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Amnesty International Report 2014/15

State of Palestine

Head of state: Mahmoud Abbas

Head of government: Rami Hamdallah

Authorities in the West Bank and Gaza restricted freedoms of expression and peaceful assembly, carried out arbitrary arrests and detentions, and tortured and otherwise ill-treated detainees with impunity. Women and girls faced discrimination in law and practice, and were inadequately protected against gender-based violence. The death penalty remained in force; there were no executions in the West Bank, but the Hamas authorities in Gaza, who continued to try civilians before unfair military courts, carried out at least two executions. Hamas forces in Gaza carried out at least 22 extrajudicial executions of people they accused of “collaborating” with Israel. Israel’s Protective Edge military offensive killed more than 1,500 civilians in Gaza, wounded thousands more, and caused huge devastation, exacerbating the hardship felt by Gaza’s 1.8 million inhabitants due to Israel’s continuing military blockade of the territory. During the 50-day conflict, Hamas and Palestinian armed groups fired thousands of indiscriminate rockets and mortar rounds into civilian areas of Israel, killing six civilians, including one child.

Background

US-convened negotiations, which began in 2013 and aimed to resolve the decades-long Israeli-Palestinian conflict, concluded at the end of April without reaching any agreement.

The same month, Fatah, the ruling party of the Palestinian Authority, which administers the West Bank, and Hamas, the de facto administration in Gaza since 2007, announced a unity agreement. In June, Fatah, Hamas and other Palestinian factions agreed to a national reconciliation

government of independent technocrats to run civilian affairs in both areas until parliamentary and presidential elections take place. No date for elections had been set by the end of the year.

There was growing international recognition of Palestinian statehood, despite opposition from Israel and the USA. In October, Sweden became the first EU member state to recognize the State of Palestine (although three other European states did so before joining the EU), and the UK's House of Commons and France's National Assembly both passed non-binding votes in favour of recognition. In December, Jordan submitted a resolution to the UN Security Council that proposed setting a timetable for a negotiated settlement that would require Israel to end its occupation of Palestinian territories by the end of 2017.

In April, Palestine ratified the four Geneva Conventions and an array of international human rights and other treaties, including the ICCPR, ICESCR, CEDAW, the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict, and the UN Convention against Torture. On 31 December President Mahmoud Abbas signed 16 other international treaties as well as the Rome Statute recognizing the jurisdiction of the International Criminal Court in the Occupied Palestinian Territories including East Jerusalem from 13 June 2014.

Tensions were heightened by Israel's killing of at least 15 Palestinians by the end of June, the abduction and murder of three Israeli teenagers by Palestinians near Hebron and the revenge killing of a Palestinian youth by Israelis. The tensions spiralled into renewed armed conflict in July when Israel launched its Protective Edge military offensive, comprising aerial attacks and a ground invasion of Gaza. The offensive lasted for 50 days before the two sides agreed a ceasefire facilitated by the US and Egyptian governments. The offensive caused the deaths of more than 1,500 civilians in Gaza, including over 500 children, and the wounding of thousands more. It wrought huge devastation, damaging and destroying schools, hospitals, homes and other civilian infrastructure. Gaza remained under Israeli military blockade throughout the year.

Armed conflict

Hamas and Palestinian armed groups in Gaza repeatedly fired indiscriminate rockets and mortars into Israel. Firing greatly intensified in the period preceding and throughout Israel's Protective Edge military offensive in Gaza. By the time of the August ceasefire that ended the conflict, firing of indiscriminate weapons from Gaza by Palestinian armed groups had killed six civilians in Israel, including a child aged four, wounded other civilians and damaged a number of civilian homes. The firing also led directly to civilian deaths in Gaza, due to the premature explosion of some rockets; the killing of 10 Palestinian civilians including nine children in the al-Shati' refugee camp on 28 July was believed to have been caused by a rocket that fell short of its target. Palestinian armed groups also exposed civilians in Gaza to lethal harm from Israeli attacks by concealing and firing rockets and other projectiles from locations within or close to civilian residential areas. Firing was mostly halted after the ceasefire agreement.

Arbitrary arrests and detentions

Security authorities in both the West Bank and Gaza arbitrarily arrested and detained their critics and supporters of rival political organizations.

Torture and other ill-treatment

Detainees were tortured and otherwise ill-treated with impunity. The Independent Commission for Human Rights (ICHR), a national body established to monitor human rights and receive complaints, said it received over 120 allegations of torture and other ill-treatment of detainees from the West Bank and over 40 allegations from Gaza during the year. Methods of torture included beatings and forcing detainees to stand or sit in stress positions (shabah) for long periods. In the West Bank, detainees alleged that they were tortured or otherwise ill-treated by police, Preventive Security, military intelligence and General Intelligence officials. In Gaza, at least three men died in custody allegedly from torture by Internal Security officials. Both authorities failed to protect detainees from torture and other ill-treatment, investigate allegations or hold those responsible to account.

Unfair trials

Political and judicial authorities failed to ensure that detainees received prompt and fair trials. Authorities in the West Bank held detainees for indefinite periods without charge or trial. In Gaza, the Hamas authorities continued to subject civilians to unfair trials before military courts.

Freedoms of expression, association and assembly

Authorities restricted freedoms of expression, association and assembly in the West Bank and Gaza. Security forces dispersed protests organized by opposition activists, frequently using excessive force. On many occasions, journalists reporting on protests complained that security forces assaulted them or damaged their equipment. Security officials also harassed and sought to intimidate journalists and social media activists, including by repeatedly summoning them for questioning and sometimes detaining them for their writings.

In March, police in the Gazan city of Khan Yunis used force to break up a commemorative event organized by Fatah supporters, reportedly firing in the air to disperse the gathering and arresting and briefly detaining many participants.

In the West Bank, security forces assaulted journalists from Palestinian broadcaster Wattan TV who were present to report on demonstrations. In one incident in October, security forces attacked a Wattan TV crew covering a demonstration in Hebron and seized their equipment.

Extrajudicial executions

During the Israeli offensive Protective Edge, members of Hamas' military Izz ad-Din al-Qassam Brigades and the Internal Security Force committed at least 22 summary and extrajudicial executions of people whom they accused of "collaboration" with Israel. Those killed included a number of prisoners who were appealing against sentences of death or prison terms passed by military courts in Gaza; others were detainees who had faced no formal charges or trial. On 5 August the de facto Ministry of Interior removed five inmates of Katiba Prison who were extrajudicially executed outside the prison. On 22 August Hamas forces removed 11 prisoners from Katiba Prison whose trials or appeals were pending, and extrajudicially executed them at the al-Jawazat Police Station. Later the same morning six men arrested during Operation Protective Edge were shot dead in public after Friday prayers. Izz ad-Din al-Qassam Brigades reportedly shot other suspected "collaborators" in the street during Operation Protective Edge.

Impunity

Palestinian authorities failed to take any steps to investigate alleged war crimes and possible crimes against humanity committed by Hamas' military wing and other Palestinian armed groups in the run-up to and during the conflict in July and August or during previous conflicts with Israel in which Palestinian armed groups fired indiscriminate rockets and mortars into Israel. They also failed to hold to account officials who committed human rights violations, including excessive use of force against peaceful protesters and the torture of detainees.

Violence against women and girls

Women and girls continued to face discrimination in both law and practice, and remained inadequately protected against gender-based violence committed by male relatives, ostensibly for reasons of family "honour". At least 11 women and girls were murdered by male relatives in so-called "honour killings" during the year, according to reports of the ICHR. They included Islam Mohammad Al-Shami, 18, who died after she was stabbed in the neck on 20 October while praying inside her family home at Bani Suheila, Khan Yunis governorate.

Death penalty

The death penalty remained in force for murder and other crimes. There were no executions reported in the West Bank, but in Gaza, Hamas military and first instance courts sentenced at least eight people to death on murder charges. In May, Gaza authorities executed two men, both of whom had been sentenced to death on treason and murder charges.

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