executions committed by IOF against Palestinian civilians. The one-day conference included in-depth discussions on the death penalty, and there were calls to abolish the death penalty from Palestinian legislation. Over 100 academics, journalists, representatives of civil society organizations and other interested public figures participated in the conference.



The Conference on the Death Penalty in the OPT organized by the Democratic Development Unit and the United Nations Office of the High Commissioner for Human Rights.

## 2. Training

The unit conducted two training sessions on the death penalty in the framework of training courses organized by PCHR Training Unit.<sup>44</sup>

## 3. Press Releases

The unit issued 10 press releases condemning death sentences in the West Bank and the Gaza Strip.

### *Press Releases Issued by the Unit on the Death Penalty*

No.	Date	Title
1.	26 January	Military Court in Hebron Sentences a Palestinian to Death; PCHR Calls upon Palestinian President Not to Ratify the Sentence and Demands the Abolishment of Death Penalty from Palestinian Law
2.	24 February	Military Court Sentences a Palestinian to Death: PCHR Calls Upon Palestinian President not to Ratify the Sentence and Demands Abolition of Death Penalty
3.	11 March	Military Court in Gaza Sentences 3 Palestinians to Death
4.	08 April	Military Court in Gaza Sentences 4 Palestinians to Death: PCHR Calls upon Palestinian President not to Ratify the Four Sentences
5.	29 April	Military Court in Hebron Sentences Civilian to Death, PCHR Urges President not to Ratify Sentence
6.	24 May	Military Court in Gaza Sentences 3 Persons to Death; PCHR Urges President not to Ratify Sentence
7.	08 October	Military Court in Gaza Issues Death Sentence; PCHR Urges President not to Ratify Sentence
8.	01 November	Permanent Military Court in Gaza Issues Death Sentence: PCHR Urges President Abbas not to Ratify the Sentence and to Abolish Death Penalty
9.	04 November	Higher Military Court in Gaza Issues Death Sentence: PCHR Calls Upon President not to Ratify Sentence and Demands the Abolishment of Death Penalty from Palestinian Law
10.	10 December	Military Court in Ramallah Sentences Palestinian to Death by Firing Squad: PCHR Calls Upon President not to Ratify Sentence and Demands the Abolishment of Death Penalty from Palestinian Law

<sup>44</sup> For more details, see the Training Unit's report of activities.

#### 4. Participation in the Palestinian Coalition against the Death Penalty

PCHR is an active member of the Palestinian Coalition against the Death Penalty. Over the year, PCHR participated in the Coalition's activities, which were concluded by organizing the second Palestinian conference against the death penalty on 16 December 2009. Sameeh Mohsen, Coordinator of PCHR's Activities in the West Bank, facilitated the first panel discussion of the conference, which dealt with developments related to the death penalty at the local, regional and international levels.

Sameeh Mohsen, Coordinator of PCHR's Activities in the West Bank, participates in the second Palestinian Conference against the Death Penalty.



#### Indicators

- Abstention from issuing and implementing death sentences: No death sentences were implemented, even though 17 death sentences were issued in 2009.
- Amendments to laws: No amendments were made to laws that permit the death penalty.
- Official statements: The unit observed a number of official statements that called for the application of the death penalty.
- Media coverage of activities: The unit's activities were covered by the media.
- Contribution to stimulating the debate in Palestinian society regarding the death penalty: this was clearly achieved during the conference on the death penalty organized by PCHR and the Office of the High Commissioner for Human Rights.

#### Means of Verification

- Monitoring the judiciary and its rulings.
- Observation of the PLC's sessions.
- Documentation of official statements.
- The unit documented media interviews, in which the unit staff members explained PCHR's position towards the death penalty.
- PCHR's position towards the death penalty was supported by some people.

## Output 6

### *Monitoring the Performance of the Palestinian Legislative Council (PLC) and Urging it to Assume its Full Responsibilities*

#### 1. Meetings with PLC Members

- The unit held meetings with a number of PLC members.

#### 2. Attending Sessions and Observing Activities of the PLC

- The unit staff members attended sessions held by the Change and Reform Bloc. PCHR strongly criticized those sessions, as they constituted part of the political division.
- The unit gathered information relative to the activities of the PLC.

#### 3. Position Paper on Legislation Adopted under the State of Political Division

On 23 June 2009, PCHR published a position paper prepared by the unit regarding the adoption of regulations by the Palestinian National Authority (PNA) under the ongoing state of political fragmentation. These regulations include those made by the Change and Reform Bloc in Gaza in the name of the PLC, as well as Presidential Decrees issued by President Mahmoud 'Abbas in the West Bank on the basis of a lack of quorum in the PLC. PCHR called upon the PNA to refrain from adopting new regulations under the ongoing state of fragmentation. PCHR considered these regulations to be unnecessary as they serve factional policies and programs that might exacerbate the ongoing political division.

#### 4. Press Releases

The unit issued 5 press releases related to the work of the PLC and attacks on its members.

##### *Press Releases Issued by the Unit on the PLC*

No.	Date	Title
1.	19 March	PCHR Condemns IOF's Acts of Reprisal on Hamas-Affiliated Political Leaders in the West Bank
2.	20 April	PCHR Condemns Attack on PLC Member Sheikh Al-Beetawi
3.	01 June	Gaza Security Services Prevent Fatah PLC Members from Traveling to Ramallah
4.	03 June	PCHR Condemns Arrests of Hamas' Members and Supporters in the West Bank; Director of the Office of PLC Members from the Change and Reform Bloc Continues to be Detained
5.	23 June	PLC Speaker, Dr. Aziz al-Dwaik, Released from Israeli Detention

#### 5. Participation in a Sit-in in Solidarity with PLC Speaker

On 16 September 2009, the unit director participated in a sit-in in Gaza in solidarity with PLC Speaker Dr. Aziz al-Dwaik, demanding that he be allowed to assume the responsibilities of his post. Dr. al-Dwaik delivered a speech via telephone, and Dr. Ahmed Bahar, Deputy Speaker of the PLC; Isma'il Haniya, the Prime Minister in Gaza; and Hamdi Shaqura, the unit director, also delivered speeches during the sit-in.

### Indicators

- Media coverage of the unit's activities.
- Increased knowledge of PLC's work and criticism of its performance.
- Feedback.

### Means of Verification

- The unit filed articles published in newspapers covering the unit's activities.

## Output 7

### *Independent and Objective Evaluation of General and Local Elections Organized by the Palestinian National Authority to Ensure Free, Fair and Credible Elections*

The political fragmentation in the PNA has continued, and necessary conditions for organizing presidential and legislative elections on 24 January 2010 were not achieved. Nevertheless, activities in 2009 focused on advocacy and lobbying in support of dialogue and reconciliation in order for elections to be held on their due date. PCHR also stresses the need to amend the Elections Law to adopt the principle of full proportional representation.

#### 1. Position Paper on the President's Call for Elections

On 24 October 2009, Palestinian President Mahmoud Abbas issued a decree calling for free and fair presidential and parliamentary elections in the Palestinian National Authority to be held on Sunday, 24 January 2010. PCHR issued a position paper on the aforementioned presidential decree, in which it stressed that elections are a demand of all national actors and civil society groups, but are not possible without comprehensive national reconciliation. This needs to be achieved in order to end fragmentation and restore the dignity of the legislative, executive and judicial institutions of the Palestinian government, which have been impacted by the crisis and have become reflective of the ensuing fragmentation. PCHR further pointed out that holding elections requires an appropriate electoral environment, including upholding public freedoms; releasing political prisoners; lifting the ban imposed on political activities (those imposed on Hamas in the West Bank and on the Fatah movement in the Gaza Strip); reopening hundreds of closed associations; respecting press freedoms and free expression; and allowing all print, visual and audio mass media to work freely.

#### 2. Advocacy and Lobbying

The unit participated in a meeting organized by the Palestinian NGO Network on 8 March 2009 that dealt with the topic of elections and the Election Law. The unit called for the adoption of the principle of proportional representation; enacting a new election law considering that the Presidential Decree in this regard issued under the state of political fragmentation is unconstitutional; and considering the reform of the Central Election Commission.

### Indicators

- Objective evaluation of elections: No elections were held in 2009.
- Positive feedback to the position paper was received.
- The paper was widely covered by local and Arab media outlets.

### Means of Verification

- PCHR's publications on elections: There were no publications as no elections were held.
- Viewpoints of observers of elections: They were not available as no elections were held.
- The unit documented news articles on the unit's activities.

- The unit has a complete list of participants in its activities.
- The unit documented feedback received.

### Output (8)

#### *Raising Awareness of 500 Young Men and Women regarding Values of Democracy and Fundamental Freedoms through Workshops and Lectures*

- The unit organized 29 workshops and roundtable discussions in cooperation with other civil society organizations.
- At least 562 persons, including 378 young women, participated in these activities.
- These activities were organized in cooperation with 17 community-based organizations.
- The unit began to implement this activity in mid-May of 2009.

#### *Workshops and Lectures*

Date	Title	Partner Organization	Location	Governorate	Number of Participants
17 May	Political Participation	Sharek Youth Forum	Sharek Youth Forum, Khan Yunis	Kahn Yunis	32, including 12 women
18 May	The right to peaceful assembly	National Association for Democracy and Law	National Association for Democracy and Law	Rafah	37, including 10 women
25 May	The right to peaceful assembly	Palestine Pioneers Association	Palestine Pioneers Association	Khan Yunis	25, including 8 women
26 May	The right of association	Palestine Pioneers Association	Palestine Pioneers Association	Khan Yunis	27, including 12 women
01 June	Democracy, political participation and the right to freedom of expression	Palestine Pioneers Association	Palestine Pioneers Association	Khan Yunis	25, including 18 women
01 June	The right to freedom of expression	Palestine Pioneers Association	Palestine Pioneers Association	Khan Yunis	25, including 18 women
03 June	Democracy and political participation	Women's Affairs Center	Women's Affairs Center	Gaza	15 women
30 June	The right to freedom of expression	A coalition of associations in Khan Yunis	PCHR office in Khan Yunis	Khan Yunis	21
01 July	Democracy and political participation	National Association for Democracy and Law	National Association for Democracy and Law	Rafah	26, including 17 women
01 July	The right to freedom of expression	Women's Activities Center	Women's Activities Center	North Gaza	35 women
08 July	Democracy and political participation	Women's Activities Center	Women's Activities Center	Central Gaza	21 women
14 July	The right to freedom of expression	Women's Activities Center	Women's Activities Center	Central Gaza	22 women



15 July	Democracy and political participation	Sharek Youth Forum	Palestinian Development Forum	Gaza	21, including 8 women
20 July	The right to freedom of expression	Hadaf Center for Human Rights	Hadaf Center for Human Rights	Gaza	27, including 12 women
22 July	The right to freedom of expression	Sharek Youth Forum	PCHR office in Gaza City	Gaza	17, including 7 women
29 July	The right to freedom of expression	Sharek Youth Forum	Sharek Youth Forum	Gaza	21, including 9 women
04 August	The right to peaceful assembly	Women's Activities Center	Women's Activities Center	Gaza	18 women
05 August	Democracy and political participation	Sharek Youth Forum	PCHR office in Gaza City	Gaza	14, including 7 women
10 August	The right to freedom of expression	Sharek Youth Forum	Sharek Youth Forum	Gaza	20, including 10 women
12 August	Democracy and political participation	Islamic University	PCHR office in Gaza City	Gaza	7, including 3 women
17 August	Democracy and political participation	Baath Socialist Arab Party	Baath Socialist Arab Party	Gaza	25, including 8 women
19 August	The right to peaceful assembly	Sharek Youth Forum	Sharek Youth Forum	Gaza	20, including 12 women
22 October	Democracy and political participation	Youth Union of Palestinian Struggle	PCHR office in Gaza City	Gaza	21, including 5 women
27 October	The right to freedom of expression	National Association of Development and Community Rehabilitation	National Association of Development and Community Rehabilitation	Gaza	20
28 October	Democracy and political participation	Creative Women Society	Creative Women Society	Gaza	30, including 17 women
29 October	The right to freedom of expression	Female Media Professionals Forum in the South	Female Media Professionals Forum in the South	Rafah	17, including 15 women
02 November	The right to freedom of expression	Al-Maghazi Cultural Center	Al-Maghazi Cultural Center	Central Gaza	16 women
04 November	Democracy and political participation	Association of Future Girls	Association of Future Girls	Gaza	25 women
19 November	Democracy and the rights of the child	Al-Maghazi Cultural Center	Al-Maghazi Cultural Center	Central Gaza	22, including 18 women

### Indicators

- Participation: The number of participants in these activities was 652, including 378 women (60%).
- Positive feedback was obtained from participants.
- Other organizations cooperated with the unit in organizing these events.

### Means of Verification

- The unit maintains lists of all participants and partner organizations.
- 29 meetings were organized in cooperation with other NGOs.

## Women's and Children's Rights Unit

In 2009, in spite of Israel's offensive on the Gaza Strip in the beginning of the year, the unit carried out most activities laid out in its annual plan. However, it was not able to carry out some activities related to advocacy. In 2009, activities carried out by the unit, especially those related to awareness-raising, were characterized by adaptation to the new realities that emerged following Israel's offensive on the Gaza Strip. There was a significant increase in the number of cases followed by the unit, as the number of Sharia' lawyers working in the unit was increased, and cooperation and coordination with Sharia' courts and women's organizations that provide legal assistance to women was promoted.

### Output 1

#### *Legal Aid for Women*

1. Representation of 300 women before Shari'a courts
2. Providing legal consultation to 150 women

The unit continued to represent women before Shari'a and provide legal consultations in coordination with Shari'a courts and women's organizations.

#### 1. Representation of Women before Shari'a Courts

The unit continued to represent women before Shari'a courts. In 2009, the unit pursued 1,277 cases in Shari'a courts, including 86 cases from 2008.

*Table 1: Shari'a Court Cases Pursued by the Unit in 2009*

Case Type	Number
Alimony	632
Rights to household property	269
Custody rights	75
Access rights to children	32
Payment for childbirth	28
Delayed dowry	62
Separation	83
Obedience	7
Divorce evidence	7
Custody payment	29
Paternity evidence	2
Distress	1
<b>Total</b>	<b>1,277</b>

Table 2: Results of Cases Pursued by the Unit before Shari'a Courts in 2009

Rulings in favor of women	Under consideration	Reconciled	Cancelled	Postponed to 2010	Total
693	61	303	148	22	1,227

Table 3: Distribution of Cases among PCHR Offices

Gaza Office	Jabalia Office	Khan Yunis Office	Total
670	249	298	1,277

## 2. Providing Legal Consultations for Women

In 2009, the unit provided 451 legal consultations to women in person or by telephone: 181 consultations in the Gaza City office, 138 consultations in the Jabalia office and 132 consultations in the Khan Yunis office.

## 3. Providing Assistance to Women Who Are Victims of Violence

In 2009, the unit provided legal assistance through Shari'a Courts to 65 women who were victims of violence.

### Indicators

- There was an increase of 16% in the number of cases received by the unit in 2009 in comparison with 2008 (984 cases). There was also an increase of 18.5% in the number of cases pursued by the unit in 2009 in comparison with 2008 (1,078 cases). Such increased could be attributed to the following:
  1. There was an increase in the number of cases received by PCHR's offices in Khan Yunis and Jabalia.
  2. Cooperation and coordination with women's organizations that are active in providing legal assistance to women in the Gaza Strip, was enhanced.
  3. Economic conditions in the Gaza Strip further deteriorated due to the closure imposed on it.
- Courts issued rulings in favor of women in 56% of the cases pursued by the unit.
- The unit pursued a number of cases referred to it by other women's organizations.

### Means of Verification

- The unit received 1,141 cases.
- Courts issued 693 rulings in favor of women.
- The unit provided 451 consultations to women.
- Shari'a courts referred 125 cases to the unit.
- Women's institutions referred 56 cases to the unit.

### Coordination with Sharia' Courts

- The increase in the number of cases pursued by the unit in 2009 can be attributed to a number of factors, including enhanced cooperation and coordination with the ten Shari'a Courts in the Gaza Strip, which refer women in need of legal assistance to the unit. The unit in its turn, provide free legal assistance to women, and the courts facilitate the work of the unit lawyers.

### Coordination with Women's Organizations

- The unit pursued a number of cases referred to it by women's organizations, especially the Women's Health Center

in Jabalia and al-Boreij and the Palestinian Center for Community Conflict Resolution.

## Output 2

### *Legal Awareness for Women: Raising Awareness of 2,000 Women regarding Their Rights Ensured by Domestic Laws and Human Rights Instruments*

#### 1. Organizing Legal Awareness Lectures on the Rights of Women and Children

The unit faced several difficulties in implementing the legal awareness program in 2009 due to the impact of Israel's offensive on the Gaza Strip on women and women's organizations. To overcome these difficulties, the unit designed a plan that included:

- Re-establishing contacts with women's organizations.
- Visits to women's organizations to observe their activities after the offensive.
- Organizing meetings with women to discuss their needs in the wake of the offensive.
- Organizing awareness-raising lectures to meet the needs of women, focusing on the widows' rights as well as inheritance and Family Law.

#### *In 2009:*

- The unit organized 101 lectures, mostly focusing on the Family Law, especially widows' rights and inheritance, to meet the needs of women after Israel's offensive, in addition to marriage contracts, divorce and the right to separation by a court ruling.
  - The unit organized 35 lectures on Family Law.
  - The unit organized 35 lectures on violence against women.
  - The unit organized 11 lectures on the rights of the child.
  - The unit organized 20 open meetings with women.
  - The unit organized several lectures in cooperation with civil society organizations and schools.
- The unit delivered a number of legal awareness-raising lectures in response to invitations by other women's organizations.

#### *Indicators*

- In 2009, the unit received several invitations from women's organizations and others from schools to deliver legal awareness-raising lectures.
- The unit delivered a number of lectures at women's organizations in response to requests by women.
- The unit cooperated with new women's organizations in marginalized areas of the Gaza Strip, including: Sabaya Charitable Center in al-Mawasai area in Rafah; the Union of Women in 'Abassan village; Friends without Borders in al-Boreij refugee camp; the Palestinian Society for Development in Beit Lahia; al-Safa Charity in Khan Yunis; the Women's Work Bureau in Beit Lahia; the Rural Women's Empowerment Center in 'Abssan village; and al-Nasser Association in the al-Fukhari area in Khan Yunis.

#### *Means of Verification*

- In 2009, the unit organized 101 lectures to raise the legal awareness of women.
- 35 lectures focused on violence against women.

- 35 lectures focused on the Family Law.
- 11 lectures focused on the rights of the child.
- 2,768 women attended these lectures.
- 56 women referred to the unit for legal aid after having attended these lectures.
- The unit provided 200 on-the-spot legal consultations to women during these lectures.
- These lectures were organized in cooperation with 41 institutions and 8 schools across the Gaza Strip.
- The unit cooperated with 9 organizations for the first time.

## 2. Activities Related to the 16 Days of Activism against Gender Violence (25 November – 10 December)

In the period 25 November – 10 December, the unit organized 5 lectures on violence against women under the Declaration for the Elimination of Violence against Women adopted by the United Nations in December 1993:

- 2 December: A lecture at the Women's Activities Center in al-Daraj neighborhood of Gaza City.
- 6 December: A lecture at the Citizenship and Development Society in Khan Yunis.
- 7 December: A lecture at the Women's Work Department in Beit Lahia.
- 8 December: A lecture at the East Gaza Society.
- 9 December: A lecture at the Palestinian Association for Development.

At the conclusion of the 16 Days of Activism against Gender Violence, the unit organized a workshop on widows' rights before the law and the society, relating the issue of widowhood to violations of women's rights. The workshop, which was attended by 48 representatives of women's organizations and civil society groups in the Gaza Strip, was held at PCHR's office in Khan Yunis.



The workshop on widows' rights before the law and the society organized by the unit, 10 December 2009.

### **Report on Female Victims of Violence**

The unit did not publish this report due to the changes that emerged following Israel's offensive on the Gaza Strip. Instead, PCHR decided to publish a report on the impact of the offensive on women. Accordingly, the unit contributed to the production of "Through Women's Eyes: A PCHR Report on the Gender-Specific Impact and Consequences of Operation Cast Lead." The report was published in English in September 2009. It was later translated into Arabic.

### **Poster on the International Day for the Elimination of Violence against Women**

The unit, UN bodies and other partners prepared a poster on the occasion of the International Day for the Elimination of Violence against Women on 25 November, in the context of the 16 Days of Activism against Gender Violence.

### **Press Release on the Anniversary of International Day for the Elimination of Violence against Women**

The unit issued a press release on 25 November 2009 titled "On the Anniversary of the International Day for Elimination of Violence against Women, the Suffering of Palestinian Women Continues in the West Bank and Doubles in the Gaza Strip."

### **Cooperation with Local and International Women's Organizations in Activities Related to the 16 Days of Activism against Gender Violence**

- On 7 December 2009, the unit staff participated in a celebration organized by the Women's Affairs Center (Let Us End Violence against Women).
- On 9 December 2009, the unit staff participated in the ceremony "Men and Women Are a Homeland," which was organized by UN bodies and their local partners, including PCHR.
- On 21 December 2009, the unit director participated in a study day organized by UN bodies and their local partners on the 16 Days of Activism against Gender Violence. She presented PCHR's report "Through Women's Eyes."

## **3. Awareness-Raising Publications**

The unit was not able to produce such publications.

## **4. Poster on International Women's Day**

The unit prepared a poster on the occasion of International Women's Day on 8 March. The unit also issued a press release titled "On International Women's Day, the Suffering of Palestinian Women Continues."

### *Indicators*

- Copies of the poster were circulated to governmental and non-governmental organizations, especially those working on women's rights.

### *Means of Verification*

- 1,000 copies of the poster on International Women's Day were published and circulated.
- 500 copies of the poster on the International Day for the Elimination of Violence against Women were published and circulated.
- The poster on the International Day for the Elimination of Violence against Women was published on PCHR's web page.

## **5. Cooperation with the Media**

The unit firmly believes that the media plays a vitally important role in raising awareness regarding women's and children's legal rights in Palestinian society. Consequently, in 2009, the unit made efforts to further develop its cooperation

tion with the local media. In this context, unit staff members gave 19 media interviews.

### *Means of Verification*

- The unit gave 4 print media interviews.
- The unit gave 7 radio interviews.
- The unit gave 8 television interviews.
- The unit's activities were covered in al-Mentar, PCHR's monthly newsletter.

## **6. Contribution to Training Courses Organized by PCHR's Training Unit**

The unit contributed to 9 training courses on democracy and human rights organized by PCHR's Training Unit. It also organized 3 training courses in cooperation with the Training Unit on the Convention on the Elimination of All Forms of Discrimination against Women, and 3 training courses on litigation before Shari'a courts.

### **Training Courses on Litigation before Shari'a Courts**

This activity was not included in the unit's annual plan for 2009, but the unit, in cooperation with the Training Unit and in coordination with the Palestine Bar Association, organized these courses in response to lawyers' demands.



Conclusion of the course on litigation before Shari'a courts, April 2009.

## **Output 3**

### *Lobbying of Incorporation of International Standards of the Rights of Women and Children in Domestic Laws*

The unit was not able to continue the activities it had begun in 2006 with regard to the draft Family Law due to the state of lawlessness in the Gaza Strip, which followed the Hamas takeover of the Strip and the suspension of the legislative process.

However, the unit held meetings with Shari'a judges to discuss with them the issue of women's rights in Shari'a courts. In this context, the unit organized a panel discussion on "Developments in Shari'a Courts" in PCHR's main office in Gaza City on 4 November 2009.

Chief Justice of the Supreme Shari'a Courts, Dr. Hassan al-Jojo, judges of the Supreme Shari'a Court and the Appeal

Courts, a number of Shari'a lawyers and representatives of a number of women's organizations attended the panel discussion. At the end of the discussion, Shari'a lawyers presented a number of questions and remarks related to the performance of the Shari'a Courts. Dr. Hassan al-Jojo answered their questions and promised to take their remarks into consideration.



Panel discussion on "Developments in Shari'a Courts" in PCHR's main office in Gaza City, 4 November 2009.



## Output 4

### *Documentation of Cases of Violence against Women and Violations of Their Rights*

The unit cooperates with the Field Work Unit and the Democratic Development Unit in documenting violations of women's rights, especially murders in the name of "family honor." In 2009, 9 murders of women related to family honor were documented (6 in the Gaza Strip and 3 in the West Bank).

#### *Indicators*

- The unit, in cooperation with the Field Work Unit, has documented murders related to "family honor" in the Gaza Strip.
- Documented cases were used by the unit director in media interviews.
- Murders for "family honor" were condemned in press releases issued by PCHR on International Women's Day and International Day for the Elimination of Violence against Women.

## Output 5

### *Coordination and Cooperation with Local, Regional and International Women's Organizations*

#### *Visits to Women and Community Organizations*

After Israel's offensive on the Gaza Strip, the unit conducted a series of coordination meetings with women's organizations to discuss their activities and programs after the offensive and coordinate future awareness-raising lectures. In this context, the unit staff visited 24 women's organizations in the Gaza Strip, especially in the areas most severely affected by the attacks.

#### **Governmental Organizations**

- On 24 February, the unit director visited the Ministry of Women's Affairs to learn about programs implemented by the Ministry following Israel's offensive on the Gaza Strip.

#### **International Women's Organizations**

Partner Organizations: Swedish Kvinna Till Kvinna

- In the period 1012- March, Anna Levin, from the Swedish organization Kvinna Till Kvinna, visited PCHR. The unit organized field visits to places affected by Israel's offensive on the Gaza Strip.
- On 15 March, Lena Ag, Secretary-General of Kvinna Till Kvinna, visited PCHR. The visit came shortly before she delivered a speech before the Swedish Parliament on the situation in the Gaza Strip after Israel's offensive.
- On 16 March, Lena Ag, Secretary-General of Kvinna Till Kvinna, met with unit lawyer Hanan Matar, in the presence of the unit director. They discussed developments in the unit's work following Israel's offensive on the Gaza Strip, especially regarding women's legal cases.
- On 2324- March, Anna Levin, from Kvinna Till Kvinna, visited PCHR. She met with the unit staff and visited PCHR's office in Khan Yunis to see the unit's activities in the southern Gaza Strip.

#### **Other International Organizations**

- On 26 January, the unit director met with Hiba al-Zayan, Coordinator of UNIFEM in the Gaza Strip. In the meeting, a project proposal of the unit was submitted to UNIFEM.
- On 21 January, the unit director met with Maha al-Shawa, Director of the Welfare Association.

- On 18 August, the unit director met with a delegation from Dan Church Aid. She briefed members of the delegation on the status of Palestinian women after Israel's offensive on the Gaza Strip.
- On 29 September, the unit organized a meeting for women's rights defenders with a delegation from Front Line. The meeting was held in PCHR's head office in Gaza City.
- On 4-5 October, the unit director participated in a training course organized by Oxfam to build capacity in the field of advocacy. The course was conducted at the Development Cooperation Center.
- On 3 November, the unit director met with Donatella Rovera and Francesca Burke of Amnesty International. During the meeting, the status of Palestinian women after Israel's offensive on the Gaza Strip discussed.

*Participation in the Meeting with the Independent Fact-Finding Mission Mandated by the League of Arab States*

- On 26 February 2009, the unit director attending a meeting with the Independent Fact-Finding Mission mandated by the League of Arab States to investigate crimes committed in Gaza with representatives of women's organizations. The meeting was held at the Women's Affairs Center.



The unit director, Mona Shawa (right), with Lena Ag, Secretary-General of Kvinna Till Kvinna, during a field visit in Gaza.

**Participation in Activities Organized by Other Women's Organizations**

- On 16 April, the unit director participated in a workshop on murders in the name of "family honor," organized by the Independent Commission of Human Rights in Gaza.
- On 26 April, the unit director participated in a workshop organized by UNIFEM to discuss the needs of men and women in the Gaza Strip after Israel's offensive.
- On 11 June, the unit director participated in a meeting organized by the Women's Affairs Center to discuss priorities of women in the Gaza Strip.
- On 19 August, the unit director participated in a workshop on emergency plans organized by UNRWA.
- On 3 September, the unit director participated in a workshop organized by the Women's Affairs Technical Committee and the Women's Affairs Center on the "Construction" project.
- On 12 November, the unit director delivered a lecture on Security Council Resolution 1325 at the Palestinian Women Media and Information Center.
- On 25 November, unit lawyer Sameer Hassaniya participated in a workshop organized by al-Widad Association on the International Day for the Elimination of Violence against Women; he submitted a paper.

### **Hope Coalition against Violence against Women**

PCHR is a member of the consultative committee of the Hope Coalition Campaign against Violence against Women – a coalition of human rights and women’s organizations for the elimination of violence against women. The coalition is comprised of: PCHR; the Women’s Affairs Center; the Palestinian Center for Conflict Resolution; the Center for Women’s Legal Research & Consulting; and the Culture and Free Thought Center. The coalition is funded by UNIFEM.

### **Activities Not Included in the Annual Plan**

#### *Joint Legal Consultation and Services*

The unit has initiated a project of legal consultations and services funded by the Welfare Association. The project extends from 01 June 2009 to 31 May 2010, and aims at:

1. Capacity building for 3 female lawyers working in the field of Family Law in the Gaza Strip.
2. Raising the awareness of women regarding their rights ensured under the Family Law; the target group includes 1,000 women.

#### *Contribution to a Report on Children*

The unit contributed to the PCHR Report “War Crimes Against Children: A PCHR Investigation into Palestinian Children Killed by Israeli Forces in the Gaza Strip (27 Dec. 2008 - 18 Jan. 2009).” The report was first published in English, and was later translated and published in Arabic.

#### *Assistance to a Victim of Israel’s Offensive on the Gaza Strip (Muna al-Ashqar)*

The unit provided assistance to Muna al-Ashqar who lost her leg and hand and was paralyzed when IOF bombed Beit Lahia School. A French hospital offered her free-of-charge treatment, and the unit director, in cooperation with the Legal Aid Unit, facilitated her travel on 4 November 2009. PCHR also covered the visa fees for her and for her father, who accompanied her.

## Economic, Social, and Cultural Rights Unit

The exceptional situation that followed Israel's offensive on the Gaza Strip in early 2009 affected all activities carried out by the Economic, Social and Cultural Rights Unit, as most activities were focused on monitoring and observation of the economic, social and cultural rights of the Palestinian civilian population in the OPT, especially in the Gaza Strip. In this context, the unit adapted its annual plan in order to better address the extensive violations of economic, social and cultural rights.

During the first five months of 2009, the unit was forced to focus its work on a comprehensive report on Israel's offensive on the Gaza Strip, entitled "Targeted Civilians." The unit prepared several sections of the report, including those dealing with the destruction of civilian property, objects and infrastructure; the destruction of governmental facilities; the destruction of the economy; the destruction of cultural, heritage and religious sites, and educational and health facilities; attacks against medical crews and the deterioration of humanitarian conditions.

In 2009, the political, economic, and social conditions in the OPT dramatically deteriorated, as IOF violations of Palestinian human rights, including economic, social and cultural rights, escalated, especially in the Gaza Strip. The tightened Israeli-imposed closure of the Gaza Strip has had a disastrous impact on the humanitarian situation. The siege has violated the economic and social rights of the Palestinian civilian population, particularly the rights to adequate housing, health, education, work and development. In 2009, the unit continued its efforts to ensure the protection of economic, social and cultural rights at the Palestinian level, including the rights to adequate housing, health, education and work, as well as the rights of disabled persons.

The unit was able to continue its fundamental activities, including preparing a number of regular reports on economic, social, and cultural rights; conducting public workshops; and participating in activities organized by other PCHR units and other civil society groups in the Gaza Strip. The unit also raised awareness of its activities and findings in the media, especially during Israel's offensive on the Gaza Strip.

### Output 1

#### *Contribution to the Promotion of Economic, Social and Cultural Rights in the OPT, especially the Gaza Strip*

The unit was forced to make some changes to the activities leading to this output, due to field developments in 2009 in the OPT, especially in the Gaza Strip, particularly the deterioration in the human rights situation, and the tightened siege and restrictions on the freedom of movement imposed by IOF.

#### 1. Database on Economic, Social and Cultural Rights in the OPT

In 2009, the unit continued to build its database on Economic, Social and Cultural Rights in the OPT, especially in the Gaza Strip. This database serves as the source of information for the unit regarding violations of the rights to education, appropriate housing, work, health and development; attacks on fishermen; destruction of economic facilities;

attacks on medical personnel; deaths at border crossings and military checkpoints; as well as poverty and unemployment. The unit was responsible for the data and statistics related to the destruction of civilian property and objects during Israel's offensive on the Gaza Strip, including the destruction of houses; economic facilities; religious sites; public buildings; educational and health facilities; tourist sites; as well as historic and archaeological sites.

## 2. Meetings with Development Experts, Government Officials and Representatives of International Organizations

The unit held several meetings to raise awareness about violations of the economic, social and cultural rights of the Palestinian civilian population. These meeting focused on the impact that the total closure of the OPT, imposed by Israel, has had on Palestinian economic, social and cultural rights.

- Meetings with international delegations representing NGOs, relief organizations, solidarity movements, as well as the World Bank.
- Meetings with representatives of UN agencies, including UNRWA, WHO, OCHA, UNDP and OHCHR.
- Meetings with ministers in the government of Gaza, members of the Palestinian Legislative Council and representatives of local NGOs.
- Field work:
  - The unit monitored Israeli attacks on Palestinian fishermen in the Gaza Strip. The unit's staff met with 25 fishermen and union members. They also documented 82 Israeli attacks on fishermen, including 8 injuries of fishermen; 55 detentions, 3 international solidarity activists and 31 fishing boats.
  - The unit followed the issue of Gazan students enrolled at universities abroad. In this context, the unit's staff met with at least 40 students who were not able to attend their universities abroad due to the tightened siege imposed on the Gaza Strip, and discussed the problems facing them. The unit also issued a report on the impact of the tightened siege imposed on the Gaza Strip on Gazan students studying abroad.
  - The unit maintained contacts with a number of international organizations and UN agencies, including OHCHR; UNRWA; Mercy Corps; Medical Aid for Palestinians; Amnesty International; Oxfam; Human Rights Watch; Medecins Sans Frontieres; Medecins Du Monde; International Solidarity Movement; OCHA; and UNDP. The unit also maintained contacts with civil society organizations in the Gaza Strip, including the Palestinian NGO Network; the Independent Commission for Human Rights; al-Dameer Association for Human Rights; the Palestinian Commission for Human Development; Student Work Front; the National Association of Moderation and Development; and Sawsya Center for Human Rights.

## 3. Reports on the Policy of Closure and Its Impact on Economic, Social and Cultural Rights in the OPT

As the living conditions of the Palestinian civilian population have deteriorated and violations of economic, social and cultural rights have escalated, the unit issued a number of reports on the humanitarian crisis in the Gaza Strip resulting from the closure of border crossings.

1. On 16 March 2009, the unit issued a report entitled "Impact of the Policy of Closure on the Gaza Strip." The report addressed the tightened siege imposed on the Gaza Strip, and the state of the border crossings between 25 December 2008 and 10 March 2009. It discussed deteriorating humanitarian conditions facing the Palestinian civilian population, especially restricted access to medicines, food and raw construction materials needed for the reconstruction of the Gaza Strip.
2. The unit prepared a special report on the impact of the tightened siege imposed on the Gaza Strip in 2008. The report was published in PCHR's 2008 Annual Report.
3. The unit issued a number of specialized reports on the impact of the siege imposed on the Gaza Strip, focusing on violations of certain rights:
  - On 4 January 2009, the unit issued a report titled "The Aggravation of Humanitarian Crisis in the Gaza Strip as

IOF Offensive Continues." The report surveyed the deterioration of humanitarian conditions in the Gaza Strip in the first week of the Israeli offensive. It particularly focused on the deterioration of economic, social and cultural rights of the Palestinian civilian population that resulted from the systematic destruction of civilian facilities and infrastructure.

- On 14 July 2009, the unit issued a report titled "Impact of Israeli Offensive on Sectors of Water and Sewage Services in the Gaza Strip." The report surveys the impact of Israel's offensive on water and sewage services in the Gaza Strip. It also highlights the impact of the tightened siege imposed on the Gaza Strip on the possibilities of rehabilitating these sectors.
- On 9 September 2009, the unit issued a report about Israeli attacks on Palestinian fishermen in the Gaza Strip. The report covers the period from 1 June 2008 to 30 June 2009. It documents Israeli attacks against Palestinian fishermen and the impact of the tightened siege imposed on the Gaza Strip on the fishing sector.
- On 22 November 2009, the unit issued a report titled "Denied Education." The report highlights the impact of the closure of Gaza's border to Palestinian students from Gaza who are enrolled in universities abroad. It draws the attention of the international community to the suffering of those students and holds the Israeli occupation authorities responsible for their hardship.
- The unit prepared a report on the closure imposed on the OPT, especially the Gaza Strip, for PCHR's Annual Report 2009.
- The unit prepared a report titled "Fishermen in the Gaza Strip Are at the Core of the Economic, Social and Cultural Rights Unit's Agenda." The report highlights activities carried out by the unit to document the increasing attacks on Palestinian fishermen. It also focuses on the suffering of Palestinian fishermen and their families due to the tightened siege imposed on the Gaza Strip. Additionally, the report explains the unit's involvement in a campaign organized by a number of international and local NGOs in support of Palestinian fishermen. The report was published in al-Mentar, PCHR's monthly newsletter, in August 2009.

#### 4. Field Updates on the State of the Gaza Strip's Border Crossings

In light of the closure imposed on the Gaza Strip, the unit continued to issue updates on the state of the Gaza Strip's border crossings and the impact of their closure on the economic, social and cultural rights of the Palestinian civilian population.

##### **In 2009, the unit issued two of these updates and initiated work on a third:**

- 26 November – 24 December 2008: The update focused on the reduction of basic supplies, including food and medicines, allowed into the Gaza Strip.
- 11 March – 31 May 2009: The update focused on the right of health in the Gaza Strip in light of the reduction of medical consignment allowed into the Gaza Strip and denial of medical treatment for Gazan patients outside the Gaza Strip.
- 1 June – 31 December 2009: The report is expected to be published in the beginning of 2010. It focuses on the obstruction of the reconstruction of the Gaza Strip. It also includes comprehensive statistics on the movement of persons and goods through Gaza's border crossings in 2009.

#### 5. Workshops on Economic and Social Rights

- Workshop on Road Accidents Caused by Motorcycles in the Gaza Strip

On 2 June 2009, the unit organized a workshop on "Road Accidents Caused by Motorcycles in the Gaza Strip." The workshop was held in PCHR's sub-office in Khan Yunis, and formed part of PCHR's activities aimed at protecting and promoting civilians' right to safety and security of person; fundamental human rights which the Palestinian National Authority (PNA) must ensure and respect. The workshop was organized in response to the increasing number of road

accidents caused by motorcycles. Several public figures in Khan Yunis, university professors, academics, representatives of civil society organizations, female representatives of women's organizations and members of political parties participated in the workshop. At the end of the workshop, the participants discussed in detail issues that the government must tackle in order to reduce motorcycle accidents and made several recommendations.



The workshop on "Road Accidents Caused by Motorcycles in the Gaza Strip" organized by the unit in PCHR's Khan Yunis office, 2 June 2009.

- Two Workshops on the Needs of Residents of Borders Areas in Beit Hanoun and Deir al-Balah

In conjunction with OCHA, the Union of Agricultural Relief Committees, WFP and FAO, the unit planned 4 workshops to discuss the situation of the Gaza Strip's areas, as well as the needs of Palestinians living there. Two of the workshops were held in 2009:

1. On 10 December 2009, the unit co-organized a workshop titled "Border Areas: Needs and Priorities," in offices of Savings and Grants Association in Beit Hanoun in the northern Gaza Strip. At least 70 persons, half of them women, participated in the workshop. The participants also included farmers. In the conclusion of the workshop, the participants determined several urgent needs, including health services, protection, education and humanitarian assistance.
2. On 23 December 2009, the unit jointly organized a second, similar workshop in Deir al-Balah, in the central Gaza Strip. Over 35 persons, several of them farmers, participated in the workshop. In the conclusion of the workshop, the participants determined some urgent needs, including health services, protection, education and humanitarian assistance.

An additional two workshops will be organized; one dealing with the needs of fishermen, and the other to discuss the needs of residents of borders areas in the southern Gaza Strip.

## 6. Other Activities

### **Campaign to Support Fishermen in the Gaza Strip**

In light of escalating Israeli attacks against Palestinian fishermen in the Gaza Strip, the unit organized a campaign in solidarity with fishermen in conjunction with a number of international and local NGOs. The campaign was launched

in March 2009, seeking to expose Israel's arbitrary practices targeting Palestinian fishermen, and to urge the international community to pressure Israeli occupation authorities to end such practices. In the context of the campaign, the unit carried out the following activities:

- On 23 March 2009, unit researcher Fadel al-Muzaini attended a launching a solidarity campaign with Palestinian fishermen. The meeting was held in offices of Palestinian NGO Network.
- On 25 March 2009, unit researcher Fadel al-Muzaini attended a second meeting for members of the solidarity campaign with Palestinian fishermen. The meeting discussed the goals and activities of the campaign and issued a press release on Israeli attacks against fishermen. The participants also agreed to hold a press conference and organize a demonstration in support for fishermen.
- On 13 April 2009, al-Muzaini submitted an intervention on Israeli violations of economic and social rights of fishermen during the press conference which was held at Gaza Seaport. He called for an end to Israeli attacks against Palestinian fishermen.
- On 20 April 2009, members of the solidarity campaign met to discuss developments related to Palestinian fishermen. Al-Muzaini suggested organizing a demonstration and expanding the campaign to include international organizations.
- On 21 April 2009, members of the solidarity campaign met with representatives of international organizations working in the Gaza Strip. They called on international organizations to intervene to stop Israeli attacks against Palestinian fishermen. Al-Muzaini also submitted an intervention on PCHR's efforts to document Israeli attacks against fishermen and provide legal aid for fishermen.
- On 20 May 2009, Palestinian fishermen organized a demonstration of boats to the shore of the Gaza City beach, protesting against the Israeli measures. The demonstration called upon the international community to intervene in order to stop Israeli attacks against Palestinian fishermen.
- On 1 July 2009, the unit held a meeting for members of the solidarity campaign in PCHR's office. The Fishermen's Syndicate, al-Tawfiq Association and the International Solidarity Movement attended the meeting, during which Israeli attacks on fishermen and the possibility of providing fishermen with GPS devices to contribute to the documentation of such attacks were discussed.
- On 6 July 2009, the unit held a meeting for members of the solidarity campaign in PCHR's office. The Fishermen Syndicate, al-Tawfiq Association and the International Solidarity Movement attended the meeting, during which Israeli attacks on fishermen and the possibility of providing fishermen with spot locators to contribute to the documentation of such attacks were discussed. The latter suggestion was adopted by the attendees.

## 7. Press Releases, News Releases and Media Activities

In 2009, the unit issued a number of press releases that focused on violations of economic, social and cultural rights, and and PCHR News items that covered the unit's activities. The unit director was also interviewed by local and international mass media on economic, social and cultural rights in the OPT, and the human rights situation in the Gaza Strip after Israel's offensive. He called upon the international community to intervene to stop the policy of collective punishment practiced by IOF against the Palestinian civilian population, violating their economic, social and cultural rights.

### *Means of Verification*

- The unit issued 11 reports on the tightened siege imposed on the Gaza Strip.
- The unit issued a number of reports focusing on specific economic, social and cultural rights.
- The unit issued news releases on the publication of these reports.
- The reports were widely disseminated.



- The reports or excerpts from reports were published on local and Arab web pages.
- The unit staff members were interviewed by the media on various issues related to economic, social and cultural rights.
- Governmental departments and local NGOs made use of the information included in the reports.
- A number of university students used the information included in the reports in preparing research papers.
- The reports constituted a major source of information on economic, social and cultural rights in the OPT.

## Output 2

### *Lobbying for the Enforcement of the Palestinian Law on the Rights of the Disabled (Law #4 of 1999)*

The unit carried out several activities in the context of lobbying for the enforcement of the law on the Rights of the Disabled. In this context, the unit, in cooperation with the office of the High Commissioner for Human Rights (OHCHR) and the rehabilitation sector of the Palestinian NGO Network in the Gaza Strip, made efforts to expand the committee to support disabled persons, which was established in 2009. The unit also participated in one week of activities to promote the rights of disabled persons, which included the preparation of a document on the rights of disabled persons.

#### 1. Contribution to Activities of the Committee to Support Disabled Persons

The unit contributed to the establishment of the committee to support disabled persons, in cooperation with OHCHR the rehabilitation sector in the Palestinian NGOs Network in the Gaza Strip. In 2009, the committee's membership increased from 18 to 55 organizations. The unit's staff members participated in preparations for a week of activities to support the rights of disabled persons. The week ended on 3 December 2009, the International Day of Disabled Persons. The unit director contributed to drafting a document on the rights of disabled persons, which will serve as a basis for a plan to support the rights of disabled persons in the OPT.

#### 2. Monitoring and Documentation of the Rights of the Disabled

In 2009, the unit continued to monitor and document violations of the rights of the disabled in various fields, including employment, educations, health and social insurance. The unit also assembled statistics of disabled persons who were killed or injured during Israeli attacks and rehabilitation centers which were destroyed by IOF. These statistics were prepared through meetings with victims or their families, as well as staff members of rehabilitation centers.

#### 3. Maintaining Contacts with Rehabilitation Centers

The unit made efforts to enhance relations with rehabilitation centers for the disabled through bilateral and multi-lateral meetings and by providing legal consultations. The unit also established strong relations with al-Irada Radio, which serves disabled persons. The unit director gave a number of interviews to al-Irada Radio.

#### 4. Workshop on the Rights of Disabled Persons

On 26 November 2009, the unit co-organized a workshop on the economic, social and cultural rights of disabled persons, which was held in the offices of the Deir al-Balah Rehabilitation Society. The workshop was organized in the context of a week of activities in support of the rights of disabled persons. At least 60 persons participated in the workshop, which dealt with the rights of disabled persons in international human rights instruments, especially the International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, and Palestinian Law #4 of 1999. The participants called for the adoption of a plan to lobby for the issuance of special identification cards for disabled persons, in accordance with the law.

## 5. Press Releases and Media Activities

- On 3 December 2009, the unit issued a press release on the occasion of the International Day of Disabled Persons. The press release focused on Israeli violations of the rights of disabled Palestinians and called for the respect of their rights.
- On 4 December 2008, the unit director was interviewed by al-Irada Radio, in cooperation with 11 local radio stations in the West Bank and the Gaza Strip. The interview focused on the rights of disabled persons in the OPT, and efforts to support these rights.
- The unit director was interviewed by several media institutions on living conditions of disabled persons in Palestine and obstacles impeding the application of the Palestinian Law on the Rights of Disabled Persons (#4 of 1999).

### *Means of Verification*

- There was increased demand from NGOs for information and statistics related to the rights of disabled persons.
- Local newspapers and web sites published several interviews with the unit director on the rights of disabled persons.
- The unit participated in a number of activities organized on the International Day of Disabled Persons.

## Output 3

### *Promotion of the Right to Health*

#### 1. Meetings with Bodies Providing Health Services

- In 2009, the unit enhanced its relations with local and international bodies that provide health services in the Gaza Strip. The unit provided those bodies with detailed information about health services in the Gaza Strip, especially in light of the shortages of medical supplies and the denial of access to medical care outside the Gaza Strip. The unit also visited hospitals and medical centers in the Gaza Strip and met with hundreds of patients.
- The unit acted as an important source of information about the shortages of medicines and deaths among patients who were denied access to medical treatment outside the Gaza Strip.
- The unit provided such information to UNRWA, the United Nations Office of the High Commissioner for Human Rights, the World Health Organization, and OCHA.
- The unit provided Medical Aid for Palestinians (MAP) with information on the impact of the Israeli siege on health services in the Gaza Strip.

#### 2. Monitoring the Work of the Medical Referrals Abroad Department

The unit followed the mechanisms of work at the Medical Referrals Abroad Department in the Ministry of Health in Gaza, and the transfer of Palestinian patients from the Gaza Strip to hospitals in the West Bank and/or Israel. It also followed the ramifications of the political division in the Palestinian National Authority on the health sector.

#### **PCHR Organizes a Campaign to Support the Right to Health**

The unit monitored the crisis of the Medical Referrals Abroad Department in Gaza. It organized a campaign calling for the resumption of the department's work and for overturning the decision to stop financial coverage for Palestinian patients transferred to Israeli hospitals. The campaign included several activities, including following field developments, issuing press releases on the crisis, holding a press conference, giving media interviews and forming a committee to follow up the crisis.

In early January, the Ramallah Ministry of Health stopped referring Palestinian patients from Gaza to Israeli hospitals. This decision was taken in light of the requirement – imposed by Israeli occupation authorities – that the Palestinian Authority should cover all medical expenses. As a result, hundreds of Palestinian patients who were in need for advanced medical treatment not available in Gaza, saw their treatment interrupted without any suitable medical alternatives. On 22 March 2009, the Ministry of Health in Gaza seized control of the Medical Referrals Abroad Department, halting its effective operation.

A committee established in response to the crisis – consisting of PCHR, the health sector of the Palestinian NGO Network, and a number of national figures, under the auspices of World Health Organization – conducted negotiations with the Ministry of Health in Gaza and the Ministry of Health in Ramallah. These negotiations were aimed at ending the dispute over the department, and keeping patients out of the political conflict. The committee called upon the two parties to ensure that the interests of patients were placed above political considerations. The committee presented a number of initiatives to ensure the resumption of work at the Medical Referrals Abroad Department. It also carried out several media activities to persuade the two parties to accept these recommended solutions. The unit issued 4 press releases calling for an end to the crisis. The committee was finally able to achieve an agreement between the two parties and made efforts to ensure its implementation.

- On 27 April 2009, PCHR issued a press release welcoming the resumption of work at the Medical Referrals Abroad Department of the Palestinian Ministry of Health. The agreement to resume work was reached through successful mediation efforts made by the committee established to monitor the crisis. On 27 April 2009, Dr. Bassam al-Badri, Director of the Medical Referral Abroad Department in Gaza City, and other staff members of the department, returned to their previously-held positions. Fayez al-Shaltouni, mandated by Dr. Bassem Na'im, Minister of Health in Gaza, handed over the office – including electronic data and patients' files – to Dr. al-Badri. This process was witnessed by Khalil Shaheen, Director of PCHR's Economic, Social and Cultural Rights Unit, Mahmoud Dhaer, Director of the World Health Organization Office in Gaza, and Hamada al-Bayari, of the United Nations Office for the Coordination of Humanitarian Affairs in Gaza. PCHR believes that the agreement that was reached preserves the dignity of Gazan patients, promotes their right to adequate physical and mental health treatment, and ends the suffering endured by patients who had previously been forced to visit to the homes of officials authorized to sign referral documents for external medical treatment. PCHR also stressed that it would continue to follow the work of the Medical Referral Abroad Department, to consider complaints by patients, and to provide them with legal assistance, especially those whose access to medical treatment outside the Gaza Strip has been restricted by the Israeli occupation authorities. PCHR further called upon the Minister of Health in Ramallah to commit to the agreement, including the reform of the Higher Medical Committee for External Medical Treatment in the Gaza Strip.

### 3. Report on Medical Services in the Gaza Strip under the Israeli Siege

The unit did not issue this report. However, it highlighted the health situation in the Gaza Strip in 6 separate reports, which focused on health conditions of patients, especially at a time of electricity outages and fuel shortages; the decrease of medical supplies allowed into the Gaza Strip; and the issue of medical referrals for treatment in hospitals outside the Gaza Strip.

### 4. Press Releases

The unit issued 6 press releases on the Right to Health:

- On 23 March 2009, the unit issued a press release titled "PCHR Warns of Gaza Patients' Being Denied Treatment Abroad." It called on relevant parties to intervene to stop the suffering of hundreds of Palestinian patients in need of advanced medical treatment abroad.
- On 25 March 2009, the unit issued a press release titled "PCHR Appeals for Action to Save Lives of Gaza Strip

Patients." It called on the Ministries of Health in the Ramallah and Gaza governments to take all possible measures to facilitate referrals for Gazan patients in need of urgent medical treatment outside Gaza.

- On 7 April 2009, the unit issued a press release titled "In Spite of Persistent Efforts to Solve the Problem of Access to Medical Treatment Outside the Gaza Strip, PCHR Calls upon the Two Governments in Ramallah and Gaza to Save the Lives of Gazan Patients before It Is Too Late." It called upon the ministries of health in Ramallah and Gaza to take immediate steps, including the overturning of all decisions that had led to halting the transfer of Gazan patients to hospitals outside the Gaza Strip, to ensure access of those patients to the necessary medical treatment.
- On 19 April 2009, the unit issued a press release titled "10 Patients Die and Health Conditions of Hundreds Deteriorate as Gaza's External Medical Treatment Crisis Continues; PCHR Holds Minister of Health in Ramallah Accountable and Calls on Palestinian President to Intervene." It appealed directly to the Palestinian President to intervene as a matter of urgency – to the full extent of his powers – in order to ensure the effective operation of the Medical Referrals Abroad Department in the Gaza Strip.
- On 27 April 2009, the unit issued a press release titled "PCHR Welcomes Resumption of Work at External Medical Treatment Department." The agreement to resume work was reached by way of successful mediation efforts on the part of a committee established to monitor the crisis. PCHR expresses the hope that Department staff members and the Higher Medical Committee for External Treatment would work to ease the suffering of patients requiring medical treatment unavailable in the Gaza Strip.
- On 07 December 2009, the unit issued a press release in which condemned external travel restrictions imposed on the population of the Gaza Strip, including patients seeking medical treatment unavailable in the Gaza Strip. PCHR called upon the Government in Gaza to remove all travel restrictions imposed, in particular the obligation to obtain permission from the Ministry of Interior in Gaza.

## 5. Media Activities

The unit carried out a number of media activities on violations of the Right to Health, including the deterioration of health services in the Gaza Strip; the impact of the tightened siege on the transfer of Gazan patients to hospitals outside the Gaza Strip; and the destruction of hospitals and medical facilities during Israel's offensive on the Gaza Strip.

### **War on the Wounded: Human Rights Violations Perpetrated against Palestinian Medical Personnel in the Gaza Strip**

The unit issued this report on 13 January 2009, in light of escalating Israeli attacks on Palestinian medical crews during the offensive on the Gaza Strip. The report highlights attacks by Israeli troops on Palestinian medical and humanitarian personnel, as well as restrictions imposed on medical supplies allowed into the Gaza Strip.

### **Report on the Right to Health (Not Included in the Annual Plan)**

The unit prepared a report on the deterioration of health services in the Gaza Strip for PCHR's Annual Report 2009.

#### *Means of Verification*

- Increased demand for information and statistics related to the rights of disabled persons.
- Local newspapers and web sites published several interviews with the unit director on the right of health.
- The unit participated in a number of activities organized on the International Day of Disabled Persons.
- The unit was a main source of information and statistics with regard to deaths of patients due to the Israeli denial of access to medical treatment outside the Gaza Strip.
- The field updates on the impact of the Israeli siege imposed on the Gaza Strip constituted a major source of information on health conditions in the Gaza Strip for international and local organizations.

## Output 4

### *Promotion of the Right to Adequate Housing*

#### 1. Monitoring Violations of the Right to Adequate Housing

In 2009, the unit continued to monitor and document violations of the right to adequate housing, including house demolitions and land leveling by IOF in the Gaza Strip. The year 2009 was characterized by extensive violations of the right to adequate housing in the Gaza Strip. The unit documented the destruction of houses and civilian facilities, including agricultural facilities, across the Gaza Strip.

#### 2. Report on the Impact of the Israeli Siege on the Right to Adequate Housing

The unit prepared a report on the destruction of houses and civilian facilities during Israel's offensive on the Gaza Strip. The report was incorporated into a comprehensive report published by PCHR on Israel's offensive on the Gaza Strip, titled "Targeted Civilians," which includes comprehensive information and statistics on the destruction of homes and civilian establishments.

#### 3. Media Activities

The unit director was interviewed by dozens of journalists on house demolitions and land leveling by IOF in the Gaza Strip. He also escorted several international delegations on field visits in the Gaza Strip, allowing the delegations to witness the impact of these violations and meet with victims.

#### **Training Courses and Interventions**

The unit contributed to a number of training courses organized by PCHR's Training Unit, in which the unit's staff members delivered lectures that focused on economic, social and cultural rights. Unit staff also participated in a number of workshops and training courses organized by civil society groups on economic rights in the Gaza Strip.

- On 14 February 2009, the unit director participated in a workshop on the impact of the Israeli-imposed siege on the Gaza Strip organized by the Workers Development and Studies Center in Gaza. He submitted an intervention on the impact of the siege on economic and social rights of the Palestinian population. At least 100 representatives of civil society groups, scholars and media professionals participated in the workshop.
- On 24 March 2009, the unit director participated in a workshop on the issue of water organized by al-Dameer Association for Human Rights in Gaza. The workshop was organized on the occasion of the World Water Day. The unit director submitted an intervention on the right to water and Israel's violations of international law and international human rights standards. At least 60 persons participated in the workshop.
- On 4 June 2009, the unit director participated in a conference organized by the Liberal Student Work Front in Gaza to discuss the impact of the political division on academic freedom at Palestinian universities. He submitted an intervention on the reality of academic freedom in Palestinian universities. Over 100 persons participated in the conference.
- On 24 December 2009, unit researcher Fadel al-Muzaini participated in a workshop on the siege and delayed reconstruction of the Gaza Strip organized by the Sawasya Center for Human Rights in the northern Gaza Strip. He submitted a paper on the impact of the blockade and the lack of reconstruction efforts on the Palestinian civilian population.

## Training Unit

In 2009, the unit carried out activities detailed in its annual plan, excluding one output that was postponed to the following year.

In 2009, the human rights situation in the Gaza Strip dramatically deteriorated due to the tightened siege imposed by IOF and other violations of human rights on which the international community has failed to act. The impunity granted to alleged Israeli war criminals and the double standards adopted by European governments negatively impacted human rights and democracy education and added more burdens on human rights defenders attempting to revive the human rights culture. In light of such developments, the unit was forced to minimize its activities in the first quarter of the year, but intensified its activities in the second half of the year and was thus able to implement its annual plan.

### Output 1

#### *Provision of Training Courses on Human Rights and Democracy for 350 Persons*

In 2009, the unit distributed this output to 16 activities. The unit was not able to carry out its activities in the first quarter of the year due to Israel's offensive on the Gaza Strip and its repercussions. However, the unit intensified its efforts in the rest of the year and was able to fully implement this output.

*Table 1: Training Courses Organized by the Unit in 2009*

No.	Number of Courses	Number of Participants	Number of Training Hours	Women's Participation
1	4 courses for teachers of human rights at UNRWA schools	91	48	47%
2	3 courses for women's rights activists	67	60	82%
3	5 courses for members of community-based organizations	115	95	52%
4	Two courses for young lawyers	57	36	42%
5	One courses for young media professionals	15	20	27%
6	One course for university students	25	20	0%

In total, the unit trained 370 persons. The participation of women in training courses organized by the unit was estimated at 51%. Average attendance was estimated at 78%. The total number of training hours in the courses was 279.

The unit carried out its activities in cooperation and coordination with a number of regional and local non-govern-

mental organizations and official bodies, including the Palestine Bar Association and UNRWA. The 370 participants in these courses represented at least 80 centers, societies and unions from across the Gaza Strip. A number of specialized trainers from all PCHR units and from outside PCHR delivered thematic lectures during the training courses.

Table 2: Training Courses Organized by the Unit in 2009

No.	Target Group	Number of Trainees	Place	Training Hours	Period	Women's Participation
1	Young lawyers	27	PCHR's office in Gaza City	18	22-29 Apr.	38%
2	Young lawyers	30	PCHR's office in Gaza City	18	07-14 May	47%
3	Members of civil society groups in Deir al-Balah	26	Media Society, Nussairat	20	31 May – 04 Jun.	31%
4	Female activists in Deir al-Balah	18	Al-Maghazai Cultural Center	20	07-11 Jun.	100%
5	Members of civil society groups in North Gaza	21	PCHR's sub-office in Jabaly	20	14-18 Jun.	57%
6	Members of civil society groups in Khan Yunis	18	PCHR's office in Khan Yunis	20	21-25 Jun.	55%
7	Members of civil society groups in Rafah	27	National Association of Democracy and Law	20	28 Jun. – 02 Jul.	66%
8	Female activists in Khan Yunis	22	PCHR's sub-office in Khan Yunis	20	05-09 Jul.	86%
9	Students of the Humanitarian Studies in the University College of Applied Sciences in Gaza	25	PCHR's office in Gaza City	20	12-16 Jul.	0%
10	Members of the Local Initiative in Beit Hanoun	23	Family Development Charity, Beit Hanoun	15	09-13 Aug.	52%
11	Teachers of human rights in UNRWA schools in Rafah	19	Rafah Preparatory School «B» for Boys	12	13-15 Oct. (morning)	37%
12	Teachers of human rights in UNRWA schools in Rafah	24	Rafah Preparatory School «B» for Boys	12	13-15 Oct. (evening)	54%
13	Teachers of human rights in UNRWA schools in Khan Yunis	23	Khan Yunis School «A» for Girls	12	17-19 Oct. (morning)	48%

14	Teachers of human rights in UNRWA schools in Khan Yunis	25	Khan Yunis School «A» for Girls	12	17-19 Oct. (evening)	52%
15	Women's rights activists in Gaza	27	Creative Women Society	20	22-15 Oct.	67%
16	Young media professionals	15	Gaza Press Center	20	15-19 Nov.	27%

It is worth noting that the unit developed tools to measure the effects of training

Table 3: Effects of Training

No.	Tool	Indicators
1	Observation	<p>The unit director, who attended all lectures, noted the following:</p> <ul style="list-style-type: none"> <li>• A state of confusion towards human rights was noticed over the year, which decreased somewhat by the end of the year.</li> <li>• Participants were increasingly involved in discussions.</li> <li>• Trainees demonstrated increased respect for discussion and differing opinions.</li> <li>• Trainees demonstrated increased abilities to express themselves.</li> <li>• Attendance was satisfactory, but a lack of concentration was noticed among a number of trainees.</li> </ul>
2	Comparison between participants' expectations at the beginning of training courses and the outcome and suggestions and at the end of the courses through questionnaires	<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, noting that details varied from one segment to another depending on needs.</li> <li>• Making new contacts.</li> <li>• Obtaining certificates of participation.</li> <li>• Learning about the role of human rights organizations, especially PCHR and especially following the Goldstone report.</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 international humanitarian law.</li> <li>• They made new contacts.</li> <li>• They obtained certificates of participation.</li> <li>• They learned more about PCHR and its role.</li> </ul> <p>The participants suggested the following:</p> <ul style="list-style-type: none"> <li>• Holding more similar training courses.</li> <li>• Holding specialized training courses on the rights of women and children.</li> <li>• Organizing training courses on human rights and democracy education.</li> </ul> <p>An evaluation of the questionnaires lead to the following conclusions:</p> <ul style="list-style-type: none"> <li>• The contents of lectures were appropriate to the trainees' expectations.</li> <li>• The trainers were qualified and efficient.</li> <li>• Training methods varied.</li> <li>• Interaction between trainers and trainees and between the trainees and the contents of training courses was moderate.</li> <li>• Attendance was high.</li> <li>• Commitment to the rules of discussion and respect for others' opinions were good.</li> <li>• Training locations were appropriate, with one exception.</li> </ul>



3	Tracing effects of training at the personal and professional levels	<p>Although it is difficult to trace effects of training on trainers at the personal and professional levels, the unit director noted the following:</p> <ul style="list-style-type: none"> <li>• 3 young female lawyers who participated in training courses were selected to a work in a project of Women's Rights Unit to train lawyers on litigation before Shari'a Courts.</li> <li>• 7 young lawyers who participated in training courses obtained licenses to practice the Shari'a law.</li> <li>• 5 groups comprised of 25 trainees were formed to assist PCHR in the documentation of human rights violations during Israel's offensive on the Gaza Strip.</li> <li>• A number of trainees expressed their wish to work as volunteers for PCHR.</li> <li>• At least 50 persons who received training visited PCHR in 2009.</li> <li>• A number of trainees participated in PCHR activities after the training.</li> <li>• 27 schoolteachers who received training at PCHR organized visits to PCHR's offices for at least 979 school children.</li> <li>• Directors of a number of other organizations stated to the unit director that their employees who received training acquired more knowledge and experience and that their relations with their colleagues and organizations improved.</li> <li>• Two trainees facilitated the organization of two courses in Gaza City and Beit Hanoun.</li> <li>• A number of human rights teachers organized sports and cultural activities at their schools.</li> <li>• 4 human rights exhibitions were organized at UNRWA schools, one of which was organized in cooperation with PCHR.</li> <li>• 4 persons who received training worked in human rights programs.</li> </ul>
4	Informing about human rights violations and referring victims to PCHR	<p>In 2009, the unit director received information from trainees on human rights violations in over 40 instances; 10 trainees came to PCHR to inform about human rights violations; 10 further trainees accompanied victims to PCHR.</p>
5	Participation in PCHR's activities	<p>Many trainees participated in PCHR's activities:</p> <ul style="list-style-type: none"> <li>• A number of trainees participated in workshops organized by PCHR.</li> <li>• 9 trainees assisted PCHR in organizing 3 training courses through encouraging their colleagues to participate in courses.</li> <li>• A number of trainees informed PCHR about human rights violations and some of them accompanied victims to PCHR.</li> <li>• The unit used 2 media professionals who had received training at PCHR to express their experience with human rights organizations as sources of information.</li> <li>• A number of trainees invited PCHR's staff members of deliver lectures or participated in meetings.</li> </ul>

6	Trainees' initiatives	<p>Trainees developed a number of initiatives:</p> <ul style="list-style-type: none"> <li>• Trainees coordinated 27 visits for school children to PCHR's offices.</li> <li>• A number of trainees invited PCHR staff members to participate in workshops organized by their organizations.</li> <li>• A number of trainees informed PCHR about human rights violations and escorted victims to PCHR's offices.</li> <li>• A number of trainees wished to work as volunteers for PCHR.</li> <li>• A number of trainees worked as volunteers in human rights programs.</li> <li>• Trainees organized 36 lectures for parents, students and teachers in UNRWA.</li> <li>• Trainees organized a peaceful demonstration in areas affected by Israel's offensive on the Gaza Strip, calling on victims to refer to PCHR for legal assistance.</li> <li>• A number of trainees organized a human rights competition at UNRWA schools in Khan Yunis.</li> <li>• A number of trainees organized a football championship for UNRWA schools in Khan Yunis.</li> <li>• Trainees designed a weekly school timetable, and 4,000 copies of it were given to schoolchildren in Khan Yunis.</li> </ul>
7	Requests for organizing training courses	<p>In 2009, the unit received 24 requests from a number of civil society organizations to organize training courses for their members on human rights and democracy, and requests for invitations to activities organized by PCHR.</p>

### Issuing News Releases Related to the Unit's Activities

In 2009, the unit issued 7 news releases covering its activities. Local newspapers reported on these activities.

## Output 2

### *Raising Awareness of 250 Individuals regarding Rights Ensured by International Human Rights Law*

Through this activity, the unit seeks to introduce human rights issues, establish relations with civil society groups and increase the number of individuals who benefit from training activities organized by PCHR. Due to a high volume of requests, the unit is not able to respond to all invitations by civil society groups to organize training courses for their members. In 2009, the unit organized 17 lectures and meetings, in which 404 persons participated.

Table 4: Activities to Raise Awareness

Activity	Implementation	Means of Verification	Indicators
Raising awareness of 250 individuals regarding rights ensured by international human rights law	The unit organized 17 lectures across the Gaza Strip on human rights.	<ul style="list-style-type: none"> <li>• Knowledge about human rights issues gained.</li> <li>• Attendance.</li> <li>• Increased number of requests to organize or to be invited to attend lectures.</li> </ul>	<ul style="list-style-type: none"> <li>• The participants expressed that they gained more knowledge about human rights issues.</li> <li>• 404 individuals attended the lectures.</li> <li>• The unit received 5 requests for additional events.</li> </ul>

Table 5: Details of Awareness-Raising Lectures

No.	Partner Organization	Target Groups	Subject	Place	Number of participants	Date
1.	Al-Asriya Cultural Center	Members of the center	The role of human rights organizations in human rights protection	PCHR's office in Jabalia	17	29 Jan
2.	Al-Zaytoun Preparatory School «B» for Boys	Members of the Student Parliament	The human rights position towards child labor	PCHR's office in Gaza City	10	10 Mar
3.	Al-Shati Preparatory School «C» for Girls	Members of the Student Parliament	The rights of the child and communication between children and parents	PCHR's office in Gaza City	16	16 Mar
4.	National Association of Democracy and Law, Rafah	Member of the association	The rule of law	National Association of Democracy and Law	25	23 Mar
5.	Al-Zaytoun Preparatory School «A» for Boys	Members of the Student Parliament	The rights of disabled children	PCHR's office in Gaza City	10	25 Mar
6.	Khan Yunis Elementary School «B»	Teachers and parents	Human rights education	Khan Yunis Elementary School «B»	35	02 Apr
7.	Nussairat Preparatory School «C» for Boys	Members of the Student Parliament	Poverty	PCHR's office in Gaza City	13	07 Apr
8.	Nile Basic School for Boys	Members of the Student Parliament	Child labor	PCHR's office in Gaza City	9	12 Apr
9.	Jabalia Preparatory School «B» for Girls	Members of the Student Parliament	The rights of disabled children	PCHR's office in Gaza City	11	13 Apr
10.	Al-Shati Mixed Elementary School «B»	Members of the Student Parliament	The rights of the child	Al-Shati Mixed Elementary School «B»	25	19 Apr
11.	Al-Ma'mouniya Preparatory School «B»	Members of the Student Parliament	The rights of foundlings	PCHR's office in Gaza City	11	21 Apr
12.	Liberal Work Front	Workers	The right to work under international law	Union of Agricultural Work Committees, Khan Yunis	70	01 May
13.	National Association of Democracy and Law, Rafah	Member of the association	The right to freedom of movement	National Association of Democracy and Law	42	28 Jun

14.	Creative Women Society	Members of the society	International Bill of Human Rights	Creative Women Society	26	20 Jul
15.	Sharek Youth Forum	Members of the forum	Historical development of human rights	PCHR's office in Gaza City	14	05 Aug
16.	Mustafa Hafez Elementary School «A» for Boys	Teachers	Human rights teaching methods	Mustafa Hafez Elementary School «A» for Boys	40	29 Nov
17.	UNRWA Education Department	Human rights teachers	The rights of the child	UNRWA training hall in Gaza	30	19 Nov

### Output 3

#### *Maintaining Contacts with Trainees and Establishing an Alumni Body*

The unit continued its efforts to establish an alumni body that for individuals who benefited from PCHR trainings. In 2009, the unit filed the contact details of 320 trainees. The list includes names, places of residence, work places, telephone and fax numbers, e-mails, the coordinating institutions, and the dates and locations of courses participated in.

Persons who received training at PCHR contributed to a number of activities organized by PCHR and other organizations:

1. PCHR, in cooperation with a number of community-based organizations in Deir al-Balah, designed a weekly school timetable that included articles from the Convention on the Rights of the Child, and 4,000 copies of it were distributed to school children in Deir al-Balah. This activity was initiated by a number of PCHR's friends in these organizations.
2. A number of persons who received training contributed to PCHR's efforts to document human rights violations perpetrated by Israeli Occupation Forces during the latest offensive against the Gaza Strip; 25 trainees worked as volunteers for two months at the Field Work Unit and the Legal Aid Unit.
3. On 31 January 2009, a number of trainees, who are members of the al-'Asriya Cultural Center in Jabalia, organized a demonstration in 'Izbat 'Abed Rabbu, al-'Atatra, Jabal al-Rayes and al-'Israa' areas calling on Palestinian civilians who were subjected to violations of human rights to refer to human rights organizations for legal aid. The demonstration followed a meeting held by the unit director with those trainees, in which he highlighted the role of human rights organizations in human rights protection. The meeting was held at PCHR's office in Jabalia.
4. A number of trainees organized a human rights competition at UNRWA schools in Khan Yunis.
5. A number of trainees organized a football championship for UNRWA schools in Khan Yunis.
6. On 21 December 2009, human rights teachers in Khan Yunis, in cooperation with PCHR, organized a human rights exhibition in Khan Yunis. Three other similar exhibitions had been previously organized in other areas in the Gaza Strip.
7. A number of trainees participated in activities organized by PCHR.
8. A number of trainees facilitated the organization of 3 training courses.
9. A number of trainees informed PCHR about human rights violations.

10. Two journalists who received training presented their experience to other trainees to explain the important role played by human rights organizations.
11. A number of PCHR's staff members were invited to participate in workshops and meeting organized by organizations whose members had training at PCHR.
12. Three trainees facilitated visits to UNRWA schools to observe human rights education.
13. Many trainees visited PCHR and met with the unit director for consultations.
14. 27 visits to PCHR's offices were organized for 979 elementary and preparatory school students. Each visit lasted one hour, during which PCHR's activities were explained and inquiries by the school children were answered.

*Table 6: Visits by School Children to PCHR's Offices in 2009*

No.	School	Office	Number of Children	Date
1.	Beit Hanoun Preparatory School for Boys	Jabalia	35	01 March
2.	Khan Yunis Elementary School for Girls	Khan Yunis	25	08 March
3.	Khan Yunis Elementary School for Boys	Khan Yunis	25	18 March
4.	Khan Yunis Elementary School «C» for Boys	Gaza City	36	30 March
5.	Bani Suhaila Preparatory School «B»	Gaza City	38	30 March
6.	Jabalia Elementary School «E» for Boys	Jabalia	15	01 April
7.	Al-Fukhari Elementary School	Khan Yunis	25	02 April
8.	Asmaa» Mixed Elementary School «C»	Gaza City	20	02 April
9.	Khan Yunis Preparatory School for Boys	Khan Yunis	25	09 April
10.	Khan Yunis Elementary School «C» for Girls	Khan Yunis	26	09 April
11.	Izbat Beit Hanoun Preparatory School	Jabalia	42	13 April
12.	Al-Qarara Mixed Elementary School «B»	Gaza City	60	14 April
13.	Al-Boreij Mixed School «D»	Gaza City	65	19 April
14.	Jabalia Preparatory School «D» for Boys	Gaza City	45	21 April
15.	Khan Yunis Elementary School «B» for Girls	Gaza City	30	22 April
16.	Nussairat Preparatory School «D» for Boys	Gaza City	35	26 April

	Mustafa Hafez Elementary School «A»	Khan Yunis	60	17 April
18.	Ahmed Abul Aziz Elementary School for Boys	Khan Yunis	33	28 April
19.	Nussairat Preparatory School «B» for Boys	Gaza City	50	29 April
20.	Beit Hanoun Mixws Elementary School	Gaza City	32	29 April
21.	Al-Boreij Mixed Elementary School «D»	Gaza City	70	29 April
22.	Beit Hanoun Mixed Elementary School «D»	Jabalia	30	29 April
23.	Khan Yunis Elementary School «B» for Boys	Khan Yunis	32	10 May
24.	Al-Remal Preparatory School «A» for Girls	Gaza City	28	01 October
25.	Khan Yunis Elementary School «B» for Girls	Khan Yunis	25	09 December
26.	Al-Maghazi Preparatory School «A» for Boys	Gaza City	58	16 December
27.	Beit Hanoun Preparatory School	Gaza City	14	16 December

The unit director, Bassam al-Aqra', meets with students of an UNRWA school in PCHR's head office in Gaza City.



The unit director, Bassam al-Aqra', meet with students of an UNRWA school in PCHR's main office in Gaza City

## Output 4

### *Maintaining Relations with Civil Society Organizations through Training Activities*

The unit contributes to the enhancement of PCHR's relations with civil society organizations by 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, because the unit's high degree of professionalism is well-known.

However, activities in this context were limited in 2009, as many civil society organizations were forced to stop their activities due to the Israeli siege and its impact on the freedom of movement, and because the government in Gaza closed dozens of these organizations.

*Table 7: Activities Conducted by the Unit to Enhance Relations with Other Civil Society Organizations*

No.	Activity	Implementation	Means of Verification	Indicators
1	Participation in training activities organized by other civil society organizations, especially those focusing on women and the disabled	The unit organized 3 training courses, the unit director delivered 35 lectures and colleagues delivered 8 others in training activities organized by other civil society organizations	An increase in the number of invitations sent by other civil society organizations to PCHR to participate in training activities	<ul style="list-style-type: none"> <li>The unit received 24 requests from other civil society organizations to organize training courses for their members or deliver lectures in training courses they organized.</li> <li>The unit responded positively to 3 requests to organize training courses, and to 21 requests to deliver lectures.</li> <li>Representatives of 7 organizations visited PCHR for coordination and networking purposes.</li> <li>The unit director received two letters thanking him for participating in training activities organized by other civil society organizations.</li> </ul>
2	Hosting activities of small civil society organizations, especially those focusing on women and the disabled	PCHR hosted 7 activities for the Creative Women Society.	Requests sent to the unit to host such activities	<ul style="list-style-type: none"> <li>In May 2009, PCHR hosted activities for the Creative Women Society in its sub-office in Jabalia.</li> </ul>
3	Assisting small civil society organizations, especially those focusing on the rights of women and the disabled, in designing training courses	Not implemented	An increase in the number of organizations requesting the unit's assistance in designing training courses	The unit did not receive any request in this regard

4	Inviting trainers from other organizations to contribute to training activities organized by the unit	3 trainers, one of them female, contributed to training activities organized by PCHR.	The number of trainers who contributed to the unit's training activities	The unit invited 3 external trainers, including a female trainer, to contribute to its training activities.
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Table 8: Lectures Delivered by the Unit at Training Courses Organized by Other Organizations

No.	School	Target Group	Subject	Location	Participants	Date	Time
1.	Rafah Preparatory School «A» for Boys	Human rights teachers	Teachers' role in human rights education	The school	14	11 Mar.	90 min.
2.	Rafah Preparatory School «D» for Boys	Human rights teachers	Teachers' role in human rights education	The school	14	11 Mar.	90 min.
3.	Mustafa Hafez Elementary School «B»	Human rights teachers	Teachers' role in human rights education	The school	35	11 Mar.	75 min.
4.	Mustafa Hafez Elementary School «A»	Human rights teachers	Teachers' role in human rights education	The school	35	11 Mar.	75 min.
5.	Al-Maghazi Elementary School «A» for Boys	Human rights teachers	Teachers' role in human rights education	The school	38	11 Mar.	90 min.
6.	Al-Maghazi Elementary School «B» for Boys	Human rights teachers	Teachers' role in human rights education	The school	50	11 Mar.	90 min.
7.	Deir al-Balah Mixed Elementary School «A»	Human rights teachers	Teachers' role in human rights education	The school	14	11 Mar.	90 min.
8.	Imam Shaf'ei School «A» for Boys	Human rights teachers	Teachers' role in human rights education	The school	25	12 Mar.	90 min.
9.	Imam Shaf'ei School «B» for Boys	Human rights teachers	Teachers' role in human rights education	The school	23	12 Mar.	90 min.
10.	Jabalia Elementary School «C» for Boys	Human rights teachers	Teachers' role in human rights education	The school	23	12 Mar.	60 min.



11.	Jabalia Elementary School «D» for Boys	Human rights teachers	Teachers' role in human rights education	The school	28	12 Mar.	60 min.
12.	Ayoubiya Elementary School for Boys	Human rights teachers	Teachers' role in human rights education	The school	29	12 Mar.	90 min.
13.	Al-Razi Mixed Elementary School	Human rights teachers	Teachers' role in human rights education	The school	24	14 Mar.	90 min.
14.	Al-Razi Elementary School for Girls	Human rights teachers	Teachers' role in human rights education	The school	23	14 Mar.	90 min.
15.	Khawla Mixed Elementary School «A» for Girls	Human rights teachers	Teachers' role in human rights education	The school	8	14 Mar.	90 min.
16.	Khawla Mixed Elementary School «B» for Girls	Human rights teachers	Teachers' role in human rights education	The school	15	14 Mar.	90 min.
17.	Khan Yunis Elementary School «D» for Girls	Human rights teachers	Teachers' role in human rights education	The school	13	15 Mar.	60 min.
18.	Khan Yunis Elementary School «C» for Girls	Human rights teachers	Teachers' role in human rights education	The school	16	15 Mar.	60 min.
19.	Deir al-Balah Mixed Elementary School «B»	Human rights teachers	Teachers' role in human rights education	The school	32	16 Mar.	90 min.
20.	Al-Shati Mixed Elementary School «E»	Human rights teachers	Teachers' role in human rights education	The school	34	17 Mar.	90 min.
21.	Al-Zaytoun Mixed Elementary School «B»	Human rights teachers	Teachers' role in human rights education	The school	24	17 Mar.	60 min.
22.	Al-Shati Mixed Elementary School «E»	Human rights teachers	Teachers' role in human rights education	The school	22	17 Mar.	90 min.
23.	Beit Hanoun Elementary School for Girls	Human rights teachers	Teachers' role in human rights education	The school	27	18 Mar.	90 min.

24.	Jabalia Mixed Elementary School «D»	Human rights teachers	Teachers' role in human rights education	The school	26	18 Mar.	60 min.
25.	Jabalia Elementary School «B» for Girls	Human rights teachers	Teachers' role in human rights education	The school	26	18 Mar.	90 min.
26.	Jabalia Elementary School «B» for Girls	Human rights teachers	Teachers' role in human rights education	The school	28	18 Mar.	90 min.
27.	Rafah Mixed Elementary School «D»	Human rights teachers	Teachers' role in human rights education	The school	25	19 Mar.	90 min.
28.	Deir al-Balah Mixed Elementary School «C»	Human rights teachers	Teachers' role in human rights education	The school	23	21 Mar.	90 min.
29.	Deir al-Balah Mixed Elementary School «C»	Human rights teachers	Teachers' role in human rights education	The school	24	21 Mar.	90 min.
30.	Khan Yunis Elementary School «D»	Parents	The rights of the child	The school	28	31 Mar.	60 min.
31.	Al-Boreij Preparatory School «A»	Parents and members of the student parliament	The rights of the child	The school	25	26 Mar.	120 min.
32.	Jabalia Elementary School «E» for Boys	Parents	The rights of the child	The school	45	16 Apr.	90 min.
33.	Ahmed Abdul Aziz «B» for Boys	Human rights teachers	Teachers' role in human rights education	The school	30	04 May	120 min.
34.	World Union of Medicine Students at al-Azhar University	Medicine students	Human rights development	Conference hall in the campus	15	17 May	90 min.
35.	World Union of Medicine Students at al-Azhar University	Medicine students	Universal Declaration of Human Rights	Conference hall in the campus	14	18 May	60 min.

36.	World Union of Medicine Students at al-Azhar University	Medicine students	Civil and political rights	Conference hall in the campus	10	20 May	60 min.
37.	National Association for Democracy and Law	Members of civil society organizations in Khan Yunis	International Bill of Human Rights	Palestine Pioneers Association	23	24 May	4 hrs.
38.	National Association for Democracy and Law	Members of civil society organizations in Khan Yunis	International Bill of Human Rights	Palestine Pioneers Association	19	27 May	4 hrs.
39.	National Association for Democracy and Law	Members of civil society organizations in Khan Yunis	International Bill of Human Rights	National Association for Democracy and Law	23	08 Jun.	4 hrs.
40.	Sharek Youth Forum	Young women in a summer camp in Khan Yunis	Human rights concepts	The camp	80	12 Jun.	90 min.
41.	Khan Yunis Elementary School	Teachers and parents	Education of the rights of the child	The school	35	19 Nov.	90 min.
42.	Al-Zaytoun Elementary School for Boys in Gaza	Members of the Student Parliament	Human rights concepts	The school	35	21 Nov.	2 hrs.
43.	Nussairat Preparatory School «C» for Boys	Members of the Student Parliament	The rights of the child	The school	20	13 Dec.	60 min.

## Output 5

### *Q&A Guide to Human Rights*

The unit did not implement this activity due to the high work load and the priority of the implementation of other activities included in the annual plan.

### *Activities Not Included in the Annual Plan: Field Visits*

The unit has continued its joint activities with UNRWA in the Gaza Strip to rehabilitate the school environment to allow school children to enjoy their rights. Activities included in the plan are detailed in other sections of this report, while activities that are not part of the unit's annual plan included field visits to schools in order to evaluate the advancement of human rights education. In 2009, the unit conducted 22 field visits, each of which lasted for approximately an hour, as shown in the following table.

Table 9: Field Visits to Evaluate the Development of Human Rights Education

No.	School
1.	Jabalia Mixed Elementary School «D»
2.	Jabalia Mixed Elementary School «C»
3.	Jabalia Mixed Elementary School «B»
4.	Al-Ayoubiya Elementary School for Boys
5.	Jabalia Elementary School «C» for Boys
6.	Jabalia Elementary School «D» for Boys
7.	Al-Razi Elementary School for Girls
8.	Al-Razi Mixed Elementary School
9.	Khawla Mixed Elementary School «B»
10.	Khawla Mixed Elementary School «A»
11.	Rafah Mixed Elementary School «D»
12.	Khan Yunis Elementary School «C» for Girls
13.	Mustafa Hafez Elementary School «A» for Boys
14.	Khan Yunis Elementary School «D» for Girls
15.	Ahmed Abu al-Aziz Preparatory School «A» for Boys
16.	Al-Shati Mixed Elementary School «E»
17.	Al-Shati Mixed Elementary School «B»

## International Unit

The work of PCHR's International Unit was expanded in 2009, and a plan of action is currently being developed in order to consolidate and enlarge the Unit's activities in 2010. The Unit's work is predominantly focused on strengthening PCHR's external capabilities: improving relations, and increasing PCHR's profile and output on the international stage.

The work of the International Unit work may be classified into six, often overlapping components:

- International Legal Work
- Publications
- International Advocacy
- Coordination with national and international organizations
- Support for other units in PCHR
- Supplementary Activities.

### 1. International Legal Work

The International Unit works closely with PCHR's Legal Unit to develop and enhance PCHR's activities with respect to the pursuit of universal jurisdiction cases. In light of the inadequacies of the Israeli legal system, and the Palestinian Authority's lack of jurisdiction over Israeli citizens, PCHR has turned to universal jurisdiction. This international focus is founded on two underlying motivations. First, PCHR seeks to ensure victims' legitimate rights to an effective judicial remedy. This right is codified in Article 2 of the International Covenant on Civil and Political Rights, and constitutes the cornerstone of international justice. Second, PCHR firmly believes that rule of law offers the most appropriate mechanism of securing and protecting individuals' rights. However, if the rule of law is to be relevant, it must be enforced. By pursuing universal jurisdiction cases, PCHR seeks to hold accountable those who commit international crimes. This serves to combat the pervasive culture of impunity, and to promote and strengthen respect for the rule of law.

#### *Verifiable Indicators*

- Progress of current legal cases
- Development of new legal opportunities
- Increased international coordination and cooperation
- Increased awareness on the utility and necessity of universal jurisdiction

#### *Output*

- **Lawsuit in Spain**
  - On 29 January 2009, the Central Investigative Judge No. 4 of the Audiencia Nacional ruled that the Israeli authorities were not willing to investigate and bring to trial the persons presumed responsible for the Al-Daraj assassination; Spanish competence was accordingly asserted over the case. This decision marked the launch of a judicial enquiry into the events of 22 July 2002.

- On 4 May 2009, the Spanish Audiencia Nacional overturned an appeal by the State Prosecutor and declared its intention to continue investigating the 2002 Al-Daraj attack. This decision set an important legal precedent: the Court held that, as an Occupying Power, Israel does not have primary jurisdiction over the Gaza Strip. As a result of this decision, PCHR may now present cases directly to the Spanish judicial system, bypassing the Israeli courts.
  - On 30 June 2009, the Appeals Court of the Audiencia Nacional upheld an appeal from the public prosecutor, closing the case on the grounds that Israel had primary jurisdiction. This decision is currently being appealed by PCHR and Spanish counterparts. The case will be heard by the Spanish Supreme Court in 2010. The case, which relates to the Al-Daraj attack, has also been expanded to include recent cases arising consequent to Israel's offensive on the Gaza Strip (27 December 2008 – 18 January 2009).
- **Spanish Changes to Universal Jurisdiction Legislation**
    - On 19 May 2009 the Spanish parliament requested that the government limit the scope of Spain's universal jurisdiction legislations, necessitating urgent action. Efforts were undertaken to promote cooperation among international lawyers, civil society organizations and the public at large in opposition to the proposed amendment. A number of joint-statements were prepared and coordinated. Despite best efforts, on 7 October 2009, the change in the law came into effect. The legality of this new law will be challenged.
- **Lawsuit in the Netherlands**
    - On 26 October 2009, a Court of Appeals in the Netherlands denied a complaint taken against Ami Ayalon, former head of the Israeli General Security Services (Shin Bet). Sufficient evidence was presented to allow the Court to find Mr. Ayalon guilty of the torture of Mr. Al-Shami. However, despite the denial of the complaint, some of the Court's findings represent a victory with respect to the future prosecution of alleged torturers. The Court established that the accused's presence is sufficient to establish jurisdiction, and that in principle no action from the prosecutor is required. PCHR and legal partners, in consultation with Mr. Al-Shami, are currently considering future legal options.
    - Contacts are also ongoing as regards establishing a network of lawyers in new jurisdictions, and significant progress has been made in this regard. Precise details of this activity cannot be revealed due to confidentiality requirements.
    - The preparation of an in-depth report "The Principle and Practice of Universal Jurisdiction: PCHR's work in the occupied Palestinian territory." This report explains the evolution of universal jurisdiction and its practice in the modern-era. Specific attention is paid to PCHR's universal jurisdiction activities, including the Centre's case history. The report is intended to increase awareness of both the principle and practice of universal jurisdiction, and effectively counter opponents of universal jurisdiction. The report also contains an extensive analysis of the elements of crimes that form the basis for universal jurisdiction.

## 2. Publications

The International Unit produces a number of publications and press releases. Publications are intended to enhance PCHR's core functionality, by providing accessible reports documenting the situation in the occupied Palestinian territory, and analyzing events from the perspective of international law.

### *Verifiable Indicators*

- Number of publications
- Number of press releases
- Number of joint statements initiated by PCHR
- Number of joint statements endorsed by PCHR

## Output

### A) Publications

In 2009, the International Unit was significantly involved in the production of 17 PCHR publications:

- 'We Are Still Alive: Carnage at Al-Fakhoura School, Jabalia' (8 January)
- 'We Are Still Alive: Gaza Ambulance Drivers Risk Life and Limb to Evacuate Civilians to Safety' (15 January)
- UNDP Human Development Report 2009, PCHR Background Paper, Respect for Human Rights in the Occupied Palestinian Territory: An internal Palestinian analysis (February)
- Aftermath (1) "We Never Feel Safe" (9 February)
- Aftermath (2) Gaza's forgotten elderly (15 February)
- Aftermath (3) "Is this not forbidden?" (19 February)
- Aftermath (4) Hammad's death barely made the news (4 March)
- Aftermath (5) Coming home (18 March)
- Aftermath (6) "The only BMW shop in Gaza" (29 March)
- Aftermath (7) "I know every inch of this land..." (30 March)
- Aftermath (8) Life is blind (5 May)
- Joint Fact Sheet Calling for an End to International Donor Complicity in Israeli Violations of International Law (May)
- Joint Open Letter to United Nations Secretary General Ban Ki-Moon, Re: Failure to Uphold International Law and Decision to Allow Political Considerations to Take Precedence over the Protection of Victims (May)
- War Crimes Against Children: A PCHR investigation into Palestinian children killed by Israeli Forces in the Gaza Strip, 27 December 2008 – 18 January 2009 (May)
- Joint Statement: Human Rights Organizations Urge Spain Not to Amend Its Universal Jurisdiction Legislation (June)
- Through Women's Eyes: A PCHR Report on the Gender-Specific Impact and Consequences of Operation Cast Lead (October)
- The Principle and Practice of Universal Jurisdiction: PCHR's work in the occupied Palestinian territory (Forthcoming)

### B) Press Releases

In 2009, the International Unit produced 26 Press Releases:

- 29 January: Palestinian Centre for Human Rights Welcomes Decision of Spanish Court to Investigate War Crimes Committed by IOF in Gaza
- 12 March: Confirmed figures reveal the true extent of the destruction inflicted upon the Gaza Strip; Israel's offensive resulted in 1,417 dead, including 926 civilians, 255 police officers, and 236 fighters.
- 19 March: The Palestinian Centre for Human Rights Condemn Proposals to Use Palestinian Prisoners as Political 'Bargaining Chips'
- 26 March: PCHR Contests Distortion of Gaza Strip Death Toll
- 31 March: Israel Closes Investigation into Alleged War Crimes Committed in the Gaza Strip
- 21 April: Israeli Refusal to Cooperate With United Nations Investigation Represents an Attempt to Shield Alleged War Criminals from Justice
- 27 April: PCHR Condemn Israeli Attempts to Legitimize Crimes in Gaza and Shield Perpetrators from Justice
- 4 May: Palestinian and Israeli Human Rights Organizations Release Joint Fact Sheet Calling for an End to International Donor Complicity in Israeli Violations of International Law
- 4 May: PCHR welcomes the Spanish National Court's decision to continue investigating suspected Israeli war criminals
- 7 May: Attorney General's Office informs Israeli Supreme Court that No Investigation will be Conducted into Suspected War Crimes Committed in Gaza in 2004; During Hearing Justices Make Political Comments Unrelated

to the Petition

- 19 May: Committee Against Torture's Findings Highlight International Community's Inaction in the Face of Israel's Widespread and Systematic Violations of International Law
- 21 May: PCHR Clarify Confusion Regarding Spanish Parliament Proposal Concerning Universal Jurisdiction Legislation
- 2 June: PCHR Welcomes Arrival of Human Rights Council Mandated Independent Fact-Finding Mission to Gaza
- 2 June: Palestinian Human Rights Organizations Deliver Open Letter to Mr. Ban Ki-Moon Condemning His Failure to Uphold International Law and His Decision to Allow Political Considerations Take Precedence over the Protection of Victims
- 21 June: PCHR and Spanish Civil Society Organize Conferences in Madrid In Defense of Universal Jurisdiction
- 30 June: PCHR will Appeal to Supreme Court against Spanish Appeals Court's Decision
- 8 July: On 5th Anniversary of ICJ Advisory Opinion on 'The Wall' PCHR Highlight Israel's Continued Violations of International Law, and the International Community's Complicity in Illegal Acts
- 16 September: Palestinian Human Rights Organizations Support Work and Recommendations of UN Fact Finding Mission: Demand Effective Judicial Redress and the Protection of Victims' Rights
- 29 September: PCHR: Human Rights Council Must Endorse Findings and Recommendations of Goldstone Enquiry
- 3 October: Justice Delayed is Justice Denied: Decision of Palestinian Leadership and International Pressure an Insult to the Victims
- 16 October: First Step Towards Justice: Human Rights Council Adopts Resolution Endorsing Goldstone Report's Findings and Recommendations
- 16 October: PCHR Welcomes Hamas Decision to Investigate Allegations of War Crimes, Comply With Goldstone Report
- 30 October: Justice Denied: Dutch Court Denies Appeal Petition in Ayalon Torture Case
- 3 November: General Assembly Must Vote To Fight Impunity and Uphold the Rule of Law
- 3 November: The Goldstone Report at the UN General Assembly: States Must Uphold International Law to Ensure Accountability for the Victims of War Crimes in Gaza
- 4 November: The Goldstone Report at the UN General Assembly: States Must Ensure Victim's Rights and Not Compromise the Rule of Law

### **C) Joint Statements Initiated by PCHR**

- 4 May: Palestinian and Israeli Human Rights Organizations Release Joint Fact Sheet Calling for an End to International Donor Complicity in Israeli Violations of International Law
- 2 June: Palestinian Human Rights Organizations Deliver Open Letter to Mr. Ban Ki-Moon Condemning His Failure to Uphold International Law and His Decision to Allow Political Considerations Take Precedence over the Protection of Victims
- 3 October: Justice Delayed is Justice Denied: Decision of Palestinian Leadership and International Pressure an Insult to the Victims
- 15 October: Joint written submission to the 12 Special Session of the Human Rights Council from PCHR, BADIL, Al-Haq, Ittijah, DCI, Adalah, FIDH.

### **D) Joint Activities Endorsed by PCHR**

All joint activities were released/undertaken consequent to extensive input by PCHR.

- 9 January: Joint Open Letter to the High Contracting Parties to the Fourth Geneva Convention
- 26 August: Note on the Human Rights Situation in Israel and the OPT (Euro-Mediterranean Human Rights Network - EMHRN)



- 16 September, Palestinian Human Rights Organizations Support Work and Recommendations of UN Fact Finding Mission: Demand Effective Judicial Redress and the Protection of Victims' Rights
- 16 September: Open Letter on the Occasion of the EU-PA Political Dialogue (EMHRN)
- 21 September: The EMHRN calls on the EU and its Member States to support the UN Fact Finding Mission report on Gaza and its recommendations
- 3 November: Joint Letter to UN Member States (Re: Concrete Actions to be Taken by All Member States in the UN General Assembly for the Full Endorsement of the Goldstone Report)
- 3 November: The Goldstone Report at the UN General Assembly: States Must Uphold International Law to Ensure Accountability for the Victims of War Crimes in Gaza
- 4 November: The Goldstone Report at the UN General Assembly: States Must Ensure Victim's Rights and Not Compromise the Rule of Law
- 11 November: Joint Letter sent to the Foreign Ministries of Albania, Bosnia and Herzegovina, Ireland, Malta, Portugal, Serbia, Slovenia, Switzerland, and Turkey.

### 3. International Advocacy

PCHR's international advocacy work intends to increase international understanding of the human rights situation in the occupied Palestinian territory. This work is focused on two audiences. First, it intends to address governments directly, ensuring that they are informed of the reality in the oPt, and urging them to take action. Second, it addresses civil society. This form of advocacy is intended to mobilize popular support behind the Palestinian cause, and to generate domestic pressure on politicians and governments.

#### *Verifiable Indicators*

- Documentation produced / distributed.
- Advocacy meeting / conferences / hosting of delegations.
- Submission to UN Mechanisms.

#### *Output*

- 28 May: Parliamentary Lobbying: call for Assistance
- Op-Ed piece prepared for Spanish Press: Spain's Universal Jurisdiction Legislation: What it means for victims and justice
- Op-Ed pieces prepared for Arabic Press on the Goldstone Report
- 29 May: Advised on Euro-Mediterranean Human Rights Network Joint Statement: 'The EMHRN Supports Universal Jurisdiction'
- 29 June: Open Letter to Spanish Parliament, to be read to Parliament by Spanish parliamentarian in favor of universal jurisdiction.
- Open Letter to Spanish Parliamentarians, urging them to not to limit the scope of Spain's universal jurisdiction legislation.
- Oral Intervention – Presented by Raji Sourani (prepared by International Unit)
- 2 October: Joint Oral Submission by Adalah, Al-Haq, Badil, Habitat International, Palestinian Centre for Human Rights, Palestinian Independent Commission for Human Rights, and the Women's Centre for Legal Aid and Counseling, 12 Session of the Human Rights Council
- 15 October: Joint written submission to the 12 Special Session of the Human Rights Council from PCHR, BADIL, Al-Haq, Ittijah, DCI, Adalah, FIDH

### 4. Coordination with National and International Organizations

PCHR works with national and international organizations in order to enhance advocacy efforts, and effectively utilize

all available resources. This is related to PCHR's advocacy activities, and includes hosting visiting delegations and facilitating their work in the Gaza Strip.

#### *Verifiable Indicators*

- Number of meetings.
- Cooperation with other NGOs.

#### *Output*

- League of Arab States Independent Fact Finding Mission to Gaza: PCHR was intrinsically involved in the organization and activities of the Independent Fact Finding Mission. The International Unit accompanied the Fact Finding Mission and
- Numerous meetings were held and coordination activities conducted with international and national organizations throughout the year, international organizations included Amnesty International, Human Rights Watch, MAP UK, Christian Aid, CIDSE, Oxfam, ACSUR, and MDM-Spain. National organizations included, Al-Mezan, Al-Haq, Adalah, B'Tselem, Gisha, DCI-Palestine, BADIL, Al-Dameer, and Physicians for Human Rights-Israel.
- PCHR initiated a number of joint-statements, which were supported by a significant number of Palestinian and Israeli human rights organizations. Efforts such as these enhance cooperation, and establish relationships that can be built upon in the future. One of the most significant statements and activities organized by PCHR was the response to the Palestinian decision to defer discussion of the Goldstone Report at the 12th Session of the Human Rights Council. PCHR wrote a statement and organized a press conference, which were endorsed by the majority of Palestinian human rights organizations. This placed significant pressure on the PA, and resulted in a high level of media attention. Ultimately, the PA reversed its stance.

### 5. Support to Other PCHR Units

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. The International Unit also supports the Director of PCHR in his international activities, including speech preparation and coordination.

#### *Verifiable Indicators*

- Press Releases and reports edited
- Other documentation

#### *Outputs*

- The Unit edited all of the Press releases released by PCHR, which had been translated from the Arabic and edited all of the weekly reports. The Unit is also responsible for editing the Annual Report produced in conjunction with the Democratic Development Unit, and other PCHR publications.
- The Unit responded to numerous enquiries about the work of the Centre and other related requests for information from the media and the public. 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.

### 6. Supplementary Activities

As opportunities arise, the International Unit engages in additional activities to those outlined above. These include

arranging training programs with other organizations in the Gaza Strip.

#### *Verifiable Indicators*

- Indicators are activity-specific.

#### *Output*

- Organized briefing by Medical Aid for Palestinians (MAP) on weapons used by Israeli and Palestinian forces during Operation Cast Lead

## Advocacy and Lobbying Activities

Advocacy and lobbying activities occupy a major part of PCHR's activities at both the international and the local level. Through such activities, PCHR seeks to achieve its basic goal – protection of human rights and respect for international humanitarian law. PCHR carries out such activities in coordination with dozens of international, regional and Palestinian NGOs to exert pressure and influence authorities to end violations of human rights, especially those perpetrated by IOF, and respect international humanitarian law.

These activities are not carried out by a specialized unit, rather all PCHR's units are involved in these activities at the local level, which constitute an integral part of the activities of each unit. At the international level, PCHR's Director, the board of directors and other mandated staff members, carries out these activities.

### Participation in International and Regional Conferences and Meetings

In 2009, PCHR received invitations to participate in numerous international and regional conferences and meetings. PCHR's participation in these events was restricted by the ongoing severe restrictions on freedom of movement imposed by IOF on the Gaza Strip. PCHR staff members have not been able to travel outside the Gaza Strip, like other Palestinian civilians, as Rafah International Crossing Point has remained closed with very rare exceptions.

#### Meeting with Secretary General of the Arab League of States - Cairo

On 2 January 2009, Raji Sourani, Director of PCHR, participated in a meeting between Amru Mousa and a number of Arab and international experts to discuss the implications of Israel's offensive on the Gaza Strip. The meeting attendees also discussed possibilities of prosecuting suspected Israeli war criminals before international courts. On the same day, Mr. Sourani met with Mr. Mousa separately. In the meeting, Mr. Sourani was requested to nominate a number of Arab and international experts for an independent inquiry mission delegated by the Arab League of States to investigate crimes committed by IOF during their offensive on the Gaza Strip (27 December 2008 – 18 January 2009).

#### Meeting with Moroccan Lawyers – Rabat

On 19 January 2009, Raji Sourani, Director of PCHR, met with a number of Moroccan lawyers in Rabat. During the meeting, Mr. Sourani briefed the lawyers on Israel's offensive on the Gaza Strip, highlighting several human rights violations and crimes perpetrated by IOF during their offensive on Gaza.

#### Meeting of the Council of the League of Arab States – Cairo

On 20 January 2009, Raji Sourani attended the meeting of the council of the League of Arab States at the level of Permanent Delegates. He delivered a speech in which he stressed that Israel's offensive on Gaza has caused extensive destruction across the Gaza Strip. He also pointed out that PCHR had been documenting human rights violations and crimes committed by IOF against the Palestinian people.

#### Testimony before a Hearing at the European Parliament – Brussels

On 23 January 2009, the European Parliament held a session in Brussels to hear several testimonies. In the session,

Raji Sourani testified on killings of Palestinian civilians committed by IOF. In his testimony, Mr. Sourani blamed the EU for failing to take action against Israel to force it to stop its offensive against the Palestinian people. He further criticized a decision taken by European governments in December 2008 to upgrade relations with Israel, considering such a decision a reward and an incentive for Israel to continue its violations of human rights, including the construction of the Annexation Wall and the policy of economic stranglehold.

### Meetings with Legal Organizations and Professionals in Spain – Madrid

On 28 January 2009, Raji Sourani held a series of meetings with Spanish legal organizations and professionals in Madrid. These meetings discussed possible cooperation between PCHR and Spanish legal organizations in filing lawsuits against suspected Israeli war criminals that committed crimes against the Palestinian people.

### Colloquium at the Cairo Center for Human Rights Studies – Cairo

On 29 January 2009, the Cairo Center for Human Rights Studies organized a colloquium at which Raji Sourani briefed the participants on Israeli crimes in the Gaza Strip. He further talked about efforts to prosecute suspected Israeli war criminals before international courts. In addition, he explained the role played by Palestinian human rights organizations in documenting human rights violations perpetrated by IOF against Palestinian civilians.

### Consultative Meeting in the Egyptian al-Wafd Party

On 3 February 2009, Raji Sourani participated in a consultative meeting organized by the Egyptian al-Wafd Party on Israeli crimes against Palestinian civilians. In the meeting, Mr. Sourani stressed that universal jurisdiction presents the most appropriate means to ensure the prosecution of suspected Israeli war criminals, since there are several countries whose legislations includes parts of the Fourth Geneva Convention, which can be used to file lawsuits before their courts. He also talked about PCHR's efforts to ensure the prosecution of Israeli war criminals.

### Meetings with Civil Society Representatives – Cairo

On 4 February 2009, Raji Sourani met with civil society representatives and journalists in Cairo. In the meeting, Sourani talked about PCHR's efforts to ensure the prosecution of Israeli war criminals. The meeting was organized by the Arab Center for the Independence of the Legal Profession in Cairo.

### Training Course for Young Lawyers in Documentation – Cairo

On 8 February 2009, Raji Sourani opened a training course for young lawyers in the field of legal documentation, which aimed at documenting incidents related to Palestinians who were wounded during Israel's offensive on the Gaza Strip and who were transferred to hospitals in Egypt. The course was held at the Cairo Center for Human Rights Studies.

### International Conference on Resolutions of World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban – Cairo

On 28 and 29 March 2009, Raji Sourani participated in an international conference held in Cairo to review the implementation of the resolutions of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which was held in Durban in South Africa in 2001. Mr. Sourani headed the first session of the conference, which focused on the institutionalization of racism and racial discrimination. He talked about Palestine as an example and highlighted racist Israeli practices and crimes against Palestinian civilians in the course of the offensive on the Gaza Strip.

### Workshop at the European Parliament – Brussels

On 29 April 2009, in response to an invitation from Luisa Morgantini, Head of the Palestine Committee in the European

Parliament, Raji Sourani participated in a workshop organized by the European parliamentary delegation for relations with the Palestinian Legislative Council. Mr. Sourani's intervention in the workshop focused on two main issues: The human rights situation in the OPT and the Independent Fact-Finding Mission of the League of Arab States, which visited Gaza from 22 to 27 February 2009 to investigate Israeli war crimes in the Gaza Strip. PCHR prepared the agenda for the mission's visit and provided it with full technical and logistical support.

### Lecture on Human Rights and Refugees – Madrid

On 8 May 2009, Raji Sourani delivered a lecture to mark the conclusion of a conference on solidarity in journalism. The conference paid particular attention to human and refugee rights. Mr. Sourani spoke at the event, which took place in Madrid, Spain, following a joint invitation from Autónoma University in Madrid and El Pais Journalism School. In his lecture, Mr. Sourani addressed four main issues: The human rights situation in the OPT; the current European position towards Israel; the issue of Palestinian refugees; and international legislation and the importance of continuing efforts to prosecute Israeli war criminals.

### Lecture at a Conference of French-Palestinian Solidarity Association – Paris

On 26 May 2009, in response to an invitation from Bernard Ravenel, President of the French-Palestine Solidarity Association (AFPS), Raji Sourani participated in AFPS' second national conference in Paris. The conference discussed means of activating solidarity with the Palestinians, and the mechanisms of support offered to them. Approximately 300 representatives and members of AFPS from around the globe attended the conference. Mr. Sourani spoke about the human rights situation in the OPT in general, and in the Gaza Strip in particular.

### International Conference – Rome

On 22 May 2009, the Lelio e Lisli Basso Foundation organized an international conference entitled "Is There a Court for Gaza?" in the conference hall of the Marini Palace in Rome. Dozens of justices, lawyers, international law professors, academics and politicians from around the world attended the conference, which aimed at highlighting war crimes and crimes against humanity committed by IOF during the military offensive on the Gaza Strip between 27 December 2008 and 18 January 2009. In his presentation, Mr. Sourani talked in detail about crimes committed by IOF during the latest offensive on the Gaza Strip and continued extra-judicial executions. He also talked about the destructive impact of the illegal siege imposed on the Gaza Strip, which peaked during the latest Israeli offensive.

### Regional Conference – Jordan

On 23 and 23 June 2009, Sameeh Mohsen, Coordinator of PCHR's Activities in the West Bank, participated in a regional conference on good administration of the security sector in the Arab region and the role of civil society. The conference was organized by the Law Institute of Birzeit University, in coordination with the Future Association in Amman and the Geneva Center for the Democratic Control of Armed Forces. Representatives of civil society groups, international organizations, diplomatic representations, governmental organizations and security services participated in the conference.

### Testimony before the UN Human Rights Council Fact-Finding Mission on the Gaza Strip

PCHR testified again before the United Nations Human Rights Council's Fact-Finding Mission on the Gaza Strip, which held meetings in Jordan in the period 1-3 of July 2009. On 2 July 2009, Sameeh Mohsen, Coordinator of PCHR's West Bank office, presented a 75-minute testimony on behalf of PCHR before the Fact-Finding Mission. At the beginning of the hearing, Justice Richard Goldstone, Head of the Mission, welcomed PCHR's testimony.

### Invitation to PCHR's Deputy Director from Front Line – Ireland

On 15 August 2009, Jaber Wishah, PCHR's Deputy Director, traveled to Ireland to conduct an advocacy campaign aimed at raising awareness of the human rights situation in the Gaza Strip, and Palestine. Mr. Wishah was invited to Ireland by Front Line Defenders, and coordination for his visit was secured with the help of Trocaire. During the course of the tour,



Raji Sourani, Director of PCHR (second from the right), participates in a regional conference on human rights and democracy, Rabat.

Mr. Wishah discussed the current human rights situation in Palestine, paying particular attention to the situation in the Gaza Strip following the Israeli offensive and in light of the continuing illegal closure. He also addressed Ireland's responsibilities with respect to Israel-Palestine in the EU. On 18 August, Mr. Wishah met with ex-prisoners in West Belfast. On 19 August, Mr. Wishah conducted individual meetings with Mark Durkan, leader of the Social Democratic and Labor Party, and Don Browne, a former prisoner. On 20 August, Mr. Wishah met with Derry City Councilor, Gerry MacLochlainn (Sinn Fein).

### Workshop on Democratic Reform – Beirut

PCHR participated in a regional workshop titled "Evaluation of Progress Towards Democratic Reform in the Arab Region." The workshop took place in Beirut between 23 and 25 October 2009. Sameeh Mohsen, PCHR Coordinator in the West Bank, represented PCHR at the workshop that aimed at reviewing democratic reform programs in the Arab region during the past five years and the extent of these programs' progress or retreat. In his working paper presented in the workshop, Mr. Mohsen explained the democratic experience in the Palestinian National Authority.

### Regional Conference on Human Rights and Democracy – Rabat

On 5 and 6 October 2009, Raji Sourani, Director of PCHR, participated in a conference organized by the Moroccan Organization of Human Rights, No Peace Without Justice (Italy), and the Moroccan and Italian governments. The conference was a regional workshop on "Democracy, Human Rights and Local Governance," and formed part of the process of dialogue and cooperation between civil society and the governments. The conference was attended by approximately 130 NGOs, and representatives of 38 governments. While in Morocco, Mr. Sourani also contributed to a meeting of ex-

perts convened by Islamic, Educational, Scientific and Cultural Organization (ISESCO). The meeting was called in order to discuss accountability for international crimes, focusing on implementation mechanisms such as the use of universal jurisdiction.

### Speech before EMHRN – Madrid

On 17 October 2009, Raji Sourani addressed the Euro-Mediterranean Human Rights Network (EMHRN) working group meeting on Israel-Palestine, which took place in Madrid. The address formed part of PCHR's continuing efforts to ensure the implementation of the Goldstone report's recommendations, particularly in light of the 16 October Human Rights Council Resolution endorsing the report and its recommendations.

### Meetings of Palestinian, Spanish and Israeli Human Rights Organizations

On 2 November 2009, Raji Sourani, Director of PCHR, and Hamdi Shaqqura, Deputy Director of PCHR for Program Affairs, participated by videoconference a meeting of Palestinian, Spanish and Israeli human rights organizations, which was held in Ramallah under the auspices of ACSUR. PCHR's representatives were not able to travel to Ramallah because of the Israeli closure imposed on the Gaza Strip.

### Conference in Beirut

On 4 and 5 November 2009, Raji Sourani spoke at a conference organized by al-Zaytouna Center for Studies and Consultations in Beirut. The conference was titled "Israel and International Law" and featured a number of prominent speakers. In the conference Mr. Sourani spoke about the pursuit of universal jurisdiction, emphasizing that this was the most important legal mechanism available to Palestinians in the face of a Security Council veto, and incomplete accession to the International Criminal Court.

### Speech before Assembly of States Parties of ICC and Meeting with ICC Prosecutor – Rome

On 20 November 2009, Raji Sourani addressed the Assembly of States Parties of the International Criminal Court (ICC) speaking on behalf of the Coalition for the International Criminal Court. In his speech, Mr. Sourani addressed the key problems facing the ICC today, in particular political self-interest of certain States, and the apparent desire to shield alleged war criminals from justice. Mr. Sourani also met with Luis Moreno-Ocampo, the Prosecutor of the ICC. This meeting followed up on issues previously discussed, and focused on the possibility of the ICC launching an investigation into Israel's attacks on Gaza.

### Lecture for Female Swedish Lawyers – Sweden

During a visit to Sweden, on 3 December 2009, Raji Sourani delivered a lecture before a number of prominent female Swedish lawyers. The lecture focused on the gender-based impact of Israel's offensive on the Gaza Strip. Mr. Sourani spoke of the horrors of the war, and the impact of the continued illegal blockade. He presented a number of case studies highlighting the situation in Gaza and the OPT, and stressed the need for accountability.

### Activities in France

On 19 December 2009, Raji Sourani, Director of PCHR, participated in a conference in Lyon organized by Génération Palestine. The event was attended by over 3,000 people and featured interventions from a number of key figures including Stephane Hessel, a prominent human rights lawyer who was involved in the drafting of the Universal Declaration of Human Rights; Tariq Ramadan, intellectual and professor of Contemporary Islamic Studies at Oxford University; Naomi Klein, prominent author and activist; and Omar Al Soumi. The conference was organized in order to mark the passing of one year since Israel's assault on the Gaza Strip. Mr. Sourani spoke of the crimes committed by Israeli forces during the offensive, and the continuing effects of the illegal closure of the Gaza Strip, a form of collective punishment that has now been in place for over two and a half years. Most significantly, Mr. Sourani highlighted the urgent need for accountability and upholding victims' rights, focusing



on the need to implement the recommendations contained in the Goldstone Report.

On 18 December, Mr. Sourani spoke as a guest of honor at the Sorbonne University in Paris. Also in attendance were Paul Kessler, and Prof. Roger Heacock of Birzeit University. The lecture was attended by over 300 academics, students, and activists. Mr. Sourani spoke of the effects of Israel's illegal closure on the human rights situation in the Gaza Strip, and again stressed the urgent need for accountability.

While in France, Mr. Sourani also met with the French European Campaign for Gaza, and spoke at a press conference, which was attended by Nahla Chahal, Omar Al Soumi, and a number of European Parliamentarians. The organization planned to participate in the Gaza Freedom March, organized to highlight Israel's illegal closure of the Gaza Strip.

### Meeting with the Mayor of Geneva

On 20 December 2009, Raji Sourani met with the Mayor of Geneva, and Swiss civil society groups. These groups planned to visit Gaza in January 2010. Mr. Sourani discussed the overall deterioration of the human rights situation in Gaza and Palestine, and stressed the urgent need for accountability, noting that Palestinians demands are simple; they want the rule of law to be respected and enforced.

## Visiting International Delegations and Figures

PCHR pays special attention to activities related to receiving international delegations and public figures, 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 organizes visits for these delegations and figures to all areas of the Gaza Strip, and facilitates meetings with victims of human rights violations. These delegations and figures include politicians, diplomats, representatives of United Nations bodies and human rights organizations as well as journalists.

In 2009, PCHR received several visiting delegations and figures that were able to enter the Gaza Strip despite the complicated procedures that need to be followed in order to access the Gaza Strip. During some of these visits, PCHR escorted delegations and visitors on field visits in the Gaza Strip and briefed them on the human rights situation, especially in light of Israel's offensive on the Gaza Strip.

### Union of French Cities Delegation

On 4 March 2009, Hamdi Shaqqura, Deputy Director of PCHR for Program Affairs, met with a visiting delegation of the Union of French Cities lead by Jean-Philippe Magnen. Shaqqura briefed the delegation on the human rights situation in the OPT.



Hamdi Shaqqura, Deputy Director of PCHR for Program Affairs, during a meeting with a delegation from the Union of French Cities, 4 March 2009.

### Head of Sinn Fein Party

On 8 April 2009, Jaber Wishah, Deputy Director of PCHR, and Hamdi Shaqqura, Director of PCHR's Democratic Development Unit, met with Jerry Adams, Head of the Irish Sinn Fein Party, at the UNRWA headquarters in Gaza City.

### Head of Union for the Mediterranean Program at the French President's Office

On 18 May 2009, Hamdi Shaqqura, Director of PCHR Democratic Development Unit, met with Henri Guaino, Head of Union for the Mediterranean Program at the office of French President. The meeting was held at the French Cultural Center in Gaza.

### Head of UN Office of the High Commissioner for Human Rights – oPt

On 20 May 2009, PCHR received Eva Tomic, Head of the UN Office of the High Commissioner for Human Rights – oPt, accompanied by Dr. Tariq Mukhaimer, Human Rights Officer, in PCHR's main office in Gaza City.

### Former US President Carter

On 16 June 2009, Raji Sourani, Director of PCHR, met with former US President Jimmy Carter. Mr. Sourani was among a number of civil society activists who met with Mr. Carter during his visit to the Gaza Strip. During the meeting, Mr. Sourani spoke of the need to maintain human dignity, the impact of the siege imposed on the Gaza Strip and of the settlement expansion in the West Bank, considering them international crimes that must be stopped.

### Stephane Hessel, Diplomat and Human Rights Defender

On 17 June 2009, Raji Sourani met with Stephane Hessel, a French diplomat and human rights defender, in PCHR's main office in Gaza City. The meeting discussed the issue of the Russell Tribunal on Palestine. Mr. Sourani and Mr. Hessel are among the founders of the court.

### Kvinna Till Kvinna Delegate

On 23 and 24 of June 2009, PCHR hosted Anna Levin, a delegate of the Swedish organization Kvinna Till Kvinna in Jerusalem. Levin met with Raji Sourani, Director of PCHR, who expressed his appreciation for the fruitful cooperation between PCHR and the Swedish organization. Mr. Sourani briefed the visitor on the human rights situation in the Gaza Strip and its negative impact on the living conditions of Palestinian civilians, including women.

### Minister for Development Coordination of the Dutch Foreign Ministry

On 29 June 2009, Raji Sourani, Director of PCHR, met with Bert Koenders, Minister for Development Coordination of the Foreign Ministry of the Netherlands, and a number of staff members of Mr. Koenders' office. Mr. Sourani talked about the deterioration of humanitarian conditions in the Gaza Strip. He called upon Europe to review its position towards Israeli crimes.

### Naomi Klein, Renowned Author and Journalist

On 29 and 30 June 2009, PCHR hosted Naomi Klein, a Canadian journalist and author renowned for her criticism of corporate globalization, who has more recently called for



Naomi Klein, a Canadian journalist and author, and Raji Sourani, Director of PCHR, in a press conference held in Gaza City, 30 June 2009.

a boycott of Israel to bring about the “end of the occupation.” PCHR organized a field visit for Ms. Klein to the northern Gaza Strip, Gaza City, Rafah and Khan Yunis to allow her to witness the extensive destruction caused by IOF and to meet with Palestinian victims and eyewitnesses. Ms. Klein’s visit also included meetings with Palestinian public figures, businesspeople as well as representatives of civil society, human rights and women’s organizations. Ms. Klein concluded her visit to the Gaza Strip by holding a press conference on 30 June at PCHR’s offices in Gaza City.

### South African Diplomatic Delegation

On 30 June 2009, Raji Sourani, Director of PCHR, received the Counselor of Commercial and Political Affairs and Deputy Ambassador of South Africa to Israel, Elizabeth Smith, accompanied by Caragan Jofender, Second Secretary in the embassy; Mousa Meithambi, Third Secretary in the embassy; and Royce Kuzwayo, Deputy Representative of South Africa to the Palestinian National Authority. The meeting was held in PCHR’s main office in Gaza City. During the meeting, Sourani briefed the visitors on developments related to the human rights situation in the Gaza Strip, tackling the unprecedented deterioration of economic, social, and political rights of the civilian population consequent to Israeli human rights violations and collective punishment, focusing on the siege imposed on Gaza.



Raji Sourani, Director of PCHR (center), meets with South African Diplomats.

### Irish Foreign Affairs Committee

On 21 July 2009, Deputy Director of PCHR Jaber Wishah met with the Irish Foreign Affairs Committee at the UNRWA Field Office in the Gaza Strip. Mr. Wishah began the meeting by noting the long-standing relationship between PCHR and Irish Aid, Trocaire and Frontline. The main item of discussion was the general human rights situation in the Gaza

Strip, particularly in light of the recent Israeli offensive.



Raji Sourani, Director of PCHR (third from the left), and Jaber Wishah, Deputy Director of PCHR (right), during a meeting with John Ging, Director of UNRWA Operations in Gaza and Luisa Morgantini, Head of the Palestine Committee in the European Parliament (second from left).

### American Medical Delegation

On 26 October 2009, PCHR received an American delegation comprised of a number of physicians, medical professionals, and peace activists. They met with Raji Sourani, Director of PCHR, and Jaber Wishah, Deputy Director of PCHR. Sourani and Wishah briefed the visitors on the human rights situation in the OPT, especially in the Gaza Strip, highlighting the catastrophic impact of the latest Israeli military offensive.

### Director of UNRWA Operations

On 27 October 2009, Raji Sourani, Director of PCHR, and Deputy Director Jaber Wishah met with John Ging, Director of UNRWA Operations, at the UNRWA field office. During the meeting, they discussed the repercussions of the Human Rights Council vote on the Goldstone Report and the responsibilities of the international community to put the report's recommendations into practice in accordance with the procedures and timeline suggested in the report.

### Delegation from Le Conseil General de l'Essonne

On 4 November 2009, PCHR received a French delegation from the General Council of Essonne County (Conseil General de l'Essonne) south of Paris, France, in its main office in Gaza. The ten-member delegation included French MPs and representatives from different political factions, and was headed by Patrice Finel.

### Delegation from the Representative Office of Norway to the Palestinian National Authority

On 17 December 2009, PCHR received a delegation from the Representative Office of Norway to the Palestinian National Authority (PNA) in PCHR's main office in Gaza City. The delegation included the Deputy Representative, Stein Torgersbraten, and the Second Secretary, Olav Heian-Engdal. Deputy Director of PCHR, Jaber Wishah, and Director of PCHR's Democratic Development Unit, Hamdi Shaqqura, received the delegation. They briefed the visitors on the human rights situation in the Occupied Palestinian Territory, particularly, in the Gaza Strip.

#### Visitors in 2009

Date	Visitors	Number of Visitors
20 January	A French delegation of Alima Boumediene, Member of the French Senate	12
20 January	Meeting with UN Secretary-General Ban Ki-moon at the UNRWA headquarters in Gaza	
22 January	John Holmes, UN Under-Secretary-General for Humanitarian Affairs	
22 January	Meeting with representatives of the European Commission at the UNSCO offices in Gaza	
25 January	A Swiss parliamentary delegation	6
27 January	Chris Cobb-Smith, Chiron Resources	
02 February	<ul style="list-style-type: none"> <li>▪ Yoonie Kim, Human Rights Officer, Office of the High Commissioner for Human Rights (OHCHR), OPT</li> <li>▪ Dr. Tariq Mukhaimer, Human Rights Officer, OHCHR, Gaza</li> </ul>	2
03 February	Chris Cobb-Smith, Chiron Resources	
03 February	A delegation from the International Lawyers Guild	10
03 February	Meeting with Ms. Radhika Coomaraswamy, Special Representative of the UN Secretary-General for Children and Armed Conflict, at the UNICEF office in Gaza	
03 February	<ul style="list-style-type: none"> <li>▪ Michael Bailey, Advocacy and Media Manager, Oxfam Great Britain</li> <li>▪ Bettina Huber, Oxfam Novib</li> <li>▪ Kenneth Rea, Humanitarian Response specialist, Oxfam America</li> </ul>	

04 February	A delegation from Grassroots International	3
04 February	<ul style="list-style-type: none"> <li>▪ Tighe Barry, Codepink - Women for Peace</li> <li>▪ Ann Wright, Dissent: voices of conscience</li> </ul>	
04 February	<ul style="list-style-type: none"> <li>▪ Conny Camenzind, Deputy Head of Swiss Representative Office to the PA, Ramallah</li> <li>▪ John Daniel Rogh, Special Envoy to the Middle East</li> <li>▪ Walter Haffner, Swiss Ambassador, Tel Aviv</li> </ul>	
10 February	A delegation from Christian Aid	
10 February	John Ging, Director of UNRWA Operations, Gaza	
12 February	Bitte Hammargren – Foreign Correspondent, SVD, Sweden Irena	
12 February	A delegation from Christian Aid	
13 February	A delegation from the EU, with field visit	11
15 February	A delegation from Christian Aid	3
16 February	A delegation from Oxfam Novib	
17 February	<ul style="list-style-type: none"> <li>▪ Graham Bambrough, Council for Arab-British Understanding</li> <li>▪ Richard Burden, MP</li> <li>▪ Andy Slaughter, MP</li> <li>▪ Duncan Sinclair, Scholar</li> </ul>	
19 February	<p>A meeting with a delegation from the British Consulate-General:</p> <ul style="list-style-type: none"> <li>▪ John Edwards, Deputy Consul-General</li> <li>▪ Nicola Palmer, consultant in conflict resolution</li> <li>▪ Jude Muxworthy, Assistant Consul-General</li> <li>▪ Mark Walker, Military Attaché</li> </ul>	
22 February	A delegation from the Swiss Agency for Development and Cooperation	4
23 February	The Independent Fact-Finding Mission on Gaza, the League of Arab States	
24 February	<p>A delegation from NGO Development Center:</p> <ul style="list-style-type: none"> <li>▪ Rolf Holmboe, Head of the Danish Representative Office to the PA</li> <li>▪ Hans Teunissen, Deputy Head of the Dutch Representative Office to the PA</li> <li>▪ Rolf Carlman, Head of Development Cooperation, Consulate General of Sweden to the PA</li> </ul>	
26 February	Marieke Feitsma, Program Officer, Maghreb and Middle East at Oxfam Novib	
27 February	A meeting with Javier Solana, EU High Representative for the Common Foreign and Security Policy, in UNRWA headquarters, Gaza	
01 March	A meeting with Tony Blair, Quartet Representative, at an UNRWA school in the northern Gaza Strip.	

04 March	A French delegation, including: Jean-Philippe Magnen, Adjoint au Maire Charles Josselin, Ancien Ministre Simone Giovetti, Cites Unies	18
10 March	Anna Levin, Kvinna Till Kvinna	
10 March	Salena Tramel, Grassroots International	
11 March	William Pierre, Director, Middle East and Europe Region AFSC-International Programs (American Friends Service Committee)	
12 March	<ul style="list-style-type: none"> <li>▪ Bettina Huber, Oxfam Novib</li> <li>▪ Catherine Essoyan, Burea head for Middle East and Maghreb, Oxfam Novib</li> </ul>	
15-16 March	<ul style="list-style-type: none"> <li>▪ Lena Ag, Secretary-General of Kvinna Till Kvinna</li> <li>▪ Anna Levin, Representative of Kvinna Till Kvinna in Jerusalem</li> </ul>	
17 March	Meeting with Tony Blair, Representative of the Quartet, via video conference at the World Bank	
17 March	A meeting with Philippe Lazzarini, OCHA	
18 March	A delegation from Oxfam Novib	
25 March	Ahmed Abu Shammala, OCHA	
26 March	A meeting with the Norwegian Foreign Minister at UNDP	
26 March	John Ging, Director of UNRWA Operations, Gaza	
29 March	A delegation from Christian Aid	
30 March	Students from Khan Yunis	35
31 March	<p>A German delegation comprised of:</p> <ul style="list-style-type: none"> <li>▪ Joachim Paul, Green Party</li> <li>▪ Kerstin Muller, Spokesperson on Foreign Policy, Green Party</li> <li>▪ Rene Wildangel, Green Party</li> </ul>	
01-02 April	Meetings with working group of the Euro-Mediterranean Human Rights Network	
08 April	A meeting with Gerry Adams, Head of Sinn Fein, Ireland, at UNRWA headquarters	
14 April	Students from al-Qarara School	60
15 April	Sander van Niekerk, Medecins du Monde	
15 April	Eva Tomic, Head of Office, OHCHR – OPT	
16 April	Jacques Fournet, French Government	

21 April	Students from Jabalia Preparatory School “E”	
21 April	Franck Joncret, Medecins Sans Frontieres	
22 April	Emad Abu Hassira, ICRC	
22 April	Martin Glasnapp, Medical International Bernhard Hillenkamp	
22 April	Students from a local school	
24 April	<ul style="list-style-type: none"> <li>▪ Gerry Adams, Head of Sinn Fein</li> <li>▪ Dr. Eyad al-Sarraj, Director of Gaza Community Mental Health Program</li> </ul>	
26 April	A meeting with a European parliamentary delegation at UNRWA headquarters	
05 May	Philippe Lazzarini, OCHA	
05 May	Sami Abdul Shafi and delegation from the Carter Center	
07 May	A meeting with a delegation from the Swiss Agency for Development and Cooperation in al-Mezan Center for Human Rights in Gaza	
07 May	Joachim Paul, German Green Party	
07 May	A meeting with Ludovic Pouille, an official in the French Foreign Ministry, in the French Cultural Center in Gaza	
10 May	A meeting with Italian parliamentarians in UNRWA headquarters	
14 May	A delegation from the public relations department of Hamas	
15 May	A meeting at UNRWA headquarters with: Agot Valle, Norwegian MP Oystein Djupedal, Norwegian MP	
18 May	Damien Vacquier and Radhia Oudjani, from the French Consulate-General	
18 May	Henri Guaino, Union for the Mediterranean	
20 May	Eva Tomic, Head of Office, OHCHR – OPT	
27 May	Antonia Mulvey, ICLA Project Manager, OPT (Norwegian Refugee Council)	
28 May	A delegation from Code Pink	12
28 May	Ginian Kita, OHCHR - oPt	
28 May	Daniel Strom, Representative, Adalah	
31 May	Ginian Kita – Human Rights Advisor, OHCHR	

03 June	<ul style="list-style-type: none"> <li>▪ DR. LS Ted Pekane, Head of the Representative Office of South Africa to the PA</li> <li>▪ Edgar Motsisi, Second Secretary of the Representative Office of South Africa to the PA</li> </ul>	
03 June	Emma King, Codepink delegation	
04 June	A delegation from the Swedish Consulate-General	4
05 June	Desmond Travers, Military Expert, UN Fact-Finding Mission on Gaza Conflict	
05 June	A meeting with the UN Fact-Finding Mission on Gaza Conflict	
09 June	A meeting with a European parliamentary delegation	
11 June	Hassan al-Saifi, Comptroller of the Ministry of Interior in Gaza	
11 June	Karin D. Ryan, Director, Human Rights Program, the Carter Center	
16 June	A meeting with Jimmy Carter, former US President, in UNRWA headquarters	
16 June	A meeting with the UN Fact-Finding Mission on Gaza Conflict and representatives of OHCHR	
17 June	A meeting with Stephen Hiebel	
21 June	Annelien Groten, Palestine Programme Officer, Trocaire	
23 June	Anna Levin, Kvinna Till Kvinna	
29 June	A meeting with Bert Koenders, Minister for Development Coordination of the Netherlands' Foreign Ministry	
29 June	Naomi Klein, Canadian Author and Journalist	
30 June	Anne Massagee, Director of the Middle East and North Africa Program in the International Center for Transitional Justice	
30 June	<ul style="list-style-type: none"> <li>▪ Elizabeth Smith, Counselor of Commercial and Political Affairs and Deputy Ambassador of South Africa to Israel</li> <li>▪ Caragan Jofender, Second Secretary in the embassy</li> <li>▪ Mousa Meithambi, Third Secretary in the embassy</li> <li>▪ Royce Kuzwayo, Deputy Representative of South Africa to the PA</li> </ul>	
02 July	Natacha Mathy and Sarah Hamood, Oxfam Novib	
08 July	A meeting with Claire Brosnan, Deputy Head of the Irish Representative Office to the PA	
09 July	A meeting with ACSUR, Spain	
16 July	A meeting with the EU Border Assistance Mission at Rafah Crossing Point in the representative office of Norway	



19 July	A meeting with Robert Philip in offices of Gaza Community Mental Health Programme	
20 July	Yasser Tushtash, World Vision	
21 July	A delegation from the Irish Foreign Affairs Committee headed by Michael Woods; and John Ging, Director of UNRWA Operations in Gaza, at UNRWA headquarters	
29 July	NGO Development Center, Palestine	
30 July	Christina Torsein, Child Protection Specialist in the OPT, UNICEF	
11 August	A meeting with a delegation from Austcare.	
11 August	A meeting with: <ul style="list-style-type: none"> <li>▪ Robert Van Embden, Head of Mission, Representative of Netherlands</li> <li>▪ Harry Putker, First Secretary, Representative office of Netherlands</li> <li>▪ Hans Teunissen, Deputy Head of Mission, Cooperation Development, Representative office of Netherlands</li> <li>▪ A delegation of the Agricultural Relief Committee and Medical Relief Committees</li> </ul>	
12 August	A meeting with Philippe Lazzarini, OCHA	
12 August	Bettina Huber, Oxfam Novib	
17 August	A delegation from the Italian Embassy	
18 August	A delegation from Dan Church Aid: <ul style="list-style-type: none"> <li>▪ Mads Schack Lindegard, Regional Representative, Dan Church Aid, Middle East</li> <li>▪ Malenas Nderskov, Country Coordinator</li> <li>▪ Omar Majdalawi</li> </ul>	
27-30 August	Angela Gaff, lawyer, London	
07 September	Ketil Eik and Olav Heian-Engdal, Norwegian Representative Office	
14 September	<ul style="list-style-type: none"> <li>▪ A meeting with representatives of Oxfam Novib</li> <li>▪ A meeting with a solidarity delegation from Madrid, Paris and Brussels</li> </ul>	12
15 September	A meeting with representatives of Christian Aid	
16 September	A delegation from OHCHR, Geneva	
16 September	A delegation from Save the Children	
16 September	A delegation from Geneva	
29 September	A delegation from Front Line Defenders: <ul style="list-style-type: none"> <li>▪ Mary Lawlor, Director of Front Line</li> <li>▪ Andrew Anderson, Deputy Director of Front line</li> <li>▪ Noeline Blackwell</li> <li>▪ Maria Mulcant</li> </ul>	

30 September	A meeting with Tomas Dupla Del Moral, Director for North Africa and the Middle East at the European Commission	
01 October	Students from al-Remal Preparatory School «A»	
06 October	A delegation from Oxfam Novib	
06 October	A meeting with Otta Mark in the EU office	
07 October	A delegation from the Danish Foreign Ministry	
12 October	A delegation from ACSUR, Spain	
14 October	A meeting with Mia Farrow, UNICEF Ambassador, at the al-Mezan Center for Human Rights	
15 October	A meeting with officials from the French Foreign Ministry and Consulate-General	
19 October	A meeting with International Crisis Group	
20 October	A meeting with Robert Van Embden, Head of Mission, the Representative Office of Netherlands, Omar Shaaban, Director of Catholic Relief Services in Gaza,	
20 October	A meeting with an American delegation from Women Donors Network at UNRWA headquarters	15
26 October	A delegation from Oxfam: <ul style="list-style-type: none"> <li>▪ Richard Stanforth, Regional Policy Officer, Oxfam UK</li> <li>▪ Ben Jackson, Director of Crisis Action, UK</li> <li>▪ Martin Konecny, Political Analyst and Campaigner for Crisis Action in Brussels</li> </ul>	3
26 October	A delegation from Christian Aid: <ul style="list-style-type: none"> <li>▪ Janet Symes, Head of Middle East Region</li> <li>▪ Lynda Kerley, Country Programme Manager</li> </ul>	
27 October	An American delegation comprised of a number of physicians, medical professionals and peace activists: <ul style="list-style-type: none"> <li>▪ Anne Hall, from the Lutheran Church</li> <li>▪ Cherie Eichholz, Executive Director of Physicians for Social Responsibility in Washington DC</li> <li>▪ Elliot Adams, from Veterans for Peace</li> <li>▪ John Smith, from Veterans for Peace</li> </ul>	5
27 October	A meeting with John Ging, Director of UNRWA Operations	
01 November	Donatella Rovera, Amnesty International	
02 November	Jerome Jordan, Political Affairs, EU	
03 November	A delegation from ACSUR, Spain	
04 November	A French delegation from the General Council of Essonne County (Le Conseil General du Essonne) south of Paris, in France, which included French MPs and representatives from different political factions, and was headed by Patrice Vinyl	15

07 November	A meeting for the consultative committee for education at UNRWA with a Canadian professor	
08 November	<ul style="list-style-type: none"> <li>▪ Janet Symes, Head of Middle East Region, Christian Aid</li> </ul>	
13 November	An American delegation from CNI	
18 November	ICRC Gaza delegation	
15 December	Suzan Rakash, Women's Committee, Norwegian Social Leftist Party	
15 December	Carin Smaller, Medicin Sans Frontieres	
16 December	Audrey Palama, Deputy Head of Mission, ICRC, Gaza	
16 December	A delegation from the Representative Office of South Africa	
16 December	Students from Beit Hanoun School for Girls	14
16 December	Students from al-Maghazi School for Boys	58
17 December	A delegation from the Representative Office of Norway: <ul style="list-style-type: none"> <li>▪ Stein Torgersbraten, Deputy Representative</li> <li>▪ Olav Heian-Engdal, Second Secretary</li> </ul>	
17 December	A delegation from the Friedrich Ebert Foundation	
22 December	Yasmina Lawsman, ICRC	

### Interviews with Local and International Media in 2009

PCHR continues to promote cooperation with both local and international media; recognising that the media plays a vital role in disseminating information on the human rights and humanitarian situation in the OPT. In 2009, PCHR continued to conduct interviews with local and international media and to respond to requests for information on human rights in the OPT. PCHR's Director and staff members made at least 280 interviews with local, regional and international media institutions, including newspapers, radio stations, television channels, press agencies and web sites. Most of these interviews focused on Israel's offensive on the Gaza Strip and the Goldstone Report.

Major interviews at the international level were given to: The Guardian, UK; Le Monde, France; Dutch Press Agency; DW TV, Germany; Reuters; The Sydney Morning Herald; National Radio, Netherlands; Associated Press; CNN, USA; Fox News, USA; Der Spiegel, Germany; Il Manifestor, Italy; Jiji Press; Japanese Press Agency; ABC, USA; New York Times, USA; German Radio; The Financial Times, UK; BBC, UK; Time Magazine, USA; and the Irish Times. Major interviews at the regional level were given to: Nile TV; Algerian TV; Libyan TV; Al-Aalam Satellite Channel; Syrian TV; Kuwait TV; Saudi TV2; Egyptian Satellite Channel; Al-Baghdadiya Satellite Channel; Abu Dhabi TV; Dubai TV; Al-Quds Satellite Channel; Aljazeera International. Major interviews at the local level were conducted with: Palestine TV; Al-Aqsa Satellite Channel; Palestine Radio; Al-Shams Radio in Nazareth; and Al-Aqsa Radio.

## PCHR's Publications in 2009

PCHR's publications include: press releases; field updates on the state of lawlessness and proliferation of weapons; filed updates on the Israeli closure; Aftermath (a series of personal testimonies at the aftermath of Israel's 23-day offensive on the Gaza Strip); periodic and special reports; leaflets; position papers; interventions to UN and other international bodies; working papers at international and local conferences; and posters.

### 1. Press Releases

PCHR regularly issues press releases providing detailed and timely information regarding specific incidents, violations of human rights or international humanitarian law, or other important developments. In 2009, PCHR issued 140 press releases, including 69 that highlighted events relevant to human rights violations related to the PNA and internal Palestinian issues, and 65 press releases that focused on human rights violations perpetrated by Israeli forces. The remaining 6 press releases were focused on general violations of human rights and international humanitarian law.

#### *PCHR's Press Releases on Israeli Violations of Palestinian Human Rights in 2009*

Date	Unit	Title
02 January	Field Work Unit	Dr. Nizar Rayan Assassinated with His 4 Wives and 11 of His Children, and the Number of Victims Rises to 357, Mostly Civilians, Including 51 Children and 14 Women
03 January	Field Work Unit	IOF Offensive on the Gaza Strip Continues for the 8 <sup>th</sup> Consecutive Day; The Number of Palestinians Killed Rises to 372, Mostly Civilians, Including 75 Children and 16 Women
04 January	Field Work Unit	Israel Practices State Terrorism; The Number of Palestinians Killed Rises to 424, Mostly Civilians, Including 88 Children and 19 Women
05 January	Field Work Unit	Unprecedented Ground Attacks and Whole Families Fall in between Who Has Been Killed and Who Has Been Injured, and the number of Palestinians Killed Rises to 505, Including 106 Children and 22 Women
06 January	Field Work Unit	the Number of Palestinian Deaths Rises to 599, Including 130 Children, 33 Women and 6 Medical Personnel
07 January	Field Work Unit	83 Palestinians, including 80 civilians, mostly children and women, killed
08 January	Field Work Unit	38 Palestinians Killed, Including 11 Children and 6 Women
09 January	Field Work Unit	53 Palestinians Killed, Including 20 Children and 4 Women

10 January	Field Work Unit	34 Palestinians Killed, Including 4 Children and 3 Women
11 January	Field Work Unit	53 Palestinians Killed, Including 10 Children and 6 Women
12 January	Field Work Unit	26 Palestinians Killed, Including 6 Children and 3 Women
13 January	Field Work Unit	51 Palestinians Killed, Including 6 Children and 3 Women
14 January	Field Work Unit	47 Palestinians Killed, Including 3 Children, 5 Women and a Physician
14 January	Field Work Unit	PCHR Condemns IOF Use of Unidentified Incinerating, Bombs Against Civilians, Causing Horrific Burns
15 January	Field Work Unit	Gaza City is under Unprecedented IOF Attack
16 January	Field Work Unit	IOF Assassinate Said Siam, a Hamas Leader and PLC Member
17 January	Field Work Unit	54 Palestinians Killed, Including 17 Children
18 January	Field Work Unit	IOF Partially Redeploy in the Gaza Strip
22 January	Field Work Unit	Israeli Offensive on the Gaza Strip Makes it Like Earthquake Zone and Claims Civilian and Property
28 January	International Unit	European Union Failing its Obligations to Protect Human Rights in the Occupied Palestinian Territory
29 January	International Unit	PCHR Welcomes Decision of Spanish Court to Investigate War Crimes Committed by IOF in Gaza
05 February	International Unit	FIDH- APDHE- PCHR Spanish judiciary asserts its competence for enquiry into war crimes committed in Gaza in 2002 The prosecutor did not appeal the decision
10 February	Legal Aid Unit	Family of Sayed Abu Safra to Receive Settlement of NIS 200,000 in PCHR Lawsuit Against IOF
24 February	Field Work Unit	PCHR Condemns Western Jerusalem Municipality Decision to Evacuate al-Basatin District in Silwan Village and Displace 1,500 Palestinians
26 February	International Unit	The Fact-Finding Mission Mandated by the League of Arab States to Investigate Israeli War Crimes Concludes Its Works in Gaza on Friday
12 March	Legal Aid Unit	PCHR Condemns Legal Exploitation of Victims of Israel's Latest Offensive: Any Attempts to Mislead Its Clients Will Not Be Tolerated
12 March	Field Work Unit	Confirmed Figures Reveal the True Extent of the Destruction Inflicted upon the Gaza Strip; Israel's Offensive Resulted in 1,417 Deaths, Including 926 Civilians, 255 Police Officers, and 236 Fighters
19 March	Field Work Unit	PCHR Condemns Proposals to Use Palestinian Prisoners as Political 'Bargaining Chips'

19 March	International Unit	PCHR Condemns Israeli Acts of Reprisal on Hamas-Affiliated Political Leaders in the West Bank
26 March	International Unit	PCHR Contests Distortion of Gaza Strip Death Toll
31 March	International Unit	Israel Closes Investigation into Alleged War Crimes Committed in the Gaza Strip
09 April	Field Work Unit	PCHR Condemns Attack by Israeli Settlers and Soldiers on Kherbat Sufa and Warns of Potential Increase in Attacks under New Israeli Government
16 April	Legal Aid Unit	On Palestinian Prisoner's Day, Thousands of Prisoners Continue to Suffer in Israeli Jails
21 April	International Unit	Israeli Refusal to Cooperate With United Nations Investigation Represents an Attempt to Shield Alleged War Criminals from Justice
27 April	International Unit	PCHR Condemns Israeli Attempts to Legitimize Crimes in Gaza and Shield Perpetrators from Justice
04 May	Field Work Unit	PCHR Strongly Condemns Israeli Plans to Confiscate 12,000 Donums of Palestinian Land in Order to Link the Illegal «Ma'ale Adumim» and «Qedar» Settlements
04 May	International Unit	PCHR Welcomes the Spanish National Court's Decision to Continue Investigating Suspected Israeli War Criminals
07 May	International Unit	Attorney General's Office informs Israeli Supreme Court that No Investigation will be Conducted into Suspected War Crimes Committed in Gaza in 2004
19 May	International Unit	Committee Against Torture's Findings Highlight International Community's Inaction in the Face of Israel's Widespread and Systematic Violations of International Law
21 May	International Unit	PCHR Clarify Confusion Regarding Spanish Parliament Proposal Concerning Universal Jurisdiction Legislation
02 June	International Unit	Palestinian Human Rights Organizations Deliver Open Letter to Mr. Ban Ki-Moon Condemning His Failure to Uphold International Law
02 June	International Unit	PCHR Welcomes Arrival of Human Rights Council Mandated Independent Fact-Finding Mission to Gaza
02 June	Field Work Unit	PCHR Condemns Attacks by Israeli Settlers in Northern West Bank
30 June	International Unit	PCHR Will Appeal to Supreme Court against Spanish Appeals Court's Decision
08 July	International Unit	On 5 <sup>th</sup> Anniversary of ICJ Advisory Opinion on 'The Wall' PCHR Highlight Israel's Continued Violations of International Law
11 August	Field Work Unit	PCHR Condemns Harassment of Palestinian Civilians at Military Checkpoints
25 August	Field Work Unit	Israeli Escalates Violence: At Least 4 Palestinians Killed by Israeli forces in the Gaza Strip

01 September	Field Work Unit	IOF Willfully Kill a Palestinian Child in al-Jalazoun Refugee Camp, North of Ramallah
06 September	Field Work Unit	IOF Willfully Kill a Child in Beit Hanoun Town, Northern Gaza
08 September	Field Work Unit	PCHR Strongly Condemns New Israeli Settlement Plans in the West Bank
16 September	International Unit	Palestinian Human Rights Organizations Support Work and Recommendations of UN Fact Finding Mission: Demand Effective Judicial Redress and the Protection of Victims' Rights
28 September	Field Work Unit	PCHR Condemns Israel's Granting of Permission for Settlers to Enter al-Aqsa Mosque and Use of Excessive Force against Palestinian Civilians
29 September	International Unit	PCHR: Human Rights Council Must Endorse Findings and Recommendations of Goldstone Enquiry
16 October	International Unit	First Step Towards Justice: Human Rights Council Adopts Resolution Endorsing Goldstone Report's Findings and Recommendations
25 October	Democratic Development Unit	PCHR Condemns Detention and Beating of Its Field Worker in Hebron and Bethlehem by IOF
26 October	Field Work Unit	PCHR Condemns IOF's Raid of al-Aqsa Mosque
30 October	International Unit	Justice Denied: Dutch Court Denies Appeal Petition in Ayalon Torture Case
03 November	International Unit	The Goldstone Report at the UN General Assembly: States Must Uphold International Law to Ensure Accountability for the Victims of War Crimes in Gaza
03 November	International Unit	General Assembly Must Vote To Fight Impunity and Uphold the Rule of Law
04 November	International Unit	The Goldstone Report at the UN General Assembly: States Must Ensure Victim's Rights and Not Compromise the Rule of Law
19 November	Field Work Unit	Extensive Israeli Campaign Against Palestinian Civil Construction Activities in Area C
23 December	Field Work Unit	PCHR Condemns Israeli Arrests of Human Rights Activists in the West Bank
27 December	Field Work Unit	6 Palestinians Killed by Israeli occupation forces in the West Bank and the Gaza Strip, Including 3 Who Were Extra-Judicially Executed
27 December	International Unit	PCHR Calls on International Community to Ensure Respect for Rule of Law
27 December	Economic, Social and Cultural Rights Unit	Israeli Occupation Authorities Deny Gaza Christians Permission to Travel to Bethlehem at Christmas

*PCHR's Press Releases on Palestinian Violations of Human Rights in 2009*

<b>Date</b>	<b>Unit</b>	<b>Title</b>
26 January	Democratic Development Unit	Military Court in Hebron Sentences a Palestinian to Death
08 February	Democratic Development Unit	PCHR Calls for Investigation into the Death of Palestinian Tortured by Security Services in Khan Yunis
09 February	Democratic Development Unit	PCHR Calls upon the Government in Ramallah to Investigate Death of a Detainee in Jenin Preventive Security Service Headquarters
09 February	Democratic Development Unit	Unknown Persons shoot at Offices of al-Hayat al-Jadeeda Newspaper in al-Bireh, and Car of Government Official in Nablus
10 February	Democratic Development Unit	PCHR Demands Investigations into Violent Deaths of Two Civilians in Gaza
12 February	Democratic Development Unit	PCHR Condemns Continued Detention of Journalists by Preventive Security Service in the West Bank
24 February	Democratic Development Unit	Military Court in Gaza Sentences a Palestinian to Death
01 March	Democratic Development Unit	PCHR Calls for Investigation into Gaza City Murder
11 March	Democratic Development Unit	Military Court in Gaza Sentences 3 Palestinians to Death
18 March	Democratic Development Unit	PCHR Demands Investigation into the Death of a Civilian Detained and Tortured by Security Services in Rafah
19 March	Democratic Development Unit	PCHR Condemns Intimidation by Security Officers against West Bank Judge
23 March	Economic, Social and Cultural Rights Unit	PCHR Warns of Gaza Patients' Being Denied Treatment Abroad
25 March	Democratic Development Unit	PCHR Demands Investigation into Death of a Civilian Tortured by Members of the Police Investigation Bureau in Gaza
25 March	Economic, Social and Cultural Rights Unit	PCHR Appeals for Action to Save Lives of Gaza Strip Patients
07 April	Economic, Social and Cultural Rights Unit	PCHR Calls upon the Two Governments in Ramallah and Gaza to Save the Lives of Gazan Patients before It Is Too Late
08 April	Democratic Development Unit	Military Court in Gaza Sentences 4 Palestinians to Death
13 April	Democratic Development Unit	4 Persons, Including a Child, Killed in Two New Crimes Related to «Family Honor»
19 April	Economic, Social and Cultural Rights Unit	10 Patients Die and Health Conditions of Hundreds Deteriorate as Gaza's External Medical Treatment Crisis Continues; PCHR Holds Minister of Health in Ramallah Accountable and Calls on Palestinian President to Intervene



20 April	Democratic Development Unit	PCHR Condemns Attack on PLC Member Sheikh al-Beetawi
22 April	Democratic Development Unit	PCHR Notes with Grave Concern the Arrest of Dr. Abdul Sattar Qasem by the Palestinian Police in Nablus
22 April	Democratic Development Unit	PCHR Condemns Political Detention of Fatah Activists in Gaza
27 April	Economic, Social and Cultural Rights Unit	PCHR Welcomes Resumption of Work at External Medical Treatment Department
29 April	Democratic Development Unit	Military Court in Hebron Sentences Civilian to Death
04 May	Democratic Development Unit	Journalist Mustafa Sabri Detained for 2 Weeks by Palestinian Preventive Security Services in Qalqilya
12 May	Democratic Development Unit	PCHR Condemns Arrests of Supporters of Islamic Movements in the West Bank
20 May	Democratic Development Unit	PCHR Is Concerned over Measures Taken by Security Services in the Gaza Strip against Fatah Activists and Prominent Figures
21 May	Democratic Development Unit	PCHR Condemns Gaza Security Services' Prevention of Women's Rights Activists from Traveling to Ramallah
24 May	Democratic Development Unit	PCHR Strongly Condemns Desecration of Cemeteries of the Orthodox and Latin Churches in Jafna Village North of Ramallah
24 May	Democratic Development Unit	Military Court in Gaza Sentences 3 Persons to Death
31 May	Democratic Development Unit	3 Security Officers, 2 Members of the 'Izziddin al-Qassam Brigades and One Civilian Killed in Qalqilya
01 June	Democratic Development Unit	Gaza Security Services Prevent Fatah PLC Members from Traveling to Ramallah
03 June	Democratic Development Unit	PCHR Condemns Arrests of Hamas' Members and Supporters in the West Bank
04 June	Democratic Development Unit	PCHR Condemns Palestinian Security Services' Prevention of PLC Members from Hamas from Entering Qalqilya
05 June	Democratic Development Unit	Palestinian Security Officer and 2 Members of the 'Izziddin al-Qassam Brigades Killed in Qalqilya
08 June	Democratic Development Unit	PCHR Is Concerned Over Arrest Campaigns against Fatah Activists in Gaza and against Hamas Activists in the West Bank
15 June	Democratic Development Unit	Policemen Fire on Peaceful Demonstration Injuring Three Civilians
15 June	Democratic Development Unit	Detainee Dies in the GIS Prison in Hebron
18 June	Democratic Development Unit	PCHR Condemns Takeover of Patients' Friends Society by Ministry of Interior in Gaza
30 June	Democratic Development Unit	PCHR Condemns Detention Hizb-Ut-Tahreer members in the Gaza Strip

30 June	Democratic Development Unit	PCHR Calls for an End to Political Arrests and for Measures to Ensure Success of Unity Dialogue
05 July	Democratic Development Unit	PCHR Condemns Ban on Hizb-Ut-Tahreer Peaceful Conference in Ramallah
08 July	Democratic Development Unit	Individuals' Passports Requisitioned to Prevent Them from Traveling
12 July	Legal Aid Unit	PCHR Denied Access to Clients Detained in ISS Prisons in Gaza
15 July	Democratic Development Unit	PCHR Condemns Police Assault on Wedding Party of al-Madhoun Clan in Beit Lahia
16 July	Democratic Development Unit	PCHR Condemns Decision to Suspend Al Jazeera's Work in the West Bank
20 July	Democratic Development Unit	Preventive Security Service Refuse to Implement High Court of Justice Ruling Ordering Release of Journalist Mustafa Sabri
22 July	Democratic Development Unit	PCHR Condemns Injury of 61 Persons in Attack on Wedding Party in Khan Yunis
26 July	Legal Aid Unit	Decision to Impose Traditional Robes and Veils on Female Lawyers in Gaza Is Illegal
06 August	Democratic Development Unit	PCHR Calls for Investigation into Death of Palestinian Held in Custody by the Preventive Security Service in Hebron
11 August	Democratic Development Unit	PCHR Calls Upon the Government in Ramallah to Investigate Death of Palestinian in GIS Custody in Nablus
12 August	Democratic Development Unit	PCHR Expresses Concern Regarding Security Forces Inspection of the National Association for Democracy and Law in Rafah
13 August	Democratic Development Unit	PCHR Expresses Concern Over Statement by Governmental Source in Gaza against Independent Commission of Human Rights
15 August	Democratic Development Unit	PCHR Condemns Bloody Clashes in Rafah; 28 Persons Killed and at Least 100 Others Wounded
03 October	International Unit	Justice Delayed is Justice Denied: Decision of Palestinian Leadership and International Pressure an Insult to the Victims
08 October	Democratic Development Unit	Military Court in Gaza Issues Death Sentence
11 October	Democratic Development Unit	PCHR: Universities Must Be Kept Out of Political Conflict
16 October	International Unit	PCHR Welcomes Hamas Decision to Investigate Allegations of War Crimes, Comply With Goldstone Report
01 November	Democratic Development Unit	Permanent Military Court in Gaza Issues Death Sentence
04 November	Democratic Development Unit	Higher Military Court in Gaza Issues Death Sentence
10 November	Democratic Development Unit	PCHR Condemns Gaza Government's Decision to Ban International Federation of Journalists Conference in Gaza

12 November	Democratic Development Unit	PCHR Condemns Raid on Ramattan News Agency in Gaza, and Expresses Deep Concerns over Measures Taken by the Gaza Government to Prevent Commemoration of Late President Yasser Arafat's Death
16 November	Democratic Development Unit	PCHR Condemns Raid on al-Dameer Association for Human Rights in Gaza
17 November	Democratic Development Unit	PCHR Condemns Arrests of Hamas Supporters in the West Bank
01 December	Democratic Development Unit	PCHR Condemns Killing of Child in Central Gaza Strip
07 December	Economic, Social and Cultural Rights Unit	Ministry of Interior's Decision, Palestinian Police Obstruct of Travel of Patients Receive Medical Treatment in Hospitals outside Gaza
10 December	Democratic Development Unit	Military Court in Ramallah Sentences Palestinian to Death by Firing Squad
13 December	Democratic Development Unit	PCHR Strongly Condemns Attacks on PNGO and CHF Offices in Gaza
15 December	Democratic Development Unit	PCHR Condemns Campaigns of Arrests against Hamas Supporters in the West Bank
16 December	Democratic Development Unit	PCHR Is Gravely Concerned over Increasing Attacks and Robberies against NGOs in Gaza

*Other PCHR Press Releases in 2009*

<b>Date</b>	<b>Unit</b>	<b>Title</b>
08 March	Women's Rights Unit	On International Women's Day, the Suffering of Palestinian Women Continues
12 June	Democratic Development Unit	PCHR Congratulates PLC Speaker for His Release
21 June	International Unit	PCHR and Spanish Civil Society Organize Conferences in Madrid In Defense of Universal Jurisdiction
25 November	Women's Rights Unit	On the Anniversary of the International Day for Elimination of Violence Against Women, the Suffering of Palestinian Women Continues in the West Bank and Doubles in the Gaza Strip
03 December	Economic, Social and Cultural Rights Unit	On the Anniversary of the International Day of Persons with Disabilities, The Humanitarian Conditions of the Disabled in the OPT Have Continued to Deteriorate
09 December	PCHR and other human rights organizations	Press Release by Palestinian human rights organizations on the occasion of the International Human Rights Day 2009

## 2. Field Updates on the State of Lawlessness and Proliferation of Weapons

In 2006 the Democratic Development Unit began to issue field updates highlighting the state of lawlessness and proliferation of weapons in the OPT; the updates are based on information gathered by the Field Work Unit. In 2009, PCHR issued 24 of these updates, all of which are available on PCHR's web page.

### *Field Updates on the State of Lawlessness and Proliferation of Weapons in 2009*

Date	Title
08 February	A Woman Shot and Killed in Gaza
15 February	Girl Strangled to Death in Qalqiliya to "Maintain Family Honour"
08 March	PCHR Condemns Attack on Office of al-Jazeera in Gaza
15 March	Girl Strangled to Death in Qalqiliya to "Maintain Family Honour"
22 March	Two Children Killed in Gaza Whilst Playing with Suspicious Object
26 March	Woman Killed by her Relatives to "Maintain Family Honour"
12 April	Child and Family Care Center in Khan Younis Set Aight by Unknown Persons
19 April	Three Civilians Injured by Gunmen in Jabalia
13 May	A Girl Killed in Beit Ummar Village North of Hebron
14 May	Unknown Persons Set Fire to Military Prosecution Chairman's Car in Nablus
17 May	Child Killed by Internal Explosion in Khan Yunis
02 June	Unknown Gunmen Set Fire to a Coffee Shop in Deir al-Balah
11 June	Woman Killed in Central Gaza Strip to «Maintain Family Honor»
05 July	Three Murders in Hebron as a Result of Family Disputes and Misuse of Weapons
27 July	Woman Killed in Jabalia to «Maintain Family Honor»
13 August	Child Killed in Salfit As He Mishandled His Father's Pistol
16 August	Man Killed in Clan Dispute in Gaza
26 August	Two Civilians Killed in a Family Dispute in Gaza
02 September	Palestinian Killed by Gunshot in Rafah
06 September	3 Persons Killed and 3 Others Wounded in Personal and Clan Disputes
02 November	Two Cafés Targeted with Explosives in Gaza City

25 November	Two Civilians Injured as Home-Made Rocket Hit Their House
02 December	Woman Killed in al-Shati Refugee Camp to «Maintain Family Honor»
22 December	Explosive Device Targets Building of Al al-Bait Society for Heritage and Sharia' Sciences and the National Center of Research and Studies in Gaza City

### 3. Field Updates on the State of the Gaza Strip Border Crossings

In light of the unprecedented closure imposed by IOF on the Gaza Strip, the Economic, Social and Cultural Rights started to issue field updates documenting the state of the Gaza Strip border crossings. In 2009, PCHR issued two of these updates on 16 March and 3 June.

### 4. Aftermath

In this new series of personal testimonies, PCHR looks at the aftermath of Israel's 23 day offensive on the Gaza Strip, and the ongoing impact it is having on the civilian population.

Date	Title
04 February 2009	«We Never Feel Safe»
15 February 2009	Gaza's Forgotten Elderly
19 February 2009	«Is This Not Forbidden?»
04 March 2009	Hammad's Death Barely Made the News
18 March 2009	Coming Home
29 March 2009	The Only BMW Shop in Gaza
30 March 2009	«I Know Every Inch of This Land...»
05 May 2009	Life Is Blind

### 5. Reports, Studies and Other Publications

The following table shows reports and other publications by PCHR in 2009:

Publication	Kind	Number	Language
Annual Report 2008	Periodic report	1	Arabic and English
Targeted Civilians: A PCHR Report on the Israeli Military Offensive against the Gaza Strip (27 December 2008 – 18 January 2009)	Report	1	Arabic and English
The Right to Free Expression and the Right to Peaceful Assembly (01 August 2008 – 31 October 2009)	Report	1	Arabic
Palestinian Violations of the Right to Freedom of Association	Report	1	Arabic
Silencing the Press: Report on Israeli Attacks against Journalists	Report	1	Arabic and English
Inter-Palestinian Human Rights Violations in the Gaza Strip	Report	1	Arabic and English

War Crimes Against Children: A PCHR Investigation into Palestinian Children Killed by Israeli Forces in the Gaza Strip (27 December 2008 – 18 January 2009)	Report	1	Arabic and English
Blood on Their Hands: Report on Child Killings by Israeli Occupation Forces (IOF) in the Gaza Strip (June 2007 – June 2008) <sup>45</sup>	Report	1	Arabic and English
The Aggravation of Humanitarian Crisis in the Gaza Strip as IOF Offensive Continues	Report	1	Arabic and English
Through Women's Eyes: A PCHR Report on the Gender-Specific Impact and Consequences of Operation Cast Lead	Report	1	Arabic and English
Deprived of Education: Report on the Impact of the Israeli Closure on International Education Opportunities	Report	1	Arabic
Palestinian Disabled Persons: Report on Israeli Attacks on Palestinian Disabled Persons in the Gaza Strip (01 September 2003 – 30 November 2009)	Report	1	Arabic
23 Days of War, 928 Days of Closure: Life One Year after Israel's Latest Offensive on the Gaza Strip (27 December 2008 – 18 January 2009)	Report	1	Arabic and English
War on the Wounded: human rights violations perpetrated against Palestinian medical personnel in the Gaza Strip (27 December 2008 – 13 January 2009)	Report	1	Arabic and English
Israeli Attacks against Palestinian Fishermen in the Gaza Strip	Report	1	Arabic and English
Weekly Report on Israeli Human Rights Violations in the OPT	Regular Report	51	Arabic and English
Al-Mentar	Monthly newsletter	10	Arabic
Fact Sheet Calling for an End to International Donor Complicity in Israeli Violations of International Law	Joint position paper	1	Arabic and English
PCHR Has Reservations about Regulations Adopted in the Context of Ongoing Political Fragmentation	Position paper	1	Arabic and English
Reconciliation Is a Prerequisite for Elections; Presidential Decree is Constitutionally Sound, But Inappropriate and Impossible without Reconciliation	Position Paper	1	Arabic and English
Physicians for Human Rights – Israel and Other Human Rights Organizations Concerning Stoppage of Financial Cover of Medical Care for Palestinians in Israel	Position Paper	1	

<sup>45</sup> The report was published in English in 2008.

## 6. Other Publications

<b>Publication</b>	<b>Kind</b>	<b>Notes</b>
International Women's Day	Poster	
Palestinian Prisoners' Day	Poster	
Woman and Man «Homeland»	Poster	Issued jointly with UN bodies and partners

## PCHR's Web Site ([www.pchrgaza.org](http://www.pchrgaza.org))

PCHR realizes and appreciates the increasing importance of information technology in the contemporary world. PCHR increasingly depends on its website as a means of disseminating human rights information. PCHR updates its web site on a daily basis 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; over 6,000 subscribers to the mailing list receive PCHR's publications via e-mail.

In 2009, PCHR's web site received 875,632 visits with an average of 72,969 visits monthly and 2,432 visits daily.

### Visits to PCHR's Web Site in 2009

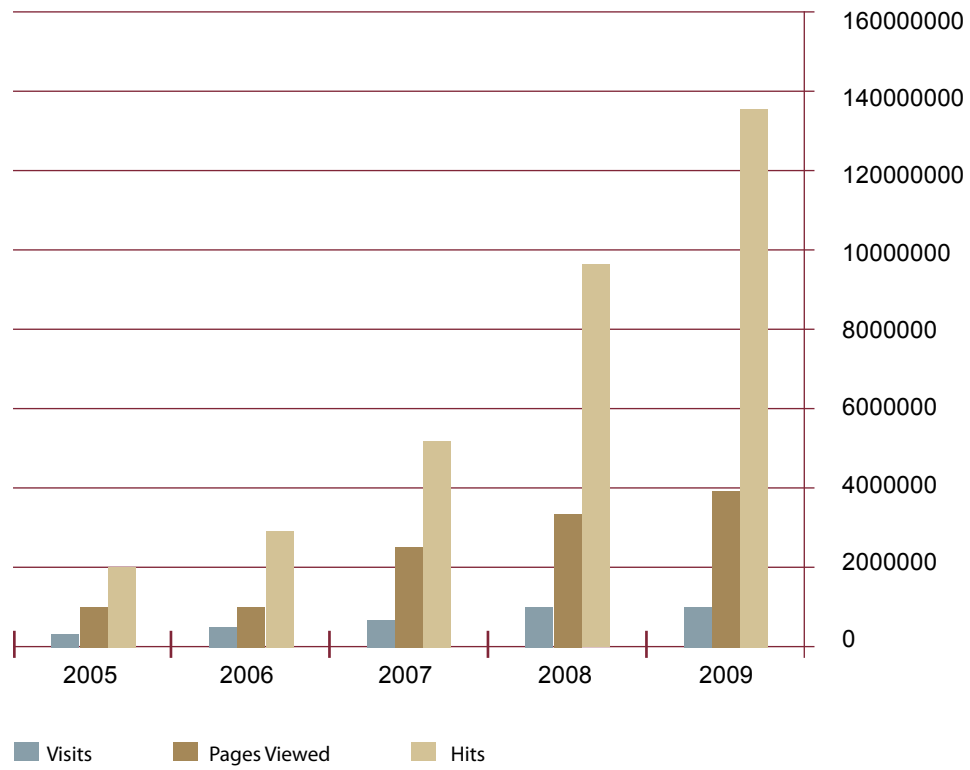
Month	Number of Visits	Number of Pages Viewed	Number of Hits
January	78,871	388,525	2,476,524
February	50,919	317,439	1,178,779
March	56,851	335,742	1,270,694
April	54,149	288,625	1,019,553
May	64,421	282,039	930,906
June	61,780	317,579	915,833
July	69,104	339,440	839,787
August	75,442	307,256	851,663
September	82,290	309,422	806,708
October	100,342	415,696	1,050,887
November	91,721	361,647	1,02,885
December	89,742	341,065	1,122,176
<b>Total</b>	<b>875,632</b>	<b>4,004,475</b>	<b>13,488,395</b>

The following comparison shows the increase of visitors of PCHR's web page over the last five years:

Year	Number of Visits	Number of Pages Viewed	Number of Hits
2005	258,083	705,520	1,998,464
2006	297,915	908,977	2,817,404
2007	968,018	2,091,390	5,207,866
2008	830,380	3,434,635	9,751,101
2009	875,632	4,004,475	13,488,395



## Website Statistics in Comparison 2005 - 2009



## The Library

PCHR has a specialized library that includes Arabic and English reference materials and periodicals that focus on various subjects, including international law, domestic laws, human rights, democracy and the Palestinian cause. By the end of 2009, the library included 4,549 books (2,818 books in Arabic and 1,731 in English), and 1,048 periodicals (340 in Arabic and 708 in English). The library is available to the public and it is mainly used by students, academics, scholars and other interested individuals.