

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	148
Land:	Gaza
Kilde:	Amnesty International.
Titel:	Annual Report 2010. Palestinian Authority.
Udgivet:	28. maj 2010.
Optaget på baggrundsmaterialet:	23. juni 2010.

Title	Amnesty International Report 2010 - Palestinian Authority
Publisher	Amnesty International
Country	Occupied Palestinian Territory
Publication Date	28 May 2010
Cite as	Amnesty International, <i>Amnesty International Report 2010 - Palestinian Authority</i> , 28 May 2010, available at: http://www.unhcr.org/refworld/docid/4c03a80b3c.html [accessed 23 June 2010]



Amnesty International Report 2010 - Palestinian Authority

PALESTINIAN AUTHORITY

Head of Palestinian Authority: Mahmoud Abbas

Head of government: Salam Fayyad

Death penalty: retentionist

Population: 4.3 million

Life expectancy: 73.3 years

Under-5 mortality (m/f): 23/18 per 1,000

Adult literacy: 93.8 per cent

During Operation "Cast Lead", the 22-day military offensive launched by Israel that ended on 18 January, Hamas forces and militias in the Gaza Strip continued to fire indiscriminate rockets and mortars into Israel, and within Gaza they abducted political opponents and former detainees alleged to have "collaborated" with the Israeli intelligence services; some were summarily killed, others were beaten or shot in the legs. Throughout the year, Palestinian Authority (PA) security forces in the West Bank and Hamas security forces and militias in Gaza arbitrarily detained hundreds of members or sympathizers of rival factions without charge or trial and often tortured and otherwise ill-treated them. Security agencies under the PA in the West Bank and the de facto administration in Gaza used excessive force when confronting armed rivals, causing a number of civilian deaths. The PA in the West Bank and Hamas in Gaza continued to clamp down on freedom of expression. Military courts in the West Bank and Gaza sentenced 17 people to death; no executions were carried out.

Background

Israel's occupation of the West Bank, including East Jerusalem, and the Gaza Strip continued. In this context, two separate non-state Palestinian authorities operated with limited powers: in the West Bank, the caretaker government of the PA under Prime Minister Salam Fayyad appointed by President Mahmoud Abbas of the Fatah party; and in the Gaza Strip, the Hamas de facto administration under former PA Prime Minister Isma'il Haniyeh. Inter-factional tension continued between Fatah and Hamas despite

attempts at reconciliation sponsored by the Egyptian government.

Armed groups affiliated to Hamas largely complied with the ceasefire with Israel declared in late January, but other Palestinian armed groups linked to the Popular Front for the Liberation of Palestine (PFLP), Fatah and Islamic Jihad continued to fire rockets and mortars into southern Israel periodically throughout the year; although indiscriminate, these did not cause Israeli civilian fatalities.

The Israeli military blockade of Gaza, in force since June 2007, continued to have a devastating impact on food security, health and civilian infrastructure. The humanitarian crisis caused by the blockade was exacerbated by Operation "Cast Lead" (see Israel and the Occupied Palestinian Territories entry), which destroyed more than 3,000 homes and damaged a further 20,000. Scores of civilian buildings, including hospitals, clinics and schools, were also damaged. The Israeli authorities restricted the entry of basic commodities such as fuel and imposed a total ban on the import of cement, so tunnels running under the Gaza-Egypt border were increasingly used to smuggle in goods. The inherently unsafe tunnels were made more dangerous by attacks by Israeli forces; dozens of people, including children, were killed and injured in the tunnels.

In September, the UN Human Rights Council's Goldstone report accused both Israel and Hamas of war crimes in Gaza and southern Israel during Operation "Cast Lead", and recommended that those responsible be brought to justice. The Hamas de facto administration did not establish any independent or impartial investigation into the conduct of Palestinian armed groups; Hamas officials said only that they were prepared to conduct internal investigations.

Unlawful killings

During and immediately following Israel's military operation in the Gaza Strip, Hamas forces and militias there engaged in a campaign of abductions, deliberate and unlawful killings, torture and death threats against people they accused of "collaborating" with Israel and other opponents and critics. More than 30 individuals were summarily killed. Scores of others were shot in the legs, kneecapped or otherwise injured in ways intended to cause permanent disability, or they were severely beaten or otherwise tortured or ill-treated. These abuses were committed with impunity, with the apparent approval of the Hamas leadership.

- Saleh Jahjough from Beit Hanoun was shot dead in al-Shifa' Hospital on 21 January. He had been held at Gaza Central Prison accused of "collaboration" with Israel but was moved to the hospital after being injured in an Israeli air attack on the prison.

In addition to the targeted killings, at least five civilian bystanders were killed and injured in the West Bank and Gaza Strip during violent clashes between Palestinian security forces and armed groups.

- On 31 May, one civilian was killed in the West Bank town of Qalqiliya during a gunfight between PA police and armed supporters of Hamas who were resisting arrest. Three policemen and two armed members of Hamas were also killed.
- On 14 and 15 August, at least four civilians were killed and others injured in Rafah in the Gaza Strip during a clash between Hamas security forces and members of Jund Ansar Allah, an armed group that claims allegiance to al-Qa'ida. In all, some 24 people were killed and more than 100 injured in the gunfight.

Abuses by armed groups

The armed wing of Hamas and other Palestinian armed groups based in Gaza fired hundreds of rockets and mortars into southern Israel before Hamas declared a ceasefire on 18 January. The attacks killed three civilians and severely injured at least four

others. Several homes were also damaged.

- Seven-year-old Uriel Elazarov was seriously injured by shrapnel when a rocket exploded in Bersheva, southern Israel, on 15 January. Five other civilians were injured in the same attack.

After 18 January, the PFLP, Fatah and Islamic Jihad continued sporadically to fire rockets and mortars from Gaza into southern Israel.

Hamas continued to deny the captured Israeli soldier Gilad Shalit access to the ICRC or visits from his family. In October, Hamas issued a video of Gilad Shalit that showed he was still alive and in captivity.

Justice system

The judicial systems in the West Bank and Gaza remained extremely problematic. The PA continued to prohibit former members of the judiciary and security forces from working for the Hamas de facto administration in Gaza, and to pay them for not working. Hamas continued to use alternative prosecutors and judges who often lacked the necessary training and qualifications. In the West Bank, PA security forces frequently failed to comply with court decisions calling for them to release specific detainees.

Arbitrary arrests and detentions

In the West Bank and Gaza hundreds of people were arbitrarily arrested and held without charge or trial. Those detained were often suspected of involvement with a rival political party.

Torture and other ill-treatment

Detainees held in the West Bank and Gaza were frequently beaten, subjected to sleep deprivation, and forced to spend long periods handcuffed in painful stress positions (*shabeh*) during the interrogation period. Complaints of torture were rarely investigated.

Deaths in custody

In the West Bank, three detainees died while being detained by PA security forces; all three were reportedly arrested because of suspected involvement with Hamas and were alleged to have been tortured or otherwise ill-treated in custody.

- Haitham Amr, a nurse, was arrested at his home near Hebron on 11 June by members of the PA's General Intelligence Service; his death was announced four days later. His body had extensive and severe bruising and the Minister of the Interior later acknowledged that he had been tortured in detention. In an unusual move, the PA opened a military trial against the officers accused of involvement in his death.

In Gaza, at least four men died in the custody of Hamas security forces; three of them were alleged to have been tortured.

- Zayad Ayash Jaradat, a resident of Rafah, died in March while in the custody of Hamas police in the Gaza Strip after being detained under criminal charges. He was alleged to have died as a result of beatings by the police. The Ministry of the Interior dismissed 11 police officers, who were detained and expected to be brought to trial before a military court.

Freedom of expression

The Palestinian authorities in both the West Bank and Gaza curtailed media freedom and took action against media and journalists who criticized them.

In January in the West Bank, PA security forces detained and threatened journalists who reported the violent suppression of demonstrators protesting against the Israeli attack on Gaza. Throughout the year the security forces arrested and harassed media workers of al-Aqsa and al-Quds satellite channels, media outlets seen as aligned with Hamas. In July, the PA government ordered al-Jazeera to suspend its operations, but was quickly forced to retract this by a public outcry.

- Khaled Amayreh was arrested and detained without charge for three days in January by the PA's Preventative Security Agency in Hebron. He was interrogated about an interview with al-Quds TV in which he had criticized the PA's response to the Israeli attack on Gaza.

In Gaza on 14 August, the Hamas Ministry of the Interior banned journalists from accessing Rafah during fighting between the Hamas security forces and Jund Ansar Allah. In November, Hamas prevented a meeting of journalists organized by the International Federation of Journalists from taking place.

- Sari al-Qudweh, editor of *al-Sabah* newspaper, was detained by the Hamas de facto administration in Gaza in June. Hamas security officers also searched his home and closed the newspaper's offices. Sari al-Qudweh was released on 19 August.

Violence against women and girls

Five women and a 16-year-old girl were reported to have been victims of so-called honour killings, most carried out by male relatives. Perpetrators of such killings, when tried and convicted, generally receive inappropriately lenient sentences, often being imprisoned for less than three years.

- On 23 July, Fadia Jawdat al-Najjar, a divorced mother of five, was killed in Gaza. Her father, Jawdat al-Najjar, handed himself in to the police on 24 July and confessed to beating his daughter to death. He was charged with her murder and at the end of 2009 was awaiting trial.

Death penalty

Courts in the West Bank and Gaza continued to sentence people to death, particularly for murder and "collaboration", although no executions were carried out. In the West Bank, PA military courts handed down three death sentences for alleged "collaboration" and treason; in Gaza, Hamas military courts sentenced 14 people to death on charges of "collaboration", treason and murder.

Amnesty International visits/reports

- Amnesty International delegates visited the West Bank and Gaza Strip in January, February, June, July, October and November.
- Palestinian Authority: Hamas' deadly campaign in the shadow of the war in Gaza (MDE 21/001/2009)
- Israel/Gaza: Operation "Cast Lead" – 22 Days of Death and Destruction (MDE 15/015/2009)
- Troubled waters – Palestinians denied fair access to water (MDE 15/027/2009)

