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Gaza: Halt Executions

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Hamas authorities in the Gaza Strip should urgently act to stop executions of Palestinians accused of providing information to the Israeli military and appropriately punish those behind the executions, Human Rights Watch said today. News reports said unidentified gunmen believed to be acting on instructions from Hamas executed three people on August 21, 2014, 18 people on August 22, and four people on August 23.

Hamas officials told journalists that local courts had tried and sentenced some of the men to death for "collaborating with the enemy" but gave no details and did not release their names, ostensibly to protect their families. Gunmen carried out executions in an empty park and in a public square in Gaza City, and near a mosque in Jabalya, not at the Interior Ministry location where local regulations authorize carrying out judicial executions.

"Amid all the carnage in Gaza, it's abhorrent that Hamas officials are adding to it by permitting, if not ordering, the summary execution of Palestinians deemed to be collaborators," said Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch. "Hamas authorities need to stop these extrajudicial killings."

Hamas and its armed wing, the Izz el-Din al-Qassam Brigades, have not officially taken responsibility for the killings. However, a statement on a Hamas-affiliated website, Al Rai, said that, "The current circumstances forced us to take such decisions." The statement did not elaborate. Earlier on August 21, Israeli airstrikes killed three senior members of the Qassam Brigades, and targeted the home of Mohammed Deif, the leader of the armed group, whom Israel has unsuccessfully targeted in multiple attacks over the years."

Another Hamas-affiliated website, Al Majd, reported that the "resistance" had killed three alleged collaborators and arrested seven others on August 21. Citing a "security source," the website claimed the victims had been tried by "revolutionary procedures," but did not provide further information.

On June 2, Hamas had formally withdrawn from its role governing Gaza with the creation of a "technocratic" unity Palestinian government, consisting largely of officials from the rival Fatah political faction. However, Hamas continues to exercise de facto authority in Gaza. Hamas's

failure to investigate or prosecute anyone for public executions in the past, including executions for which its armed wing claimed responsibility in 2012, has, at the least, created an enabling environment for such gross abuses.

On the morning of August 22, 11 people whom Hamas officials later described as alleged collaborators were executed in al-Katiba Park, near al-Azhar University in Gaza City, according to news reports. A Gaza-based journalist told Human Rights Watch that the park was empty of other people at the time. The Palestinian Center for Human Rights reported that two of those executed were women. Unnamed security officials in Gaza told journalists that local courts had convicted some of the 11 people, news reports said.

Several hours later, hooded gunmen in black clothing without identifiable markings executed another seven men whom the gunmen had lined up against a wall outside the Omari mosque in Gaza City, before a large crowd, a local journalist and news reports said. Accounts from witnesses reported in the media said that the names of the men executed were not given. Photographs published in the media show the victims with their heads covered and their hands tied.

Human Rights Watch viewed a printed notice stating that the "ruling of revolutionary justice was handed down" against the men killed outside the mosque. It was signed by "the Palestinian Resistance," not by any official body, suggesting that Hamas may not have carried out these executions. However, Al Majd website said that "revolutionary military trials" had convicted the seven men. The website also stated: "The resistance has begun an operation called 'Strangling the Necks,' targeting collaborators who aid the [Israeli] occupation" and "kill our people."

On August 23, hooded gunmen shot to death four men near the wall of a mosque in Jabalya refugee camp, north of Gaza City, according to Palestinian news reports.

Under the 1979 Revolutionary Penal Code of the Palestinian Liberation Organization, conveying information to the enemy to aid its military forces is punishable by death. In past cases, Gaza military courts have convicted defendants of collaboration and sentenced them to death after unfair trials, including cases based almost entirely on confessions that lawyers and family members said were coerced. Human Rights Watch opposes the death penalty in all circumstances as an inherently cruel and irreversible punishment. Death sentences imposed under processes, if any, that are so compromised are particularly outrageous.

Human Rights Watch is aware of reports that gunmen have executed or shot and maimed other alleged collaborators in Rafah and in Gaza City since July 7, when Israeli forces began a military offensive in Gaza.

Hamas authorities have never brought anyone to justice for killing alleged collaborators. In November 2012, gunmen from the Qassam Brigades killed seven men in a Gaza City street, claiming the men were informants. Hamas officials falsely claimed that six of the men had been caught "red handed" during hostilities that month. In fact all seven men had been in prison for months or years before the hostilities. During and after the last major ground offensive by Israeli forces into Gaza, from December 2008 to January 2009, gunmen killed 32 people in Gaza, and maimed others by shooting them in the legs, including men whom Hamas officials described as collaborators.

"Hamas authorities should immediately investigate and take appropriate action against all those responsible for these killings and prevent future killings from taking place," Whitson said. "Spying and treason are serious crimes in any jurisdiction, but Hamas leaders should make it clear that death sentences are not the answer, let alone these summary executions."

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