



The Palestinian Centre for Human Rights

Report on the Right to Freedom of Opinion and Expression and the Right to Peaceful Assembly under the Palestinian Authority (PA)



1 November 2009 – 30 November 2010



The Palestinian Centre for Human Rights

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

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

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

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

International Commission of Jurists

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

Federation Internationale des Ligues des Droits de l'Homme

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

Euro-Mediterranean Human Rights Network

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

International Legal Assistance Consortium (ILAC)

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

The Arab Organization for Human Rights

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



The Palestinian Centre for Human Rights

The Palestinian Centre for Human Rights is an independent non-profit non-governmental organisation dedicated to the protection and promotion of human rights, the rule of law, and democratic principles in the Occupied Palestinian Territories.

Administrative Board

Raji Sourani
Jaber Wishah
Iyad Alami
Hamdi Shaqqura

Director

Raji Sourani

Palestinian Centre for Human Rights

Gaza City 29 :Omar El Mukhtar Street, Near Amal Hotel, PO Box 1328

Tel/Fax (972) 8 2824-776 / (972) 82825-893

Khan Yunis Branch :El Amal Street, Branch of Jamal Abdul-Nasser Street, near the College of Education

Tel/Fax: (972) 8 2061-025/ (972) 8 2061-035

Jabalya Branch :Jabalya Refugee Camp, Opposite to Timraz Fuel Station

Tel/Fax: (972) 8 2454-150/ (972) 8 2454-160

E-mail : pchr@pchrgaza.org

Webpage : www.pchrgaza.org

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Introduction

As part of the overall focus on human rights of the Palestinian Centre for Human Rights (PCHR) focus on human rights, the Democratic Development Unit (DDU) pays special attention to civil and political rights. The DDU establishes indicators to measure the democratic reform process within the Palestinian Authority (PA). This is part of our belief that such indicators enable us to identify future trends as well as the required efforts to build a democratic society where all people enjoy their rights, which are ensured by international conventions through the principle of the separation of powers, the rule of law and political participation.

The right to freedom of opinion and expression are fundamental pillars of any democracy and without them a robust democracy is unachievable. Therefore, PCHR exerts a lot of effort towards protecting and strengthening these rights and ensuring they are enjoyed by all persons. In this regard, PCHR's Democratic Development Unit has been issuing periodic reports, which document human rights violations related to the right to freedom of opinion and expression and the right to the peaceful assembly under the PA. This report represents the ninth such report of November 2010.

The reporting period saw the continued political split between the Gaza Strip and the West Bank. The government established by President Mahmoud Abbas, and led by Dr. Salam Fayad continued to manage affairs in the West Bank, while the Gaza Strip government, led by the dismissed Prime Minister Ismael Hania, managed affairs in the Gaza Strip.

The period was typified by increased security chaos, coupled with security forces increasing their control over their respective spheres of control, at a level unseen since the creation of the PA in 1994. Also, there was no improvement with regard to the right to freedom of opinion and the right to peaceful assembly; they were the victim of the political split.

During the reporting period, no structural reforms concerning the legal framework which regulates and limits on the right to freedom of opinion and expression in the PA areas, took place. The Palestinian Basic Law, amended in 2003 (the temporary constitution), Press Law No. 9 of 1995, the presidential decree concerning perpetuation of the national unity and the prohibition of incitement, remain the constitutional framework which regulates enjoying these rights.

The Basic Law provides special protection for the right to freedom of opinion and expression. However, legislation has undermined these rights giving the concerned authorities wide-ranging powers to impose limitations that undermine the essence of the right to freedom of opinion and expression.

For example, the Press Law No. 9 of 1995, which was issued by late President Yasser Arafat, is a law that serves to undermine the Basic Law's assurance of freedom of opinion and expression. The Law limits the right in the following ways: (1) limits ability to be licensed - the law gives the Information Minister the right to refuse any license for the printing house, the printed material and licenses for newspapers; (2) Prevented and the prohibited material - the law includes a long list of prohibited materials which are elastically, vague and subjectively formulated. For example, the list of prohibitions includes the publication of everything that contradicts democratic principles and national responsibility, anything against morals, values and Palestinian traditions and anything that can agitate violence, hatred and fanaticism. These concepts are elastic and vague and can be misused. The list of prohibitions includes banning foreign funding, preventing a journalist from working with any foreign bodies but through the system of foreign mass media correspondents; (3) Prosecution: the law includes a long list of punishments such as imprisonment, fine or both. Such punishments may be imposed on editors-in-chief, journalists, authors of

articles, owners of the printing house and owners of the printed material. This issue has contributed to imposing self-constraints on press due to fear of legal persecution.

PCHR has criticized this law because it limits the right of press and publication freedom as well as the freedom of journalists. Also, PCHR has always emphasized that the Press Law was issued by a presidential decree before the Palestinian Legislative Council (PLC) was established. The PLC should have reconsidered the law and determined whether to reissue, amend or cancel the decree. PCHR called for amending that law in a way that guarantees applying the right of freedom of opinion and expression according to the provisions of the Basic Law (the temporary constitution) and relevant international standards. So far, PCHR's calls have not been heeded by the PLC.¹

The Presidential Decree No. 3 issued in 1998 by late President Yasser Arafat also impinges the right to freedom of opinion and expression. The Decree was issued within the framework of obligations imposed on the PA as part of the "Wye River" Memorandum of Understanding (MOU) that was signed by the Palestinians and Israelis in October 1998. The MOU included, among other things, mechanisms of security and cooperation between the two sides.² The Decree concerned the perpetuation of national unity and incitement prevention. PCHR has long held that the Decree constitutes a critical threat against the rights of opinion and expression because of the limits imposed by the law, which in turn minimize the space available for persons who should be allowed to enjoy their right to freedom of opinion and expression.

During the reporting period, no changes concerning the legal framework which regulates the right to peaceful assembly in the PA areas were made. The Basic Law (the temporary constitution) and the Public Meetings Law No. 12 of 1998 form the constitutional and legislative framework, which ensures this right. However, the Executive Bill of the Public Meetings Law No. 12 issued in 1998, entering into force on 30 April 2000, by the late President Yasser Arafat, serves as a major limit to the enjoyment of the right to peaceful assembly. While the established legal framework guarantees special protection for the right to peaceful assembly, including the right to organize peaceful rallies, holding public meetings and other right manifestations within the assembly, the Executive Bill remained a major tool for the executive authority to limit exercise of this right.

PCHR has indicated that the Executive Bill was meant to impose a number of restrictions on the right to peaceful assembly and it contradicts the democratic approach created by the PA in the Basic Law and the Public Meetings Law. The Executive Bill limits the right as follows:

(1) Article 6 of the Executive Bill gives the police the right to disperse and end any meeting upon a determination by the police that the meeting is not following its stated purpose or objective.

(2) Presidential Decree No. 3 of 1998 concerning perpetuation of the national unity and incitement prevention contradicts the very essence of the Basic Law through its vague, elastic, and controversial provisions. Article 9 of the Executive Bill reads "the rally or meeting organizers must consider the provisions of the Presidential Decree No. 3 of 1998 concerning the perpetuation of the national unity and incitement prevention." This means that the Executive Bill increases reliance on the Decree, which increases the potential for vague provisions being applied to persons trying to hold meetings or assemble.

¹ For more information concerning the PCHR's stance on the Press Law No. 9 1995, see "Critical Observations on the Press Law Enacted by the Palestinian Authority in 1995." Gaza: PCHR series studies 1, 1st edition, December 1995.

² For more information concerning the PCHR stance of the presidential decree, see the press release entitled as "PCHR is Concerned over Presidential Decree No. 3 Issued on 3 December 1998 Concerning Perpetuation of the National Unity and Incitement Prevention.

(3) Article 11 of the Executive Bill reads that "the police's response to the notice mentioned in Article 1 of this Bill shall be in the form of a written license worded as deemed appropriate by the chief of police and to be given by hand to the applicant." Depending on this Article, the purpose of notifying the governor or the chief of the police with the intention of holding a meeting is to have become obtaining a permit from the chief of the police and not only just notifying him without linking the issue with the approval or disapproval of the chief of the police. The chief of the police, as well, was given the right to decide the meeting's subject or the rally's objective³.

This report is divided into two main parts:

The first part sheds light on the situation of the right to freedom of opinion and expression in the PA areas, the limits and procedures that hinder such right and the violations and assaults that were documented by PCHR, which were done under the PA's jurisdiction.

The second part discusses the right to peaceful assembly during the reporting period, including violations of this right.

The final section of the report gives a number of recommendations, which seek to enhance the right to freedom of opinion and expression and the right to peaceful assembly so it can enhance efforts to build a democratic regime within the PA areas.

³ The Executive Bill of the Public Meetings Law came after a decision was issued by Chief of the Palestinian police on 29 February 2000, and was published in the Palestinian newspapers that no public meetings would be held without a prior permit from the chief of police. At that time, PCHR strongly criticized the decision as it was a flagrant violation of the Public Meetings Law. On 29 April 2000, after some consultations with political powers and civil society organizations, PCHR filed an appeal in the High Court of Justice, as their representative, in which it affirmed that the declaration was illegal. On 29 April 2000, the High Court of Justice issued a temporary injunction suspending the mentioned declaration until the court issued a final judgment. Late President Yasser Arafat, also in his capacity as the Interior Minister at that time, issued the Executive Bill of the Public Meetings Law on 29 April 2000; a day after the court issued its decision. On 1 November 2006, the PCHR submitted a letter to the Interior Minister, who was at that time Said Syam, in which it called on him to use his authorities so as to cancel the Executive Bill of the Public Meetings Law No 12 of 1998 or at least amend it to be in conformity with the law.

Part 1: The Right to Freedom of Opinion and Expression

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Article 19 of the Universal Declaration of Human Rights of 1948.

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

Article 19 (2) of the International Covenant on Civil and Political Rights of 1966.

"Freedom of opinion may not be prejudiced. Every person shall have the right to express his opinion and to circulate it orally, in writing or in any form of expression or art, with due consideration to the provisions of the law."

Article 19 of the Palestinian Amended Basic Law of 2003.

"Establishment of newspapers and all media means is a right for all, guaranteed by this Basic Law. Their financing resources shall be subject to the scrutiny of the law.

Freedom of audio, visual, and written media, as well as freedom to print, publish, distribute and transmit, together with the freedom of individuals working in this field, shall be guaranteed by this Basic Law and other related laws.

Censorship of the media shall be prohibited. No warning, suspension, confiscation, cancellation or restriction shall be imposed upon the media except by law, and pursuant to a judicial ruling."

Article 27 of the Palestinian Amended Basic Law of 2003.

Violations of the Right to Freedom of Opinion and Expression in areas under the jurisdiction of the PA

The political split between the Gaza Strip and the West Bank and its consequences had been the main factor, which negatively affected various rights and freedoms of Palestinians. The right to freedom of opinion and expression was infringed when the two parties to the crisis (the Gaza and Ramallah governments) committed violations and assaults against journalists, different mass media workers, editors and other persons, mostly those who were against the mainstream.

The following are the most significant violations documented by PCHR during the reporting period in the Gaza Strip and the West Bank:

Violations of the Right to Freedom of Opinion and Expression in the Gaza Strip

The violations committed by the Gaza government and its security services were the mechanisms by which the right to freedom of opinion and expression in the Gaza Strip were violated; while attacks committed by unofficial bodies declined. The violations committed by the Gaza government and its security services included arrests, detentions, summoning persons and journalists because of expressed opinions and expressions, closing and storming media institutions, TV and radio channels, banning and hindering the work of journalists, banning the distribution of Palestinian newspapers in the Gaza Strip, attacking journalists with beatings and insults, and others violations related to opinion and expression, and other attacks committed by unofficial bodies against journalists and persons due to opinion and expression.

1. Arrest, Detention and Summoning of Journalists and Others Because of Opinions and Expressions

- On 10 November, 2009, four gunmen, stopped Hatem Sa'dy Omar, 29, a photojournalist of Ma'an news agency, while he was near Rafah International Crossing Point in the southern the Gaza Strip, and introduced themselves as officers from the Internal Security Service (ISS). The gunmen confiscated Amr's camera and his identity card demanding him to report to the ISS headquarter in Rafah. Amr told a PCHR field worker that:
- On 24 November, 2009, the ISS arrested the popular singer Hamed Mohammed al-Boudy 40, from Beit Lahya town in the northern Gaza Strip. He was questioned about the nature of popular songs he sings at wedding parties. He was released the same day. According to PCHR's investigations "around 8:00 pm on that day, an ISS force arrived at al-Boudy's house demanding him to accompany them to the ISS headquarters where he was questioned by an officer about the songs he sings in wedding parties mostly those which are related to Fatah movement. The investigators demanded that he not sing any songs related to Fatah movement, otherwise he would be prosecuted. He was released at 19:00 on the same day.
- On 11 December, 2009, journalist Ziad Awad, 36, from al-Maghazi refugee camp in the central Gaza Strip, who works for the Kuwaiti satellite channel al-Wissal, was summoned to the ISS headquarters in Deir al-Balah town. At 08:00 on 13 December, Awad went to the ISS headquarters where an officer questioned him concerning his personal data and the nature of his work. Later, he was released.
- On 2 January 2010, a number of students of Hayel Abdel Hameed High School,⁴ in Beit Hanoun town, were summoned to the General Investigation Bureau of the police because of accusations they were circulating a statement issued by Fatah movement on the 45th anniversary of its establishment which on

⁴ The PCHR has names of the detained students.

1 January.⁵ The students, who were all 16-years old, were questioned about the statement. Some of them were violently beaten. One student sustained a fracture to his right hand and bruises throughout his body and had to be treated at the hospital in Beit Hanoun. Another student also sustained bruises throughout his body.

- On 27 April 2010, the Palestinian police and security services in Gaza arrested a number of activists of the Popular Front for Liberation of Palestine (PFLP) in different areas of the Gaza Strip for distributing a PFLP statement, which strongly criticized the Gaza Strip government and its security services. On 27 April 2010, the PFLP in the Gaza Strip had issued a statement entitled " Hamas Government Should Stop Its Economic and Social pressure Imposed on Our People," in which it strongly criticized the performance of the government and its security services. The PFLP, in its statement, declared that the practices of the government in Gaza, the latest of which was the collection of high customs and taxes and imposing new taxes in different fields, aim at increasing pressures and burdens on people in the Gaza Strip on top of an already miserable economic and social situation. The PFLP also called on the Hamas Movement and its government to cease such measures in order to ease the suffering of people.

According to PCHR's documentation, the police arrested 15 PFLP members, 11 of whom are from al-Shati' refugee camp and 4 of whom are from Tal al-Hawa neighborhood in Gaza City, under the pretext of distributing the statement. The 15 persons were taken to al-Shate' and Ansar police stations where they were interrogated and maltreated by the police officers.

At approximately 01:30 on 28 April, the police arrested two members of the PFLP in Jabalya refugee camp the northern Gaza Strip at the entrance of the camp's market. They were interrogated about the source of the statement that was distributed by the PFLP. On the same day, In Khan Yunis, in the southern Gaza Strip, a joint force from the police and the ISS arrested a PFLP activist after storming the PFLP's office in the center of Khan Yunis. After all the detainees had been questioned and after the intervention and mediation by outside parties, all the detainees were released.⁶

- On 21 June, 2010, journalist Nasr Abu Foul, 23, a correspondent in Milad news agency and the Palestine News Network, was detained and interrogated by the ISS in Abu Khadra security complex in the center of Gaza City. Abu Foul went to the complex at 8:00 after he had received a summons on 17 June. The summons demanded that he appear at the complex for investigation. His identity card and mobile phone were confiscated. Abu Foul was accompanied by an ISS force to a photography shop located in al-Sheikh Ridwan neighborhood in the north of Gaza City and to his cousin's house located in the same neighborhood. They confiscated his two personal computers which he used for work. They took him back into Ansar security complex.

At approximately 13:00 on the same day, Abu Foul was released after his identity and work cards had been seized. ISS officers demanded that he come back again on Thursday, 24 June 2010, to be questioned again. Abu Foul was ordered to the complex several times; on 30 June, 1, and 7 of July 2010. The investigations were focused on his press work and an article he published on 17 June titled "Why Walid al-Awad Is Being Attacked?" Abu Foul was accused of libel against the Gaza government as well as sending information to the Ramallah government.

- On 10 November 2010, Dr. Ibrahim Khalil Abrash, a professor in al-Azhar University in Gaza, a

⁵ For more information concerning the measures taken by the security services in the Gaza Strip against organizing any activities on the anniversary of the establishment of Fatah movement, please review the second part of the report entitled as "Right to Peaceful Assembly" page 15.

⁶ The PCHR has a list of names for PFLP members who were arrested.

former Minister of Culture in the Ramallah government and a writer who lives in Tal al-Hawa neighborhood in Gaza City, was handed a notice to appear at the Abu Khadra complex on the following day. Dr. Abrash arrived at the complex as ordered and was detained for an hour before an officer came to question him. During the investigation, Dr. Abrash was asked about his writings, which are published on several websites. Dr. Abrash told PCHR that:

"An officer accused me of incitement against the Gaza government and Hamas movement. He demanded that I stop writing articles against Hamas movement and the government. I refused. So they asked me again to sign a pledge to stop writing against the government. I also refused to sign the pledge, but I wrote a statement that "I am committed to the Palestinian law." The official tore the pledge apart. They took me into another room where I was detained for four hours. An officer came later and handed me another notice summoning me to the ISS headquarter on 14 November 2010.

On 14 November, Dr. Abrash went to the ISS headquarter where the same officer met him and issued the same demands. According to Dr. Abrash's testimony to PCHR the officer threatened him that he should sign the pledge or other methods of "investigation" would be used; yet he refused to sign. Another officer intervened and demanded that he write objectively, they then gave him his belongings and released him.

- On 11 November 2010, ISS officers arrested 4 journalists while they were at office of Palestinian Legislative Council member Ashraf Jom'a, who represents Fateh movement. The journalists were: Bassam Masoud, Ahmed Zakout and Ibrahim Abu Mustafa, who work at Reuters news agency; and Mohammed al-Jahjough, who works for al-Arabiya Satellite Channel. Bassam Masoud told a PCHR field worker that: "We were working on covering the attendance of some persons of a show of a documentary film in Jom'a's office about the life of one of the most prominent leaders of Fatah movement and Palestine Liberation Organization, Khalil al-Wazir (Abu Jihad) on the anniversary of Yasser Arafat's death.⁷ Masoud added that "ISS members stormed the office and forced us to accompany them to the ISS headquarters where they confiscated our mobile phones and film from our camera. We were detained for an hour inside the headquarters. After intervention by others, we were given back our belongings and we were released.

2. Closing or Raiding Press Offices, and TV and Radio Stations

- On 10 November 2009, a joint force from the ISS and the police investigation bureau stormed the office of Ramattan news agency, located in Shawa-Husary building in the center of Gaza City, to prevent a press conference by the national works committee under the pretext of there was no permit.

This event occurred as part of a series of measures taken by the government to prevent the commemoration of the fifth anniversary of the death of the late president Yasser Arafat on 11 November 2009. At around 19:00 on that day, members of the ISS and the police general investigation bureau, dressed as civilians and armed, burst into the office of Ramattan. They prevented the press conference, which would have involved members of the national work committee in Gaza City making a declaration regarding the cancellation of an event commemorating death of Yasser Arafat. The event was to be held in Rashad al-Shawwa Centre on Wednesday, 11 November 2009. The prevention came under the pretext of having no permit for holding the press conference. The security officers confiscated some tapes that belong to Ramattan news agency and al-Quds Satellite Channel and demanded the conference organizers to leave the office. Head of the national work committee in Gaza City, Khalid Abu Sharekh, told a PCHR field worker that:

⁷ For more information concerning the measures taken by security services in the Gaza Strip to prevent any activities for commemorating the death of the late president Yasser Arafat, please review the second part of the report entitled as "The Right to Peaceful Assembly."

"The national work committee was supposed to hold a press conference in Ramattan news agency to declare canceling the event of commemorating the fifth anniversary of Yasser Arafat's death, which was supposed to be held in Rashad al-Shawwa Centre. The reason for such cancellation was the arrest campaign conducted by the government against the cadres of the national work committee. While we were in Ramattan office, just before the beginning of the conference, we were surprised by the attendance of persons wearing civilian clothes. They introduced themselves as members of the police general investigation bureau and ISS. They demanded that we show the permit for holding the conference. I answered that we had no idea that a conference needs a permit, but they demanded that we leave. They did not leave the place until we did. They took our names and confiscated the journalists' recording devices".

Ramattan news agency declared, in a press release, issued on 12 November 2009, its decision to close all of its offices in the Occupied Palestinian Territory until further notice. The press release reads: "Such a step comes as a result of so many factors related to violating the law and freedom of opinion and press and other harassments launched against Ramattan news agency, mostly when members of the ISS and the police General Investigation Bureau, illegally, thrust into the news agency's office late on Tuesday, 10 October 2009, so as to prevent the national work committee in Gaza City from holding its conference. Ramattan would like to point out that it has been the first time for the news agency to be, forcefully, thrust into by a security force since it was established 10 years ago".

3. Preventing Journalists and Others from Covering Certain Events

- On 14 December 2009, members of the ISS prevented journalists Aamer and Samy Salim Labad, who work for the Diamond Company, from covering and photographing the festival commemorating the anniversary of the establishment of Hamas movement, which was held in al-Katiba yard in the west of Gaza City. The security members confiscated the journalists' press cards and demanded that they report to Abu Khadra security complex on the following day. Aamer Labad told a PCHR field worker that:

"On 14 December 2009, my brother Samy and I went to al-Katiba yard to cover a festival that commemorates the anniversary of the establishment of Hamas movement after we were invited by Hamas media office in the northern Gaza Strip. Arriving at the yard, we entered through the place dedicated for journalists, registered our names and started covering the festival. We headed towards a nearby building so as to resume photographing from above. Once we arrived atop of the building, a person who introduced himself as a member of the ISS told us that we are banned from photographing. We told him that we were photographing as we were invited by Hamas movement and that we registered our names as was required by the festival organizers. We also showed him our press cards, but he refused. A wrangle took place when two others came and confiscated our press cards demanding that we refer to Abu Khadra security complex on the following day, 15 December. On the following day, we headed towards the complex where we waited for half an hour until we were led into a room where we were photographed then we waited for another half an hour. A member of the ISS asked for our mobile phones' numbers and told us to wait a call phone from them and then we were asked to leave out. At around 22:00, Ihab al-Ghousen, speaker of the Interior Ministry, came to Diamond Company's office and gave our press cards back".

4. Banning Distribution of Palestinian Newspapers in the Gaza Strip

- On 7 July 2010, the security force of the Interior Ministry in the Gaza government, stationed near Beit Hanoun crossing "Erez" in the northern Gaza Strip, denied access to copies of newspapers to the distributors of al-Quds, al-Ayyam and al-Hayat al-Jadeeda newspapers, published in the West Bank. In the early morning of that day, the distributors headed towards Beit Hanoun crossing to get the newspapers, which would be distributed in the Gaza Strip. This came after the Israeli Occupation Forces declared on 6 July that the newspapers would be let into the Gaza Strip. The distributors were stopped by the security officers and were informed that they were banned from reaching the crossing and getting the newspapers. The distributors were also banned from getting the newspapers in the following days. After the newspapers' distributors communicated with the Interior Ministry in Gaza

City, they were told that the said three newspapers were banned from accessing the Gaza Strip as long as the Ramallah government bans the printing and distribution of al-Risala and Palestine newspapers issued in the Gaza Strip in the West Bank.

5. Beating and Insulting Journalists

- On 4 August 2010, Ahmed Fayyad, 36, correspondent of al-Jazeera website, was beaten by Palestinian police officers in Khan Yunis town in the southern Gaza Strip, when he was covering a concert of the Jordanian band of Toyour al-Jana "Heaven's Birds" in al-Madina al-Ryadia playground. At around 20:20, a police officer stopped Fayyad while he was shooting photographs inside the playground and demanded that he accompany them through the gate of the playground where a number of police officers were awaiting.

Fayyad told a PCHR field worker that:

"I asked the police officer, wearing the police uniform, to inform my cousin who was attending the ceremony with my three kids that I was taken away, but he ordered me to bring them with me. We were let into the playground when an officer started shouting at me demanding that I hand over my camera. I refused to give him the camera and told him about the nature of my work as a correspondent for al-Jazeera website. I showed him some of the photos I took when another officer started insulting and beating me on the face and shoulders. Another officer physically attacked me with a club. My camera was confiscated. A police officer intervened and tried to calm them down, but in vain. I was attacked and insulted before the eyes of my children who were crying".

6. Other Violations of the Right to Freedom of Opinion and Expression

- On 15 September 2010, the Interior Ministry prevented a meeting from being held via video conference between journalists from Gaza and a delegate from the International Federation of Journalists (IFJ) who was in Ramallah. According to information available to PCHR and the testimony of journalist Yousef Sobhy al-Ustaz, member of the Secretariat General of the Palestinian Journalists' Syndicate, in the West Bank.⁸ Al-Ustaz, a representative for the Journalists' Syndicate, invited a number of journalists from Gaza City to meet the IFJ delegate that was in Ramallah via the video conference. The meeting was supposed to be held at 09:00 on 15 September 2010, in one of the meeting halls of al-Azhar University in the west of Gaza City. At approximately 19:00 on 14 September 2010 the university administration received a phone call from a person who introduced himself as a member of the ISS. He informed the university's administration that the meeting was banned. The university informed the meeting's organizers that the meeting was banned by the ISS.

7. Attacks by Other Parties (Unofficial) against Journalists and Persons Due to Opinion and Expression

- On 22 September 2010, unknown persons raided the office of Nofouz al-Bakry, a journalist for al-Hayat al-Jadeeda newspaper, and seized the office's contents, communication equipment and work papers. At approximately 01:30, al-Bakry, 35, from Khan Yunis, received a phone call from a person introducing himself as an officer from the Palestinian police telling her that her office had been broken into by unknown persons. Al-Bakry told a PCHR field worker that the office is a rented flat in Lozon building, located near al-Shabiya intersection in the center of Gaza City. The equipment that was stolen include a fax machine, a telephone, a box for personal papers, diaries and two chairs. The Palestinian police arrived at the place, surveyed it and opened an investigation.

⁸ The Palestinian Journalists Syndicate organized new elections on 5 February 2010 to elect a new syndicate council. PCHR, back then, affirmed that it was impossible to have fair and transparent elections in light of the disputes within the Palestinian journalistic body, including the disputes that are related to membership, consequences of the political split and the internal political conflict.

Violations of the Right to Freedom of Opinion and Expression in the West Bank

The Ramallah government and its security forces launched attacks against journalists, workers of different mass media, editors and other persons; attacks committed by unofficial parties (armed groups) declined. The attacks included arrests, detentions, summoning journalists and others due to their expressed opinions and expressions; closing, bursting into press offices and TV and radio stations; hindering the work of journalists; other violations committed by official bodies against persons or political cadres related to the freedom of opinion and expression; and other attacks launched by unofficial parties against journalists or persons due to opinion and expression.

1. Arresting, Detaining and Summoning Journalists and Others Due to Opinion and Expression

The security services (the Preventive Security Service, the General Intelligence Service and the Military Intelligence service) arrested a number of journalists and editors in the West Bank for being affiliated to the Hamas movement, during the reporting period. Others were arrested because of their work. The security services, during interrogations, accused detainees of participating in forming a military cell or undermining the dignity of the Palestinian Authority.

- On 28 November 2009, the journalist Yazeed Khader 45, from Deir al-Ghosoan village north of Tulakrm in the northern West Bank, who works in the Ministry of Information, was arrested by the Preventative Security Service (PSS). Later, Khader was dismissed from his job. Khader was interrogated by the Attorney General's office, and he was accused of forming an armed cell.
- On 5 January 2010, the PSS in Qalqilya, in the northwest of the West Bank, arrested journalist Mustafa Sabry, 43, an elected member of the Qalqilya municipal council, speaker of the Change and Reform Bloc in Qalqilya and correspondent for al-Risala newspaper of al-Khalas Islamic Party, which is published in the Gaza Strip. Sabry was accused by the Attorney General's office of forming an armed cell. Because of the charges his detention was extended several times by the Magistrate Court, which rejected a number of applications demanding his release. Since 2005, Sabry has been arrested several times by the Palestinian security services in the West Bank. During his detention, a number of decisions, made by the High Court of Justice ordering his release were issued, yet, he was rearrested after release. Sabry was detained in Qalqilya police station until he was released in March 2010.

A. military Court Sentences a Journalist to Imprisonment

- On 16 February 2010, a special military court in Nablus, in the northern West Bank, sentenced Tareq Abdel Razzaq Dawood Abu Zeid, 35, from Jenin, who works as a correspondent of al-Aqsa Satellite Channel of Hamas movement, to 18 months in prison. The trial was held in the Military Attorney General's office in Nablus. It was presided over by judges Abdel Karim al-Masry, Mihrez Atiany and Nabil Jaber. It was also attended by head of the military prosecution Ramy Taqate, the military attorney general Nayef Mashaqy and the journalist's lawyer Rima al-Sayyed. The military court convicted Abu Zeid of underestimating the dignity of the Palestinian Authority in violation of Article 164, A.B of the PLO's Revolutionary Penal law of 1979⁹ and underestimating the Authority's general policy in violation of Article 179 of the same law. Abu Zeid was arrested on 15 august 2009 by the Military Intelligence Service. On 12 January 2010, the High Court of Justice, in a session held in Ramallah, ordered immediate release of Abu Zeid as he was a civilian, not military. The Military Intelligence

⁹ Worthily saying that the Palestinian Revolutionary Penal law issued in 1979 is the same PLO Revolutionary Penal law. It is an unconstitutional law within the Palestinian Authority as it was not passed by the legislative authority. Since 2005, the PCHR has been calling for suspending this law as it contradicts the international standrads related to fair trial guarantees.

Service did not comply with the decision of the High Court of Justice, and Abu Zeid was brought to investigation by a military body.

B. The General Intelligence Arrests a Journalist and Prevents a Human Right Defender from Traveling

- On 28 March 2010, the General Intelligence Service (GIS) arrested Muhanad Adnan Salahat, 29, from Talouza village, north of Nablus, while he was at al-Karama crossing coming from the Jordanian Hashemite Kingdom. Salahat is a journalist, documentary film producer and member of the Palestinian Human Rights Foundation (Monitor). After 15 days of detention and interrogations about his work, the GIS released Salahat. When Salahat tried to travel through al-Karama crossing again, he was informed by a GIS officer at the crossing that he was banned from traveling. According to information available to PCHR, at approximately 22:00 on 28 March 2010, Salahat was arrested by the GIS in the Palestinian Centre of Crossings and Inspection in Jericho while he was on his way back from Jordan through al-Karama crossing. He was led to the GIS headquarters in Jericho. Salahat was interrogated several times concerning his writings and the documentary films that are produced by a Jordanian company that works for al-Jazeera Satellite Channel.

During detention and interrogation, Salahat was forced, several times, to open his email address to check the letters he had received. On 12 April 2010, Salahat was released while his laptop, camera and a hard disk that contains recordings of documentary films were confiscated by the GIS.

On 13 April 2010, Salahat was summoned to the GIS headquarter in Jericho to get back his belongings that had been confiscated, but he was not received by any officer. They demanded that he come back the following day but when he went back on 15 April 2010 to get his belongings he found that 23 hours of recordings on the hard disk had been sabotaged.

At approximately 09:30 on 19 April 2010, Salahat arrived at Jericho rest in al-Karama crossing to travel to Jordan. An police officer, specialized in checking passports, informed him that he was banned from traveling and he was referred to the GIS headquarters. When he went to the GIS officer working at the crossing, Salahat was informed that he was banned from traveling.

- On 21 June 2010, the GIS in the northern West Bank city of Nablus detained Nawwaf al-Amer 48, who works as the coordinator of programs and production in al-Quds Satellite Channel after he had been summoned to GIS headquarters. He was summoned several times and later detained by the GIS. According to information obtained by PCHR, at approximately 00:15 on 21 June 2010, a GIS force arrived at al-Amer's house, located in Kufr Qlil village near Nablus and handed him a notice summoning him to the GIS headquarter located in al-Makhfia neighborhood in the city. In response to the notice, al-Amer went the GIS headquarter where he was immediately transferred into Jneid Prison. At around 03:30, al-Amer was released under the condition that he go to the GIS headquarters again on 22 June 2010. On that day, al-Amer headed to the GIS headquarter at around 08:30, and he was transferred to Jneid Prison. He was released on the same day at around 15:00 on the condition that he come to the same place again on 23 June 2010. According to PCHR's follow-up, al-Amer has been repeatedly summoned by the GIS and PSS in the city with no charges directed against him, which in turn impacts his work as a journalist and his personal and social life.

C. Arresting a Journalist for Publishing an Offending Photo of the President on Facebook

- On 19 September 2010, the GIS arrested journalist Mamdouh Mahmoud Hamamra, 26, from Husan village near Bethlehem. Hamamra works as a correspondent for al-Quds Satellite Channel. The GIS referred Hamamra into the Attorney General's office, which in turn accused Hamamra of insulting

President Mahmoud Abbas by publishing an offensive photo of the President on his personal Facebook page. The Attorney General's Office referred Hamamra to Bethlehem Magistrate Court to extend his detention. According to PCHR's investigations, the GIS arrested Hamamra after summoning him to the headquarters of GIS. According to Hamamra's lawyer, the GIS, inspected the personal computer of Hamamra and his personal page on Facebook, pursuant to a warrant from the Attorney General's Office. After this investigation a report was written on 3 October 2010 finding nothing that was against security or the public order. However, the Magistrate Court rejected all applications submitted by his lawyer to release Hamamra on bail, and guaranteeing his place of residence. The Court instead approved demands of the Attorney General's office to extend his detention.

Mahmoud Hamamra, 47, the father of Mamdouh told a PCHR field worker that:

"The GIS arrested my son, journalist Mamdouh, accusing him of insulting President Mahmoud Abbas, and he was detained for 24 hours before he was transferred to the Attorney General's office in Bethlehem, where he was detained for two days for an investigation. Two days later, he was brought before the Magistrate Court, where the prosecutor accused him of insulting President of the PA, Mahmoud Abbas, violating Article 16 of the Jordanian Penal Law of 1960, which is effective in the West Bank. They claimed that an offending photo of President Abbas appeared on his personal page on Facebook. The truth is that my son Mamdouh did not post the photo; it was sent to him by an unknown person whom he does not know at all, Nadeem al-Kaisy. When my son knew about the photo by coincidence from a friend of him, he immediately deleted it and the name of the sender. My son's lawyer submitted several applications for releasing him on bail, but the Court rejected all applications. The last application was submitted on 25 October 2010, when the Court's session was postponed to 23 November 2010. So far, my son Mamdouh is still detained by the Palestinian police in Beit Ummar Prison."

The GIS arrested Hamamra on 1 September 2010 for five days, and he was then released. He was rearrested by the GIS again on 19 September 2010.

- On 3 October 2010, the PSS arrested Salim Taya, 47, in the northern West Bank town of Tulkarm. Taya works as a correspondent for Quds.net news agency. PSS forces stormed his house and confiscated computers and work papers. According to PCHR's investigations and the journalist's testimony, at approximately 20:00 on 3 October 2010, Taya received a phone call from someone who introduced himself as a PSS officer demanding that he go back home, which is located in Shweika suburb, north of town. When Taya arrived at home, he found a PSS force awaiting him. They stormed his house and confiscated two personal computers and some work papers, at which point Taya was led to the PSS headquarter in the town. During his detention, Taya went through two interrogation sessions investigating the nature of his work and the interviews he had done with some Hamas figures. At around 16:00 on 4 October 2010, Taya was released and the computers were returned to him.

2. Closing or Storming Press Offices and Radio and TV Stations

- On 17 June 2010, a GIS force stormed into the office of the Ramallah-based Watan TV channel when the station broadcasted photos of a peaceful demonstration organized by *Hizb at-Tahreer* (Islamic Liberation Party) in the Ramallah. At around 17:00, a number of armed persons wearing civilian clothes burst into the office of the Watan channel. They identified themselves as GIS members and requested the video tapes of the rally and requested that the journalists who covered the event be handed over to the GIS. The channel's administration refused and made a number of calls for intervention. Verbal disputes took place before the GIS members left.
- On 3 August, 2010, a number of armed persons from the Palestinian Customs Department, accompanied by an official from the Ministry of Telecommunications and Information Technology, burst into a local T.V. channel in Nablus, demanding that officials at the channel stop the broadcasting. According to investigations by PCHR and testimonies of eyewitnesses, at around 11:30, the office of the Nablus TV channel was stormed by head of the Palestinian Customs Department, an officer from the Department, Fursan Bany Jaber, and an employee from the Ministry of Telecommunications and Information Technology. They demanded that the workers at the channel close the office and stop broadcasting. As a result, broadcasting was immediately stopped. At the same time, the head of the T.V. channel, Mahmoud Barham, asked the said group to give him a written order to terminate broadcasting at the channel. They answered that had no such order. A quarrel took place when head of the Palestinian Customs Department, and the accompanying officer attacked Barham and some of his colleagues: Dujana Abu Eisha 26, Ayman Eliwy 22 and Alaa al-Shanty 22.

Alaa al-Shanty told a PCHR field worker that:

"We held 2 cameras. One was to document the attack. When we started filming, they attacked the camera of Dujana and Ayman who were both beaten and their cameras were confiscated. In the meantime, I was documenting the attack with my camera when a member of the Palestinian Customs Department saw me. He put a bag over the camera lens to prevent the shooting. He demanded that I give him the camera and when I refused, he pushed my right shoulder, detained me inside the room of the head of the TV channel and locked the door from outside. An additional force from the Palestinian Customs Department was called. Dujana and Ayman's cameras were confiscated and taken out of the office. An hour later, the camera was given back, but it was erased."

Later, Dr. Mashhour Abu Daqqa, Minister of Telecommunications and Informational Technology, during his speech with "Hadeeth al-Watan" (speech of homeland) program on Ma'an radio station, apologized to the local channel and its workers for what happened. He promised that an investigation committee would be formed to hold the perpetrators accountable. He was quoted as saying "the intervention of the Palestinian Customs Department was wrong. Their intervention has nothing to do with closing local channels or visiting them in an official way. It was wrong for the said department to be engaged in this." He further pointed out that the only bodies authorized to intervene in such matters are the Ministry of Telecommunications and Information Technology and the Palestinian police.

3. Banning and Hindering Journalists and Others from Covering Certain Events

- On 9 March 2010, Palestinian security services in Qalqilya banned a press team working for Pal Media Company from interviewing journalist, Mustafa Sabry, after he had been released from the Palestinian Authority's jails. According to investigations conducted by PCHR, at around 12:30, the team of Pal Media, comprised of journalist Mus'ab al-Khateeb and a cameraman, Ashraf Abu Shaweesh, reached the house of Sabry 43, in Ghayyada neighborhood in Qalqilya to interview him. Once the team entered

Sabry's house and started setting up the cameras, they were surprised by security officers surrounding the area. An officer rang the door bell. Sabry opened the door. Three officers entered the house. One of them, dressed as a civilian, introduced himself as the unit officer. The other two officers were dressed in military uniforms. The officer demanded that the interview not take place. He also communicated with the headquarters calling for additional forces to Sabry's house.

The officer ordered al-Khateeb and Abu Shaweesh to accompany them to the command headquarters. They agreed to go in their own car. An officer accompanied them in their car. Arriving at the headquarters, another officer met them and informed them of the security services' decision to ban them from interviewing Sabry without prior permission.

- On 25 August, 2010, a number of employees in "al-Haq" institution for human rights were attacked by GIS members in Ramallah, while they were documenting the Palestinian security services' action of foiling a meeting between the Palestinian political factions and civil society organizations which was meant to protest the PA's decision of participating in direct negotiations with Israel¹⁰.

Al-Haq and its program officer, Wisam Ahmed, told PCHR that "that day afternoon, the institution's employees went out of their offices after they had heard noisy sounds coming from the main road, and available information affirmed them that the GIS was trying to foil a meeting for the Palestinian political factions and the civil society organizations which was supposed to be held in the hall of the Protestant Church, located adjacent to "al-Haq" institution so as to protest against the PA's decision to participate in direct negotiations with Israel. Ahmed went to document what was going on with a camera and he was beaten by someone dressed as a civilian, who later turned out to be a GIS officer. Ahmed's camera was confiscated and thrown on the ground. When Ahmed managed to get his camera back, and he asked about the reason behind banning him from photographing, more than 10 GIS members surrounded him and started beating him on the head and neck. His camera was again confiscated while he was pushed away. The GIS members attacked Nina Atallah, head of the monitoring and documentation department, in al-Haq institution when she intervened so as to prevent the attack against her colleague Ahmed. Due to her attempts to intervene she was injured in the leg. She was transferred to the hospital of the Palestinian Red Crescent Society in Ramallah.

- On 28 October 2010, members of the Palestinian police and the GIS interfered with the work of a team of al-Quds Satellite channel in Hebron in the southern West Bank, while they were covering the funeral procession of Ma'moun al-Natsha who was killed by the Israeli Occupation Forces on earlier on that day. According to PCHR's investigations and the testimony of Akram al-Natsha, correspondent of al-Quds Satellite Channel "at around 11:45 on 8 October 2010, a police officer, driving a police vehicle, stopped the channel's team, while they were installing equipments so as to start live broadcasting near al-Ribat Mosque. The team consisted of the correspondent, Akram al-Natsha, the broadcasting engineer Ma'moun Finsha, and the cameraman, Abdel Ghany al-Natsha. The officer took the journalists' press cards, and demanded that they stop the broadcast and to report to al-Haras police station. At the police station, the police officers confiscated the press team's mobile phones, and they were detained in a room. An hour later, an officer came to tell them that they needed to report to the GIS headquarters; not to the police station. They were transferred to the GIS headquarters where they were detained in a room. An hour later, an officer came to the room where the team was detained and told them that they were not wanted by the GIS. So, they were released.

¹⁰ For more information concerning the attack against the meeting and rally that were organized by the Palestinian political factions and the civil society organizations so as to protest the PA's decision of participating in direct negotiations with Israel, please review the second part of this report "The Right to peaceful assembly".

4. Other Violations Committed by Official Bodies against Individuals and Political Activists Due to Opinion and Expression

- On 27 August 2010, Palestinian security services prevented Member of the Palestinian Legislative Council, representing the Change and Reform Bloc, Mahmoud al-Rjoob, from delivering a religious sermon in al-Kabeer Mosque in Dura town, in the southern West Bank. They also attacked the prayers and arrested dozens of them.¹¹ According to PCHR's investigations, the testimony of Nayef al-Rjoob and eyewitnesses, at around 10:30 on 27 August, dozens of security members, dressed as civilians, some were armed, broke into the said mosque, located in the center of Dura town, and spread among the congregants.

Four security members headed towards Mr. Nayef al-Rjoob demanding that he stop delivering the Friday religious sermon. The security members clashed with al-Rjoob's supporters and the rest of the prayers. In the meantime, a police force, armed and masked, broke into the mosque and started beating al-Rjoob's supporters by clubs. Al-Rjoob, accompanied by a large number of prayers, left the mosque heading towards Hanina Street in the south of the town. They headed towards Mujahed Mosque, 400 meters away from al-Kabeer Mosque. After going into the mosque, the security members chased him inside the mosque so as to re-prevent him from delivering the speech. They also cut the cables of the mosque's microphones.

- On 3 September 2010, the family of Ahmed Amr, 67, living in Sinjar suburb, east of Dura town near Hebron, was subjected to violence, harassment and arrest by Palestinian security services under the pretext that they received information that Amr had delivered an inciting speech against the Palestinian Authority in one of the town's mosques. According to PCHR's investigations and testimonies of victims and eyewitnesses, at around 13:20 on the above day, a large number of security members stormed into Sijar suburb to arrest Amr. The security members attacked Amr's family members, including women and children, as a result of which 11 persons, including 4 women; his wife and two baby girls, sustained acute bruises throughout their bodies. Two of the injured females were transferred to al-Ahly Hospital in Hebron. The security members arrested 6 family members who were transferred to the PSS headquarters in town where they were abused, beaten and forced to sign pledges that they would not to do anything against Palestinian security members and respect the law and security of the P.A. Later on the same day, they were released. According to testimonies of the family members after their release, the arrests were motivated by inaccurate information that was received by the PSS and that Amr had not delivered an inciting speech against the PA in one of the town's mosques.

5. Attacks by Other (Unofficial) Parties against Journalists or Individuals Due to Opinion and Expression

On 11 February 2010, unknown armed persons opened fire at the house of journalist Mustafa Sabry, 43, located in Ghayyada neighborhood of Qalqilya in the northern West Bank. According to PCHR's investigations and the testimony of Sabry's wife, at around 00:00, unknown armed persons opened fire at their house. The family members heard sounds of three gun shots against the outer walls of the house. They had no idea who did it or why it was done. At that time, Sabry had been detained by Palestinian security services in the town.

Part Two: Right to Peaceful Assembly

¹¹ For more information concerning the measures taken by security services against the prayers, see the press release issued by the PCHR entitled as "PCHR Condemns preventing a Religious Sermon and Arresting Dozens of Prayers after Attacking Them in Hebron on 29 august 2010, Red: 77/2010

“Everyone has the right to freedom of peaceful assembly and association.”

Article 20(1) of the Universal Declaration of Human Rights of 1948.

“The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.”

Article 21 of the International Covenant on Civil and Political Rights 1966-1976.

“ To conduct private meetings without the presence of police members, and to conduct public meetings, gatherings and processions, within the limits of the law.”

Article 26-5 of the Amended Palestinian Basic Law of 2003.

Violations of the Right to Peaceful Assembly under the PA

Both the Ramallah and Gaza governments prevented the public assemblies, excluding those organized by their supporters. The two governments imposed tough, official measures which turned what was only intended to be a notification, according to the Public Meetings Law, into a requirement for an official permit. The official bodies and security services both in the West Bank and the Gaza Strip took measures that hindered organizing public meetings or mass events such as arresting or summoning the other side's activists. While the Gaza and Ramallah governments have differed in the majority of their decisions under the political split, they have both used the same illegal and unconstitutional tool for limiting the right to peaceful assembly; i.e., the Executive Bill of the Public Meetings Law. The measures that were taken by the bodies went too far because they included certain assemblies, which are not enlisted within the category of public meetings, which require official notifications. The following are the most significant violations that were documented by the PCHR during the reporting period in the Gaza Strip and the West Bank.

First: violations of the Right to Peaceful Assembly in the Gaza Strip

The Gaza government and its security services imposed strict measures to obstruct and prevent organizing public meetings.

1. Measures and Limits Taken by Official Bodies to Prevent Organizing Public Meetings

The most distinctive example of the measures and limits taken by official bodies in the Gaza Strip concerning the prevention of organizing public meetings are the memorial of late president Yasser Arafat's death in 2009; the anniversary of the establishment of the Fatah movement in 2010; beating and insulting the participants of "Faithful to the Wise Man (in reference to George Habash, the late founder and leader of the Popular Front for the Liberation of Palestine - PFLP) festival; preventing the Palestinian NGOs Network from organizing a peaceful sit-in; preventing organizing a festival of Hizb at-Tahreer Islamic party and demanding the participants to leave out; adjourning a sit-in organized by the PFLP; and the commemoration of the late president Yasser Arafat's death 2010.

A. Commemorating the Memorial of the Late President Yasser Arafat's Death in 2009

- On 9 November 2009, Palestinian security services in the Gaza Strip started summoning dozens of Fatah activists and political leaders in the Gaza Strip. The summoning continued until the morning of 12 November 2009. They were questioned concerning preparations for organizing activities on the anniversary of Yasser Arafat's death and then they were released. The security services also broke into the office of Ramattan news agency to prevent a press conference that was organized by the National Work Committee on the anniversary of Arafat's death under the pretext that they had no prior permission to hold the conference.¹² The National Work Committee was supposed to organize an event on the fifth anniversary of Arafat's death in Rashad al-Shawwa centre in the west of Gaza City, but the summoning and arrest campaign conducted by security services against activists of Fatah movement hindered the arrangements and preparations that were necessary for organizing the event.¹³ For its part, the Gaza government declared in its statement No. 133, issued on 10 November 2009, that it did not receive any formal application from Fatah movement to organize any event related to the said occasion in the Gaza Strip.

¹² For more information concerning breaking into the office of Ramattan news agency to prevent a press conference from being held by the National Work Committee, please review the first part of this report entitled as "The Right to Freedom of Opinion and Expression."

¹³ PCHR has the names of those were arrested.

B. Commemorating the Anniversary of the Establishment of Fatah Movement in 2010

Security services in the Gaza Strip took a number of measures against the Fatah movement's activists in the Gaza Strip to prevent them from organizing events or ceremonies on the 45th anniversary of the establishment of Fatah movement, which falls on 1 January. The security services had started arresting dozens of Fatah activists throughout the Gaza Strip since the last week of December 2009. Those who were arrested were subjected to severe beating, and inhuman and degrading treatment. The security services, as well, prevented certain ceremonies within closed halls and took down flags of the Fatah movement from above houses of the movement's activists, and summoned those who lighted candles in celebration the occasion. The most serious violation was the death of Nazeera al-Swerky in Gaza City after being dragged into a police vehicle.¹⁴ Ehab al-Ghseen, Speaker of the Interior Ministry declared, in an official statement on 3 January 2010 that the Ministry did not prevent organizing any local events related to the 45th anniversary of the establishment of Fatah movement in Gaza.

C. Beating and Insulting Participants in "Faith to the Wise Man" Festival

On 29 January 2010, members of the Palestinian police violently beat a number of participants in the moments after a festival titled "Faith to the Wise Man," organized by the PFLP in the central Gaza Strip. As a result of the attack, 7 persons sustained bruises throughout the body. According to PCHR's investigations, the Palestinian police, after the festival, congregated on the eastern edge of al-Burajj refugee camp and when the 2nd anniversary of George Habash's death was concluded they attacked the participants with clubs when they were awaiting buses to go home. According to PCHR's documentation, 7 participants sustained¹⁵ bruises throughout the body and had to be transported to Shudada' al-Aqsa Hospital in Deir al-Balah town. One of the wounded told a PCHR field worker that:

"At around 17:00, while I was with my friends waiting for the buses, which were supposed to transport us to al-Maghazy refugee camp after the festival was concluded, a police officer headed towards us demanding us to leave the area. The officer used a wireless set and called for an additional force. Immediately, three military vehicles arrived at the place and chased us. I was caught by the police members and beaten by clubs throughout the body due to which I fainted. When I woke up, I found myself in Shuhada' al-Aqsa Hospital where I was checked and offered first medical aid."

D. Preventing the Palestinian NGOs Network from Organizing a Peaceful Sit-in

On 24 May 2010, the Palestinian police prevented the organization of a sit-in, which was called for by the Palestinian NGOs Network (PNGO) near an UNRWA summer games camp in al-Sheikh Ejleen area in the west of Gaza City. The sit-in was meant to protest the attack against the summer camp on 23 May 2010.¹⁶ Amjad al-Shawwa, coordinator of PNGO, told PCHR that he received a phone call at 11:45 on that day from someone who introduced himself as an officer from the office of chief of the Palestinian police. He told him that the police rejected the notification submitted by PNGO to the police concerning organizing a sit-in at the summer camp. Al-Shawwa told the caller that it was difficult to cancel the sit-in as the participants were already showing up at the site. The caller demanded al-Shawwa to evacuate the place immediately. At around 12:00, a police vehicle arrived at the place of the sit-in, and started preventing the participants from gathering.

¹⁴ For more information concerning PCHR'S stance and the circumstances of al-Swerkey's death, see the press release issued by PCHR entitled "PCHR Calls for Investigating the Death of Nazeera al-Swerkey," 4 January 2010, Ref: 1/2010.

¹⁵ PCHR has names of the wounded.

¹⁶ For more information about the attack which took place against the UNRWA summer games camp, please see the press release issued by PCHR entitled "PCHR Strongly Condemns the Attack against an UNRWA Summer Games Camp by Armed Persons on 23 May 2010, Ref: 39/2010.

E. Preventing Holding a Festival for at-Tahreer Islamic Party and Demanding Participants to leave

On 13 July 2010, a force from the Palestinian police and the general investigation bureau dispersed participants in a festival that was organized by at-Tahreer Islamic party titled "the 89th Memory of Destroying the Islam State." The festival was meant to be held in al-Maqousy tower area in the north of Gaza City. The security members used clubs and gunfire to disperse the participants. They opened fire in the air due from which Riham Abu Marasa, 10, was wounded with bullet in the chest while she was on the balcony of her house, located adjacent to the place. According to the PCHR's investigations and testimonies of eyewitnesses, at around 17:00, dozens of security members, some dressed as civilians, arrived at vicinity of al-Maqousy tower buildings area, started dispersing the participants of festival using sticks and clubs and prevented persons from reaching the place. They also fired into the air to force the participants to leave. As a result of this firing Abu Marasa was shot in the chest. She was evacuated to Shifa Hospital to receive medical treatment, and she was placed in the Intensive Care Unit because her condition was critical. Other participants sustained bruises throughout their bodies due to beatings. Fifteen others were arrested, and later released.

Earlier at 01:00, a force from the general investigations arrived at the location and confiscated all the materials being used for preparations for the festival such as the stage, photos and posters. They also informed the festival's organizers of the decision of to prevent holding the festival under the pretext that there was no permit. According to information obtained by PCHR from the media office of the group holding the event, on 9 July 2010, the party formally submitted a notification to the office of the chief of police in the Gaza Strip informing him about the party's intention to organize a festival. Later, the party received, by phone, the police's approval for holding the festival by an officer in the office of the chief of police.

F. Dispersion of a Sit-in Organized by the PFLP

On 10 August, 2010, a Palestinian police force used force to disperse a sit-in organized by the PFLP in the Unknown Soldier Square in the west of Gaza City. The sit-in was meant to protest the continued electricity cuts in the Gaza Strip. Dozens of participants were injured because they were beaten. According to PCHR's investigations, at around 20:00, a Palestinian police force arrived to the scene of the sit-in where around 500 persons, members and leaders of the PFLP, were participating. The force demanded that the participants leave and adjourn the sit-in under the pretext that they had no prior permission. The PFLP members and leaders refused to leave, and insisted on resuming the event according to their agenda. The police called backup, started shooting in the air and beat the participants with clubs and guns' butts. A number of participants were evacuated to the hospital to receive necessary medical treatment.¹⁷ The PFLP exhausted all necessary legal procedures in order to organize the sit-in. Speaker of the PFLP, Mr. Jameel Mizher, told PCHR that the PFLP submitted a notice on 5 August 2010, to the chief of police to notify him about the place and date of the sit-in in accordance with the provisions and requirements of the Public Meetings' Law No. 12 of 1998. A day before the sit in was organized; on 9 August, the police informed the PFLP's leadership that it was not allowed to organize the sit-in.

G. Commemorating the Anniversary of the Late President Yasser Arafat's Death

On 9 November 2010, the Palestinian police in the Gaza Strip informed the National Work Committee that it was not allowed to hold a festival commemorating the anniversary of Arafat's death on 11 November 2010. According to PCHR's investigations and the testimony of the National Work Committee media coordinator Khaled abu Sharekh, the National Work Committee submitted, on 6 November 2010, an

¹⁷ PCHR has names of the wounded.

application to the chief of police in the Gaza Strip, Brigadier Jamal al-Jarrah, to get a permit for a festival on the 6th anniversary of Arafat's death. The festival was supposed to be held in al-Katiba yard in the west of Gaza City on 11 November 2010. Abu Sharekh received a phone call from the police operations' department on 9 November 2010, in which the caller told him that they were banned from getting a permit for holding the festival; they were given no reason for the ban. Speaker for the police, Major Ayman al-Batniji, told PCHR on 10 November 2010 that the Palestinian police prevented the festival for security reasons; concerns over the recurrence of the events that took place in a similar festival for Fatah movement in 2007 when a number of persons were killed.

In the same context, at approximately 11:45 on 11 November, an ISS force broke into the office of PLC Member Ashraf Jom'a on the 4th floor of Kishta building in Rafah in the southern Gaza Strip, while he was showing a documentary film about the life of one of Fatah movement and the PLO leaders, the late Abu Jihad, on the anniversary of Yasser Arafat's death. The security members cut the electricity to the office and tried to confiscate computers and equipment. Jom'a refused to let them take any of the office's belongings. Before leaving the office, the security members arrested 30 out of the 50 persons who were inside the office; the others were forced out. Those that were arrested were taken to the ISS headquarters in Tal al-Sultan area in the west of Rafah, where they were interrogated and forced to sign a pledge to not participate in any activities or events related to Fatah movement, especially in any commemoration of Arafat's death. Later on, they were all released. Four journalists as well were arrested by the security members when they were inside Jom'a's office.

It is worth pointing out that dozens of Fatah movement activists throughout the Gaza Strip had been summoned and detained by the ISS since 4 November 2010. They were interrogated concerning Fatah movement's preparations for the anniversary of Yasser Arafat's death. They were forced to sign a pledge not to participate in any event.¹⁸

2. Preventing Private Gatherings That Do Not Need Notification According to the Public Meetings' Law

During the reporting period, the Gaza government prevented private meetings from being held in closed places such as seminars, parties or conferences, despite the fact that they are not legally considered public meetings, for which their organizers need to submit a notification to the governor or the chief of police. Instead, the organizers are required only to submit a notification. Article 1 of the Public Meetings Law reads that: A Public Meeting: Any meeting to which at least fifty (50) persons are invited to in an open and public place, including public yards and squares, stadiums, parks and similar places.

The Amended Palestinian Basic Law of 2003 states in Article 26-5 that "holding private meetings without the presence of police members, and holding public meetings, processions, and assemblies within the limits of law."

On 8 November 2009, the Gaza government prevented a conference titled "Declaration of Ethical Journalism Initiative and Standards of Media in Palestine," which was supposed to be held by the International Federation of Journalists (IFJ) in the West Bank transmitted to the Gaza Strip via the video-conference in Roots Restaurant on 9 and 10 November 2009. The administration of the restaurant received a phone call from the government media that they were not allowed to hold the conference under the pretext that the organizers had no official permission. It was demanded that journalist Sakher Abu Al-Oun, member of the Journalists' Syndicate Board, go to the government media office on 9 November. Abu al-Oun headed towards the office, where officials told him that the conference organized by the IFJ was

¹⁸ PCHR has the names of those who were detained.

prevented because it had no prior coordination.

Earlier, the IFJ launched the ethical journalism initiative in Palestine during a conference held in February 2009 in Dubai, United Arab Emirates. The Palestinian Journalists' Syndicate, which is an affiliate of the IFJ, joined as a member of the consultative committee of the initiative. The IFJ and the Journalists' Syndicate agreed upon the Syndicate not participating in the organization of the conference in the occupied Palestinian territory due to the political split between the West Bank and the Gaza Strip. The media office of the Gaza government issued a press release on 9 November 2010, which read: "We do affirm that any public events organized by international bodies require a notification and coordination with the official competent authorities. We as well stress that the freedom of expression and media work, which were unavailable under the PA rule in the Gaza Strip, does not mean the misuse of such wide margin of freedom. We confirm that the basics of the administrative and legal work are the tool that governs such relationship."

On 4 January 2010, the General Union of Palestinian Women organized a ceremony on the anniversary of the Palestinian revolution in al-Sammak Restaurant at the Gaza beach. Four ISS members, dressed as civilians, showed up and demanded that the organizers adjourn the ceremony, but the organizers refused. The security members stayed at the ceremony writing notes. When the ceremony concluded, the security members arrested the director of the restaurant, Mu'een Abu al-Kheer, and took him into the nearby Ansar security compound where he was interrogated about hosting the ceremony. Later on the same day, Abu al-Kheer was released, but his identity card and mobile phone were confiscated. He was forced to sign a pledge that he would not host any ceremonies inside his restaurant without having prior, official permission.

On 22 March 2010, the Palestinian police prevented a graduation ceremony for students of the Faculty of Physical Education of al-Aqsa University. The ceremony was supposed to be held in al-Hilo International Hotel in the north of Gaza City. According to PCHR's investigations and testimonies of eyewitnesses, at around 12:00 on that day, a force from the Palestinian police arrived at the hotel while a number of students were preparing for the graduation ceremony inside the hotel. The security members gave the students 10 minutes to leave showing the students a decision preventing the ceremony under the pretext of having no prior permission. Head of the general investigation bureau in al-Sheikh Radwan police station, Mazen Saqallah, told a PCHR field worker that the police prevented the ceremony because the organizers had no prior permission.

On 12 April 2010, PCHR apologized for canceling the events which were supposed to be held on 17 April 2010 on the occasion of the Palestinian Prisoners' Day in Khan Yunis in the southern Gaza Strip due to the measures and restrictions imposed by the Interior Ministry in the Gaza Strip. PCHR stated in a press release issued on the same day, that during preparations for the events, PCHR's Public Relations Officer in Khan Yunis, Mr. Abdul Halim Abu Samra, wanted to book the hall of the Palestinian Red Crescent Society (PRCS) and make other necessary preparations. However, PCHR was surprised by the PRCS's refusal to book the hall to PCHR without an official permission from security services to organize the planned seminar. ... 11 April 2010, Mr. Sharif Abu Nassar, a PCHR lawyer, headed to the office of Ali al-Qedra, the chief of police in Khan Yunis, and debated the legality of the decision. Abu Nassar told the chief of police that this decision is in violation of the Public Meetings Law and of the Constitution. He explained that the hall is a closed location and that the law does not require even a notification in this case. Al-Qedra insisted that PCHR gets a permission in accordance with the decision of the Ministry of Interior in this regard."¹⁹

¹⁹ For more information about PCHR's position, see PCHR's press release, "PCHR Apologizes for not Organizing Activities Related to Palestinian Prisoners Day in Protest to Illegal Measures Taken by Ministry of Interior," 12 April 2011, Ref: 26/2010.

PCHR annually commemorates the Palestinian Prisoners' Day, which falls on 17 April, as part of PCHR's efforts of defending Palestinian prisoners in Israeli jails as well as supporting the prisoners' claims for freedom.

- On 24 April 2010, the Palestinian police terminated a spectacle show that was being held in Rashad al-Shawwa Cultural Center in the west of Gaza City, demanding all attendants to leave and arrested 6 of the shows organizers.

According to PCHR's investigations, at around 17:45 on that day, a force from the Palestinian police broke into Rashad al-Shawwa Cultural Center where a spectacle show, organized by "B Boy Gaza" band, was being held. It is a local bank comprised of a number of youths. The police adjourned the show, dispersed the audience and arrested 6 of the shows organizers. The detainees were taken to al-Abbas police station. The police members confiscated the video tapes and the cameras that were filming the show. According to one of the show organizers' testimony to PCHR, the police members forced two of the detainees, to sign a pledge according to which they would refrain from organizing any ceremonies without prior permission from the Palestinian police. The detainees were released on the same day.

- On 23 May 2010, a force from the Palestinian police prevented an event organized by the General Union of Palestinian Women on the anniversary of the Palestinian *Nakba* (the uprooting of the Palestinian people from their land). The event was supposed to be held in the Agricultural Association Hall in Beit Hanoun in the northern Gaza Strip. Amal Hamad, coordinator of the General Union of Palestinian Women, told PCHR that the union decided to hold the event on the 62nd anniversary of the *Nakba* as part of a series of events that were to be held by the National Work Committee in closed halls after an agreement with the Gaza Strip government concerning holding such events, had been achieved. The police decided to adjourn the event under the pretext of having no prior permission from the Interior Ministry.
- On 24 May 2010, the ISS prevented the Independent Commission for Human Rights from holding a workshop entitled "The Reality of Rights and Freedoms—a Review of ICHR's Report for 2009." At approximately 10:45 on the same date, Mr. Jamil Sarhan, Director of the Gaza Strip Program in ICHR, received a phone call from a person who identified himself as a member of the Internal Security Service. The caller asked Sarhan to cancel a workshop titled "The Reality of Rights and Freedoms—a Review of ICHR's Report for 2009," which was scheduled to be organized at 11:00 in Grand Palace Hotel, claiming that ICHR had not obtained a license from the Ministry of Interior. Earlier, at approximately 10:30, the administration of the Grand Palace Hotel received a phone call with the same message of canceling the workshop, explaining that if it were not, the hotel would be held accountable.
- On 7 September 2010, the police general investigation bureau interfered and adjourned a cultural evening organized by the Cinematic Forum in al-Sammak Restaurant in the west of Gaza city. According to investigations conducted by PCHR, at around 21:00, a force from the general investigation bureau broke into the restaurant where a cultural evening was being held. Security members demanded the event end, and ordered the audience to immediately leave, in spite of showing them the permit to hold such event. The owner of the restaurant told PCHR that:

"I intervened to know the reason behind the security members' demand to stop the event. One of them answered that the evening was mixed and that they are against mixture of men and women. They asked about my name and job. When I answered them, I was t to ordered to accompany them to Ansar security compound where I was put in a cell until the following day at noon. I was also beaten. Before I was released, I was forced to sign a pledge that I must abide by law and public order, otherwise, I would pay 10,000 NIS.

Second: Violations of the Right to Peaceful Assembly in the West Bank

The West Bank witnessed strict measures, similar to those imposed by the Gaza government, mostly asking the organizers of public meetings to get a permit before organizing any meeting, which in turn contradicts the law which calls only for notifying the police or the governor. Despite the decline in organizing public meetings in West Bank cities and villages, due to measures taken after the meetings such as arrests, measures of suppressing peaceful meetings and jeopardizing lives of persons, the security services, during the reporting period, worked on preventing the few public meetings organized in the West Bank and which were adjourned by force.

1. Measures and Restrictions by Official Bodies to Prevent Public Meetings

During the reporting period, the most distinctive examples of restrictions taken by official bodies in the West Bank to prevent holding public meetings were celebrations of the anniversary of the establishment of Hamas movement in the West Bank in 2009, security measures to prevent a festival of Hizb at-Tahreer Islamic party and actions of adjourning a protesting sit-in against the PA's decision to join direct negotiations with Israel.

A. Commemorating the Anniversary of the Establishment of Hamas in the West Bank in 2009

- On 12 December 2009, Palestinian security services in the West Bank launched arrest campaigns that continued for two days against dozens of Hamas movement members and supporters. The arrests occurred in conjunction with the 22nd anniversary of the establishment of Hamas. The arrest campaigns, conducted by the PSS and the GIS included arrests from homes, mosques and checkpoints established by the security services. About 115 persons were arrested: 50 persons were from Hebron; 16 from Ramallah and al-Bireh governorate; 5 from Nablus; 6 from Jericho; 2 from Bethlehem; 3 from Tubas; 26 from Tulkarm; 4 from Qalqilya; 1 from Salfit; and 2 from Jenin. Lawyers, engineers, teachers, students, lecturers, pupils and children²⁰ were among the detainees.

B. Strict Security Measures to Prevent a festival for al-Tahreer Islamic party

- On 10 July 2010, security services imposed tough restrictions and arrested a number of persons in Hebron, in the south of the West Bank so as to prevent a lecture entitled as "The 89th Anniversary for Dismantling the Islamic State." The lecture was organized by Hizb at-Tahreer Islamic party in al-Umary Mosque, located in Ezna town to the west Hebron. According to PCHR's investigations and testimonies of eyewitnesses, at around 13:30, massive numbers of security forces raided houses belonging to a number of Hizb at-Tahreer party activists in the town, arresting dozens. Others were arrested outside of their homes. The arrest campaigns coincided with a strong presence of security members in vicinity of al-Umary Mosque, installing checkpoints at the main road and branch roads, as well as closing commercial stores.

Security members used sticks and clubs to disperse persons who were on their way to the mosque or nearby houses. As a result of the beating some people sustained bruising throughout their bodies. The security members also fired their guns in the air in an attempt to arrest persons once they were outside the mosque. According to the information available to PCHR, the security members arrested around 19 persons, most of whom were released after signing pledges that they would not participate in any political activities or gatherings without prior permits.

²⁰ For more information, see the press release issued by the PCHR entitled "[PCHR Condemns Campaigns of Arrests against Hamas Supporters in the West Bank](#)," 15 December 2010, Ref: 126/2009.

C. Actions to Disperse and Disrupt a Sit-in against the PA's Decision to Join Direct Negotiations with Israel

- On 25 August 2010, the Palestinian police stopped a rally to protest the PA's decision to join direct negotiations with Israel that was organized by the follow-up committee. A member of the committee was arrested. In the same context, some groups, affiliated to the Fateh youth organization, conducted actions of disruption against the sit-in that was organized by the committee. According to the PCHR's investigations, "at around 12:00, about 250 persons, including members of the PLO executive committee, secretary generals of a number of the parties and political factions, leaders from the civil society and other independent figures gathered inside the hall of the Protestant Church in Ramallah to organize a peaceful protest rally and to hold a press conference. Suddenly, dozens of persons, holding photos of President Abbas and wireless equipment burst into the hall chanting for "fateh youths". They were deployed inside the hall, while others climbed onto the stage in the hall and organized circles of Dabka "traditional Palestinian kind of dancing." They accused the audience of conspiring against the PA and of being collaborators for Syria and Iran, due to which the participants were driven out and headed towards Rukab Street, in the center of Ramallah.

While walking in the street, the participants were hindered by two civilian vehicles, one of which was had a governmental plate. The driver went blew the car horn in an effort to unsettle the rally. After that, a number of police vehicles arrived and used their loud horns. Security members got out of their vehicles and intercepted the rally. Dr. Mohammed Jadallah, a member of the follow-up committee, was arrested and forcibly dragged into a police vehicle and was led to an unknown place.

Later on, committee members, the parties and political factions' secretary generals and representatives of independent figures headed towards the headquarters of the agricultural relief in Ramallah to hold a press conference rejecting the direct negotiations and discussing the attack of the rally. Immediately, massive forces of different security services arrived and besieged the office. After the press conference was held, the participants left and the security members withdrew.

Conclusion and Recommendations

The reporting period (1 November 2009 – 30 November 2010) witnessed continued violations of Palestinian rights to freedom of opinion and expression and to peaceful assembly. Most of these violations took place as a result of the political split between the Gaza Strip and the West Bank. Based on the information gathered, PCHR makes the following recommendations, which PCHR considers the main factors to improve adherence to the freedom of opinion and expression and peaceful assembly:

1. The PCHR calls on the two governments of Gaza and Ramallah to take genuine and serious measures to attempt to put an end to increased attacks against human rights and public freedoms, including violations of the right to freedom of expression and the right to peaceful assembly, as well as ending attacks against journalists and mass media.
2. PCHR calls for resuming the political dialogue among all the Palestinian political factions, based on genuine political partnership, towards ending the current political split with a national agreement. Furthermore, PCHR calls on the political factions to prioritize the people's interests over the parties' interests because the current crisis in the PA is a political one rather than a legal or a constitutional one, especially in light of the fact that the violations during the last year increased due to the current political split.
3. PCHR calls for reconsidering legislation that regulates the right to free expression and freedom of the press so they conform with relevant international principles and with the Palestinian Basic Law. PCHR refers to the following: (1) The Press Law of 1995 enacted by the late President Yasser Arafat via a presidential decree before the establishment of the PLC. Thus, the PLC has to reconsider the law and reissue it, amended it or cancel it because it includes restrictions against free expression and public freedoms. (2) The presidential decree concerning perpetuation of the national unity and incitement's prevention No. 3 issued in 1998, which in turn constituted a critical threat against the right to freedom of opinion and expression as it imposes limits that minimize, to the full, the space available for the persons to practice their right to freedom of opinion.
4. PCHR calls for canceling the Executive Bill of the Public Meetings' Law No. 12, which was issued on 30 April 1998 by the late President Yasser Arafat, in his capacity as the Interior Minister. The law clearly contradicts the rights guaranteed in the Public Meetings' Law, the Palestinian Basic Law, and relevant international standards.
5. PCHR calls for working on enhancing the rule of law, including separation of powers in government in order to achieve a balance between a persons' duties and rights, to regulate both individual or the public rights and to make sure that all measures that are taken by official bodies are illegal and within the limits that are guaranteed and regulated by the law.
6. PCHR calls on the Palestinian Attorney General to investigate all the violations that were perpetrated against persons and journalists, and to bring the perpetrator to justice. It is vital that all investigations of the Attorney General are conducted in a transparent and independent manner.
7. PCHR calls for the rebuilding of the Journalists' Syndicate as a method for protecting the mass media and journalists. This rebuilding must be in a way that defends the interests of journalists. PCHR particularly calls for conducting internal elections for the Palestinian Journalists' Syndicate so as to unite the syndicate and develop journalists' performance and the professional message.
8. PCHR calls for enhancing the relation between Human Rights organizations and journalists and mass media in general. PCHR calls for making sure that such organizations work for defending the right to freedom of opinion and expression in general and the freedoms of press and media in particular.



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For more information, please contact the Palestinian Centre for Human Rights at pchr@pchrgaza.org or +972-(0)8-282