



المركز الفلسطيني لحقوق الإنسان  
PALESTINIAN CENTRE FOR HUMAN RIGHTS

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## PCHR Special Report, February 2009 Inter-Palestinian Human Rights Violations in the Gaza Strip



3 February 2009



# المركز الفلسطيني لحقوق الإنسان

## PALESTINIAN CENTRE FOR HUMAN RIGHTS

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### Introduction

Since the launch of the Israeli Occupation Forces (IOF) military offensive in the Gaza Strip on 27 December 2008, there has been a significant increase in human rights violations perpetrated by Palestinians in the Gaza Strip. For the past five weeks, the Palestinian Centre for Human Rights (PCHR) has collected testimonies from victims and eyewitnesses regarding dozens of human rights violations perpetrated across the Gaza Strip by armed members of the Palestinian Security Services (PSS) and unidentified gunmen. According to PCHR documentation, at least 32 Palestinians have been killed by members of the PSS and unidentified gunmen during this reporting period. In addition, dozens of other people sustained injuries after being shot or severely beaten by unidentified gunmen who in some cases claimed to be members of the PSS.

The human rights violations perpetrated during the reporting period have included killings of fugitives, prisoners and detainees, injuries caused by severe physical violence, torture and misuse of weapons, the imposition of house arrest, and other restrictions that have been imposed on civil society organizations.

PCHR is gravely concerned about these continuing violations, which are criminal violations and offences. The Centre calls upon the Government in Gaza to take all necessary action within the law to put an immediate end to these crimes and violations, to rigorously investigate all allegations, to bring the perpetrators to justice, and to publish all its findings publicly.

### • killings of prisoners and detainees

Unidentified gunmen killed at least seventeen prisoners and detainees who fled Gaza Central Prison, which lies in the PSS compound in central Gaza City, after the IOF had bombarded the compound on 28 December, 2008. The prisoners who fled included persons sentenced to death for collaboration with Israeli Security Services, those convicted of committing other criminal offenses, and persons who had been detained for questioning or were awaiting trial.

According to testimonies given to PCHR by the families of those who were killed, as well as by eyewitnesses, unidentified gunmen abducted a number of prisoners whilst they were fleeing Gaza Central Prison, and their dead bodies were found a few days later in different areas of the Gaza Strip. Other prisoners and detainees who had escaped were abducted from their homes, and later found either dead or seriously injured. Some of the most seriously injured subsequently died of their injuries. The family of one victim told PCHR that gunmen had fired at their son whilst he was being treated at al-Shifa Hospital in Gaza City, after he had sustained shrapnel injuries during the bombardment of the PSS compound.

Dr. Mousa Abu Marzouq, Vice-Chairman of the Hamas Political Bureau, was interviewed by the al-Sharq Newspaper in Qatar on 21 January 2009. During the interview he claimed that Hamas had executed a number of spies in the Gaza Strip.



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On Monday, 2 February 2009, Taher al-Nouno, a Spokesman for the Government in Gaza, attended a press conference with Ihab al-Ghusein, Spokesman of the Ministry of the Interior, and Islam Shahwan, Spokesman for the Palestinian police in Gaza. During the press conference Al-Nouno stated that, "The Government makes distinctions between abuses of law and the actions of the Palestinian resistance during the war, regarding the execution of some collaborators who are involved in collaborating with the [Israeli] occupation."

### • other violations of the right to life and the right to personal security

During the reporting period nine other civilians were killed by identified and unidentified gunmen across the Gaza Strip. Two of the victims died after being severely beaten and tortured, and a third was killed after Palestinian police used excessive lethal force to disperse a funeral march. In addition, two other persons were abducted and killed by masked gunmen who claimed to be members of the Internal Security Services. In a separate case, two civilians who had been accused of collaborating with the IOF were abducted and killed by unidentified gunmen. Other civilians were also shot and injured after being abducted by gunmen across the Gaza Strip. The injured persons included activists from the Fatah movement. Below is a summary of the documented case:

1. On 28 December 2008, Saher Saleh al-Silawi, 25, from Rafah City, was killed by a bullet to the head, when the Palestinian police opened fire at a funeral march in Rafah City in order to disperse participants.
2. On 5 January 2009, Hesham Tawfiq al-Najjar, 45, from Gaza City was killed when gunmen opened fired at him whilst they were trying to abduct his brother 'Imran. 'Imran al-Najjar. Ten other civilians, including two women and two female children, were wounded in the incident.
3. On 7 January 2009, Hasan Ahmed Hejazi, 37, from Jabalia refugee camp, was shot dead by three masked gunmen. On 12 January 2009, the Hamas movement issued a statement indicating that Hejazi had been killed by mistake by its members. Hamas stated it took responsibility for the mistake.
4. On 15 January 2009, Zaher Hasan al-Za'anin, 43, from Beit Hanoun, arrived dead at Kamal 'Odwan Hospital in Beit Lahia. He had been abducted from his house by unidentified gunmen on 14 January 2009. Medical sources stated that Zaher al-Za'anin had died as a result of beating and torture.
5. On 15 January 2009, Ahmed Izzat Shaqqura, 52, from Khan Younis City, was found injured near Nasser Hospital. Doctors' efforts to save his life failed. Shaqqura had been abducted on 8 January, 2009 and been beaten and tortured. After being transferred to hospital, he was abducted from the hospital on 9 January, and was later found seriously injured near the hospital. The Izz al-Din al-Qassam Brigades, the military wing of the Hamas movement, published a video which apparently showed Shaqqura saying he was cooperating with the Israeli Security Services.
6. On 22 January 2009, Hani Ibrahim Abu Rida, 27, from Khuza'a village, was found injured in an area east of Khan Younis. He was transferred to hospital where he died of his injuries. Abu Rida had been abducted on 17 January by gunmen.
7. On 28 January 2009, Younis Mohammed Abu 'Amra, 37, from Gaza City, died of wounds he had sustained after being severely beaten by unidentified gunmen who abducted him on 24 January.



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8. On 28 January 2009, Osama Na'im 'Ata Allah, 40, from Gaza City, died of his injuries in hospital. He had been severely injured by a bullet in the back and had also been severely beaten after being abducted on 27 January 2009 by gunmen who claimed to be members of the Internal Security Services.
9. On 2 February 2009, Bashir 'Elian al-Zaytoona, 41, was found dead near al-Shifa Hospital in Gaza City. Al-Zaytoona had been abducted on 29 January 2009 from his house in the al-Shati refugee camp by gunmen who claimed to be members of the Internal Security Services.

According to testimonies PCHR has taken from those who sustained injuries, as well as statements obtained from eye-witnesses, the majority of these victims were abducted from their homes and then taken to unknown destinations. They were blindfolded, severely beaten and shot in their feet. The following testimonies are examples of violations of the right to life and the right to personal security.

A brother of Younis Mohamed Abu 'Amra, who died on 28 January after being tortured, stated the following to PCHR:

*“At approximately 15:30 on Saturday, 24 January [2009], ten gunmen dressed in civilian clothes raided the house of my brother Younis Mohammed Abu 'Amra, in the southern al-Remal neighborhood of Gaza City. We knew two of the gunmen who work in the General Intelligence Service. The gunmen were traveling in a white Volkswagen minibus. They abducted my brother, Younis. Shortly afterwards, I received a telephone call telling me my brother was near the Headquarters of the Council of Ministers in Tal al-Hawa [a district of Gaza City]. We immediately went to find him. We found my brother had been thrown into a hole in the ground. We saw scars and bruises on his limbs. He was bleeding from the head. We transferred him to the al-Shifa Hospital in Gaza City for treatment. When he regained conscience, Younis, told me that the gunmen took him to an open area, removed him from the vehicle and beat him severely throughout his body using clubs and gun butts. The doctor who was treating my brother said he was suffering fractured limbs, severe bruising and a wound to the head. His health deteriorated in the few days that followed the incident. He was then transferred to the Intensive Care Unit and stayed there till he died on the morning of Wednesday 28 January [2009].”*

The father of Saher Saleh al-Silawi, who died in Rafah on 28 December, 2008, stated the following to PCHR:

*“At approximately 16:00 on Sunday 28 December, the funeral march of Majed Abu Tyour, who had been killed in the Israeli attacks, and who was a member of Fatah, passed by our house in the al-Brazil neighborhood near Rafah City. The march was heading to the cemetery near the al-Jawazat Square in the al-Brazil neighborhood. My son, Saher, was in the funeral march. When the participants arrived at al-Jawazat Square, members of the Palestinian police opened fire to disperse them. Shortly afterwards, I heard that my son had been injured in the shooting. I headed to the Martyr Mohammed Yousif al-Najjar Hospital [in Khan Yunis] and I found that my son had sustained serious injuries from a bullet in his head. He had been transferred to the Gaza European Hospital in Khan Yunis. Doctors could not save him and he died at approximately 17:30 on 28 December 2008.”*



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The wife of another person injured by unidentified gunmen told PCHR the following:

*“At approximately 20:40 on Wednesday, 31 December [2008], someone knocked on the door, calling for my husband who was in our house in Rafah City. My husband opened the door to see who it was. A few minutes later I heard gunfire. I rushed towards the door and found my husband on the ground, bleeding from his feet. I saw three masked gunmen running away. We called an ambulance and took him to the Martyr Mohammed Yousif al-Najjar Hospital, and then afterwards to the Gaza European Hospital in Khan Younis. My husband told me that the gunmen who shot him accused him of distributing sweets to express his delight at the Israeli bombardments [of Gaza]. My husband denied this accusation. My husband has been referred for medical treatment abroad because his wounds are serious.”*

A civilian who was wounded by unidentified gunmen, and who had previously been employed by the ex-military intelligence services, told PCHR the following:

*“At approximately 21:30 on Wednesday, 20 January [2009], unidentified gunmen who appeared from two vehicles tried to abduct me while I was near my house in Gaza City. I began screaming for help. My father and my brothers came out from the house to try to stop the gunmen, who immediately fired towards them. My father was wounded and one of my brothers, age 24, sustained bullets wounds in his abdomen. The gunmen took me into one of the cars by force. They put my head into a cloth bag and took me somewhere. While I was in the car they beat me severely. Then they took me outside and continued beating me, using clubs and gun butts till I fell to the ground. One of the gunmen helped me to stand up. Then they shot at me and ran away. I was wounded in my right foot. I took the bag off my head. I realized I was behind the Child Specialist Hospital in the al-Sheikh Radwan district [of Gaza city]. Some locals took me to al-Shifa Hospital.”*

A forty one year old victim, who is an elected member of a Municipal Council spoke to PCHR, and stated the following:

*“At approximately 17:30 on 1 January [2009], a group of gunmen raided the house of my mother while I was visiting her. They forced me to go downstairs at gunpoint. Then they severely beat me using clubs and gun butts. They left, but they did not fire into the air. I was transferred to the hospital of the Palestinian Red Crescent Society for treatment. I sustained fractured limbs, bruises throughout my body and wounds to my head and face.”*

### • Imposition of house arrest

PCHR has documented hundreds of cases in which house arrest was imposed on Palestinian civilians across the Gaza Strip during the recent Israeli offensive on the Gaza Strip. House arrests were imposed on activists from the Fatah movement, as well as on other civilians who were detained by the Security Services in Gaza for alleged criminal offenses. According to data collected by PCHR, the house arrests orders were given by the Internal Security Services of the Ministry of the Interior. According these house arrest orders, the person who is given the order cannot leave his house. The orders warned the recipients not to breach the order, saying they would be held responsible for their actions. Some of the orders included a note specifying that, “Everyone who does not comply with this order will be punished.”



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According to testimonies taken from persons who were subjected to these measures, gunmen arrived at their houses and delivered the house arrest papers, as issued by the Internal Security Services, to them directly, or else to a family member. The orders stated that the named person was prohibited from leaving their home for a specified period of time, or until another order had been issued. Other recipients of the house arrests, stated that gunmen, who claimed to be members of the Internal Security Services, came to their houses and told them in person they were under house arrest without issuing any papers.

### • **casualties caused by misuse of weapons or violence in family disputes**

Six Palestinian civilians, including a female child, were killed by misuse of weapons during the reporting period, including several killed during family disputes. PCHR has documented the following cases:

- On 28 December, 2008, 'Atef Mahmoud Abu Jazar, 50, and his son, Ramzi, 23, from Rafah City, were killed by gunshots to the abdomen during an armed dispute with the Abu 'Athra family. Later, on 31 December, 2008, Mershed Zeyad Abu 'Athra, 22, was killed by a bullet to the head, in the context of the same dispute.
- On 4 January, 2009, Kefah Salem 'Ataya al-Masri, 35, from Khan Younis, was killed by a bullet to the chest during a dispute between members of the Suboh family.
- On 14 January, 2009, Mousa Hasan Abu Nader, 35, from the al-Nuseirat refugee camp in central Gaza, was killed by a bullet to the chest during a dispute between the Abu 'Arian family and the Hejji family.
- On 22 January, 2009, Nada Ahmed al-Sheikh Khalil, age 7, arrived dead at the Martyr Mohammed Yousif al-Najjar Hospital in Rafah City. She had been killed by a bullet to her chest. The bullet came from a gun that her brother had been playing with in their house.

### • **Imposition of further restrictions on civil society organizations**

The government in Gaza has imposed further supervision of and restrictions on the work of many civil society organizations in the Gaza Strip. Many organisations report they have received written orders issued by the Ministry of the Interior, or oral warnings, that they must inform the competent bodies in the Government before receiving or distributing any kind of aid, either cash or material. These orders and warnings also indicate it is necessary for the organisations to secure approval from these competent bodies before beginning any new construction or developmental projects.

The orders also specify that those who do not comply will be held legally and administratively responsible for their actions. In the same context, the Palestinian police in Beit Hanoun forcibly took over the al-Taher Society, a civil society organisation located near Beit Hanoun Hospital, transforming it into a police station during the reporting period. In addition, on 22 January 2009, the Palestinian police detained Mr. Nidal Mohammed al-Msallami, Director of the Beit Lahia Development Society. The police informed Mr. al-Msallami that the society staff are now prohibited from working in the field of development.



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PCHR has gathered statements from a number of directors of civil society organizations. These statements indicate that the government in Gaza has confiscated aid these organizations have secured from international organizations which was donated in order to be distributed to victims of the Israeli offensive in the Gaza Strip.

### **In view of all of the above, PCHR:**

- Demands the Government in Gaza takes immediate and effective measurements within the law to end these violations of human rights, conducts serious investigations into all allegations of violations, bringing perpetrators to justice, whether they are members of the Palestinian Security Services or members of armed groups, and publishes all of its findings.
- Reiterates that many of the crimes and violations that have been perpetrated are a continuation of the state of security chaos and attacks on the rule of law plaguing the Occupied Palestinian Territory (OPT)
- Calls for an immediate halt to all house arrests, as well as impositions of restrictions on the movements of civilians. The Centre reiterates all civilians have the right to freedom of movement.
- Expresses its dismay at the restrictions being imposed on civil society organizations in the Gaza Strip. These organizations conduct their activities according to the law, as well as to stated objectives. These organizations have certificates of registration, and licenses that have been issued by the Ministry of the Interior. The Centre states the necessity of these organisations being allowed to carry out their activities freely, especially in order to meet the demands currently imposed on them in the aftermath of the IOF offensive of the Gaza Strip.



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### Annex I: Prisoners and Detainees Who were Killed by Palestinians During the Israeli Offensive on the Gaza Strip

Prisoners and detainees who were killed for collaboration with Israeli security services				
Date	Name	Age	Address	Details
28 Dec. 2008	Jamal Ibrahim Hasan al-Ghandour	46	Jabalia Refugee Camp	al-Ghandour was killed in the al-Shifa Hospital in Gaza City after he fled Gaza Central Prison.
28 Dec. 2008	Eyad Ahmed Dyab Sukkar Mohammedein	35	Gaza	Mohammedein was killed in Gaza City after he fled Gaza Central Prison. He was sentenced to death on 20 July 2008 by a military court for collaboration with an enemy state.
28 Dec. 2008	'Atef 'Ateya Abu 'Aysha	45	Jabalia Town	Abu 'Aysha was a detainee accused of collaboration with an enemy state. He was killed in Gaza City after he fled Gaza Central Prison.
28 Dec. 2008	Mohammed 'Ateya Abu 'Aysha	28	Jabalia Town	Abu 'Aysha was a detainee accused of collaboration with an enemy state. He was killed in Gaza City after he fled Gaza Central Prison.
29 Dec. 2008	Mahmoud 'Ateya Abu 'Aysha	26	Jabalia Town	Abu 'Aysha was a detainee accused of collaboration with an enemy state. He was killed in Gaza City after he fled Gaza Central Prison.
29 Dec. 2008	Saleh Salim Darwish al-Hejooj	37	Izzbat Beit Hanoun	Al-Hejooj was a detainee accused of collaboration with an enemy state. He was killed in Gaza City after he fled Gaza Central Prison.
29 Dec. 2008	Akram Mohammed al-Zatma	29	Rafah	Al-Zatma was killed in Rafah City after he had fled Gaza Central Prison. He was sentenced to death on 24 Oct, 2004 by a State Security Court for collaboration with an enemy state.
29 Dec. 2008	Mohammed Ali Hasan Seidam	34	Rafah	Seidam was killed in Rafah City after he had fled Gaza Central Prison. He was sentenced to death on 16 Dec, 2008 by a military court for collaboration with an enemy state.



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29 Dec. 2008	Salah Abdullah Jaber 'Awad	45	Rafah	'Awad was a detainee accused of collaboration. He was killed in Gaza City after he fled Gaza Central Prison. He was buried on 20 Jan, 2009.
31 Dec. 2008	Zakareya Ahmed Khalil al-Ghandour	61	Deir al-Balah	Al-Ghandour was killed in Gaza City after he fled Gaza Central Prison. He had been acquitted of all charges by a military court on 16 Oct, 2008.
1 Jan. 2009	Talal Imad Khalil al-Mughrabi	26	Al-Bureij Refugee Camp	Al-Mughrabi was abducted from the house of his grandfather in Khan Younis City He had fled Gaza Central Prison where he had been detained, accused of collaboration with an enemy state.
2 Jan. 2009	Saleh Khalil Ahmed Abu Zeid	59	Rafah	Zeid was killed near his house in Rafah City after he had fled Gaza Central Prison. He was detained, accused of collaboration with an enemy state.
7 Jan. 2009	Haidar Mahmoud Husein Ghanem	46	Rafah	Ghanem was killed in Rafah City after he had fled Gaza Central Prison. He was sentenced to death on 28 Oct. 2002 by a State Security court for collaboration with an enemy state.



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Prisoners and detainees who were killed for criminal offenses				
Date	Name	Age	Address	Details
29 Dec. 2008	Yaser Sa'id Zannoun	41	Rafah	Zannoun was killed in Rafah City. He was sentenced to death by a military court on 24 Jan. 2008 for killing Isma'il al-Mashouhi.
25 Jan. 2009	Sa'id Jamil 'Abed Zuhud	24	Gaza	Zuhud was killed in Gaza City. He was sentenced to death by the Court of Appeal on 14 June, 2005, for raping and killing a child, Mayada Abu Lamdi, in 2003.
26 Jan. 2009	Abdul Fatah Mohammed Sammour	27	Gaza	Sammour was killed in Gaza City. He was sentenced to death by the Court of Appeal on 14 June 2005 for raping and killing a child Mayada Abu Lamdi in 2003.
Detainees who were killed for security backgrounds				
Date	Name	Age	Address	Details
28 Dec. 2008	Nasser Ahmed Mohammed Muhana	34	Jabalia Refugee Camp	Muhana was killed in Gaza City. He was detained for being accused of murdering Isma'il Haneya during a festival for Gaza pilgrims in 2007.