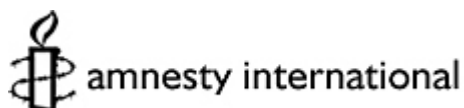


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	174
Land:	Gaza og Vestbredden
Kilde:	Amnesty International.
Titel:	Annual Report 2012 – Palestinian Authority.
Udgivet:	24. maj 2012
Optaget på baggrundsmaterialet:	14. august 2012

Title	Amnesty International Annual Report 2012 - Palestinian Authority
Publisher	Amnesty International
Country	Occupied Palestinian Territory
Publication Date	24 May 2012
Cite as	Amnesty International, <i>Amnesty International Annual Report 2012 - Palestinian Authority</i> , 24 May 2012, available at: http://www.unhcr.org/refworld/docid/4fbc391bc.html [accessed 7 August 2012]
Disclaimer	This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.



Amnesty International Annual Report 2012 - Palestinian Authority

Head of Palestinian Authority: **Mahmoud Abbas**

Head of government: **Salam Fayyad**

Death penalty: **retentionist**

Population: **4.2 million**

Life expectancy: **72.8 years**

Under-5 mortality: **29.5 per 1,000**

Adult literacy: **94.6 per cent**

In the West Bank, the Fatah-controlled Palestinian Authority (PA) arbitrarily arrested and detained supporters of Hamas; in the Gaza Strip, the Hamas de facto administration arbitrarily arrested and detained supporters of Fatah. In both areas, security forces tortured and otherwise ill-treated detainees with impunity; in Gaza, four detainees died in custody. Both the PA and Hamas restricted freedom of expression and association, and their security forces used excessive force against demonstrators. In Gaza, at least eight people were sentenced to death and three people were executed. In the West Bank, there were no executions, but one man was sentenced to death. The humanitarian crisis affecting the Gaza Strip's 1.6 million residents continued due to Israel's ongoing military blockade and the sanctions imposed on the de facto Hamas authorities by other states.

Background

The West Bank, including East Jerusalem, and Gaza remained under Israeli occupation, but two separate non-state Palestinian authorities operated with limited powers – the Fatah-led PA government in the West Bank and the Hamas de facto administration in Gaza.

In September, Palestinian President Mahmoud Abbas applied to the UN to accept Palestine as a full member state; the application was still being considered at the end of 2011. Palestine was admitted as a member of UNESCO in October. Negotiations between Israel and the PA remained stalled.

Indirect negotiations between Israel and Hamas resulted in the release of Gilad Shalit,

an Israeli soldier held captive in Gaza since 2006. He was freed on 18 October in exchange for the phased release of 1,027 Palestinian prisoners held by Israel, some of whom were sent into exile as a condition of their release.

Efforts to secure a reconciliation between the PA and Hamas and the formation of a unified Palestinian government continued, with Egypt mediating. A framework unity agreement was signed in Cairo in May but not implemented in 2011.

Despite announced ceasefires, Palestinian armed groups in Gaza fired indiscriminate rockets and mortars into Israel, and Israeli forces carried out air strikes that they said targeted Palestinians in Gaza involved in attacking Israel.

Israel continued to control Gaza's borders, coast and airspace, and maintained the military blockade in force since 2007. The blockade impacted severely on Gaza's population, particularly children and those most vulnerable, continuing the humanitarian crisis. The reopening of the Rafah crossing between Gaza and Egypt in May improved residents' access to the outside world, but did not ameliorate humanitarian conditions; Israel continued to restrict a wide range of imports to Gaza, negatively impacting food security, health and local infrastructure. Some 36 Palestinians were killed in air strikes and accidents in underground tunnels used to smuggle goods from Egypt to Gaza.

In the West Bank, Israel maintained extensive restrictions on the movement of Palestinians and continued to develop and extend Israeli settlements built on Palestinian land in breach of international law. Jewish settlers attacked and assaulted Palestinians and destroyed their property with virtual impunity. Three Palestinians, including two children, were killed in such attacks and others were wounded. Eight Israeli settlers, including five members of one family, were killed by Palestinians.

Arbitrary arrests and detentions

In the West Bank, PA security forces arbitrarily arrested and detained hundreds of suspected Hamas supporters; most were held without access to due legal process. Many were arrested when President Abbas visited the UN in New York in September.

In Gaza, Hamas security forces arbitrarily arrested and detained hundreds of suspected Fatah supporters, usually holding them without access to lawyers and often mistreating them. The Independent Commission for Human Rights (ICHR), a PA-established monitoring body, reported receiving complaints of more than 1,000 arbitrary arrests in the West Bank and more than 700 in Gaza.

Hamas continued to ban the ICHR from visiting detention centres run by Internal Security in Gaza. In the West Bank, the PA banned the ICHR from accessing General Intelligence detention centres from March until May after the ICHR criticized the security agency.

- PA Preventive Security officials arrested Saed Yassin on 21 September and searched his home in Nablus without producing arrest or search warrants. They detained him for five days in solitary confinement before taking him before a judge. Accused of "working against the Palestinian Authority", he was acquitted and released after 22 days in custody. His interrogators told him that he was arrested for precautionary reasons in connection with President Abbas' visit to the UN.
- After being summoned for interrogation numerous times during 2011, youth activist Mohammed Matar was detained by Internal Security officials in Gaza on 14 August and denied access to his family and lawyer until his release on 16 August. He was questioned about his travel abroad and involvement in the movement for Palestinian unity.

Torture and other ill-treatment

Detainees were tortured and otherwise ill-treated, particularly by Preventive Security and the General Intelligence Service in the West Bank, and by Internal Security in Gaza, all of which were able to abuse detainees with impunity. The ICHR reported receiving over 120 such allegations in the West Bank and over 100 in Gaza. Alleged methods included beatings, suspension by the wrists or ankles, and enforced standing or sitting in painful positions (*shabeh*) for long periods. The ICHR also received complaints of torture and other ill-treatment of suspects by police – over 50 in the West Bank and 100 in Gaza.

In Gaza, four people died in custody in suspicious circumstances.

- 'Adel Razeq was reported to have died four days after he was arrested without a warrant on 14 April. The Hamas authorities said his death was due to deterioration in his medical condition; his family said he had been in good health when arrested. Hamas said his death was being investigated; the outcome was not made public.

Justice system

On 16 January, the PA said that its security agencies would abide by civil procedural law and that civilians would no longer be tried before military courts. In practice, however, PA security forces continued to ignore court orders to release detainees, and civilians continued to be tried before military courts that were neither independent nor impartial.

In Gaza, Hamas continued to try civilians before unfair military courts and to rely on prosecutors and judges who lacked adequate training, qualifications and independence rather than those who had been appointed by the PA.

Freedom of expression, association and assembly

Both the PA and the Hamas authorities maintained tight controls on freedom of expression, association and assembly. They harassed and prosecuted journalists, bloggers and other critics, and in March used excessive force against demonstrators calling for national unity; scores of people were arbitrarily arrested and detained. Both authorities prevented the Islamist organization Hizb ut-Tahrir from holding meetings, forcibly dispersing their peaceful rallies, and restricted the activities of other political parties and NGOs.

- On 30 January, and 2 and 5 February, PA police and security forces responded with violence to people peacefully demonstrating in solidarity with protests elsewhere in the region, beating and arresting demonstrators and journalists seeking to report on the demonstrations.
- In the West Bank, lecturer and writer Dr Abdul-Sattar Qassim, 62, was detained on 25 August after a Nablus court charged him with incitement and defamation after he accused An-Najah University of failing to implement court orders allowing the return of three students who had been expelled. He was released on bail four days later; his trial was ongoing at the end of 2011.
- Uniformed and plainclothes Hamas police used excessive force on 15 March against thousands of demonstrators who had gathered near Gaza City to call for reconciliation between Hamas and Fatah. The attackers used sticks and clubs to beat demonstrators, including women, journalists and human rights activists. They also demolished tents put up by protesters, seized journalists' equipment, and detained scores of people.

Violence against women and girls

Women and girls continued to face discrimination in law and in practice and to face

gender-based violence, including murder, committed by male relatives. Human rights groups in Gaza confirmed that a woman was a victim of a so-called honour killing in December.

- In May, police identified the body of 20-year-old Ayat Ibrahim Barad'iyya, which had been dumped in a well near Hebron over a year earlier after she was murdered by her uncle in the name of honour. Later in May, in response to the outcry over the case, President Abbas repealed all legal provisions that had allowed men to obtain reduced sentences for murders committed in the name of honour.

Death penalty

In Gaza, military and criminal courts sentenced at least eight people to death after convicting them of "collaboration with Israel" or other offences. At least three men were executed, one by firing squad on 4 May and a father and son, who were hanged on 26 July. All had been sentenced after unfair trials.

In the West Bank, a military court sentenced one man to death for murder and other offences. There were no executions.

Abuses by armed groups

Palestinian armed groups associated with Fatah, Islamic Jihad and the Popular Front for the Liberation of Palestine fired indiscriminate rockets and mortars into southern Israel, killing two people and endangering the lives of others. The scale of rocket fire was higher than in 2010 but far less than during Israel's military Operation "Cast Lead" in 2008-09.

- Daniel Viflic, aged 16, died after a school bus in which he was travelling was struck by a missile fired from Gaza on 7 April.
- Vittorio Arrigoni, an Italian activist, was abducted and killed by Islamists in Gaza on 14 April. Hamas security forces killed two suspects during a raid on 19 April; four other suspects were charged and their military trial was continuing.

Impunity

The Hamas authorities failed to investigate alleged war crimes and possible crimes against humanity committed by Hamas' military wing and other Palestinian armed groups in Gaza during Operation "Cast Lead".

Copyright notice: © Copyright Amnesty International
