

MONITORING AND DOCUMENTATION DEPARTMENT JANUARY – MARCH 2007 FIELD REPORT

Introduction

This is the first quarterly field report of 2007 by Al-Haq's Monitoring and Documentation Department, covering the period from January to March 2007. Al-Haq's field reports cover human rights abuses committed by the Israeli Occupying Power and the Palestinian National Authority (PNA) in the West Bank, including East Jerusalem. Each field report highlights a particularly important and disturbing trend observed by the Monitoring and Documentation Department during the reporting period.

Since 1967, Israel has occupied the West Bank, including East Jerusalem, and the Gaza Strip, together constituting the Occupied Palestinian Territory (OPT), despite binding United Nations Security Council resolutions ordering it to withdraw. Consequently, Al-Haq's monitoring and documentation activities have traditionally been directed towards the human rights violations committed by Israel, the Occupying Power. However, following the creation of the PNA in 1994, Al-Haq also monitors and documents violations perpetrated by the PNA.

The field reports are based on first-hand information gathered by Al-Haq's Monitoring and Documentation Department, covering a broad range of human rights abuses, including comprehensive coverage of killings, house demolitions, curfews and deportations. Al-Haq's specially trained fieldworkers visit sites of alleged human rights violations, draw maps, draft reports and take sworn witness statements (affidavits) from victims and eyewitnesses. The affidavits excerpted or referenced in field reports are available on Al-Haq's web site www.alhaq.org, as samples of those gathered during the reporting period. The field reports do not cover the Gaza Strip, since Al-Haq currently has no fieldworkers there.

The Human Rights Situation since the Outbreak of the Second *Intifada*

The human rights violations committed during the reporting period must be analysed in the broader context of the deteriorating general human rights situation since the outbreak of the second *intifada* on 29 September 2000, and Israel's persistent failure to apply international human rights and humanitarian law in the OPT.

According to Al-Haq's documentation, from the outbreak of the second *intifada* until the end of March 2007, Israeli forces killed 1,745 Palestinians in the West Bank, 334 of whom were children, and 71 of whom were women. It is estimated that 285 Palestinians were killed in the course of targeted assassination operations. During the same period, Al-Haq documented the demolition, for punitive reasons, of 511 homes in the West Bank (whereof 474 were totally demolished and 37 were partially demolished), leading to the displacement of 3,174 people. Israel has also carried out a large number of administrative house demolitions on the pretext that the houses were built without the required licence. Since the beginning of 2004, 468 houses have been demolished for lack of licence, 202 of which were in East Jerusalem.

Since the outbreak of the second *intifada*, the Occupying Power has almost completely eliminated the already limited authority of the PNA in the OPT. Despite the formation of a democratically elected Palestinian unity government in March 2007, Israel continues to unlawfully withhold PNA tax revenues and to detain PNA officials. Coupled with major international donor's cessation of aid, the PNA is unable to pay the full salaries of its civil servants and carry out its basic functions. These factors have exacerbated the PNA's inability to uphold law and order in the OPT.

The Human Rights Situation from January to March 2007

Highlighted Trend: Movement Restrictions

Restrictions on Palestinians' freedom of movement remained one of the most widespread forms of human rights violations during the reporting period. Checkpoints, a number of which are now run by private security companies contracted by the Israeli Ministry of Defence, and various kinds of road blocks prevented Palestinians from moving freely within the West Bank. Such physical obstacles greatly hindered Palestinians' access to family, places of

employment or worship, educational institutions, agricultural lands and markets. Additional access restrictions, including age and residence restrictions, were imposed at checkpoints in the Northern West Bank, preventing young men without special permits from travelling south. Access to the Jordan Valley (which constitutes about one quarter of the land area of the West Bank) was denied to Palestinians who

"As the driver did not have the requisite permit, the soldier ordered him to go back. I got out of the car and told the soldiers, in Hebrew, that there was a very sick patient in the car, that he could not walk across the checkpoint and that we had the appropriate permits. The soldier was not interested in what I said, and told us to walk. I asked him to come to the car and see the patient, but he refused."

Extract from Al-Haq Affidavit No. 3383/2007

Given by Husein 'Isa al-Qeisi (resident of al-'Ein refugee camp, Nablus Governorate, West Bank)

are not registered residents therein, or who do not have special permits. Movement was also restricted into and out of areas located between the Green Line and the Annexation Wall, most notably in and around East Jerusalem.

Delays, harassment and humiliation continued to be endured by Palestinians attempting to pass through checkpoints. On a regular basis, peoples' journeys increased by several hours purely due to the delays imposed on them by the soldiers at the checkpoints. In one particularly disturbing incident, a five-month-old child, in need of medical attention, died at a checkpoint having been delayed by Israeli forces on his way to hospital (see Al-Haq Affidavit No. 3348/2007). In another instance, a Palestinian man on his way home from receiving cancer treatment in Jerusalem died at a checkpoint while Israeli forces refused to allow him to cross the checkpoint in a taxi (see Al-Haq Affidavit No. 3383/2007).

Passage through **gates in the Wall**, where they exist, was consistently problematic for Palestinians. It was difficult for those who live on the eastern side of the Wall but have their agricultural lands on the western side (in the "Seam Zone" between the Wall and the Green Line) to obtain permits to access their lands, greatly affecting their ability to tend their land (see Al-Haq Affidavit No. 3446/2007). Palestinians living in the Seam Zone, and who require permits to pass through the gates, are increasingly isolated from the rest of the West Bank, with the resultant loss of economic opportunities and vital family ties (see Al-Haq Affidavit No. 3342/2007).

"[The soldier] returned five minutes later, at which stage my wife told me that there was a sort of foam coming out of Khaled's mouth. I screamed at the soldier again and asked him to come back, as my son was dying. He came towards the door on the passenger's side, where I was sitting, and opened it as though he was going to search the car. I said, "What is wrong with you? Look, my son is dying." However, he did not care and simply continued to search the car with his torch."

Extract from Al-Haq Affidavit No. 3348/2007

Given by Daoud Yasin Faqih (resident of Kufr 'Ein village, Ramallah Governorate, West Bank)

"I went in person to apply for a permit. I indicated on my application that I needed a permit to pass through gate number 609, because this is the gate closest to my land. However, to my surprise, the permit I obtained only allows me to pass through gate number 624, which is located a great distance from my land. I am unable to reach my land by passing through this gate, because there is no road connecting gate number 624 with my land. As a result, I have not gone to my land since the end of 2006."

Extract from Al-Haq Affidavit No. 3446/2007

Given by Khaled 'Abd-al-Latif Khader (resident of Deir al-Ghsoun village, Toulkarem Governorate, West Bank)

The Occupying Power

Al-Haq's fieldworkers documented numerous incidents of Israeli forces using **excessive force** against unarmed Palestinians, including children. On 4 January, an Israeli arrest raid in central Ramallah resulted in the death of four unarmed civilians, one of whom was a child killed by a bullet to the head. The civilians killed were all shot by Israeli forces in the main commercial district in broad daylight. A further 28 Palestinians were wounded by live ammunition and two more were hit by rubber-coated metal

"Suddenly, a young man wearing a green jacket came from the direction of the Jordan Bank. He was fleeing the shooting. He entered the building in which we were taking shelter. Like me, he tried to see what was going on by peering around the wall, thereby exposing his head and part of his chest. He looked toward the Jordan Bank intersection with his feet still inside the building. The firing was continuous. All of a sudden, I saw the young man fall to his knees and cry out. He then fell back onto the ground. I opened the jacket and shirt he was wearing. Blood immediately spurted from his chest."

Extract from Al-Haq Affidavit No. 3369/2007

Given by 'Adnan Sa'id Hamad (resident of 'Ibwein village, Ramallah Governorate, West Bank)

bullets in the incident (see Al-Haq Affidavit 3369/2007). Throughout the West Bank, Israeli forces frequently responded to stone throwing by firing rubber-coated metal bullets and/or live ammunition, leading to injury and sometimes death of Palestinian civilians, including children.

"This individual was holding a hand gun and was running after Ashraf. I saw him shoot at Ashraf, who fell forward onto the ground. He had been injured by the shot and was still alive. He was moving his body, hands and feet. All this happened very quickly. I was very shocked and, initially, I thought that it was a fight or a clash between Palestinians. The individual in question shot Ashraf again from a distance of approximately five metres. He then ran quickly towards Ashraf, who was still lying on the ground. At the same time, another individual, also dressed in civilian clothes, came running towards Ashraf. This individual came from the same direction the others had come from. I saw him run up to Ashraf. He pointed his gun at Ashraf's head and shot him at point blank range."

Extract from Al-Haq Affidavit No. 3427/2007

Given by Samira Huda al-Sa'di (resident of Jenin refugee camp, Jenin Governorate, West Bank)

There were continued instances of **wilful killing** of Palestinians by Israeli forces in several cities in the West Bank, such as Toulkarem, Nablus and Jenin. A number of these killings were carried out during exchanges of gunfire between Israeli forces and Palestinian gunmen. However, most instances of wilful killing occurred in the total absence of armed clashes, and included targeted assassinations and executions of wounded Palestinians (see Al-Haq Affidavits 3426/2007 and 3427/2007). In one case, Israeli soldiers shot and killed an unarmed 17-year-old Palestinian boy, Fadel Naji Balawna, while he was attempting to flee arrest (see Al-Haq Affidavit 3360/2007). A number of Palestinians were killed in situations where

Israeli forces infiltrated civilian buildings. On 1 February, Israeli forces hiding in a building under construction shot and killed a 16-year-old Palestinian boy, Taha al-Qaljawi, in the vicinity of the Annexation Wall near the Qalandiya checkpoint (see Al-Haq Affidavits 3349/2007 and 3377/2007). On 2 February, two Palestinian Preventative Security officers, responding to a reported break-in, were wilfully killed by Israeli forces after unwittingly finding themselves in the midst of a military operation (see Al-Haq Affidavit 3375/2007). Wilful killings of protected persons constitute war crimes and are grave breaches of

the Fourth Geneva Convention.

"[A] soldier shouted at Fadel, "Stop! Don't move." The soldier appeared at the corner between the fence and the wall of the small room. At this particular spot there is an opening less than half a metre wide, which can be reached from the patch of open ground located to the west of the fence. At that moment, Fadel took off the gown and began to climb the wall. As he was doing so, a shot was fired and a bullet struck him in the lower back."

Extract from Al-Haq Affidavit No. 3360/2007

Given by Ala' Yusef Hoji (resident of al-Aqsa quarter, Toulkarem Governorate, West Bank)

The Israeli authorities failed to conduct thorough, prompt and impartial investigations capable of leading to the prosecution of the individuals responsible for the unlawful deaths of Palestinians. In effect, Israel provides impunity for those of its agents responsible for the wilful killings of Palestinians.

During a large scale Israeli military operation in Nablus from 25 to 28 February, in the course of which one Palestinian civilian was killed and 24 were injured, Israeli forces used Palestinian children as **human shields** while conducting house-to-house searches (see Al-Haq Affidavit 3433/2007). Elsewhere in the West Bank, Israeli forces continued to use Palestinian civilians to enter buildings during arrest raids to check if anyone was hiding inside (see Al-Haq Affidavit 3374/2007). Such practices amount to a flagrant breach of fundamental principles of international humanitarian law.

“There was no movement in any of the apartments. I told the soldier that there was no one inside. However, the soldier replied, “Should I bring the bulldozer and destroy the whole building over the heads of its residents? Either you open the door or we demolish the building.” Since the door is made of iron and is very thick, I had to break the glass using my hands, injuring myself in the process. Then, the soldier asked me to go inside the apartment, turn on the lights and ask anyone inside to surrender.”

Extract from Al-Haq Affidavit No. 3374/2007

Given by Wisam Ya'oub Rafidi (resident of al-Bireh city, Ramallah Governorate, West Bank)

Palestinians continued to be subjected to **harassment, humiliation and beatings**, particularly while crossing checkpoints. Beatings were carried out by Israeli soldiers or border police, in some cases using batons and guns (see Al-Haq Affidavit No. 3332/2007). In one instance, Israeli soldiers chased a 15-year-old boy into a school where, upon dragging the child out of a bathroom cubicle, they beat him before taking him away in a military vehicle (see Al-Haq Affidavit No. 3438/2007). In March, Israeli forces conducted a number of training drills simulating takeover operations in Beit Lid, a village near Toulkarem. The drills, which were not previously coordinated with the local population, endangered lives and caused unnecessary fear among the Palestinian residents (see Al-Haq Affidavit 3451/2007).

“I felt tired and exhausted; especially because one of the soldiers hit me every time he passed by. After some time, I felt that I could no longer remain standing on one foot with my hands up in the air as ordered. Thus, I put my raised foot down on the ground and dropped my hands. Suddenly, I felt a soldier grab me from behind and push me fiercely against the wall. My face crashed into the wall and my testicles collided with a metal pipe. At that moment, it felt as if sparks were coming out of my eyes. I felt severe pain in my eyes and head, and felt that I was going to vomit.”

Extract from Al-Haq Affidavit No. 3332/2007

Given by Rami 'Abd-al-Halim Jabarin (resident of Beit Hanina al-Balad village, Ramallah Governorate, West Bank)

Israeli forces carried out numerous raids on Palestinians' homes, in many instances causing **property destruction** (see Al-Haq Affidavits 3404/2007 and 3431/2007). In a typical example, Israeli soldiers raided the home of Wisam Rafidi in the night, forcing the family outside. After the search, the family returned home to find their apartment flooded and bullet holes in the walls, furniture and even the family's clothes (see Al-Haq Affidavit No. 3374/2007).

Israeli forces continued to use trained dogs to search houses, leading to **dog attacks** on Palestinian civilians. On 21 March, a 44-year-old Palestinian woman, Yusra Sbeih, was injured after being bitten repeatedly on the arm by a large dog used by Israeli forces to search her brother's home (see Al-Haq Affidavit No. 3471/2007).

“The dog entered the house, stayed there for about one minute, and then returned outside. They repeated this process several times. Then, the dog went back to a group of about ten army soldiers. I was about 50 metres away from them. I saw one of the soldiers take a small stone and throw it towards me. The dog came towards me and attacked me. It stood on its back legs and put its paws on my shoulders. I pushed the dog away. After I pushed the dog away, it started biting my arm fiercely. It bit me ten times while I was screaming and trying to run away. All the while, the soldiers were watching.”

Extract from Al-Haq Affidavit No. 3471/2007

Given by Yusra Sbeih Sbeih (resident of al-'Beidiyya village, Bethlehem Governorate, West Bank)

Al-Haq documented a particularly high number of **house demolitions** throughout the West Bank during the reporting period. In East Jerusalem and the southern West Bank, a large number of houses were demolished under the pretext of being built without permits (administrative house demolitions) (see Al-Haq Affidavits 3345/2007, 3346/2007, 3347/2007 and 3373/2007). Palestinians living in approximately 60% of the West Bank must apply for a building permit issued by the Israeli Civil Administration before undertaking any construction. This process can take an extremely long period of time and in most cases permits are never granted (see Al-Haq Affidavit No. 3394/2007). Other houses were demolished as part of military operations (punitive house demolitions). The demolitions led to the displacement of large numbers of people and had a severe impact on children. Finally, structures continued to be destroyed in or near the route of the Wall in order to accommodate its construction, notably in Bedouin communities near the illegal Israeli settlement of Ma'ale Adumim.

Throughout the West Bank, Israeli forces continued their policy of **land destruction and/or confiscation** in order to either expand or enclose existing illegal Israeli settlements or build Israeli infrastructure, most notably the Wall, which cuts deep into the West Bank in several locations. Large tracts of arable land were put out of agricultural use after being confiscated or levelled, most notably in Bethlehem, Qalqiliya and Tulkarem governorates. As a result, numerous families lost their main source of income. There was also continued creeping confiscation of land in the areas between the Green Line and the Wall.

There were further incidents of Israeli **settler violence** against, and intimidation of, Palestinians, including children, in the West Bank (see Al-Haq Affidavit 3434/2007). Such incidents occurred predominantly in the Nablus and Hebron areas. Settlers physically attacked and injured Palestinians, including children, and confiscated or destroyed Palestinian property and sources of livelihood, such as olive trees (see Al-Haq Affidavit 3437/2007). There were also incidents of settlers wounding Palestinians with live ammunition. While Israeli forces sometimes intervened to stop such incidents, the investigation thereof remained insufficient. This amounts to systematic refusal to prevent or punish criminal behaviour, thereby effectively encouraging it.

“This year, I planted my land with parsley seeds. It cost me approximately 3,000 shekels (for the seeds and work). On 10 March 2007, a foreign volunteer called me. This person told me that Izra, an Israeli volunteer I know, had seen the settlers ploughing the land that I had planted, in order to destroy the crops that were growing. I went straight to my land and found that it had all been dug up. Nothing was left of my crops.”

Extract from Al-Haq Affidavit No. 3437/2007
Given by Husein Muhammad Daoud (resident of Yatta, Hebron Governorate, West Bank)

Over 750 Palestinians remained in **administrative detention** during the reporting period. Under this practice, the Israeli authorities detain a person on the basis of “secret evidence”, without formal charges or trial, for indefinitely renewable periods of up to six months. On 18 March, one of Al-Haq’s fieldworkers, Ziyad Hmeidan, was released from administrative detention after having spent 22 months in detention, without knowing the reasons for his detention or being able to defend himself against unspecified accusations.

In addition to Ziyad Hmeidan’s case, Al-Haq’s work, like that of other human rights organisations working in and on the OPT, has suffered from restrictions placed on **human rights defenders**. Since March 2006, the Israeli authorities have refused to grant Al-Haq’s General Director, Shawan Jabarin, permission to travel abroad. This has severely hindered his right to freedom of movement, and disrupted his professional duties and activities for Al-Haq. Mr. Jabarin’s case is not an isolated incident. Several other human rights defenders have been prevented from travelling to participate in human rights activities outside of the OPT. Such restrictions severely impede the work of human rights defenders and jeopardise their ability to satisfactorily carry out their mission of defending human rights in the OPT.

The Palestinian National Authority

Al-Haq also monitors the Palestinian National Authority's (PNA) respect for international human rights standards in the OPT. To the extent that the PNA exercises some control over parts of the OPT, it is responsible for enforcing the law through effective and lawful measures.

Over the reporting period, Al-Haq registered widespread acts of **vigilantism**, in which people use illegal coercive methods to achieve their goals, the PNA being unable or unwilling to effectively uphold law and order. In the West Bank, feuds were resolved through violence, sometimes resulting in the death of innocent bystanders. The problem of vigilantism was especially acute in the city of Nablus, where masked men physically assaulted and injured a number of Palestinians.

There were several cases of **property destruction** against civilian targets. There were numerous instances of armed Palestinians shooting at premises in cities throughout the West Bank. A number of buildings were also deliberately set on fire. On 3 January, armed Palestinians burned the car of the Minister of Prisoner Affairs, Wasfi Kabaha, and then fired bullets at his house. The attacks appear to have been motivated by clashes between Fatah and Hamas supporters throughout the OPT.

There were a large number of incidents involving the **kidnapping** of Palestinians and foreign nationals. On 6 January, masked gunmen kidnapped the Deputy Minister of Interior. This practice has been encouraged by the PNA's general failure to hold the perpetrators accountable.



**MONITORING AND DOCUMENTATION DEPARTMENT
JANUARY – MARCH 2006
STATISTICS**

KILLINGS BY THE OCCUPYING POWER

Total number of killings	27
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Special Types of Killings

Death in custody	5
Targeted assassination	6
Assassination in custody	1
Death at checkpoints	1

Special Types of Victims

Women	-
Children	7

Killings by District

Bethlehem	-
Hebron	-
Jenin	4
Jericho	-
Jerusalem	2
Nablus	8
Ramallah	9
Toulkarem	2
Israel	2

Killings by Age Group

Under 13	2
13-17	5
18-25	8
26-35	7
36-50	4
Over 50	1

Killing by Perpetrator

Israeli Occupying Forces	-
- Soldiers	18
- Special undercover units	4
- Snipers	-
Israeli Border Guards	1
Israeli Policemen	-
General Security Services	-
Settlers	-
Armed Israeli civilians	1
Collaborators	-
Others	3

Situation During Killing

Normal/calm	13
Incursion	-
Demonstration and stone-throwing	-
Armed clashes	2
Shelling	-
Closed military area	-
Bystanders killed during attempted assassination	-
Unclear	1
Curfew	1
Raid	10

Methods of Killing

Live bullet	23
Fragmented bullet	-
Rubber-coated metal bullet	-
Explosives and small missiles	1
Shrapnel	-
Mine	-
Tear gas	-
Blunt instrument	-
Sharp instrument	1
Missile	-
Medical Obstruction	1
Others	1

HOUSE DEMOLITIONS BY DISTRICT

Punitive House Demolitions

Bethlehem	1
Hebron	-
Jenin	-
Jericho	-
Jerusalem	-
Nablus	2
Ramallah	-
Toulkarem	-

House Demolitions for Lack of Licence

Bethlehem	-
Hebron	19
Jenin	16
Jericho	-
Jerusalem	22
Nablus	-
Ramallah	1
Toulkarem	6

CURFEWS BY DISTRICT

District	Hours
Bethlehem	-
Jenin	1
Nablus	3
Toulkarem	-
Jerusalem	-
Ramallah	-
Hebron	-
Jericho	-