



Palestinian Centre for Human Rights (PCHR)
المركز الفلسطيني لحقوق الإنسان

Report on the Human Rights Situation in the oPt 1st Quarter of 2014

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Introduction

The human rights situation in the occupied Palestinian territory (oPt) further deteriorated in the first quarter of 2014, as Israeli forces perpetrated more violations of the international law, some of which amount to war crimes, while more violations of human rights were reported at the internal level by Palestinian authorities and unofficial parties.

In the Gaza Strip, Israeli forces continued to impose tightened restrictions on the movement of persons and goods, creating a man-made crisis, and launched more attacks in access-restricted areas in land and in sea, including arrests, property destruction and confiscation and restrictions on fishing. In the West Bank, Israeli forces created an apartheid system under which they controlled Palestinian lands; confiscated water resources; expanded settlements; confiscated property; fully protected Israeli settlers who often attack Palestinian civilians and property; made efforts to create a Jewish demographic majority in Jerusalem; imposed severe restrictions on movement; killed, wounded and arrested Palestinian civilians; and committed other violations of human rights.

At the internal Palestinian level, the internal division continued in the Palestinian political regime. Under these circumstances, the human rights situation deteriorated further. In the Gaza Strip, more restrictions were imposed on public liberties, including the right to freedom of movement, the right to freedom of opinion and expression, the right to freedom of association and the right to peaceful assembly. Security forces continued also to summon and arrest persons and subject them to torture and inhuman and degrading treatment. More death sentences were issued. Additionally, the reporting period witnessed more attacks related to the proliferation of weapons and the state of lawlessness, due to which more Palestinians were killed or injured.

In the West Bank, security services continued to summon and arrest political activists and subject them to torture and inhuman and degrading treatment. PCHR observed also imposing more restrictions on public liberties, including the right to freedom of opinion and expression, the right to freedom of association and the right to peaceful assembly. Additionally, the reporting period witnessed more attacks related to the proliferation of weapons and the state of lawlessness, due to which more Palestinians were killed or injured.

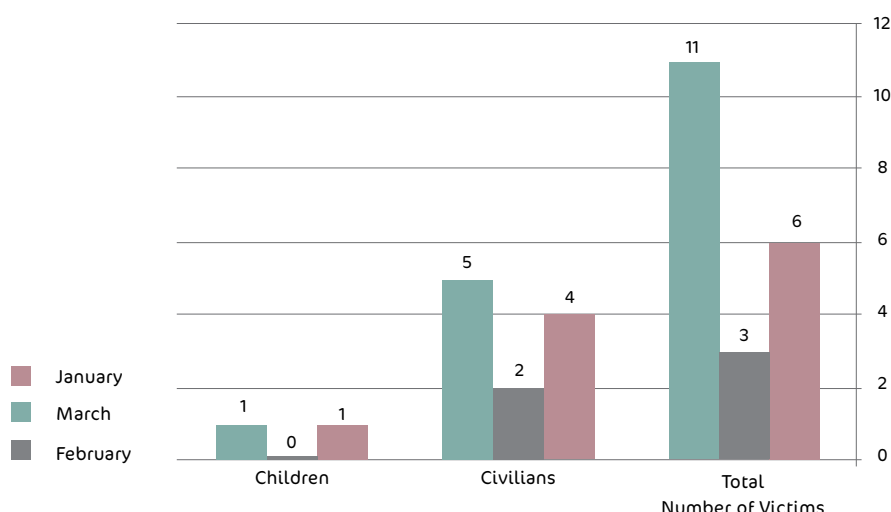
1. *Willful Killings and Other Violations of the Right to Life and Personal Security*

In the first quarter of 2014, Israeli forces committed more crimes and violations of the right to life and personal security against Palestinian civilians in the oPt. In the Gaza Strip, Israeli forces killed more Palestinian civilians in access-restricted areas, and targeted members of Palestinian armed groups using drones. In March, Israeli forces escalated air strikes against Palestinian targets, including civilian ones. In the West Bank, Israeli forces committed more crimes of extra-judicial execution and willful killing. They also continued to use excessive force against civilians participating in peaceful protests against the construction of the annexation wall and settlement activities; 58 civilians were wounded.

The 1st quarter of 2014 witnesses a significant increase in the number of Palestinians killed by Israeli forces in the oPt. The number of Palestinians who were killed by Israeli forces was 20, including 11 civilians (65% of the total number of victims, and 32% of the total number of civilians killed by Israeli forces in 2013). The civilian victims included 2 children and one woman. Additionally, 259 Palestinians sustained various wounds (52% of the total number of Palestinians wounded in 2013), including 255 civilians. This number includes 53 children. The majority of these Palestinians, 198, were wounded during peaceful protests and clashes with Israeli forces.

Investigations conducted by PCHR have proven that Israeli forces used excessive and disproportionate force against Palestinian civilians, when no threats were posed to the lives of Israeli soldiers.

Graph No. (1): Monthly Distribution of Victims



In the Gaza Strip, 11 Palestinians were killed, including 4 civilians. Of the civilians who were killed, there were a child and a woman. Additionally, 81 Palestinians were wounded, including 77 civilians. These civilians included 18 children. Most of these civilians (47) were

wounded during peaceful protests against Israeli forces.

Israeli forces killed 4 Palestinian civilians in access-restricted areas along the northern and eastern border of the Gaza Strip, including a child and a woman. The incidents were as follows:

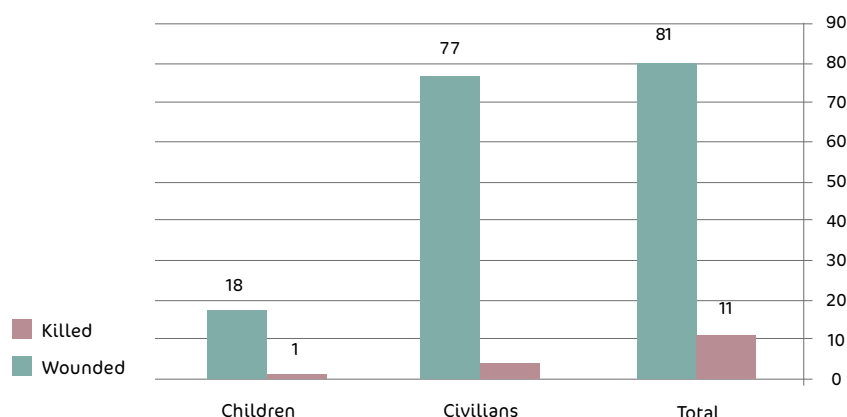
1. On 02 January 2014, Israeli soldiers fired at Adnan Jameel Shihda Abu Khater, 17, from the northern Gaza Strip town of Jabalya, when he was with some friends near the eastern cemetery in Jabalya, nearly 500 meters away from the border between the Gaza Strip and Israel. He was wounded by a bullet to the pelvis, and he bled for an hour before medical crews were able to attend him. He was evacuated to Kamal Edwan Hospital in Beit Lahia, and as his condition was serious, he was transferred to Shifa Hospital in Gaza City, where he was pronounced dead on the following day.
2. On 24 January 2014, Bilal Sameer Owaida, 20, from Beit Lahia housing project in the northern Gaza Strip, was killed by a bullet to the chest, as Israeli soldiers positioned at the border between the Gaza Strip and Israel fired at a number of young men who threw stones at the border.
3. On 13 February 2014, Israeli forces positioned at the border between the Gaza Strip and Israel fired at a number of Palestinian civilians who were collecting construction aggregate near Malaka intersection in al-Zaytoun neighborhood in the east of Gaza City. As a result, Ibrahim Suleiman Mansour, 36, from al-Shujaiya neighborhood, was killed by a bullet to the head, and Rafiq Bakr al-Hrokli, 21, was wounded by a bullet to the right foot.
4. On 28 February 2014, Aamena Atiya Qudaih, 57, from Khuza'a village east of Khan Yunis, who suffered from a psychological disorder, was wounded when Israeli soldiers positioned at the border between the Gaza Strip and Israel fired at her as she approached the border. She bled to death and her body was found on the following day.

During the reporting period, Israeli forces carried out 3 extra-judicial execution attempts, as a result of which 2 members of Palestinian armed groups were killed and 2 others, as well as 3 civilian bystanders, including a child, were wounded. In one of these attacks, on 22 January 2014, Israeli warplanes bombarded a civilian car, in which Ahmed Mohammed Juma'a al-Za'anin, 21, a member of the al-Quds Brigades (the armed wing of Islamic Jihad), and Mohammed Yousef Ahmed al-Za'anin, 22, both from Beit Hanoun, were traveling. The car was completely destroyed and both Palestinians were killed.

In another context, Israeli warplanes attacked a number of members of Palestinian armed groups in Rafah and Beit Hanoun, killing 5 of them:

1. On 03 March 2014, an Israeli drone fired a missile at 2 members of a Palestinian armed group in the northern Gaza Strip town of Beit Hanoun. One of them, Mousa Saber Hassan al-Za'anin, 21, was instantly killed by shrapnel throughout the body, while the other one, Shareef Yousef Ahmed Nasser, 21, was seriously wounded by shrapnel to the abdomen and feet, and he died later. Two children who were in the area were seriously wounded.
2. On 12 March 2014, an Israeli warplane fired a missile at a number of activists of al-Quds Brigades (the armed wing of Islamic Jihad) when Israeli forces moved into al-Shouka village, east of the southern Gaza Strip of Rafah. As a result of the attack, 3 activists were killed: Ismail Hamed Abu Jouda, 23; Abdul Shafi Saleh Abu Muammar, 33; and Shaher Hammouda Abu Shanab, 24.

Graph (2): Palestinians Killed or Wounded in the Gaza Strip in the 1st Quarter of 2014



In the West Bank, Israeli forces killed 9 Palestinians, including 7 civilians, one of whom is a child, and wounded 178 civilians, including 35 children. Most of these civilians, 152, were wounded when Israeli forces used force against Palestinian peaceful protests.

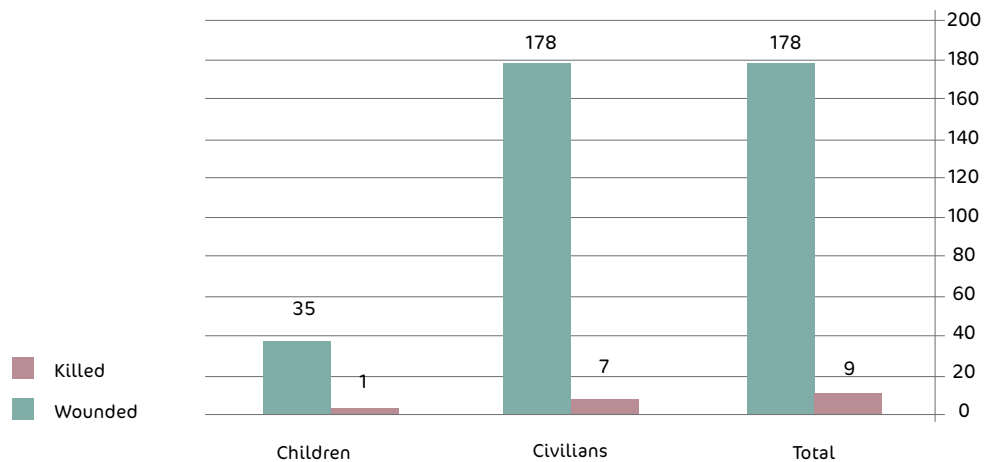
Five civilians, including a child, were willfully killed by Israeli forces in the West Bank:

1. On 01 January 2014, Saeed Nassar Ali, 88, died of tear gas inhalation used by Israeli forces during their incursion into kufor Qaddoum village, northeast of Qalqilya, as supporters of Fatah Movement organized activities on the 49th anniversary of its establishment.
2. On 29 January 2014, Israeli forces shot dead Mohammed Abdul Aziz Mubarak, 20, a worker from al-Jalazoun refugee camp near Ramallah, from a distance of less than 50 meters. Israeli forces claimed that the victim fired at a military watchtower, but eyewitnesses refuted this claim and confirmed that Israeli soldiers willfully fired at the worker from a close range when he was organizing the traffic at Ramallah – Nablus road, north of Ramallah.
3. On 10 March 2014, Israeli soldiers positioned at the first checkpoint at al-Karama (Allenby) crossing on the Jordanian border shot dead Ra'ed Aladdin Zu'aier, 38, from Nablus, a judge in Amman District Court, during his visit to the West Bank. Israeli forces claimed that the judge attempted to seize a soldier's gun, so another soldier shot him dead. Investigations conducted by PCHR refuted the Israeli claim and confirmed that the judge did not pose any threat to the lives of Israeli soldiers. An Israeli soldier pushed the judge, so the latter protested and a skirmish erupted between him and the soldier. Another soldier pushed the judge onto the ground, and when he was standing up, the soldier shot him dead.
4. On 10 March 2014, Israeli forces shot dead Saji Darwish Jarab'a, 20, from Bittin village east of Ramallah. They claimed that they fired at a number of young men who threw stones at settlers' cars traveling on road #60 near "Givat Assaf" settlement outpost, and one of the young men was killed. The victim was a fresh student in the Faculty of Media at Bir Zeit University.
5. On 19 March 2014, Israeli forces shot dead 14-year-old Yousef Sami Salem Shawamra near the annexation wall to the west of Dura town, southwest of Hebron. They also arrested another two children. Israeli forces claimed that they shot dead a Palestinian who attempted to pass through the annexation wall.

In another context, on 27 February 2014, Israeli forces extra-judicially executed a member of the Popular Front for the Liberation of Palestine, Mo'taz Abdul Rahim Wash'ha, 25, after besieging and firing at his house in Bir Zeit village, north of Ramallah.

Moreover, on 22 March 2014, 3 Palestinians, including 2 civilians, were killed and 11 civilians were wounded during an Israeli incursion into Jenin refugee camp in the north of the West Bank. Israeli forces killed Hamza Jamal Abu al-Hajja, 22, a member of the Izziddin al-Qassam Brigades (the armed wing of Hamas) after besieging a house in which he was harbored. Following Abu al-Hajja's death, dozens of Palestinian civilians attempted to take his body, but Israeli soldiers opened fire at them. As a result, 2 civilians were killed: Yazan Mahmoud Bassem Jabarin, 20; and Mahmoud Omar Saleh Abu Zaina, 24, each hit by a bullet to the chest. Additionally, 11 civilians were wounded.

Graph No. (3): Palestinians Killed or Wounded in the West Bank in the 1st Quarter of 2014



2. The Closure and Restrictions on the Freedom of Movement of the Gaza Strip Population

In the first quarter of 2014, Israeli forces have continued to impose a total closure on the Gaza Strip for the seventh consecutive year, which resulted in the deterioration of the humanitarian situation in the Gaza Strip. Moreover, civilians in the Gaza Strip have been denied the majority of their economic, social and cultural rights. The Israeli forces succeeded in undermining any opportunities to revive the Gaza Strip's economy and various economic sectors. The closure policy has violated the civilians' right to an adequate standard of living, including their right to adequate housing, to work, to health and to education. Consequently, poverty and unemployment rates raised to unprecedented levels, while food security rates decreased, especially for children. Data of the first quarter of 2014 indicates that the closure has not been lifted and its impact has become more serious on the Gaza Strip population. Furthermore, PCHR's documentation reflects that the Israeli alleged measures to ease the closure are fake and constitute a clear violation of the international humanitarian law. Besides, these fake measures aim to the institutionalization of the closure and making it acceptable on the international levels, and Israel has succeeded in that at least for the time being.

Restrictions on the Freedom of Movement

The first quarter of 2014 witnessed additional restrictions on the movement and travel of the Gaza Strip population, which aggravated the suffering of thousands of civilians who are in a bad need to travel abroad. In addition, Israeli forces have continued to close Beit Hanoun (Erez) crossing to Palestinian civilians, thus preventing people in Gaza from accessing holy sites in Jerusalem and Bethlehem, studying in universities in the West Bank, and visiting their families and relatives in the West Bank, and vice versa. Since the Hamas' takeover of the Gaza Strip on 15 June 2007, only a limited number of patients have been allowed to travel to the West Bank and Israel for medical treatment. International journalists, diplomats, and employees of international organisations wanting to pass through Beit Hanoun crossing often have to undergo thorough searches, while travelers face strict travel restrictions and complicated and humiliating procedures.

Since June 2013, and due to the Egyptian internal crisis and the deterioration of the security situation in North Sinai, the crossing point has been closed for long periods. This situation has again revealed the real circumstances facing the Gaza Strip population due to the closure of all border crossings of the Gaza Strip, especially Beit Hanoun crossing, by Israeli authorities for more than 7 years. As a result of the closure of Rafah International Crossing Point, thousands of Palestinians living in the Gaza Strip have been denied their right to freedom of movement to and from the Gaza Strip. The General Administration of Crossings and Borders has stopped receiving travel applications, as the number of registered persons to travel via Rafah crossing exceeded 6,000, including hundreds of patients who are in a bad need for medical treatment abroad, workers holding residency permits in different countries and students studying abroad.

The closure of Rafah International Crossing Point raises an essential issue that the Gaza Strip is a part of the oPt, and its natural extension is the West Bank, including East Jerusalem. Therefore, Israel, as the occupying power, has legal obligations towards the Gaza Strip population, especially according to the Fourth Geneva Convention, to ensure the freedom of movement of the Gaza Strip population and the secure flow of basic needs into the Gaza Strip through commercial crossings.

Movement of Goods

Israeli forces have used Karm Abu Salem (Kerem Shalom) crossing as the sole commercial crossing for the Gaza Strip after closing all other crossings, increasing the suffering of the Gaza Strip population. This crossing is not well-equipped and has a limited capacity that does not meet the Gaza Strip's needs. Before tightening the closure imposed on the Gaza Strip, a daily average of 570 truckloads used to be allowed into the Gaza Strip. This number dropped to about 148 truckloads daily during the reporting period. Israeli forces have continued to ban exports from the Gaza Strip to the West Bank, Israel and the outside world, excluding limited quantities of the Gaza Strip's products, such as flowers, strawberries, tomatoes, clothes, biscuits and tomatoes, with a monthly average of 20 truckloads. Before tightening the closure imposed on the Gaza Strip, a daily average of 150 truckloads used to be exported.

According to PCHR's statistics, most of the goods allowed into the Gaza Strip have been consumables, while the import of many raw materials has been banned. During the reporting period, the cooking gas crisis has continued in the Gaza Strip because of the limited quantities of gas allowed by Israeli forces into the Gaza Strip; a daily average of 140 tons, which constitutes 70% of the population's daily needs that amount to 200 tons.

The Gaza Strip has witnessed a sharp increase in the prices of construction materials due to the ban imposed by Israeli authorities on the entry of construction materials into the Gaza Strip. According to PCHR's documentation, during the reporting period, 4.5% of Gaza's monthly needs of cement, 17% of the monthly needs of construction aggregate and 0.3% of the monthly needs of construction steel have been allowed into the Gaza Strip. Over the past years, the Gaza Strip's population had depended on construction materials smuggled through tunnels at the Egyptian border, and as restrictions have been imposed on such tunnels, smuggling construction materials has been stopped, so many construction and infrastructure projects have been stopped.

3. *Israeli Crimes in Access-Restricted Areas¹ in Land and Sea in the Gaza Strip*

During the reporting period, Israeli forces have continued to attack Palestinian civilians and their property in Access-Restricted Areas (ARA) along the northern and eastern border of the Gaza Strip in land and in sea.

As a result of these attacks, 4 Palestinian civilians were killed, including a woman, i.e. 66% of the total number of Palestinians killed in the ARA in 2013; while 46 others were wounded, including 9 children. Moreover, Israeli forces arrested 20 Palestinians, including 7 children, when they got close to the border fence or attempted to cross the border to search for jobs in Israel.

Additionally, Israeli naval forces have continued to attack Palestinian fishermen in the Gaza Strip in the first 3 months of 2014. These attacks have included arresting and firing at fishermen and chasing and damaging fishing boats. Some of these attacks took place within the fishing zone designated by Israeli authorities at 6 nautical miles, which indicates that Israeli forces seek to combat fishermen in their means of subsistence.

1. In 2005, Israel has unilaterally and illegally imposed the ARA, an area prohibited to Palestinians along the land and sea borders of the Gaza Strip. The precise area designated by Israel as ARA is not clear and this Israeli policy is typically enforced with live fire. The imposition of the ARA is in violation of the international law.

According to PCHR's documentation, during the reporting period, Israeli naval forces launched 64 attacks against Palestinian fishermen, including 50 incidents of shooting at fishing boats in which 4 fishermen were wounded and 5 fishing boats and other fishing equipment were damaged; and 4 incidents of chasing fishermen within the limit of the fishing zones during which 8 fishermen were arrested, including 2 children, and 6 fishing boats and other fishing equipment were blocked.

Thus, the number of Israeli attacks on Palestinian fishermen in the Gaza Strip have increased compared to the last quarter of 2013, during which Israeli naval forces launched 38 attacks against Palestinian fishermen, including 31 incidents of shooting at fishing boats in which a fisherman was wounded; 4 incidents of chasing fishermen within the limit of the fishing zones during which 6 fishermen were arrested and 3 fishing boats blocked; and an incident of damaging fishing equipment.

4. *Israeli Attacks against Journalists in the oPt*

Israeli forces have continued their attacks against journalists working in local and international news agencies in the oPt despite the protection they enjoy according to the international humanitarian law. It is obvious that Israeli attacks against journalists, including threats against personal safety of journalists, are part of a systematic campaign to isolate the oPt from the world and cover-up the Israeli crimes against the Palestinian civilians. During the reporting period, Israeli attacks were focused on journalists covering peaceful demonstrations in which Palestinian civilians and international human rights defenders participated in protest against the confiscation of Palestinian lands for the construction of the annexation wall and settlement expansion in the West Bank or confiscation of lands in the ARA in the Gaza Strip.

The most prominent attacks were as follows:

- » On 24 January, Ja'fer Ishtaiya, a photojournalist of AFP, was hit by 2 gas canisters to the right hand and shoulder, due to which, he fainted. Ishtaiya was injured during a peaceful protest in Kufor Qaddoum village, east of Qalqilia in the northern West Bank.
- » On 26 January, Abdul Hafiz al-Hashlamoun, a photojournalist of the European News Agency, and Ahmed Mezher, a photojournalist of the Palestinian New Agency (WAFA), were detained by Israeli forces for about an hour and a half when they were doing their job in Khellet al-Nahel area near Bethlehem in the southern West Bank. The aforementioned photojournalists were covering clashes between Palestinian demonstrators and Israeli forces in the said area.
- » On 21 February, Khaled 'Atef al-Sabbah, a photojournalist working for several news agencies, sustained a bullet wound to the right leg although he was putting on a press vest while covering the incidents of a peaceful demonstration in the ARA in the Gaza Strip.
- » On 25 February, Nasser Maher Rahma, a photojournalist of Gaza Youth Media Network, sustained a bullet wound to the left leg while covering the Israeli attacks against Palestinian demonstrators near the eastern border of Gaza Strip.
- » On 22 March, Israeli forces detained 2 photojournalists in an attempt to prevent them from photographing in 'Ayda refugee camp, north of Bethlehem in the southern West Bank. The 2 photojournalists, Abdul Rahman Yunis, who works for Quds.com news agency; and Moussa al-Sha'er, who works for AFP, were covering clashes between Palestinian demonstrators and Israeli forces in the abovementioned refugee camp. During which, an Israeli soldier stopped them and seized their ID cards. In addition, the soldier detained them in a danger-

ous area in between the demonstrators and Israeli forces. The photojournalists fled without taking their ID cards back fearing for their lives. They received their ID cards later on the same day.

- » On 23 March, Israeli forces stationed near the annexation wall in 'Ayda refugee camp, north of Bethlehem, fired rubber-coated metal bullets at a vehicle belonging to journalist Eyad Abdul Qader Hamad while heading to the area where Israeli soldiers were present to cover the incidents. As a result, the vehicle sustained partial damage to the back.

5. Arrests, Detention, Torture and Other Forms of Cruel, Inhuman and Degrading Treatment

During the reporting period, Israeli forces arrested 658 Palestinians, including 627 in the West Bank and 31 in the Gaza Strip, 569 of whom were arrested during Israeli incursions and arrest campaigns, while 89 ones were arrested at checkpoints and campaigns conducted to arrest wanted people. In the Gaza Strip, Israeli forces continued to arrest more Palestinians in the ARA along the eastern and northern borders of the Gaza Strip. PCHR documented the arrests of 20 Palestinians by Israeli forces, the vast majority of whom attempted to cross the border fence to search for jobs in Israel. Furthermore, Israeli forces arrested 8 fishermen while sailing within the allowed limit in the sea, and arrested 3 Palestinians at Beit Haoun (Erez) crossing in the northern Gaza Strip, including a patient who was on his way to receive medical treatment for his eye in a hospital in the West Bank.²

To date, approximately 4,800 Palestinians are still in Israeli custody in prisons and detention facilities mostly inside Israel in an obvious violation of Article 76 of the Fourth Geneva Convention of 1949, which stipulates: "Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein." Eleven members of the Palestinian Legislative Council (PLC) have been imprisoned in Israeli jails, most of them are from the 'Change and Reform' bloc, which is affiliated with Hamas, one is from Fatah, one is from the Popular Front for the Liberation of Palestine (PFLP), and one is a former minister. The detained PLC members are: Ahmed Atoun; Mohammed Abu Tair; Yasser Mansour; Mahmoud al-Ramahi; Abdul Jaber Foqaha; Ahmed Sa'dat; Marwan al-Barghouthi; Nizar Ramadan; Mohammed Maher Bader; Mohammed Jamal al-Nacha and Hatem Qfeisha.

Palestinian detainees are subjected to cruel, degrading and inhumane treatment, as Israeli forces beat them up, torture them and impose repressive and punitive measures against them, including denial of family visits, solitary confinement, denial of education and medical negligence.

6. Settlement Activities and Attacks by Israeli Settlers

During the reporting period, Israeli forces have continued to confiscate civilian property belonging to Palestinians to facilitate the expansion of settlements. On 06 January, the Israeli "Peace Now" movement against settlements revealed a project to build 272 new settlement units in the West Bank. This was approved on the eve of US Secretary of State John Kerry's departure. The movement said in its statement that a project to build 250

2. On 07 January 2014, Israeli forces stationed at Beit Hanoun "Erez" crossing arrested Yousif Khalaf Ibrahim Abu al-Jedyan, 28, from al-Bussah area in Deir al-Balah, when he was on his way to the Sergie Care Hospital in Ramallah in the West Bank to undergo a surgery in the cornea of his left eye due to the laceration of the iris. Abu al-Jedyan had gone for treatment in Egypt after the Israeli authorities refused to issue for him a passing permit to receive medical treatment at Saint John Hospital in Occupied Jerusalem in March 2013. However, the patient's health condition did not improve despite going to Egypt for treatment.

new settlement units in “Ofrah” settlement and 22 others in “Kerni Shomron” settlement was approved on 05 January 2014, according to an official document that was posted on a website of the Israeli military administration of settlements. The document indicated that “construction may start soon.”

During the reporting period, armed Israeli settlers, protected by Israeli forces, continued to commit crimes against Palestinian civilians and property in the West Bank, including East Jerusalem. Attacks by Israeli settlers against Palestinian civilians and property continued and became more systematic. The following are the most prominent attacks:

- » On 07 January, a number of settlers from “Sousia” settlement established on Palestinian lands in the south of Yatta, south of Hebron, destroyed a tent belonging to ‘Ezz al-Din Ghaith al-Da’ajnah, 44, in al-Rakhim Valley Mountain near Kherbet Sousia.
- » 08 January, a group of settlers from “Yitshar” settlement established on the lands of Madama village, south of Nablus, set fire to two cars in the center of the aforementioned village and wrote hostile slogans against Arabs.
- » On 15 January, a group of settlers set fire to Imam Ali bin Abi Talib Mosque in Deir Estiya village, north of Salfit, and wrote hostile slogans in Hebrew on its walls. Settlers set fire in the vicinity of the mosque, so carpets at the entrance were burnt and continued burning till fire extended into the mosque burning a part of it.
- » On 17 January, a group of settlers from “Carmel” settlement established on Palestinian lands east of Yatta, south of Hebron, stormed the agricultural lands confiscated from the al-Hathalin family in Kherbet Um al-Kheir under intensive guard of the Israeli soldiers. Settlers planted various seedlings of trees in the agricultural lands of 150 dunums confiscated by Israeli authorities. Israeli soldiers deployed in the area, detained the shepherds and prevented them from entering the land.
- » On 02 February, a group of settlers from “Adi ‘Ad” settlement established on Palestinian lands, east of Turmes’ayah village, north of Ramallah, uprooted 545 seedlings and 20 fruitful olive trees in al-Sader agricultural area in the east of the village, about 3 kilometers away from the aforementioned settlement.
- » Also on 02 February, a group of settlers from “Givat Ariel” settlement established on the lands Senjel village, north of Ramallah, uprooted 1,200 olive and almond seedlings in al-Rafid area, which lies around 5 kilometers from the northeast of the village. The seedlings belong to more than 100 families in the village.
- » On 03 February, a group of settlers from “Har Heem” settlement, which is part of “Kedumim” settlement, cut off 400 olive seedlings belonging to Nazmi As’ad Obaid in Kufor Qaddoum village, northeast of Qalqilia.
- » On 08 February, a group of settlers from “Givat Ariel” settlement outpost established on the lands of Senjel village, north of Ramallah, uprooted 450 olive and almond seedlings in al-Rafid area, which is around 5 kilometers away to the northeast of the village. Similar attacks took place in the village on 21 January and 02 February.
- » On 27 February, settlers from “Ofrah” settlement established on the lands of the villages of Silwad and ‘Ein Yabrud infiltrated into a house belonging to Rowaidah ‘Abdel Ghani Soliman Hammad (61) from Silwad village, northeast of Ramallah. The settlers poured an incendiary material on the balcony and put it on fire. As a result, the curtains, chairs and furniture in the balcony caught fire. The settlers then wrote a slogan in Hebrew on a wall outside the house that says “Qasrah, Get out Arabs.”

- » On 06 March, 5 masked settlers from “Kokhav Hasharhar” outpost established on the lands of al-Moghir village, northeast of Ramallah, attacked farmers from al-Moghir village when the farmers were collecting gundelia crops in al-Jalnah agricultural area, which is about 3 kilometers away from the aforementioned outpost. The settlers used stones and sharp tools in their attack as they severely beat Haitham Ghaleb ‘Abdel Karim al-Haj Mohammed, 39, causing him deep wounds in the head.
- » On 18 March, an Israeli settler from “Yitshar” settlement cut down 50 olive trees in al-Sawma’ah area near Hawarah Park in the northwest of Hawarah village, south of Nablus. These trees belong to Fawzi Hasan Mohammed Hussein, from the nearby ‘Aynabous village. The Israeli forces arrested the settler and informed the Palestinian Liaison.
- » On 25 March, a group of settlers from “‘Aadi ‘Aad” settlement established in the east of the lands of Turmes’aayah village, north of Ramallah, uprooted and stole 950 olive seedlings in al-Sader agricultural area, east of the aforementioned village, which is around 3 kilometres away from the settlement.

7. The Absence of Justice in the Israeli Legal System and Efforts to Prosecute War Criminals

The first quarter of 2014 witnessed continued Israeli denial of justice by imposing monetary, legal and physical obstacles to close the door completely before the Palestinian victims to get their rights to Justice. The Palestinian victims have been denied their right to remedy and justice even after 2 years of “Operation Pillar of Defence” in November 2012 and over 5 years of “Operation Cast Lead” in 2008-2009.

Israeli authorities continued to cover-up Israeli war criminals by imposing additional restrictions related to filing criminal complaints against Israeli officers and soldiers, who are responsible for committing war crimes. The Israeli military prosecution has continued to deny or neglect complaints filed by PCHR relevant to targeting and killing Palestinians and destroying houses, which mostly resulted in the killing of entire families. For example, PCHR filed 79 complaints to the military prosecution regarding war crimes of targeting civilians and civilian objects during the latest Israeli offensive on the Gaza Strip in 2012; however, PCHR received only 26 negative replies as the military prosecution used to respond as follows: “There was no suspicion of criminal offences or suspicion of violating the laws of war by any military body concerning this incident.”

The amendment No.(8) to the 1952 Israeli Civil Torts Law (Liability of the State), which was approved by the Israeli Knesset on 16 July 2012 and applied retroactively from 2005 and onwards, constitutes complete denial of the Palestinian victims’ access to the Israeli judiciary to seek justice and remedy. This amendment exempts the State of Israel of any liability arising from damages caused to a resident of an enemy territory during a ‘combat action’ or ‘military operation’. It means that it exempts the Israeli forces from compensating the victims of the 2008-2009 Israeli offensive on the Gaza strip and the 2012 Israeli offensive. This measure is part of a long series of procedures and laws enacted by Israeli forces to protect Israeli war criminals from being held accountable and to deny Palestinian victims their right to compensation and justice.

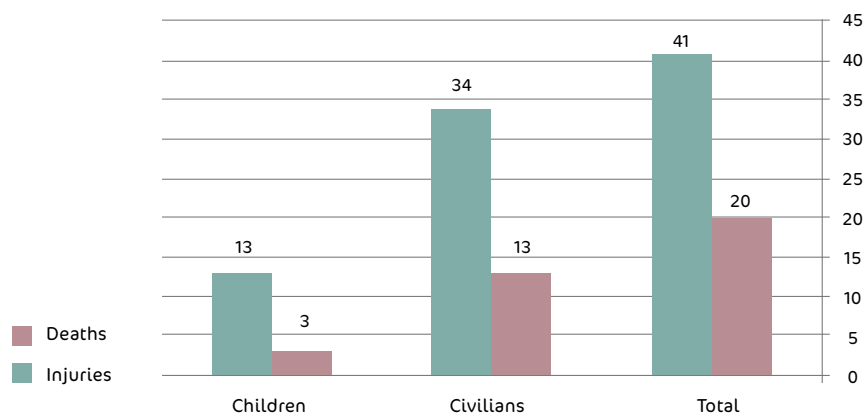
In addition, the Compensation Office of the Israeli Ministry of Defence often ignore criminal civil complaints filed to them on behalf of Palestinian victims. For example, from 2009 to 2012, PCHR submitted 1,046 civil complaints to the compensation officer in the Ministry of Defence, but has received only 16 responses in relation to 26 cases. Thus, the abovementioned amendment was issued to offer a legal cover for the ongoing status of denial.

Second: Palestinian Violations of Human Rights

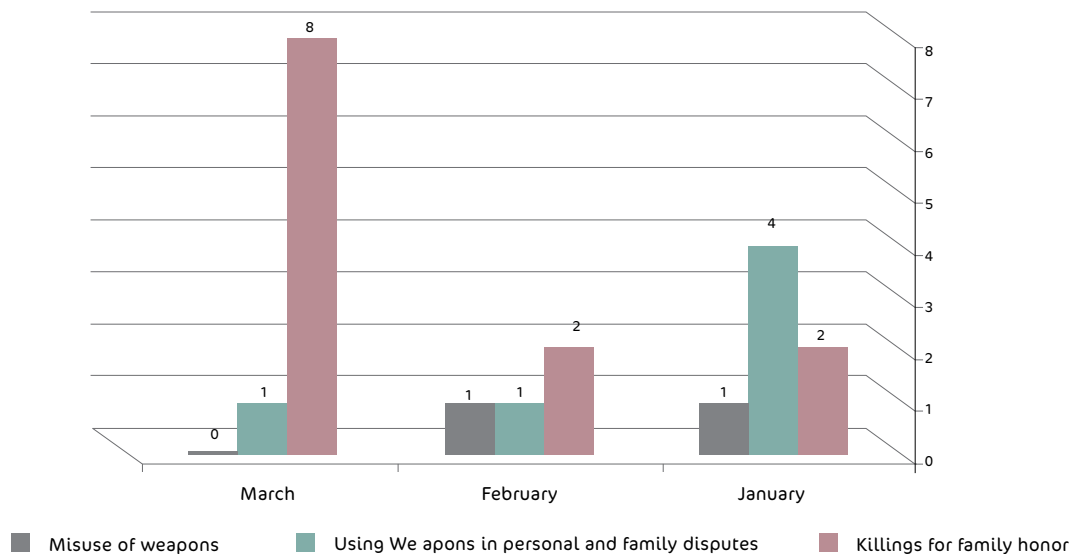
1. *Violations of the Right to Life and Personal Security*

The first quarter of 2014 witnessed a significant increase in the number of victims of violations of the right to life and personal security in the oPt. According to PCHR's documentation, 20 Palestinians, including 13 civilians, were killed. This number includes 3 children and 4 women. Ten of these civilians were killed in the Gaza Strip, while the other three ones were killed in the West Bank. Seven Palestinians were killed in individual incidents related to activities of armed groups in the Gaza Strip. During the same period, 41 Palestinians, including 34 civilians, were injured; this number includes 13 children. The number of casualties during the reporting period is relatively high as it constitutes 43% of the total number of casualties documented throughout 2013.

Graph No. (4): Casualties in the 1st Quarter of 2014



Graph No. (5): Monthly Distribution of Deaths According to Contexts



Violation of the right to life took place in various contexts: misuse of weapons; using weapons in personal and family disputes; and murders related to "family honor."

In the Gaza Strip, 5 Palestinians, including a child, were killed, and 37 others were injured in incidents related to the misuse of weapons or as a result of home-made rockets mistakenly hitting populated areas. The incidents were as follows:

1. On 26 January 2014, Ashraf Zaher Farajallah, 19, died as his head hit the ground when he fell due to the explosion of a suspicious object in al-Boreij refugee camp in the central Gaza Strip.
2. On 06 March 2014, Mos'ab Mousa Abu Samra, 22, from Deir al-Balah, was killed by a bullet to the neck when a gunman fired during a wedding party.
3. On 11 March 2014, Mohammed Tayseer Ismail, 26, was killed when he was passing near a house where an explosion occurred in the northern Gaza Strip town of Beit Hanoun. The explosion occurred when 2 members of an armed group mishandled an explosive device inside the house, and both of them were killed. Additionally, 8 Palestinian, including 2 children and 2 women, were injured, and one of them, 3-year-old Mohammed Bilal Ismail, died of his injuries on 16 March.
4. On 13 March 2014, a home-made rocket fell onto a house belonging to Ismail Abdel Fattah Mohammadain, 35, in al-Wadi Street in the northern Gaza Strip town of Beit Hanoun. The rocket penetrated the southern wall of the house and exploded inside. As a result, Aasha Atiya Mohammadain, 52, was wounded by shrapnel throughout the body and she lost her right hand. She died of her injuries on the following day. Additionally, 5 residents of the house, including 3 children, were injured.

Six Palestinians were killed as a result of using weapons in personal and family disputes. Four of the victims (2 children and 2 women) were killed in the Gaza Strip, while the other 2 ones were killed in the West Bank. Additionally, 4 Palestinians were injured.

5. On 08 January 2014, a quarrel erupted between the families of Abu al-Khair and Qassem in al-Zaytoun neighborhood in the east of Gaza City. The quarrel escalated and firearms were used by one of the parties. As a result, Suhair Fu'ad Bader Abu al-Khair, 34, was killed by a bullet to the shoulder when she was inside her house, and Mos'ab Mazen Azzam, 10, a peddler, was killed by a bullet to the chest. Additionally, Jawad Majed Abu al-Khair, 18, was wounded by a bullet to the back.
6. On 08 January 2014, 14-year-old Saleem Abdul Hai Abu Aita, from al-Zahraa town south of Gaza City, was killed by a bullet to the head during a quarrel between the families of Safi and Ghayeb in the northern Gaza Strip town of Jabalya. The child was visiting his grandfather's house in Jabalya.
7. On 13 January 2014, Khaled Hassan Abu Hammad, 24, from al-Eizariya village, east of Jerualem, residing in Jericho, was killed by a gunman on the ground of family revenge. Abu Hammad was at the main square in Jericho when the gunman shot him dead with 5 bullets to the head and the chest.
8. On 13 February 2014, Raslan Hafez Halabi, 25, from Roujib village east of Nablus, was killed by a number of bullets to the head and the chest fired by a person traveling in a civilian car in Beit Fourik village, east of Nablus. The attack was motivated by family revenge.
9. On 17 March 2014, Aladdin Mohammed al-Awawda, 45, from al-Boreij refugee camp in the

central Gaza Strip, was killed by several bullets during a family quarrel. Another member of the family was also seriously injured by a sharp tool. Al-Awawda intervened to stop a quarrel between his relatives that erupted in regards to a tract of land. The quarrel developed into using firearms and sharp tools, and al-Awawda was killed.

Two women were killed on the ground of “maintaining family honor,” one in the West Bank and the other one in the Gaza Strip:

1. On 10 January 2014, S.A.D., 35, from Kufor al-Dik village, west of Salbit in the north of the West Bank, was stabbed to death by a first-degree relative. The Palestinian police arrived at the scene and arrested the suspect.
2. On 20 February 2014, E.M.Sh., 18, from Bani Suhaila village, east of Khan Yunis, in the southern Gaza Strip, was stabbed to death by a sharp tool. The Palestinian police arrived at the victim’s house and arrested her brother who was suspected of killing her.
3. **PCHR documented a number of attacks on the personal and physical safety by official and unofficial parties:**
 1. On 19 February 2014, Wasfi Ezzat Qabaha, 54, former Minister of Prisoners’ Affairs, from the northern West Bank town of Jenin, was violently beaten by masked persons near Bourqin village, west of Jenin. Medical examinations revealed that Qabaha sustained a fracture to the left hand and bruises to the face, the head and the left side of the body. Qabaha’s car was also damaged.
 2. On 26 February 2014, a heavy explosion occurred in the yard of the Latin Church and the Latin Patriarchate School in al-Zaytoun neighborhood in the east of Gaza City. The Palestinian police arrived at the scene immediately, and discovered that the explosion resulted from a home-made bomb detonated by unknown persons under the Church’s bus. The police also found offensive words on one of the Church’s walls.

2. *Continued Application of the Death Penalty*

Human rights organizations have been always concerned over the continued application of the death penalty in the PA. In the 1st quarter of 2014, Palestinian courts issued 4 death sentences, all of which were issued in the Gaza Strip. Three of the death sentences were issued on the grounds of criminal cases (murders) and the fourth sentence was issued on security grounds (alleged collaboration with Israeli security services). No new sentences were executed during the same period. The number of death sentences issued by the Palestinian courts since the 1994 has risen to 152; 125 of which were issued in the Gaza Strip, and 27 of which were issued in the West Bank. The total number of death sentences issued in the Gaza Strip since the Hamas’ takeover in 2007 has increased to 67. Since its establishment, the PA has implemented 30 sentences, 28 of which were implemented in the Gaza Strip and 2 in the West Bank. Among those implemented in the Gaza Strip, 17 have been implemented since 2007 without ratification of the Palestinian President in violation of the law.

3. *Arrests, Detention, Torture, and Other Forms of Cruel, Inhuman, or Degrading Treatment*

During the 1st quarter of 2014, the security services of both the Ramallah and Gaza governments continued to subject Palestinian civilians to illegal arrests, torture, and other forms of cruel, inhuman and degrading treatment.

During the past period, it was noticed that security services in the Gaza Strip and the West Bank continued to subject civilians to illegal arrests and degrading treatment. PCHR and other human rights organizations received dozens of complaints from civilians claiming that they were subject to various forms of torture during interrogation in police stations and the detention centre of security services. These forms of torture included insults; beating using batons, sharp tools, feet and hands; tying of detainees' feet and hands to a chair and beating with batons or wires. In some cases, security officers used unjustified force while raiding and searching civilian houses, confiscating their belongings and then arresting the wanted persons.

A complainant, A. N. Sh., 29, from Hebron, said to PCHR that he was subjected to torture by police officers on the grounds of creating a Facebook page. On 29 January, the complainant said that he went to the Criminal Investigation Head Office in Hebron upon a call he received from them. He was entered to the detention room, where he was beaten and insulted with bad words, and then transferred to a cell, in which there were 8 persons. In the morning, they were all, including him, taken to the Magistrate Court in Dura, as he was kept in the court holding cell till 15:00, but did not appear before the court. He was taken back to the Criminal Investigation Office in Hebron and was entered in the detention room, where there were some officers. Two of them started punching him on the chest for 4 hours till he lost footing and fell on the ground. Nevertheless, they kept hitting and kicking him for 10 minutes and then tied his hands with a plastic wire to the back. They started again beating him and he fell on the ground. However, they continued kicking him and one of them snuff out a cigarette on his hand. They sat him on a chair while his hands were still tied and started again severely beating him. Four days later, he was released and he went to the hospital to undergo medical checking. It was found out that he sustained two fractures in the chest bones, bruises to the left hand and the neck and burns to the skin and left ankle.

M. M. H., 22, from al-Nussairat refugee camp said that on 08 February, investigation police officers arrested him from his house on the grounds of investigations on charges of stealing money from one of his relatives. They took him to Abu 'Ereiban police station in al-Nussairat. He said to PCHR that the police officer beat him with hands and feet upon his arrival to the police station for 10 minutes and then shackled (*shabeh*) him to a small chair. They then tied his hands with a rope dandling from the ceiling and then beat him again in order to force him to confess stealing. They then forced him to stand on one foot and when he tried to put his foot down on the ground, they started severely beating him. He added that he was put under pressure to force him to confess as a police officer kept him in a room and ordered him to take his pants off. They then made him carry a panel on which his name was written and took a photo of him. They later took him into the detention room and poured water on the ground till the next morning. On the fourth day, he was entered into the detention room with his hands tied to the back, tried to shackle and hang him to the ceiling. When he refused, they beat him with a hose and then hung him. He added that out of pain he confessed stealing, but he was then released on the same day afternoon on bail.

Deaths in Prisons and Detention Facilities

During the first Quarter of 2014, a detainee died in Khan Yunis Prison in suspicious circumstances that might have resulted from medical negligence. According to PCHR's investigations, on 12 March 2014, medical sources at Nasser Hospital in Khan Yunis in the southern Gaza Strip declared the death of Mohammed Abdul Qader Abu 'Amra, 45, from Deir al-Balah immediately when he was brought to the hospital. Abu 'Amrah had been arrested by the Palestinian criminal police in Deir al-Balah on 01 March 2014 and stayed in Deir al-Balah police station for 12 days although the police knew about his poor health conditions. He did not appear before the Public Prosecution. He was transferred to Khan Yunis Prison on the same day. However, his

health condition deteriorated while being transferred to another place in fear that the prison will be bombed by Israeli forces. He then fell on the ground and lost his consciousness. He died on his way to the hospital. It should be mentioned that Abu 'Amra suffered from chronic diseases such as hypertension, hypertrophic cardiomyopathy and clogging in the coronary artery.

4. *Violations of the Right to Freedom of Association*

In the first quarter of 2014, the two governments in the West Bank and the Gaza Strip continued to impose restrictions on the work of the associations and undermine their independence. This policy has been adopted by the PA since its establishment, and the political division contributed to increasing and exacerbating it. The Ministry of Interior continued to illegally grant itself powers to intervene into the affairs of the associations. Moreover, the Ministry of Interior in Gaza continued to practice their complete control over the associations by enacting illegal regulations and imposing illegal obligations and procedures on them. Those procedures constitute a clear violation of the right to form associations, their freedom to practice their activities and their right to privacy and independence.

Human rights organizations and the Palestinian NGO Network continued to exert efforts in order to annul decision no. (98) issued by the Minister of Interior in October 2013 in regards to the elections in the charitable societies and community organizations and decision no. (61) concerning the financial affairs of the charitable societies and community organizations. Both decisions impose new restrictions on the work of associations and NGOs and are in violation of the 2003 Basic Law and the Law of Charitable Associations and Community Organizations No. (1)/2000 and its 2003 Executive bill. These decisions grant the Minister (Minister of Interior) wide powers to intervene into the work of the associations in violation of relevant laws and regulations, which limit the Minister's powers to monitoring only. Despite receiving assurances from decision-makers in the Gaza Government and Hamas movement about suspending the decisions in order to cancel them, PCHR and the NGO Network observed continuous application of the decisions. Thus, PCHR reiterates its call upon the Council of Ministers to cancel the two decisions officially and publish the cancellation in al-Waqe'a official gazette in Gaza.

The unconstitutional amendment to the executive regulation of the Association Act No. (229)/2011 continued to be applied granting illegal powers to the Ministry of Interior in the Gaza Strip to monitor the associations and ask for whatever documents it needs. PCHR repeatedly emphasized that this decision is unconstitutional and void and called upon the Council of Ministers to cancel it, but the council did not respond. Therefore, on 07 June 2012, PCHR filed a petition to the Supreme Court in Gaza, in its capacity as the constitutional court, challenging the constitutionality of the decision. However, on 18 June 2012, the Court refused to consider the petition, claiming that it did not have the necessary competence to consider the case.

The Ministry of Interior continued to apply the strict monitoring program issued by the Ministry on 25 August 2013 under the name of "The National Program for the Performance Indicators of the Associations." This program undermines the independence and privacy of association. In addition, the program does not provide any guarantees for its integrity when monitoring and evaluating or guarantees to not being exploited to cause damage to some associations for political motives, especially that the Ministry of Interior is the only side in charge of the evaluation.

The state of legal vacuum, which the non-profit companies in the Gaza Strip have suffered, is still persistent. This comes after cancelling the article related to their regulation in the 1929 Companies Act under the Companies Act No. (7)/2012 issued by the Change and Re-

form Bloc in the Gaza Strip. The aforementioned law stipulated in the Transitional Provisions Section to completely cancel the 1929 Companies Act, including Article 23 related to organizing the formation of non-profit companies in the Gaza Strip.

5. *Violations of the Right of Freedom of Opinion and Expression*

In the first quarter of 2014, the two governments in Ramallah and Gaza and the securities services in their respective areas of control violated the right to freedom of opinion and expression. The Gaza and Ramallah governments committed violations of this right on the grounds of challenging mainstream opinions or trying to cover certain events that happened in their areas of control. During this period, there has been no changes regarding distribution of the newspapers between the West Bank and the Gaza Strip as the Gaza has been denying access of the West Bank-based newspapers of al-Quds, al-Hayat al-Jadeeda and al-Ayyam, while the West Bank government has been banning distribution and printing of the Gaza-based newspapers of Palestine and al-Risala.

The most prominent violations in the Gaza Strip were the following:

- » On 25 March, Ayman Ghazi al-'Aloul, al-Furat Satellite Channel reporter, headed to the General Investigation Unit in Gaza in al-Jawazat Police Headquarter in the west of Gaza City upon a prior summons he received from police officers in al-Remal police station. Al-'Aloul was questioned about a video, in which he was giving his personal opinion during a festival organized by Hamas movement in al-Sarayah Square in the west of the city, on 23 March 2014. He shared the video on his personal Facebook page, and other people shared it as well. After hours of detention, Al-'Aloul was released.

The Most significant violations in the West Bank were the following:

- » On 12 January, members of the National Security Forces detained Samer Nazzal and Shadi Hatem, photographers at Rayah Media Network, while they were covering the events that accompanied the re-opening of the main road near Surda village, north of Ramallah. The road had been closed by young men in protest against the bad situation in the nearby al-Jalazone refugee camp. The security officers confiscated from the aforementioned journalists their ID and press cards as well as the cameras they had while covering. After a short period of time, the photographers were released after the contents of their cameras had been deleted, and they were given their cameras back.
- » On 07 February, the Palestinian security services launched an arrest campaign against dozens of members of the Islamic Liberation Party throughout the West Bank on the grounds of publishing a statement, titled "President Abbas Paves the Way for New Crusaders' Invasion." The security services referred the majority of the arrested to the Public Prosecution and then to judiciary, as they were accused of incitement to sectarian strife and undermining the dignity of the Palestinian Authority. In the past days, the Palestinian courts issued decisions to release some of them on bail and extend the detention of others. According to information obtained by PCHR's fieldworkers from a number of the released members, they had been questioned on the said statement, while others said that security services raided and searched their houses and confiscated PC sets and books related to the Party.
- » On 08 February, the Palestinian General Intelligence Service (GIS) in Hebron arrested 3 civilians affiliated to a group named "Ahmadiyya Muslim Community" when they headed to the GIS office to obtain a permit to distribute leaflets related to their Community. On the following day, the GIS officers referred the 3 detainees to the General Prosecution for investigation. They were also accused of inciting for sectarian strife. On 10 February, they appeared before the competent court that issued a decision to extend their detention pending in-

vestigation. On the same day, the Palestinian police in the city arrested 8 persons affiliated to the same Community on the grounds of distributing leaflets on MTA channel belonging to the Ahmadiyya Muslim Community. On 11 February, the detainees appeared before Hebron District Court that issued a decision to extend their detention for 15 days.

- » On 29 March, the security services stopped 2 staff members of the local Watan TV, Ahmed Melhem, a reporter, and Ahmed Zaki, a cameraman, while covering a religious sermon organized by *Hizb Ut-Tahrir* (Liberation Party) following al-Maghrib prayer at Jamal Abdul Nasser Mosque in al-Bireh in the centre of the West Bank. They also prevented them from covering the subsequent attacks by the security services against dozens of civilians who were inside the mosque. Two officers violently took the aforementioned journalists outside the mosque and beat up Melhem. They then attempted to arrest the two journalists and took them to the security jeeps. However, an officer intervened and released them.

6. *Violations of the Right to Peaceful Assembly*

The first quarter of 2014 has witnessed continued deterioration of the right peaceful assembly in the Palestinian Authority in light of the violations of this right by both governments in the Gaza Strip and West Bank and their security services. Those violations committed by the security services escalated to affect private meetings, which do not fall within the scope of application of the Public Meetings Law, so organizers of such meetings are not required to notify the Palestinian police or governors according to the law. Moreover, the Palestinian Basic Law guarantees the right to hold private meetings without the intervention of the Palestinian police.

The most prominent violations in the Gaza Strip were the following:

- » On 08 March, the Palestinian police ended a memorial event for 3 Palestinians who were killed by Israeli forces in the al-Qassas family's divan which is located in al-Sheikh Nasser neighborhood in Khan Yunis in the southern Gaza Strip and dispersed the participants. The Palestinian police arrived at the family's divan where a memorial service for Riyadh al-Qassas, major-general Ahmed Mifrej and 'Aref Herzallah was being held in coordination with Fatah movement. Dozens of people participated in the event. The police officers ordered the participants to end the event and evacuate the place immediately. Upon the notice, quarrels erupted between the participants and police officers. More backup forces arrived and started forcibly dispersing the event, beating up the participants and opening fire in the air. A number of participants threw stones in response. Some police officers raided the divan, ended the event and arrested a number of participants. They took the detainees to Khan Yunis police station. The detained persons were released later.
- » On 16 March, dozens of civilians gathered at the Unknown Soldier Square in response to a call by the "Popular Campaign to Maintain Inalienable Rights" to support President Mahmoud Abbas in the negotiations that took place in the United States. Security forces arrived at the area and ordered the participants to evacuate the area for they had no prior permit from the official authorities. The security forces arrested a number of participants, but released them later after interrogating them on the said assembly.
- » On 17 March, dozens of civilians gathered in front of the International Committee of the Red Cross (ICRC) in al-Shuhada' Street in the west of Gaza City, where the tent to support Palestinian prisoners in Israeli jails is weekly established, in response to a call by the "Popular Campaign to Maintain Inalienable Rights" to support President Mahmoud Abbas in the negotiations that took place in the United States. Security forces deployed in Gaza prevented the participants from marching towards the Unknown Soldier Square and arrested a number of them.

The most prominent violations in the West Bank were the following:

- » On 23 March, the Palestinian police arrived at the head office of the Palestinian Medical Council in Ramallah where a group of doctors organized a protest against the decisions issued by the Palestinian Ministry of Health and the Medical Council. The police forcibly took the protesting doctors to the Ramallah Governorate Headquarters to discuss their demands. The doctors then went back to the office to complete their discussions. The police returned again to the area and forcibly took the protestors to the Ramallah police station, where they were questioned about their protest and demands. They were released later.
- » On 29 March, Palestinian security services dispersed a religious sermon organized by Hizb Ut-Tahrir (Liberation Party) following al-Maghrib prayer at Jamal Abdul Nasser Mosque in al-Bireh in the centre of the West Bank. The security officers closed the gates, excluding the eastern one, and dispersed the sermon. They then arrested dozens of civilians, who were inside the mosque, on their way out.

7. Attempts by the Ruling Party in the Gaza Strip to Impose Its Ideology on People

The first quarter of 2014 has witnessed continued attempts by official bodies in the Gaza Strip to impose their ideology on the Gaza Strip's population. PCHR followed up with deep concern the new attempts by the government in Gaza to violate people's personal liberties and to enact a new Penal Code that would allow physical punishment, including whipping. These attempts constitute a clear violation of the Basic Law and unacceptable denial of the ideological and cultural diversity in the Gaza Strip. PCHR, other human rights organizations and the Palestinian NGO Network made intensive efforts to stop such attempts and receive assurances and promises from the decision-makers in the Gaza government and Hamas to end them.

In March 2014, the Parliamentary Change and Reform Bloc in the Gaza Strip presented again the new draft of the Penal Code to be adopted in the second reading. PCHR emphasized that the very attempt to present such law would result in dangerous consequences at both the political and legal levels. The discussion and presentation of such law are illegitimate and unconstitutional, and the bill includes physical punishment such as whipping and restricts freedoms and rights. This constitutes a clear violation of the Palestinian Basic Law and the minimal international standards of human rights. Once knowing about presenting the law for discussion, PCHR in cooperation with the Palestinian NGO Network and other human rights organizations contacted and held meetings with a number of officials in the Gaza Government and Hamas to warn them of continuing the discussion of this law.

Those contacts and meetings came with assurances from the decision-makers in the Gaza government and Hamas to not violate the personal liberties and denial of any attempt to impose Hamas's ideology on the people. Each of Engineer 'Emad al-Alami, a Hamas Leader, and Mohammed Faraj al-Ghoul, chairman of the Change and Reform Bloc in the PLC, emphasized in a phone call with the representatives of the community-based organizations that the bill was neither adopted in the first nor the second reading. They also stressed that any decisions would be discussed with the community-based organizations and that what is going in the PLC is only discussion and there was no intention to adopt this law.

It is noteworthy that this is the second time that some of the decision-makers in the Gaza Strip present this bill as this issue had already been raised. Human rights organizations and community-based organizations then intervened to stop these attempts by sending a memorandum to the decision-makers in the Gaza government, and held meetings with a number of officials, who reconfirmed their commitment not to impose a specific ideology

on the Gaza Strip and to respect the ideological and cultural diversity in the Gaza Strip.

On 28 February 2014, the Director-General of the Gaza Strip Hospitals issued a circular, which included a warning that provides the following: "The white coats of female workers and trainees at hospitals must be long and below the knee, and their buttons must be closed. The workers and trainees must also wear Hijab (a veil to cover the head) and tie their hair if it is long. This circular constitutes a clear violation of public freedoms, which are guaranteed under the Palestinian Basic Law and constitutes as well a new attempt to impose a specific ideology on the population of Gaza Strip.

Once it learnt about the circular, PCHR contacted several times Dr. Mofid al-Mokhlalati, Minister of Health, and officials in the Gaza government and Hamas movement, confirming that this decision is in violation of the personal liberties and rights guaranteed under the Palestinian Basic Law and other international instruments. PCHR called for cancelling it immediately. PCHR's efforts proved fruitful as on 02 March 2014, Dr. al-Mokhlalati sent a letter to PCHR emphasizing that the circular did not impose putting the Hijab and that it was only a warning." He added that "none complained about preventing who is not committed to the circular from entering the hospital." PCHR followed up the application of the circular in the governmental hospitals and ascertained that the workers and trainees were not bound by the aforementioned circular."

Recommendations to the International Community:

In light of continued arbitrary measures, land confiscation and settlement activities in the West Bank, and the continued aggression against civilians in the Gaza Strip and denial of access of victims to justice and remedy:

1. PCHR calls upon the international Community to provide justice mechanisms to Palestinian victims of Israeli violations, as Israeli arbitrary measures deny Palestinian victims access to justice.
2. PCHR calls upon the Parties to international human rights instruments, especially the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, to pressurize Israel to comply with their provisions in the oPt, and to compel it to incorporate the human rights situation in the oPt in its reports submitted to the concerned committees.
3. PCHR calls upon the High Contracting Parties to the Geneva Conventions to fulfill their obligation to ensure the application of the Conventions, including extending the scope of their jurisdiction in order to prosecute suspected war criminals, regardless of the nationality of the perpetrator and the place of a crime, to pave the way for prosecuting suspected Israeli war criminals and end the longstanding impunity they have enjoyed.
4. PCHR calls upon the international community to act in order to stop all Israeli settlement expansion activities in the oPt through imposing sanctions on Israeli settlements and criminalizing trading with them.
5. PCHR calls upon the United Nations to confirm that holding war criminals in the Palestinian-Israeli conflict is a precondition to achieve stability and peace in the region, and that peace cannot be built on the expense of human rights and victims.
6. PCHR calls upon the UN General Assembly and Human Rights Council to explicitly declare that the Israeli closure policy in Gaza and the annexation wall in the West Bank are illegal, and accordingly refer the two issues to the UN Security Council to impose sanctions on Israel to compel it to remove them.
7. PCHR calls upon the United Nations and the European Union to express a clear position towards the annexation wall following the international recognition of the State of Palestine on the 1967 borders, as the annexation wall seizes large parts of the State of Palestine.
8. 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, and the EU should not ignore Israeli violations and crimes against Palestinian civilians.
9. PCHR calls upon the international community, especially the United Nations, to encourage the State of Palestine to accede to international human rights law and humanitarian law instruments.
10. PCHR calls upon the international community, especially Arab countries, to support efforts to achieve Palestinian national reconciliation through exerting political pressure on the two parties of the split in order to achieve reconciliation, and the international community should accept the results of reconciliation to avoid the recurrence of penal sanctions adopted by the international community against the first Palestinian national unity government.
11. PCHR calls upon the European Union and international human rights bodies to pressurize Israeli forces to stop attacks against Palestinian fishermen and allow them to fish freely.

Recommendations to Palestinian Decision-Makers:

PCHR welcomes the Palestine Liberation Organization's to accede to a number of international conventions, including international human rights law and humanitarian law instruments, a step that PCHR has repeatedly called for in light of the UN recognition of the State of Palestine. PCHR calls for immediately signing and acceding to the Rome Statute of the International Criminal Court of 1998.

In light of the continued split, the absence of the PLC and its legislative and monitoring role and the continued deterioration of the human rights situation and the rule of law:

1. PCHR calls upon Fatah and Hamas movements to take immediate practical steps on the ground to implement the national reconciliation agreement that was signed in Cairo on 04 May 2011.
2. PCHR calls upon the two parties to make information related to efforts to achieve the reconciliation available to the public to ensure transparency and accountability.
3. PCHR calls for immediately starting preparations for the Palestinian parliamentary and presidential elections in an atmosphere of respect for all rights and liberties, especially the right to freedom of opinion and expression and the right to peaceful assembly, given that the legal terms in office of the Palestinian President and the PLC expired in January 2009 and 2010 respectively.
4. PCHR calls upon the Palestinian President to comply with the conditions prescribed under Article 43 of the Palestinian Basic Law for issuing decrees that have the power of laws, including the condition of necessity that cannot be delayed.
5. PCHR calls upon the Change and Reform Parliamentary Bloc to stop holding any sessions on behalf of the PLC, and to abstain from enacting any law under the ongoing political split.
6. PCHR calls upon the two parties of the Palestinian reconciliation to present all laws enacted under the political split to the Constitutional Court once it is established to review the constitutionality of such laws.
7. PCHR calls upon the two governments in the West Bank and Gaza to take effective measures to end the state of lawlessness plaguing the oPt, and abstain from providing political cover to those who cause this state.
8. PCHR calls upon the two governments in the West Bank and Gaza to stop all violations of the right to freedom of opinion and expression and the right to peaceful assembly, and to hold the perpetrators of such violations accountable through appropriate legal means.
9. PCHR calls upon the two Ministries of Interior in the West Bank and the Gaza Strip to stop political arrests, and emphasizes that all victims have the right to claim for compensation if it is proved that they were arrested illegally.
10. PCHR calls upon the Public Prosecution to stop summoning people by security services without warrants, and confirms that the Public Prosecution is the only body warranted to summon people.
11. PCHR calls upon the administration of prisons and detention facilities to release all persons who are illegally detained, and confirms that directors of prisons and detention facilities have the authority and even the duty to release such persons; otherwise, they will be legally liable.
12. PCHR calls upon the two governments in the West Bank and the Gaza Strip to immediately stop torture in prisons and detention facilities and hold suspected perpetrators of this crime, which remains punishable at all times according to the Palestinian Basic Law, accountable.
13. Calls upon the two Ministries of Interior in the West Bank and the Gaza Strip to stop intervening into the activities and affairs of associations beyond the limits of the Law of Charitable Associations and Community Organizations of 2000.
14. PCHR calls upon the Higher Judiciary Council to reunite the judiciary in the West Bank and

the Gaza Strip and to ensure its independence and impartiality.

15. PCHR calls upon the government in Gaza and the Palestinian President to stop applying the death penalty, and abstain from implementing death sentences that have been issued so far.
16. PCHR calls upon both governments in the West Bank and the Gaza Strip to activate the principle of transparency in the PA's institution allowing access to information about public affairs, especially through the websites of ministries and various governmental bodies.
17. PCHR calls upon the government in Gaza to make serious efforts to solve the electricity crisis in the Gaza Strip and to make all information related to the crisis available to the public.
18. PCHR calls upon both governments in the West Bank and the Gaza Strip to implement the Palestinian Law No. 4 of 1999 on the Rights of Persons with Disabilities, especially providing adequate facilities to disabled persons and ensuring their right to work.
19. PCHR calls upon both governments in the West Bank and the Gaza Strip to respect the right to freedom of movement, and emphasizes that restricting this right is possible only by a judicial order according to the Palestinian Basic Law.

