

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	84
Land:	Gaza og Vestbredden
Kilde:	Amnesty International
Titel:	"Israel and the Occupied Territories"
Udgivet:	Maj 2005
Optaget på baggrundsmaterialet:	21. november 2005

Home	Site directory	Contact us	About this website
----------------------	--------------------------------	----------------------------	------------------------------------



Research/Evaluation

[Basic facts](#)[News](#)[Protecting refugees](#)[Donors/Partners](#)[Publications](#)[Statistics](#)[Research/Evaluation](#)[Executive Committee](#)[Administration](#)[Special events](#)[How you can help](#)

Today's date: Tuesday, 15 November 2005

[Search UNHCR On](#) Restrict to:
Research/Evaluat[Advanced Search](#)[Search Tips](#)[Search !\[\]\(166772600a13ad0a433053f90fe45649_img.jpg\)](#)[What's New on UN](#)[Sign up for UNHC](#)[Print this docu](#)[Email this docu](#)

Amnesty International - May 2005 Amnesty International Report 2005 – Israel and the Occupied Territories

Copyright notice: The copyright for this document rests with Amnesty International.

[Click to give](#)

Covering events from January - December 2004

The Israeli army killed more than 700 Palestinians, including some 150 children. Most were killed unlawfully – in reckless shooting, shelling and air strikes in civilian residential areas; in extrajudicial executions; and as a result of excessive use of force. Palestinian armed groups killed 109 Israelis – 67 of them civilians and including eight children – in suicide bombings, shootings and mortar attacks. Stringent restrictions imposed by the Israeli army on the movement of Palestinians in the Occupied Territories caused widespread poverty and unemployment and hindered access to health and education facilities. The Israeli army destroyed several hundred Palestinian homes, large areas of agricultural land, and infrastructure networks. Israel continued to expand illegal settlements and to build a fence/wall through the West Bank, confining Palestinians in isolated enclaves cut off from their land and essential services in nearby towns and villages. Israeli settlers increased their attacks against Palestinians and their property and against international human rights workers. Certain abuses committed by the Israeli army constituted crimes against humanity and war crimes, including unlawful killings; extensive and wanton destruction of property; obstruction of medical assistance and targeting of medical personnel; torture; and the use of Palestinians as "human shields". The deliberate targeting of civilians by Palestinian armed groups constituted crimes against humanity.

Background

In February Prime Minister Ariel Sharon announced the "disengagement plan", to evacuate all Israeli settlements in the Gaza Strip and four in the West Bank, while maintaining military control of all land and sea access to the Gaza Strip, and of its airspace. In October Prime Minister Sharon's bureau chief publicly stated that the evacuation of Israeli settlements in the Gaza Strip was intended to strengthen Israeli control of much of the West Bank, where more than 100 Israeli settlements are located. Israel started to build a network of secondary roads and tunnels in the West Bank intended to keep existing main roads for the sole use of Israeli settlers. No steps were taken to implement the "road map" peace plan, agreed the previous year by Israel and the Palestinian Authority (PA) and sponsored by the USA, the UN, the European Union and Russia. After the death of PA President Yasser Arafat in November, the "road map" sponsors expressed renewed interest in its implementation and urged Israel and the PA to resume peace negotiations within its framework.

Killings and attacks by the Israeli army

The Israeli army killed around 700 Palestinians, including some 150 children, in the Occupied

Territories, most of them unlawfully. Many were killed in deliberate as well as reckless shooting, shelling and bombardment of densely populated residential areas or as a result of excessive use of force. Some 120 Palestinians were killed in extrajudicial executions, including more than 30 bystanders, of whom four were children. Others were killed in armed clashes with Israeli soldiers. Thousands of others were injured.

- Four Palestinian schoolgirls were shot dead by the Israeli army in their classrooms or walking to school in the Gaza Strip in September and October. Raghda Adnan al-Assar and Ghadeer Jaber Mukhaymar, aged 10 and nine, were shot dead by Israeli soldiers while sitting at their desks in UN schools in Khan Yunis refugee camp. Eight-year-old Rania Iyad Aram was shot dead by Israeli soldiers as she was walking to school. On 5 October Israeli soldiers shot dead 13-year-old Iman al-Hams near her school in Rafah. According to an army communication recording of the incident and testimonies of soldiers, a commander repeatedly shot the child at close range even though soldiers had identified her as "a little girl... scared to death". The commander was charged with illegal use of his weapon, obstructing justice,

improper use of authority and unbecoming conduct. He was not charged with murder or manslaughter.

- On 22 March, Hamas leader Sheikh Ahmad Yassin, a 66-year-old wheelchair-bound paraplegic, was assassinated in an Israeli air-strike as he was leaving a mosque in Gaza City after dawn prayers. Seven other Palestinians were killed in the attack and at least 17 were injured. His successor, 'Abd al-'Aziz al-Rantisi, was likewise assassinated by the Israeli army on 17 April.
- Ten-year-old Walid Naji Abu Qamar, 11-year-old Mubarak Salim al-Hashash, 13-year-old Mahmoud Tariq Mansour and five others were killed on 19 May in Rafah in the Gaza Strip when the Israeli army opened fire with tank shells and a helicopter-launched missile on a non-violent demonstration. Dozens of other unarmed demonstrators were also wounded in the attack.

'Human shields'

Israeli soldiers continued to use Palestinians as "human shields" during military operations, forcing them to carry out tasks that endangered their lives, despite an injunction by the Israeli High Court banning the practice. A petition against the use of "human shields" submitted by Israeli and Palestinian human rights organizations to the Supreme Court in May 2002 was still pending at the end of 2004.

- In April, Israeli soldiers used 13-year-old Muhammed Badwan as a "human shield" during a demonstration in the West Bank village of Biddu. The soldiers placed the boy on the hood of their jeep and tied him to the front windscreen to discourage Palestinian demonstrators from throwing stones in their direction.

Killings and attacks by Palestinian armed groups

Sixty-seven Israeli civilians, including eight children, were killed by Palestinian armed groups in Israel and in the Occupied Territories. Forty-seven of the victims were killed in suicide bombings, the others were killed in shooting or mortar attacks. Most of the attacks were claimed by the al-Aqsa Martyrs Brigades, an offshoot of Fatah, and by the armed wing of Hamas. Forty-two Israeli soldiers were also killed by Palestinian armed groups, most of them in the Occupied Territories.

- Chana Anya Bunders, Natalia Gamril, Dana Itach, Rose Bona and Anat Darom and six other Israelis were killed on 29 January when a Palestinian man blew himself up on a bus in Jerusalem. More than 50 other people were wounded in the attack. The suicide bombing was claimed by both the al-Aqsa Martyrs Brigades and the armed wing of Hamas.
- Tali Hatuel, who was eight months pregnant, and her four young daughters, Hila, Hadar, Roni and Meirav, aged between two and 11, were shot dead in the Gaza Strip while travelling by car near the Gush Katif settlement block where they lived. They were shot at close range by Palestinian gunmen who had opened fire on their car and caused it to career off the road.
- On 28 June, three-year-old Afik Zahavi and 49-year-old Mordechai Yosepov were the first victims of a rocket fired by Palestinian armed groups from the Gaza Strip into the nearby Israeli city of Sderot. On 29 September, four-year-old Yuval Abebeh and two-year-old Dorit Aniso were killed by another Palestinian rocket while playing outside their relatives' home in Sderot.

Attacks by Israeli settlers in the Occupied Territories

Israeli settlers stepped up attacks against Palestinians and their property throughout the West Bank and also increased attacks on international human rights activists. They destroyed and damaged trees owned by Palestinians and frequently prevented Palestinian farmers from harvesting their crops.

- On 27 September, an Israeli settler shot dead Sayel Jabara, a Palestinian taxi driver, as he was driving his passengers between Nablus and Salem. The settler claimed that he shot Sayel Jabara because he thought that he might attack him, even though Sayel Jabara was not armed. The settler was released on bail less than 24 hours after the killing.
- In September and October Israeli settlers, wearing hoods and armed with stones, wooden clubs and metal chains, assaulted two US citizens, members of the Christian Peacemaker Teams (CPT), and AI delegates as they escorted Palestinian primary school children to school near Tuwani village in the Hebron area. CPT members Kim Lamberty

sustained a broken arm and knee as well as bruising, and her colleague Chris Brown sustained a punctured lung and multiple bruises. The attackers came from the Israeli settlement of Havat Ma'on and returned there after the attacks. Israeli settlers from Havat Ma'on continued to attack Palestinian children on their way to school with impunity.

Impunity

Most members of the Israeli army and security forces continued to enjoy impunity. Investigations, prosecutions and convictions for human rights violations were rare. In the overwhelming majority of the thousands of cases of unlawful killings and other grave human rights violations committed by Israeli soldiers in the previous four years, no investigations were known to have been carried out.

Israeli settlers also enjoyed impunity for attacks on Palestinians and their property and international human rights workers. The Israeli army and police consistently failed to take steps to stop and prevent such attacks and routinely increased restrictions on the local Palestinian population in response to attacks by Israeli settlers.

Destruction of Palestinian property in the Occupied Territories

The Israeli army carried out large-scale destruction of Palestinian houses and property in the Occupied Territories, far exceeding the destruction of previous years. It demolished several hundred homes, mostly in the Gaza Strip, making thousands of Palestinians homeless, and destroyed large areas of agricultural land, roads and water, electricity and communications infrastructure. Such destruction was often a form of collective punishment on the local population in retaliation for attacks by Palestinian armed groups. The army usually gave no warning of the impending destruction and inhabitants were forced to flee their homes without being able to salvage their possessions. UN agencies and humanitarian organizations were unable to respond to the needs of tens of thousands of Palestinians whose homes had been destroyed by the Israeli army over the previous four years.

- In May the Israeli army destroyed some 300 homes and damaged some 270 other buildings in Rafah refugee camp in the Gaza Strip, making nearly 4,000 people homeless in the space of a few days. Several people were trapped in their homes when Israeli army bulldozers began to tear down the

houses and had to drill holes in the back walls to escape. Thousands of other residents also fled their homes, fearing imminent destruction. UN schools had to be used as temporary shelters for the homeless. The mass destruction came in the wake of an attack by Palestinian gunmen in which five Israeli soldiers were killed. Israeli officials claimed the destruction was intended to further widen the no-go area along the Egyptian border and to uncover tunnels used by Palestinians to smuggle weapons into the Gaza Strip from Egypt.

- In October, after two Israeli children were killed by a Palestinian mortar fired from the Gaza Strip, the Israeli army launched a major attack in and around the Jabalya refugee camp in the northern Gaza Strip, and destroyed or damaged some 200 homes and buildings as well as roads and other vital infrastructure.

Collective punishment, closures and violations of economic and social rights

The Israeli army continued to impose stringent restrictions on the movements of Palestinians in the Occupied Territories. Military checkpoints and blockades around Palestinian towns and villages hindered or prevented access to work, education and medical facilities and other crucial services. Restrictions on the movement of Palestinians remained the key cause of high rates of unemployment and poverty. More than half of the Palestinian population lived below the poverty line, with increasing numbers suffering from malnutrition and other health problems.

Palestinians had to obtain special permits from the Israeli army to move between towns and villages within the West Bank and were barred from main roads and many secondary roads which were freely used by Israeli settlers living in illegal settlements in the Occupied Territories. Movement restrictions for Palestinians were routinely increased in reprisal for attacks by Palestinian armed groups and during Jewish holidays. Further restrictions were also imposed on the movement of international human rights and humanitarian workers throughout the Occupied Territories.

The Israeli army routinely used excessive and unwarranted force to enforce blockades and movement restrictions. Soldiers frequently fired recklessly towards unarmed Palestinians, ill-treated, humiliated and arbitrarily detained Palestinian men, women and children, and confiscated or damaged vehicles. Sick people

needing to reach medical facilities were often delayed or denied passage at checkpoints.

Continued construction by Israel of a fence/wall through the West Bank left an increasing number of Palestinians cut off from health, education and other essential services in nearby towns and villages and from their farm land – a main source of subsistence for Palestinians in this region. Large areas of Palestinian land were encircled by the fence/wall and Palestinians living or owning land in these areas had to obtain special permits from the Israeli army to move in and out of their homes and land. Israeli soldiers frequently denied passage to residents and farmers in these areas. In July the International Court of Justice declared that Israel's construction of the fence/wall in the West Bank was illegal under international law and called for it to be dismantled.

In an exceptional ruling in June, the Israeli High Court ordered that some 30km of the fence/wall be re-routed. The Israeli army subsequently made minor adjustments to some five per cent of the route of the fence/wall.

Detainees and releases

Thousands of Palestinians were detained by the Israeli army. Most were released without charge. More than 3,000 were charged with security offences. Trials before military courts often did not meet international standards of fairness, and allegations of torture and ill-treatment of Palestinian detainees were not adequately investigated. Some 1,500 Palestinians were detained administratively without charge or trial during the year.

In January Israeli authorities and the Lebanese group Hizbollah concluded an exchange of detainees, hostages and remains of soldiers and combatants. Hizbollah released an Israeli businessman and the bodies of three Israeli soldiers captured in Lebanon in October 2000. Israel released some 400 Palestinian detainees, 35 detainees from other Arab countries, mostly Lebanese, and the bodies of 59 Lebanese killed by the Israeli army and buried in Israel. Among those released by Israel were four Lebanese men who had been held as hostages without charge or trial for several years.

Former nuclear technician and whistle-blower Mordechai Vanunu was released in April, having served his entire 18-year jail sentence, mostly in solitary confinement. Upon his release he was banned from leaving the country and from communicating with foreigners and his movements

in the country were restricted. He was twice rearrested and interrogated in November and December.

Violence against women

The UN Special Rapporteur on violence against women visited the Occupied Territories in June to gather information on the impact of the occupation and conflict on women. She concluded that the conflict had disproportionately affected Palestinian women in the Occupied Territories, in both the public and private spheres of life. In addition to the women killed or injured by Israeli forces, Palestinian women were particularly negatively affected by the demolition of their homes and restrictions on movement, which hampered their access to health services and education, and by the sharp increase in poverty. The dramatic increase in violence as a result of the conflict also led to an increase in domestic and societal violence, while at the same time there were increased demands on women as carers and providers.

Discrimination

In August the UN Committee on the Elimination of Racial Discrimination called for the revocation of the Citizenship and Entry into Israel Law, passed the previous year and extended for six months in July. The law institutionalized racial discrimination. It barred Israeli Arab citizens married to Palestinians from the Occupied Territories from living with their spouses in Israel, and forced families to either live apart or leave the country altogether.

AI visits

AI delegations visited Israel and the Occupied Territories in May, September and October.