

## Introduction

Since the arrival of the PNA, LAW has been issuing an annual report examining the status of human rights issues in areas under Israeli

annual reporting and is the culmination of year-long work in documenting and monitoring human rights violations.

These violations by Israel and the Palestinian Authority persist, and are even becoming more widespread. LAW believes that thorough documentation of these violations and dissemination of the facts is an important step for working against injustice.

Documenting personal cases along with our various activities is a way of giving Palestinian experiences a place in the dialogue concerning human rights violations. This type of documentation ensures that

report becomes not only a list of violations and activities aimed at raising awareness and fighting the system, but it becomes an historical document that future generations can learn from.

Our annual report is constantly undergoing revision so that each new year, we can better provide the international and local human rights community with the information necessary to challenge these violations and work towards eliminating them.

Unfortunately, this report highlights sadness and injustice, but we hope that it can become part of the international consciousness. It is through these reports that we can help Palestinian break free of its oppressors, whether Israeli or Palestinian. Furthermore, the annual report can only help to open the eyes of the international and local community to injustices that effect not only the Palestinians, but everyone of us as human beings.

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## **Israeli Human Rights Violations**

### **First: Assaults on the right to life and physical safety**

Nineteen Palestinians were killed by Israelis during 1999; seven by the occupying forces, one by the Israeli police, two by settlers and three labourers after being run over by cars. Two died in Israeli prisons, two others were killed by landmines and another two died from injuries incurred during the *Intifada*.

On Wednesday 6 January 1999, Israeli soldiers deliberately shot and

Street in Hebron. Investigations by LAW show that Qawasmeh died as a result of seven bullets entering his chest and neck. Although initial IDF claims said that he had threatened the soldiers with a realistic-looking toy gun, it was later admitted by a spokesman for the Israeli army that Al Qawasmeh had been unarmed.

In a statement to LAW, the father of the deceased, Haidar Mohammed Al Qawasmeh, 49, said that his son had left the house to

not returned home late that night, the family called the Palestinian police, who informed them of the incident. The father continued,

we knew that my son had been killed by Israeli soldiers, after which his body was taken by the Israeli police and the DCO to Hadassa

The corpse was returned to the family late that night and Al Qawasmeh was buried at 2 pm the following day. The dead man was unmarried and had been undergoing psychological treatment for three years. According to his father, he was sincere and peaceful and the claim that he had threatened Israeli soldiers would be entirely out of character.

Zaki Nour Adin Ibeid, 20, from the village of Al Essawiyeh on the outskirts of the Old City of Jerusalem, died on 28 January 1998, two days after receiving bullet wounds to his head and neck. Ibeid was shot during clashes with Israeli soldiers during the demolition of the Abu Iweiss house in the village. Five more civilians were also injured in the clashes. Ibeid was declared clinically dead on arrival at the Hadassa hospital.

In an a  
his nephew had headed towards the site of the demolition where they witnessed the Israeli army and police insulting the owners of the house and using excessive force to dispel the crowds.

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charge, but to no avail. The soldiers threw the furniture out of the house and assaulted family members who did not leave willingly. Anger erupted, at which point a soldier randomly opened fire at the

three bullets, one in the head and two in the neck and face. The soldier was firing from a distance of only ten metres. Ibeid was rushed to hospital in Mount Scopus and later to Hadassa in Ein Kerem. After examination, he was declared clinically dead. According to doctors, one of the bullets had been lodged in his brain.

After his death, the Israeli authorities refused to deliver the body for burial, claiming that they wanted to conduct an autopsy. The family requested the participation of a Palestinian doctor, but this was not permitted.

UNICEF and the Ministry of Health. In his affidavit for LAW Mahir informed the family that she had been stabbed in the chest and died information

is not the first such racially motivated attack that has taken place over the past few years..

On 27 February, three women labourers, Mariam Abu Jazar, Husnieh Abu Jazar and Sabha Abu Mustafa, all from Gaza, were killed when the their employer ran them over as they came down the bus to go to their work. The victims had had arguments with their boss before the accident.

On 27 April, Mahmoud Abu Hajar, 17, from Gaza, died as a result of injuries he had sustained during the Intifada - in 1994 he was shot in the head and had been paralysed since then.

On 30 April, an elderly Palestinian, Hamada Radwan, 72, from Azoun in the district of Qalqilya was killed when he was run over by a military vehicle as he walked along a bypass road. The soldiers refrained from attending to him and the elderly man was left bleeding until he died.

On 17 May, Shadi Abu Dahrouj, 21, from Jabalya refugee camp, died

Prison and is believed to have died because of negligence. He was suffering heart disease but had not been granted the appropriate treatment.

t Al Jarrad in Tulkarem, was stabbed to death in the main courtyard of the Ayalone prison in

relations with others in the prison were good and that the stabbing neither took place indoors nor because of a dispute with criminals from Hebron, as claimed by an Israeli radio station.

tell us of any problems with other detainees. He had served two and a half years of his eigh

of Athahirieh in the district of Hebron was shot and killed while on his

who was driving the car, took a bypass road close to the Susiya

Asamamreh took the bypass road to avoid the checkpoint because they did not have permits to enter Israel.

As the driver headed along an unpaved road close to Susiya, an armed settler appeared waving an Uzi machine gun, which he fired in the direction of the car. According to eyewitnesses, a bullet must  
ited through his abdomen.

With the help of another person, the driver took the victim to a nearby Israeli checkpoint, where an ambulance was called which took him to the Soroka hospital in Beer Sheva. He was pronounced dead on arrival. Sources at the Liaison office, the DCO and the Atharieh municipality have confirmed the report. Medical sources at the Soroka

Uzi machine gun, the kind used by armed settlers. The medical findings contradict the report of the spokesman of the occupation forces who alleged that the victim was shot by soldiers as he tried to cross the checkpoint. However, Israeli soldiers do not use Uzi machine guns.

Asamamreh, the only eyewitness, is being held in custody for interrogation. The hospital administration has so far declined to

was pressurised by the Israeli police to withhold the body for autopsy,

hospital since the morning for permission to take the corpse away to be buried.

On 23 June 1999, Adam Al Hillesse, 12, and Rabah Al Amour, 16, both from Yatta near Hebron, died after a land mine left behind by Israeli soldiers exploded as they played on a junkyard near Al

incident.

During August 1999, two Palestinians, Akram Alqam and Mahmoud Al Khatib, were killed by Israeli soldiers. Akram Alqam, 22, from Bethlehem, died on August 10 1999 after being shot by Israeli soldiers as he drove his car inside Israel. The soldiers claimed that he had tried to run one of them over with his car.

On 1 October, Israeli police in occupied Jerusalem shot and killed Khader Badwan, 26, from the town of Biddo and seriously injured his friend Ayman Al Sheikh.

Samuel main road before the shooting took place. The chase occurred, it seems, because the police suspected the car had been stolen. They ordered the car to stop but the driver refused to comply, upon which they opened fire at the car.

two Palestinians were in a 1979 Subaru car. On their way back from Jerusalem, a police car stopped them. The driver, Ayman, for fear of being punished because he did not have the necessary documents, ignored the order. The police shot at the car and succeeded in hitting the wheels bringing the car to a halt and causing it to slide and crash into a pillar on the main road.

the Hadassah/Ein Kerem hospital, he said that he and his friend had de  
had been flattened. The car was stopped and the two Palestinians got out of the car. The Israeli police surrounded them at gunpoint. He while his hands  
were raised in surrender. I was shocked so I ran to the other side of the street fearing for my life. As I was running, a bullet hit me in the

Al Sheikh stated that he had counted 5 bullets being fired at his friend Badwan, but he had not been able to identify the shooter or the number of the police officers surrounding them. He added that when he fell to the ground, he overheard one policeman asking another if

he had killed him. Al Sheikh lost consciousness and awoke to find himself in hospital after surgery.

Khalil Badwan, 30, brother of the victim, informed LAW that the glass of the car was completely shattered from all sides due to the intensive and random shooting. His brother was shot from short range while he

and he was left to bleed for a long time. Khalil added that he had been summoned to the Abu Kabit Autopsy Centre to identify the body and was told by a police investigator that his brother had been the seventh victim of the same police officer.

On 25 October, Israeli occupying forces shot and killed Moussa Abu Hleil, 30, and injured 27 others during an upsurge of violence that devastated the city of Bethlehem for two days. More violence erupted as Israeli soldiers shot and injured 10 residents praying in Bilal Ben Rabah mosque which is close to a Jewish sanctuary known as

chers, Abu Hleil was called by a soldier to give him a cigarette. As he approached the soldier, another soldier opened fire, killing him instantly. Israeli sources claim that the Palestinian man was carrying a gun when he approached the soldier.

In an affidavit given by Major Farouq Amin, head of the Palestinian Liaison Office in Bethlehem, he said that he had received news that a

there and I saw a man lying bleeding on the floor. I asked for an ambulance but the Israeli soldiers refused to call one. Five minutes later, I saw a soldier approaching with a knife in his hand. I asked them where they got the knife and they said that the man on the ground had been carrying it. An Israeli ambulance arrived and the

so he was definitely still alive. However, five minutes later he was declared dead. He had lain without medical attention for 17 minutes before the ambulance arrived. Abu Hleil is the fifth victim to die in the



Two deaths and 20 injuries were the result of the 13 December 1999 raid on the village of Beit Awa by Israeli forces, who are reported to have shelled the residence of Ismail Masalma, 40. Later that evening, the Israeli army announced the deaths of Iyad Al Batat, 23, and Nader Masalma, 30, both residents of the village. The army claimed that Iyad Al Batat had been hiding in the house of Ismail Masalma and that he had shot at Israeli soldiers and a number of agents of the undercover unit that had come to arrest him. The Israeli army also claimed that the soldiers had come under fire from the rooftop of

anniversary.

The Israeli army partly withdrew these claims upon discovering that Masalma had not been involved in any kind of political activism and that he already possessed a permit to work in Israel. On the following day, the left-wing Israeli daily newspaper indicated that, according to army officials, the soldiers had assumed that Masalma had been armed, which was apparently all the justification they needed to end his life. However, army officials indicated that Batat had opened fire at the soldiers so they retaliated and shot him dead. They added that Masalma had planned to enter Israel, kidnap a soldier in co-operation with Batat and perhaps try to obtain political gains for the Hamas movement.

Awad Al Masalmeh at 7:30 pm and shelled it. The attack was carried out under the pretext of resistance activities against the occupation. An Israeli

Al M -year-old Suhailah Abdilqadir Awad, also known as Im Firas, said that her five children, the oldest of whom is 15, were at home at the time of the attack, as were several of her

asked if they wanted to sell their car. Just a few minutes after he left, the house was bombed. Nadir Al Masalmeh went to the roof to see what was happening and was killed. Suhailah took her children and hid in one of the rooms. After the shelling stopped she went to find that her husband had been wounded in the arm and eye. Another relative was also injured, and Nadir and Iyyad killed. The villagers said that the operation went on from 7:30 to 10:05 pm.

Not only have the Israeli occupying authorities killed many Palestinians, they also seek to undermine their physical safety and welfare. Israelis have inflicted damage on Palestinians by assaulting them, shooting at them or running them over, and several Palestinians have stepped on leftover Israeli landmines. According to

forces and settlers last year reached 104, of which 19 were assaulted by settlers, 2 by Israeli civilians inside Israel, 5 by the Israeli police and 78 by Israeli soldiers. Among the injured were 17 children under 17, 8 aged under 10 and 5 women, one of whom suffered a miscarriage. Following is a chronicle of incidents in which Palestinians have been injured and sometimes handicapped for life.

On 16 January 1999, Afif A shot by Israeli soldiers for no apparent reason. In his affidavit, Afif said that he received the bullet-wound when working in a plot of land

Israeli soldiers arrived at the Tarqoumia checkpoint. I was preparing to go to Hebron with my father in his car. Suddenly, the soldiers fired at the car. There was only 10 metres separating us from the soldiers. I felt a bullet going through my back. I felt severe pain and I threw up some blood. I shouted that I was only working in the land. The soldiers stopped shooting but they did not attend to my wound. I was transferred to the Al Ahli hospital, then to Alia hospital and then to Ramallah hospital for surgery

Nitham Hajawi, the cardiologist who operated on Afif, said that the young man arrived at the Ramallah hospital in the afternoon. The x-ray showed that a bullet had penetrated his back and settled in his chest. After the shooting, Israeli forces surrounded Ithna village and

conducted a search. A resident, Ahmad Tmeizi, 40, said that the soldiers had smashed the entrance doors of some houses and the search operation lasted for 2 hours, all under the pretext that they were looking for armed people. Residents of the village rejected the claims of the soldiers and Israeli TV that the wounded person had actually stolen a car. Afif confirmed that he had been working on the land when the attack took place.

On 5 February 1999, Ismail Dahoud, 3, from Yatta, was run over by an Israeli truck driven by a settler on a bypass road. According to his

father said that he chased the truck, recorded its registration number and took it to the police station in the settlement. The child was transferred to the Ahli hospital in Hebron and then to Hadassa

another in the arm. The doctors told him that his son might be handicapped for life as a result.

On March 12 1999, 8 year-old Assaf Al Barghouthi was on his way home with his brother when they stopped short at the sight of two Israeli military vehicles in front of the village school. With no warning and for no apparent reason, soldiers began to fire sound bombs, tear gas and rubber-coated bullets in the direction of the children. Assaf was hit in the head with a sound bomb and a rubber bullet settled in his left leg. He was promptly taken to a private clinic, and later to a hospital for head surgery.

village and then to the Ramallah Government hospital, by which time Assaf had been admitted to the emergency unit. An X-ray showed that his skull had been fractured. He was admitted to the operating room for a 2-hour operation, from which he is still recovering.

On 19 March 1999, during the Al Adha holiday, Fakhri (12), his

countryside around their village, Rantiss, with their grandmother, 70 year-old Im Shawqi.

The four set out in the morning to make the most of the warm spring

Palestinian cooking. While looking for it, Im Shawqi heard an explosion in the distance. Turning round, she saw her grandchildren writhing in pain - an abandoned landmine had exploded in their faces. Walid lost his left eye and his right arm; he may also have to have his right leg amputated. Fahkri, his brother, had first-degree burns all

On 10 April, Mahmoud Al Sharif and Said Al Bardaweel, two fishermen, had their boat fired at by an Israeli military patrol boat resulting in very serious injuries. There were 13 fishermen on the boat who were lucky to escape death.

On 1 May 1999, a soldier with the Israeli border guards (responsible for protecting settlers in the city of Hebron) shot Jawad Mohammed Najeb Al Mohtaseb, aged 13, while he was playing in front of his house near the Al Ibrahim mosque. Jawad was seriously injured in h penetrated his leg, bounced off the wall, fragmented and hit his sister Saida, aged 6, in the head. The two were taken to the Hebron City hospital and later moved to Hadassa Ein Karem in West Jerusalem due to their critical situation.

According to hospital reports, Jawad underwent three operations lasting a total of 14 hours in order to reconnect blood vessels to his nervous system. Blood vessels were also removed from his right leg and transplanted into his left. He was in intensive care for three months.

Mohammad Najib Abd Razaq Al Mohtaseb, 37, Jawad, Saida and their cousin Shadi, 15, were playing football when the soldier approached and asked Shadi for the ball. Shadi refused and went inside the house. The soldier, known as Salama, accompanied by

nine other soldiers, approached the house and insisted that Jawad bring the ball to play with the soldiers. Jawad refused and the soldier at a distance of less than two metres pointed his rifle towards Jawad

Forty-

front of her house. Rasha suffered from broken bones and a fractured skull. This incident is not the first of its kind in this area. Settlers have repeatedly attacked Palestinians in Hebron.

On May 12 1999, six settlers near the village of Asera Al Shamaliyyeh in Nablus attempted to assault two Palestinian farmers while they were working on their land. However, thanks to the presence of other people and the precautions taken by the farmers, the attack was unsuccessful.

According to a statement made to LAW by the head of the village council, Muhammad Al Sayrah, 49, on Wednesday at 7:30 am Muneer Abdillateef and Muhammad Hamdan were working on

stone at him. Abdillateef picked up a stone to defend himself, but the settler reached for his gun. Another five settlers came to the area and an argument erupted. The settlers tried to force the people off the land and one of them hit Abdillateef on his head, seriously injuring him.

en  
they began shooting in the air to frighten the people off. Some Israeli soldiers and members of the DCO arrived and evacuated the area, but the settlers had their tents on the land for five days. The land is owned by Musa Abdil Rahman and Walid Al Sayrah. Many people have been harassed and prevented from harvesting their land in this area.

On 3 June 1999, Israeli occupation forces and police used excessive force to disperse a wave of peaceful assemblies and marches across

the West Bank which took place in protest against the settlement policies and land seizures in the Palestinian occupied territories.

Israeli soldiers opened fire at the protesters without prior warning or justification. The bullets were fired at unarmed civilians including reporters, children and the elderly.

Nitsarim settlement, Israeli forces opened fire at a peaceful assembly that was passing. They continued to fire indiscriminately, resulting in the injury of 11 people.

In the village of Yasouf near Nablus, Israeli occupying forces clashed with the people holding a peaceful sit-in on their confiscated property. The Israeli forces opened fire and wounded 15 Palestinians, including Hussein Azzam, Naim Abdil Latif, Maher Abdil Hamid, Muhammad Abieh, Muayyad Ishtieh, Mahmoud Mansour, Bilal Azreel, Nasrat Al Khafash, Sami Khalil, Jamal Adeek, Mustafa

Tawfiq, Abdallah Amer, Mohammad Ispiro, Wael Arizeq and Mahmoud Abdil Rahim.

In the village of Shoufa in the district of Tulkarem, 3 Palestinians - Tahseen Hamed, Riyadh Abdil Baqi, and Omar Hamed - were injured and sustained bone fractures as a result of assaults with batons and punches by the Israeli police.

In Hebron, 4 Palestinians were injured as shots were fired by Israeli soldiers from the fixed checkpoint between the H1 & H2 areas.

In Bethlehem, 3 Palestinians were shot with rubber bullets at the main northern entrance to the city.

On 3 December 1999, residents of the villages of eastern Nablus organised a sit-in in their land to protest the expansion of the settlement of Itamar at the expense of Palestinian land. The protest was peaceful but the settlers tried to inflame it leading to clashes with the Israeli forces and resulting in the injury of 5 Palestinians.

## **Second: Settlement activity and land confiscation**

Straight after the signing of the Wye Agreement on 23 October 1998, Israeli occupying authorities and settlers were seizing Palestinian land and establishing makeshift settlements. For the main part, the Israeli government had simply allowed these seizures, but in some cases it had directly participated in or orchestrated settlement building activity. The expropriation of this land was meant to make space for the expansion of the existing settlements, building new settlements, construction of bypass roads, installation of infra structure and the establishment of industrial zones. Israeli authorities have been trying

negotiations more difficult. On 19 November 1998, Israel declared the confiscation of 10% of the West Bank land. During 1999, the campaign of land confiscation had gained momentum as Israeli forces plundered the land and confiscated as much of it as possible.

During the year Israeli occupying forces confiscated 40,178 dunams of Palestinian land of which 19,691 dunams were used for settlement expansion and the establishment of new settlements. 3,830 dunams were declared to be confiscated by the Israeli Civil Administration and 16,657 were confiscated to build new bypass roads. Building projects to build 9 roads have been approved. It is estimated that these roads will take 10,875 dunams. In addition, it has been declared that 6 new bypass roads are to be built. These roads will take 5,782 dunams. At the same time the Israeli occupying forces have levelled 7,550 dunams and destroyed the trees in the areas. 15,180 trees, mostly olive, almond and fig trees, have been uprooted or burnt. The trees are between 10 and 40 years old. In addition the Israeli occupying forces have removed 2,080 fence posts and fences surrounding agricultural fields. Furthermore, vast spaces of agricultural land as military zones. 6,087 new settlement units have been established and the government has declared a tender to build 19,792 new settlement units after being approved by the government. Plans to construct 9,233 settlement units are under consideration. In addition, 84 mobile units have received approval to be built.



## 1. Land confiscation

As indicated above, during the year 1999, Israeli occupying forces confiscated 40,178 dunams of Palestinian land of which 19,691 dunams were used for settlement expansion and the establishment of

Israeli Civil Administration and 16,657 were confiscated to build new bypass roads. Building projects to build 9 roads have been approved. It is estimated that these roads will take 10,875 dunams. In addition, it has been declared that 6 new bypass roads are to be built. These roads will take 5,782 dunams. At the same time the Israeli occupying forces have levelled 7,550 dunams and destroyed the trees in the areas. The land confiscation had been conducted through military orders and through the publication of new tenders for the expansion or creation of settlements.

As 1999 began, the Israeli authorities completed expansion works in the settlement of Migoula located in the northern Jordan Valley. 20 residential units have been added to this settlement. The agrarian land of this settlement was also expanded. This expansion necessitated land belonging to Tubas, which has been sealed off by the Israeli authorities since 1967 because it is a border area. In April, Israeli authorities initiated the confiscation of an estimated 600 dunams of land in the village of Essawiyeh and started levelling land in the Qalandia area to complete the Eastern Belt and make the construction of road # 45 possible. A further 200 dunams in of the Qalandia land were also confiscated. By the end of April 1999, Israeli authorities declared the confiscation of a further 900 dunams of land from the use the land for the construction of industrial instalments.

up its abusive procedures against Palestinians and their property in general and against occupied East Jerusalem in particular. These measures have culminated with the approval of ex-Defence Minister, Moshe Arens, of a plan to expand the borders of the settlement of of Palestinian land.

According to information gathered by LAW, the proposal is to link

from the south. The confiscated land includes property from the village of Ezarieh, extending through Atour and Essawiyeh until Anata. The plan includes the construction of 1,500 housing units over 30,000 square metres and the establishment of 5 hotels (comprising 3,000 rooms) over 40,000 square metres. The remaining land will be used for public gardens and other facilities.

Land in the village of Anata, told LAW that this is the most recent in a series of confiscations to which the area has been subjected. He added that this confiscation would include 3,000 dunams of land from the eastern part of the village belonging to village residents. The land in question used to be used for growing cereals but the Israeli authorities have prevented residents from exploiting the land for the past 8 years in preparation for its confiscation. To facilitate this process, the land was declared to be a wasteland by the Israeli authorities.

lan was declared to expand the Alamoun settlement, which has been located on the property of Anata village since 1982. The village residents did not know about the plan until they saw the bulldozers from the Israeli Brachi construction company levelling the ground in preparation on behalf of the Amina settling organisation. Work has now begun on housing units for young Jewish couples.

The village residents, who still hold ownership documents proving their entitlement to the land, filed a complaint against the construction company and produced the documents in court. The Jerusalem District Court ruled that construction in the area known as the Maccabra, a plot of 80 dunams owned by Moussa Elayan, Issa Salama, Mahmoud Ibrahim, and Mohammad Ibrahim, must halt. Unfortunately, the settlers simply moved on to another plot of land known as the Beer Al Ghazal, where a road was constructed to cut

through the two plots of land and facilitate their merging. In 1999, a hill, which is the location of an Islamic shrine upon which the village of Anata was founded 120 years before.

Another road, known as road # 45, has cut through the northern part of the village and required the confiscation of 12,000 dunams of land from the village. To the south, the village is constricted by road # 1, while the Jerusalem borders are to the west. The village is now surrounded from all sides, which makes it difficult for villagers to move freely to other adjacent villages.

An estimated 5,341 dunams of Palestinian land were confiscated by the Israeli authorities. This land will be used to link the settlements that surround the holy city of Jerusalem within what has come to be known as the Greater Jerusalem plan.

In the Al Jeep village, located to the north of Jerusalem, an estimated 53 dunams were confiscated to expand a settling site on the hilltop of

confiscation of 300 dunams of land from the village of Arihieh in the district of Hebron. Meanwhile, a new settlement in the village of Shabtine in the district of Ramallah is emerging on an estimated

In Jenin, the Israeli Civil Administration declared the seizure of 1,080 dunams of land, which it is believed, are to be exploited for the stone quarry of Um Arihan. On August 5, the Israeli government declared the confiscation of 600 dunams from the land of Al Friedis in Bethlehem. On August 10, 500 dunams of land from Qusra in Nablus was surveyed and the building of a new bypass road declared on August 14. This road will carve up

Other plans to seize land in the villages of Beit Ummar, Beit Fajjar in Hebron and Al Khader in Bethlehem were also announced.

According to a statement given to LAW on August 6 by Saqir Abu

Israeli Civil Administration declared the seizure of 553 dunams of land

wanted to establish an industrial zone. Most of this land is owned by people from Biet Fajjar, Biet Ummar and Al Khader. Israeli bulldozers began levelling the land one day after the declaration despite the fact that the warning period of 60 days had not yet expired.

On August 10, 500 dunams of land from Qusra in Nablus was surveyed and the building of a new bypass road declared on August 14. On 16 August, settlers grabbed 100 dunams of land in the Bani Naim Village in Hebron. On 12 September, settlers also seized 5 dunams of the Farkhah village in the district of Salfit. On 19 September, they seized 4 dunams of land belonging to the Yatta village in the district of Hebron. Meanwhile, settlers denied access to owners of land in Beit Iskaria, which is close to the Kfar Atsyoun settlement. On 23 September, settlers fenced off 40 dunams belonging to the residents of Tarqoumia in preparation for its seizure. On 24 September, Israeli authorities declared their intention to confiscate 11 dunams of land in East Jerusalem to build a hotel and replace the old market in Wadi Al Joz. On 2 October, Israeli bulldozers levelled an estimated 300 dunams of the Azawiya land in the Salfit area. In Gaza, the Israeli government had declared intentions to seize 200 dunams of land in the Al Mawasi area in Khan Younis.

Israeli authorities have completed ground levelling in Kufur Aqab,

Israeli authorities had already confiscated 1,600 dunams of land from Kufur Aqab land in 1982. On 4 January 1999, Israeli authorities sealed off all roads leading to the Athaher area in Salfit, preventing residents from reaching there while Israeli bulldozers continued to level ground and uproot the trees for expanding the Ariel settlement. 4,000 dunams of land have already been confiscated for this purpose.

The Israeli authorities have damaged three newly-constructed roads to cater for surrounding villages in the Al Walaja, Al Ezaria, and Al Aqaba areas. Work on a fourth road has been ordered to stop.

In the Al Walaja area, Israeli municipal officials threatened to disrupt asphalt works on the only road between the village and the main road. The road falls under the jurisdiction of the Jerusalem Municipality, but has been left for years in terrible condition. The asphalt project was carried out by the Palestinian Pecdar Institution. On 15 March 1999, officials from the municipality visited the area and hung notices in Arabic informing the residents that the asphalt work had been carried out without licence by the competent Israeli parties. According to the notice, the 450-metre road would be destroyed if village residents did not appeal to the Israeli High Court within 24 hours.

town of Beit Jala. Israeli authorities earlier tried to annex the Walaja area and include it under their jurisdiction, but it seems that evacuation of the area was necessary first.

The authorities also disrupted work on a Palestinian road in the area of Abu Deiss, arguing that it was too close to bypass road # 45.

## **2. Tree Uprooting:**

In 1999, an estimated 15,180 trees, mostly olive, almond and fig trees, were uprooted or burnt. The Shilo and Rachel settlers uprooted 120 trees in the nearby Palestinian village of Ein Jaloud, Nablus district. They also banned Abu Arakhim and Abu Al Kasir village residents from cultivating their land in the Asahla valley. On 16 January 1999, a group of settlers destroyed the trees in the Qana valley owned by 4 residents of Kufur Thulth. The land was reclaimed by the owners in co-operation with the Agricultural Relief Committee, made arable and planted with various types of crop. A water reservoir built only 3 months before was destroyed, in addition to serious damage inflicted on 700 new plants.

Settlers from Beit Ari raided the Aboud village and damaged the property of Hanna Khoury, uprooting 42 olive trees and totally destroying 2 dunams of arable land.

On 7 March, settlers destroyed with chemicals an estimated 20 dunams of cultivated land in the village of Ithna in Hebron. On 9 March, settlers in the Hebron area uprooted 200 trees in the Al Ibeid, settlement levelled and uprooted 440 olive trees over 20 dunams of the Al Mugheir village. On 10 March, the Moraj settlers seized 50 dunams of land, levelled 30 dunams in the Al Mawasi area in Kahn Younis and uprooted 200 citrus trees. In the Kufur Qadoum area in Qalqilya, settlers uprooted 50 trees. On 14 March, the Alon Morieh settlers uprooted 1,500 trees in the Deir Al Hatab area. On 22 March, 500 olive trees were uprooted in the Beit Dajan area in Nablus, and 100 trees in the Deir Istya village. Meanwhile, settlers destroyed a big farm of 50 dunams in the Al Mawasi area in Gaza.

Settlers from Bin Haifar near Hebron uprooted 1,000 olive trees and damaged the fence around the land. They obtained an order to confiscate 20 dunams of the village property in order to expand the settlement. About 30 families incurred financial losses after the raid. On 18 March, settlers living in the eastern part of Hebron uprooted 200 trees and destroyed fences around the land.

In Nablus, on 1 May 1999, settlers set on fire a 30 dunam wheat cultivation that belonged to Moussa Moussa from the village of Qaryout. On 12 May, an estimated 2000 dunams of the village of Kufur Adeek were levelled and the trees uprooted by Israeli bulldozers. The land belonged Salah Adeek, Ismail Al Sartawi and others. On 19 May, Israeli forces and settlers levelled and uprooted 400 trees belonging to Adnan Abul Hajj. In his affidavit to LAW, Abul Hajj stated that the uprooted trees were more than 15 years old and the land levelled spanned about 4 dunams.

In Ramallah, on 6 May, settlers from the Shilo settlement which was erected on the Turmusayya land, fenced off a 100 dunam plot

settlement, under the protection of the Israeli army, grabbed a 1,500 dunam plot in the Deir Qiddis area on 10 May. It should be noted that the same settlers had already seized 1,500 dunams two weeks earlier

on the same site. Another 30 dunams of land belonging to Nasser Hamad from Rantiss village were levelled. In the village of Silwad, the Ofra settlers levelled an estimated 30 dunams of land.

On 3 June 1999, settlers burned 5 dunams of wheat crops owned by Ghazi Mansour from Kufur Qalil. On the same day, they burned dozens of trees over a 30-dunam area owned by 5 families from the village of Bourine. The following day, settlers set fire to 6 dunams of cultivated land in the village of Huwara.

On 14 July, in the district of Hebron, an estimated 80 fruit trees were uprooted and 50 dunams of ground levelled near the settlement of Atnael, in preparation for the construction of a runway for helicopters. On 19 July, 150 trees were uprooted in the Kufur Qadoum village in Nablus. In Asawahra Ashaqieh in Jerusalem, the land of Ibrahim Halaseh was plundered by the Israeli occupying forces resulting in

had been assaulted. On 30 July, Israeli bulldozers levelled 300 dunams of land in the Yasouf village in Salfit. On 31 July, 200 more trees in the Kufur Qadoum village were uprooted; 150 in Beit Leed,

settlement uprooted 100 trees in Biet Fourik in Nablus. The land is owned by the families of Khtatbeh, Nasasrah and Al Siefi. On August 22, another 30 trees were uprooted and 500 burnt in Tal Al Rumeideh in Hebron. On 12 October, 300 trees were uprooted in the Azawyeh village. In the district of Ramallah, the villages of Aboud and Aluban Al Ghabi were devastated when settlers raided the land and uprooted 280 trees, 130 in Aboud and 150 in Aluban.

In an affidavit to LAW, Mohammed Thawabteh said that on 11 July 1999, settlers from the Efrat settlement (located near the Palestinian village of Beit Fajjar) had assaulted his property, removing the fence around it and destroying the water reservoir, thus eliminating his fresh water supply. Meanwhile, settlement activity has doubled over 4,500 dunams of land to the north of Bethlehem, an area that the Olmert City Council considers to be under its own jurisdiction. In the Tulkarem district, settlers uprooted 60 olive trees belonging to the Hanoun family in the village of Khalet Zayed. On 11 July 1999, three

houses were added to the settlement of Alone Morieh, which is located near the village of Salem. On 10 August, settlers uprooted 20 trees in the Anabi Samuel area. On 14 August, the Itamar settlers uprooted 100 trees from the land of the village of Beit Forik in Nablus. The land is owned by the Khatabta, Nasasra and Aseifi families.

### **3. Bypass roads**

Israeli authorities declared the confiscation of 16,657 dunams of Palestinian land to construct new bypass roads. During 1999, confiscation took place in the villages of Singel, Al Mugheir, Turmusayya, Al Mazra, Asharqia and Beitin. Confiscated land is estimated at 10,020 dunams, earmarked for the construction of a 5.9

property and separate one part from the other. Moreover, it is expected that 5,000 dunams of arable land will be devastated.

During the period covered by this report, the Israeli authorities continued the construction of bypass road # 80 that will lead to Jericho and Bisan at the expense of 2,000 dunams of confiscated Palestinian property, in addition to the destruction of 21 water reservoirs and 120 irrigation projects in the area.

Near the village of Topubas, bulldozers levelled 50 dunams of camp, was transformed into a small village and was expected to grow into a small town after the signing of the Wye Plantation Agreement. Israeli authorities sustained work to build more bypass roads and confiscated 16,657 dunams of land for this purpose. Approval was given to start the construction of 9 bypass roads over an area of 10,875 dunams. Moreover, it was declared that 6 bypass roads that would devour 5,782 dunams would be constructed. These roads are:

#### **1. Bypass # 45**

Work to complete the project of road 45 was sustained from the beginning of 1999. The project to expand the borders of the city – an idea adopted by the Israeli Knesset in May 1997. The idea was submitted on 21 November 1998 when the Israeli High Planning Council announced the structural plan # 1/902 of road # 45 / Duwar Modiim section – Beit Horon hills



located to the Eastern side of the Kharbata road Beit Sira. The road will cut through the property of the villagers of Midya, Deir Qidis, ira, and Qalandia. The road will carve up 7,000 dunams of agricultural land and necessitate the uprooting of 250 olive trees owned by Mahmoud Samara.

The project will sever many Palestinian villages from Arab East Jerusalem, such as Abu Deiss, Al Izzariah, Anata, Hizma, Al Ziyem and Asawahra. An arial view of the planned road shows that its objective is to sever all Palestinian villages from Jerusalem, while connecting the surrounding settlements located within the Jerusalem vicinity.

The Israeli company Morieh completed the structural plans for the bypass, which will start at the Tapiot junction on the Hebron Jerusalem road. The bypass will cut through the village of Sour Baher, extend to Qalandia in the north of Jerusalem and finally end in Beit Shemesh, close to Lod airport. According to information gathered by the Institute for Applied Research (AREEJ), the bypass will link the

The 45 kilometre-long road will have 3 tunnels of 1.8 kilometres. The first will start near Abu Deiss and extend to the village of Ziyem. The second tunnel will lie underneath the Jerusalem - Ramallah road, cutting through Qalandia airport in north Jerusalem.

The road will destroy 700 dunams of arable land and will cause great damage to its environment. According to Israeli sources, the road is designed to prevent friction between Jewish settlements and the adjacent Palestinian villages and to link the settlements of Pisgat tainable regional link between settlements in the West Bank and cities inside the green line.

Since January 1999, about 11 settlement roads have been started at a total land cost of over 35,690 metres. To make construction possible, the Israeli authorities have confiscated 16,000 dunams of land; more than 38 Palestinian houses will have to be demolished, especially in the areas of Asawahra Asharqieh, Atori and Abu Deiss. The Israeli authorities have already demolished 9 homes in the area,

and no Palestinian construction will be possible 300 metres from the edge of the road. 19 demolition warnings have already been distributed in the Abu Deiss area, while in one case the construction of an UNRWA school (which had nearly been completed and had obtained all the required licences) was brought to a halt under the pretext that it was too close to a settlement road.

On 4 December 1998, the Israeli High Planning Council announced the structural plan # 609 of road # 60. The road, according to a

through plots # 3, 15,17, 33-

road is expected to be 25 kilometres long. It will start at the Salem junction in the north and extend south, branching off to the east of the Shakid

settlement and finishing at the settlement of Harmish on the Jenin / Baqa main road.

### **3. Bethlehem bypass**

The Israeli military commander of the West Bank issued military order # T/1/99 demanding the confiscation of land owned by the Bethlehem

bypass road. The road will be 8,300 metres long.

### **4. Road # 477**

On 4 January 1999, the Israeli military commander of the West Bank issued order # T/1/99 sanctioning the confiscation of land for a bypass road around Bethlehem. The road will be about 8,300 metres long. On the same date, the Israeli Civil Administration presented structural plan # 4/966 for the construction of road # 477 cutting through the land of Sikaka, Salfit and Kuful Haress. The road is expected to be 9,800 metres long and 60 metres wide. No Palestinian construction will be permitted closer than 80 metres away from the edge of the road, which will necessitate the confiscation of 2,156 dunams of some of the most fertile land in the West Bank, which has been cultivated to grow different produce and is the main source of income of dozens of families in the area.

### **5. Nellie settlement road**

On 28 February 1999, Israeli bulldozers started construction work on a road for the benefit of the Nellie settlement.

#### **6. The Tina / Ashkalon road**

In Hebron, work is underway on a 7-kilometre road to link the Tina settlement with the settlement of Ashkalon, which is inside the green line. The road will require 920 dunams of confiscated land from the Athahirieh village. Another road has been constructed to link the Tina settlement with a hill seized by settlers on which 7 mobile houses have been installed.

#### **7. The settlement of Alon Morieh**

The Alon Morieh settlers constructed a 3 km-long road through the village of Deir Al Hattab in the district of Nablus. The 1,180 dunams of confiscated property belonged to the Hussein family.

#### **8. The Pisgot / Beit Eil Road**

The Israeli authorities levelled ground in preparation for a new Mukhmas. 1,600 dunams of Kufur Aqab land were confiscated in 1982. A 4 km by 20 m road expected to link the settlement of Beit Eil with Pisgot has almost been completed. No Palestinian construction will be permitted within 150 metres of the edge of the road.

#### **9. Bypass # 60 / the Huwara section**

On 19 November 1998, the Israeli High Planning Council announced the structural plan # 8/901 of road # 60/ the Huwara section. The road is expected to cut through the property of Huwara (plots # 1, 2, 4, 5, 6, 11, 12 and 13), Beita (plots # 8, 10 and 16), Yasouf (plots # 2, 10, 12, 14 and 16), Borin (plot # 6) and Awarta (plot # 8).

**10.** On 10 October 1999, work was started to complete another part of road # 60 (the Sour Baher section) which will link the settlement of

The road will be 4 kilometres long and 120 metres wide. It will devour hundreds of dunams of land while 9 houses are threatened with demolition.

**11.**

Adomim with the Kidar settlements. The road is expected to devour 3,500 dunams of the village of Abu Deiss.

**12.** In November 1999, the Israeli government approved the construction of the new Deir Sgaraf / Saila Athaher and Al Fondouqomiah bypass road which is expected to devour an estimated 735 dunams of Palestinian land.

#### **4. The use of military orders to seal off land**

On 19-20 September 1999, the Israeli authorities issued 16 military orders to seal off large areas of fertile agrarian land in the West Bank.

On 19-20 September 1999, the Israeli authorities issued 16 military orders to seal off large areas of fertile agrarian land in the West Bank. The orders were distributed to Israeli police stations and DCO centres in the north governorates, and advertised in the Al Quds newspaper by the construction division.

land belonging to no fewer than 79 Palestinian villages in the northern governorates. Many residential houses are on this land and, people living in the area have received notification to evacuate it. It is stated in the preamble to the military orders that no one is permitted to remain in the area without special Israeli permission; it is evident that Israel has once again imposed contr

Settlement activity in the area indicates that this land has been earmarked by the government for the expansion of existing settlements, and the area of the land in question constitutes much more than the 7% of land that Israel is due to transfer from area C to area B.

A large portion of this land is area B, which means that it is under the civil jurisdiction of the PA but subject to Israeli security control, while other parts are due to be transferred to area B according to the Israeli-Palestinian agreement recently signed in Sharm Al Sheikh. These areas are close to the green line (the border between Israel

and the West Bank), facts that were confirmed by the heads of the past two days have been in the company of the engineering team and land experts.

Below is a translation of how the military orders appeared with the names of the included villages:

### **1. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 1/ S)

#### **Closure of the area**

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Arab Asawahra, Nebi Moussa, Al Khan Al Ahmar, Abu Deiss, Al Ezarieh, Ibeidieh, Arab

Alhaline, are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

### **2. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 2/ S)

#### **Closure of the area**

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Idyouk, Deir Dibwan, Mukhmas, Ramoun, and Anata, are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

### **3. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 13/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map

Areik are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

#### **4. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

##### **Order concerning the closure of areas (99 / 4/ S)**

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Douma, Al Mugheir, Khirbet Al Ojah, Kufur Malek, Deir Jrir and Ataybeh are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

#### **5. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

##### **Order concerning the closure of areas (99 / 5/ S)**

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages - Al Mugheir, Ruba, Tubas, Bardalah, and Taisir - are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

#### **6. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 /6/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Yatta, and Beni Naim are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

#### **7. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 /7/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Aqraba, Beit Foriq,

are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

#### **8. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 /8/ S)

(A) I hereby declare that the areas shaded in red on the map which include areas in the following villages: Talouza, Beit Dajan, Beit Foriq, Yanun, and Aqraba are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

**9. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 /9/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Tubas, Tamoun, Beit Dajan,  
requirements of Article 90 of the Basic Order.

**10. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 /10/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following the village of Tubas is a closed zone as stipulated in the requirements of Article 90 of the Basic Order.

**11. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 11/ S)

**Closure of the area**

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Taisir, Tubas and Tamoun are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

**12. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 12/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Yasisika, Salfit, Luban Asharqieh, Amourieh, Khirbet Qeis, Aroura, and Abaween are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

### **13. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 13/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villa

Areik are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

### **14. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 14/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Ithna and Khirbet Jamrura are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

### **15. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 15/ S)

Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Tal, Imteen, Zeita, Aseera Al Qibilayeh, Jamaine, and Deir Ista are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

### **16. Israeli Defence Army**

Order concerning security provisions (378), 5730 1970

Order concerning the closure of areas (99 / 16/ S)



Closure of the area

(A). I hereby declare that the areas shaded in red on the map which include areas in the following villages: Beit Ula, Nouba, Haras, and Khirbet Jamruria are all closed zones as stipulated in the requirements of Article 90 of the Basic Order.

A large portion of this land is area B, which means that it is under the civil jurisdiction of the PA but subject to Israeli security control, while other parts are due to be transferred to area B according to the Israeli-Palestinian agreement. However, according to the orders, the PA will not be able to exercise its civil authority over part of the area. Any plans for the structural expansion of Palestinian villages will be

settlement activity continues unabated. Moreover, it has become customary for Israeli authorities to give from one hand and take more in the other. Israel had earlier declared that in accordance to the Sharm Al Sheikh Agreement, it would convert 7% of zone C (total Israeli control) into zone B (partial Palestinian control). However, while it refrained from complying with the terms of the Sharm Al Sheikh Agreement, it also confiscated more land. In one of the military orders, the land confiscated in the villages of Tarquomia, Beit Oula and Nouba is estimated at 5000 dunams in the B zone. In other orders, the confiscated land in Jerusalem, Bethlehem and Hebron is estimated at 80,000 dunams.

#### **5. Construction Work**

During the period covered by this report, the Israeli authorities either began or approved plans for the construction of 35,112 additional housing units. Approval has already been granted to build 6,087 housing units, and the construction of 19,792 more. Plans are underway for another 9,233 units around the West Bank.

1999 opened with an invitation to tender on the building of 1,500 housing units to expand the Ofarim and Bitar Elit settlements. There has been a noticeable increase in settlement activity in the West Bank, including East Jerusalem, where the Israeli government has long been following a policy of quiet deportation and ethnic cleansing

January 1999, Israeli sources reported that the Government was to give final approval to Ateret Kohanim (a company known for its

settlement building inside Jerusalem), to build a new settlement in Ras Al Amoud in East Jerusalem. An Israeli archaeological firm is currently excavating the site, and as soon as they have finished the construction work will commence. Also, Moskovich the Jewish millionaire has been frank about his intention to build an additional 70 housing units on the Beit Orot settlement in the Mount of Olives.

The Israeli Ministry of Housing is planning the construction of 1,500 units in three settlements: Ariel (500), Alfeh Minashe (500), and Emmanuel (500). In Jerusalem, plans to add housing units to settlements have been approved as fol

404 in an area close to the Arab village of Sour Baher. Already, an estimated 426 units have been added to Efrat, which is a settlement located near Bethlehem.

The Israeli Government has given the green light to add 8 buildings to the Tal Rumeida area in the heart of the old city of Hebron. Further approval has been given for a four-storey building to be called t Hadassa. On 10 March 1999, Israeli bulldozers started levelling ground for an industrial zone in the Athahirieh area to the south of Hebron. The

already been constructed to link the settlement with the foreseen industrial zone.

As the 17 May 1999 Israeli elections approached, settlement activity

parts of East Jerusalem. The Israeli authorities carried out all possible means to evacuate the Palestinian residents of East Jerusalem, escalating their discriminatory measures at the expense of collective and individual Palestinian rights. The measures were intended to force as many Palestinians as possible out of the city in order to create *de facto* reality before the final status negotiations. This campaign had the full support of many settling groups and other right wing governmental institutions.

officially adopted by the Israeli Knesset in May 1997. On 19 April 1999, an Israeli Ministerial Committee recommended building an

additional 116,000 housing units for Jewish settlers over the next twenty years. On 22 April, the Israeli authorities endorsed plans to build a tower on the hilltop of the Palestinian Jabal Al Mukabber. On the same day, the Israeli government allocated 120 million dollars to support settlement activity in occupied Jerusalem.

Since the assumption to power of the Labour-led government, the Israeli authorities have either begun or approved or set plans for the construction of 4862 additional housing units.

On 19 June, Israeli authorities expressed their intention to build 50 housing units in Hebron and work was underway to construct 1,000 new housing units in the Ariel settlement. In the settlement of Neve Akadim in the Gaza Strip, work has already begun on 22 new housing units. On 27 June, an announcement was made to the effect that 1,800 new housing units would be built in North Jerusalem and 15 new units on the property of Um Asafa in the district of Ramallah. On 24 June, plans to build 22 housing units in the southern parts of Al Khader were put forward, and plans are underway to build 45 housing units in Hebron.

On 11 July, an invitation to tender was published in Israeli newspapers for the building of 600 housing units in northern parts of Jerusalem and 3 additional units to the settlement of Alon Morieh in the Nablus district. On 17 July, 17 makeshift homes were installed in the Al Mawasi area in Rafah. On 20 July it was declared that 360 housing units would be built on the property of Beitine in the district of Ramallah and one housing unit would be built in the Ibrahimi mosque in Hebron. On 30 July an invitation to tender was published in the

in Jerusalem.

On 6 August, it was announced that 88 units would be added to the Qeidar settlement located on the property of Abu Deiss. On 10 August it was announced that 1,000 more housing units would be added to various settlements. In the middle of August, a tender was published to build 590 additional housing units in the settlement of

## **6. New settling sites**

With the full support of the Israeli army, settlers were able to seize several hilltops in the West Bank for more settlements. In 1999, they were able to add 16 new settling sites by installing 100 makeshift homes on the hilltops seized. Following is a chronicle of the settling activity:

1. makeshift homes on a 50 dunam-hill owned by Nadi Ashuyukhi from the town of Ashuyukh in the district of Hebron. The land is earmarked for the extension of the adjacent settlement.
2. On 27 January, three mobile homes were installed on the Kissan eastern hill in the district of Bethlehem.
3. On 1 February, the Alon Moreh settlers installed 3 makeshift homes on the Salem village property in the district of Nablus.
4. On 11 February, the Ariel settlers installed one mobile home on the Deir Istya property in the Salfit area. On 12 April, the settlers also installed 4 makeshift homes on the same site.
5. On 2 March, the Tina settlers installed 7 makeshift homes on the site located to the West of the Athahirieh settlement.
6. On 11 March, the Istov Rachel settlers installed 7 makeshift homes on a site owned by the Al Mugheir village residents.
7. On 17 March, the Ramat Yashai settlers installed 5 makeshift homes on the Tal Rumaida hill in the heart of old city of Hebron.
8. Installation of 20 makeshift homes Shoufa and Kufur Alibed in the district of Tulkarem.
9. Installation of 8 makeshift homes in the agricultural areas of Goush Qatif in Gaza.
10. Installation of 1 makeshift home in the Deir Qiddis property
11. the district of Bethlehem.
12. Installation of 2 mobile homes in the land adjacent to settlement of Kfar Atsyoun.
13. Installation of 3 makeshift homes in the Hizma village property
14. The Itimar settlers installed 15 makeshift homes on three sites surrounding their settlement.
15. On 1 September, the Efrat settlers installed 15 makeshift homes on the southern east side of the village of Al Khader.

16. In October, settlers installed 9 makeshift homes on one of the hilltops owned by the BirZeit municipal council.

In the so-

Agreement, during which settlers seized an estimated 42 hilltops in the West Bank and installed on them makeshift homes, the Israeli government dealt with this issue in co-ordination with the settlers. Upon agreement with the settlers, the following was declared:

1. Dismantlement of 15 settling sites
2. The remaining 27 sites were categorised as follows:
  - a. 8 sites are legal
  - b. 3 should acquire the appropriate licenses from the military administration
  - c. 16 illegal sites will not be dismantled but will not be expanded.

However, it was declared later that 3 of the 15 settling sites that were supposed to be evacuated would remain in place. The declaration contradicts the announcement made earlier to dismantle 15 sites instead of 12.

### **Third: Ethnic cleansing and home demolition**

The Israeli occupying forces continued their policy of ethnic cleansing which aims at evacuating the land of its indigenous people. During the period of this report, the Israeli occupying forces demolished 93 homes, barracks and water reservoirs in various Palestinian areas, in particular in zone C, which is still controlled by Israel, including east Jerusalem and its suburbs. This period witnessed intensive Israeli activity in these areas. 53 houses and barracks were demolished, 7 the agricultural nurseries, 8 stores, 10 reservoirs and water wells and 6 walls. These properties were distributed as follows:

33 in Jerusalem; 17 in Bethlehem; 15 in Nablus; 10 in Hebron; 7 in Ramallah; 7 in Khan Younis; 3 in Jenin and 1 in Qalqilya.

demolition notifications on their houses or barracks or other facilities. Most of these properties are located in Jerusalem and Hebron. These notifications were distributed as follows: 158 in the Jerusalem district, 257 in the Hebron district, 70 in the Khan Younis district in addition to 40 more on constructions used by tourists, 56 in the Bethlehem

district, 172 in the Ramallah district, 52 in the Jenin district, 66 in the Tulkarem district, 3 in the Tubas district, 113 in the Nablus district and 1 in the Salfir district. Two of the buildings threatened with demolition have been used as mosques; one of them is located in Ras Al Amoud in Jerusalem and the other in the village of Al Walajeh in Bethlehem. Three schools in Ramallah, Jenin and Hebron are also threatened with demolition, each accommodating at least 500 students. There are still hundreds of demolition notifications other than the ones documented by LAW.

LAW followed the Israeli violations pertaining to home demolition and adopted 209 cases, of which 24 were submitted to the Jerusalem Court of Civil Affairs as the houses were located inside the municipal borders of Arab Jerusalem. However, at the time of going to print a decision has not yet been taken regarding the demolition of these houses. These houses are owned by the following:

1. Imad Adouda Halhoul / Hebron;
2. Taisir Al Atrash Anata / Jerusalem;
3. Mohammad Abu Queider Khibet Al Bayoud / Hebron;
4. Abdil Aziz Makharza Hebron;
5. Mohammad Sharaqa Al Jalazone / Ramallah;
6. Yousef Karaja Halhoul / Hebron;
7. Azzam Odeh Huwara / Nablus;
8. Atallah Anajar Yutma / Nablus;
9. Nadi Snobar - Yutma / Nablus;
10. Ahmad Ayayda Ashuyukh / Hebron;
11. Mohammad Ayayda - Ashuyukh / Hebron;
12. Mohammad Aramine - Ashuyukh / Hebron;
13. Kamel Ayayda - Ashuyukh / Hebron;
14. Talal Halayqa - Ashuyukh / Hebron;
15. Issa Halayqa - Ashuyukh / Hebron;
16. Adnan Amer Hebron;
17. Issa Abu Queider Hebron;
18. Mohammad Mahariq - Mahariq - Hebron;
21. Jamil Arajabi Hebron;
23. Mohammad Ajarma - Beit Oula / Hebron;
25. Jamal Ajarma - Beit Oula / Hebron;
26. Yousef Ajarma - Beit Oula / Hebron;
27. Issa Asharif - Beit Oula / Hebron;
28. Aziz Ishtieh - h - Salem / Nablus;
30. Faleh Ijbour - Salem / Nablus;
32. - Qabalan - Asawiya / Nablus;
35. Abdirahim Al Hin / Salem / Nablus;
36. Hassan Abu Latifeh Al Bireh;
- 37.

-  
Anusariyya / Nablus.

LAW represented 185 cases before the land committees in Bet Eil, the appeals were rejected. LAW submitted 48 petitions to the Israeli High Court and had managed to obtain precautionary orders to halt the demolition. Moreover LAW had been able to obtain final decisions to halt the demolition of 38 houses. In addition LAW succeeded in obtaining decisions preventing the demolition of 38 houses.

The first home demolition took place on 6 January 1999 when Israeli authorities tore down three barracks in Al Jalameh, also near Jenin. Built in February 1997, they were owned by Muhammad Ameen  
d been

families. In February 1997, land organising committees notified them of the demolition. They appealed but lost the case. They then appealed, but received no reply until the bulldozers arrived.

On 6 January 1999, a building belonging to Ahmad Abu Iweis and his brother Issa, which sheltered 14 members of their family, was also demolished. About 150 soldiers surrounded the house in the Essawiyeh area, on the outskirts of Jerusalem near the Hebrew University. The household was told that the forces were there to carry out a demolition order. The wife of one of the brothers said that everyone had seen the Israeli bulldozers approaching the site. They were forced outside prior to the demolition. The owners of the house asked for a chance to try and amend the situation, but the soldiers and other officials refused. The furniture was hastily removed, and the house demolished. Most of the furniture was damaged as it was being taken outside.

In the evening of 26 January 1999, an annex owned by Omar Hamdan from the Old City of Jerusalem was demolished at midnight,

wife Rasmieh complained that the soldiers had assaulted her and kicked her in the stomach and head. This was the third house in the Old City to be demolished by the Israeli authorities last year.

On 28 January a construction belonging to Ziad Fheidat from Anata was torn down. It was an annex to an existing house, s and sheltered 12 members of his family. It was located only 25 metres away from bypass road # 70 and was raided while the family slept. Fheidat said that he had applied to the Israeli Planning Council for a license to build but his application was rejected. When he received the demolition warning, he filed a suit through LAW, but the court ruled against him.

On 29 January, Israeli bulldozers tore down the house and the wall of Fahmi Abdi Samad in Beit Hanina. The house was 120 square metres and sheltered 14 members of his family.

On 4 February 1999, Israeli occupying forces demolished two more homes under the pretext that the owners had not obtained licenses for construction. At 7:00 am, officials representing the Israeli Civil Administration, the Committee for the Supervision of Real Estate and the Israeli Higher Planning Council arrived, unannounced and

residential area in Hebron. Bulldozers proceeded to knock down the house of Fayeze Jaber, 22, which consisted of two rooms, spanned 80 square metres and sheltered 12 members of his family.

In an affidavit to LAW, Jaber said that the soldiers used force to evacuate the house. They beat and humiliated Fadi Jaber, 18, for no apparent reason. The soldiers were acting under the supervision of Captain Shai, commander of the Civil Administration.

A few hours later, the same troops arrived Beit Ummar, a village to the north of Hebron, and demolished the home of Leila Asabarna, 30. The house consisted of two rooms, spanned 100 square metres and sheltered 6 members of her family. Again, the demolition took place without prior warning or notice.

On 9 February 1999, Israeli forces demolished a house belonging to Taleb Marwan Ahmad Al Kiswani, 21, in Beit Hanina which lies to the north of Jerusalem. The demolition was explained by the fact that the



house had been built without a license, although the land itself is the property of Kiswani and spans an area of 700 square metres.

In his affidavit, the owner said that construction had started three months before to shelter seven family members, including his mother, 41 his two brothers, and his sister. The 80 square metre house cost 40,000 NIS to build, which Kiswani had borrowed from friends and relatives. His wife had to sell some of her jewellery to complete the construction. The home was demolished without prior warning, although Kiswani had received a demolition order a week before the demolition took place and decided to appeal to the High Court to prevent the demolition. Unfortunately, the demolition took place before he had had the chance to find a lawyer.

On 12 February 1999, Israeli bulldozers knocked down a 260 square metre shop owned by Dirgham Daraghmeh and an 80 square metre shop owned by Ragheb Abdil Fatah.

On 15 February 1999, Israeli bulldozers knocked down a 260 metre-square factory and a 140 metre-square barracks owned by Kamal Atawi and located in the village of Beit Forrik. On the same date, the house of Shihadeh Bilwani was tore down in the Nussarieh in the Jordan valley. The house was made up of 6 rooms and sheltered 8 family members.

On 9 March 1999, Israeli authorities demolished 3 homes, 7 barracks and a long wall. The first home to be demolished, in the village of Al Jeep in north Jerusalem, was 150 square metres and owned by Issa Assaf. The demolition took place at 7.15 am when Israeli bulldozers, supported by approximately 50 soldiers, arrived on site and tore down the house. The family is residing in America.

Ramallah. Maher Siweiti, owner of the 150 square-metre livestock coup, received a demolition warning two months before. He evacuated the stock from the barracks and left a mobile home on the site. His material loss is estimated at 3,500 NIS.

Later that day, bulldozers arrived at the Um Assafa village on the outskirts of Ramallah. Two houses belonging to the brothers Usama and Ghassan Hamad were torn down. The demolition took place during the funeral of one of the residents of the village. As the news spread, clashes broke out between villagers and Israeli troops. Many of the demonstrators were injured and suffocated after inhaling chemical tear gas and being fired upon with rubber-coated bullets. The Hamad brothers received a demolition warning three years

against the demolition in return for not completing a two-storey, 200 metre-square house.

At the same time as the demolitions in the Um Assafa and Al Jeep villages, another Israeli military force was demolishing 7 barracks in the Um Adalil area near Al Jiftlick. The barracks belonged to Abdil Mahdi Assalamine and his sons. Two of them housed 30 members of the family, while those remaining were used to keep livestock, approximately 300 sheep. The livestock was released from the barracks before the demolition. Unfortunately, according to an affidavit given by Fatima Assalamine, a resident of one of the barracks, the family was not allowed to retrieve the furniture from the barracks used for shelter. The family had lived there for approximately 15 years and had obtained residency rights in the area from officials in the Israeli Civil Administration. Over the past two years, the Israeli authorities rejected an application for that residency to be extended. This is the second time the barracks have been torn down in the past three months. A water tank, the main source of drinking water for the family, was also damaged during the demolition.

In Beit Hanina, a wall owned by Kamal Abu Jaber was also demolished because he had not been issued with a licence for its construction.

On 24 March, Israeli bulldozers demolished a long concrete wall owned by Yacoub Abu Markhieh in Hebron.

On 19 April, the Israeli authorities tore down two houses and eight pillar foundations erected for the construction of an annex to an

existing house. Abdil Razak Al Sheikh and Bassam Tarweh owned the houses; the foundations were owned by Mahmoud Dirbas.

In an affidavit to LAW, Nisreen Tarweh, 22, said that at about 9:30 am a number of municipal officials and soldiers arrived at the house. The door was broken down and furniture thrown outside before the demolition began. The house, which had cost 60 thousand Jordanian Dinars to build, was inhabited by 22 members of the same family, including 14 children. The family had not received a demolition warning.

The Israeli authorities arrested the owner of the second house, Abdil Razak, at his workplace before carrying out the demolition. Later,

neighbour, said that the 110 metre-square house, which cost 150,000 NIS to build (approx. US \$37,500), was demolished on the morning of 19 April. Later, Israeli bulldozers tore down 8 pillar-foundations, which Dirbas had erected at a cost of 18,000 NIS in preparation for building

lost consciousness and had to be taken to hospital in a police car because the police had refused an ambulance access to the site.

May 1999 witnessed a marked escalation in home demolitions. On 5 May 1999, as part of the ethnic cleansing of Jerusalem, Israeli occupying forces and Jerusalem municipality workers demolished

construction) from Jabal Al Mukabber. The demolitions were carried

However, this claim has no basis as a road used by Israeli soldiers to control the area and prevent Arab construction passes through the area.

In the morning of May 13, Israeli occupying authorities demolished four houses in Kirbit Al Dirat, Al Bwieb and Im Al Safa in Yatta near Hebron. The houses were owned by Salameh and Ayish Azazmeh, Ali Al Amour and Hassan Dawoud.

In his statement to LAW, Salameh Azazmah, 28, from Khirbit Al Bwieb, said that he was in his house when he saw a bulldozer, five military vehicles and two cars approaching. They turned towards the house of his brother, Ayish, and demolished it. The house was 160

other brother

Salam, 50, and demolished that too.

Ayish Azazmeh built his house five years before and Salam built his a year and half before. On May 4 1998 he was notified to stop the construction. Ali Al Amour, 24, from Khirbit Al Dirat said in his statement to LAW that his brothers woke him while he was sleeping

demolishing his house. When he got there he saw soldiers and people gathered around the house, which was demolished at 6 am. The 70-sqm house consisted of two rooms and a salon. He and his neighbours had found some papers four months before with Hebrew writing on them but they did not understand what was written.

The fourth house was owned by Hassan Dawoud, 66 from Khirbit Im Lasfa. It was 120 sqm and sheltered a family of 21. This is the second time that it was demolished; the first was on 27 June 1998.

On 19 May, Israeli authorities demolished three agricultural water reservoirs in the Hebron area and assaulted their owners. Adnan Abdel Hajj, the owner of the property, said in an affidavit to LAW that the Israeli forces arrived on his land at about 10 am, carrying battery-charged cutting machines. They surrounded the site, banned access and, with apparently random selection, began cutting the trees. The wife of the owner tried to interrupt the process, but she was driven away by force. The fence surrounding the property was broken down and 400 olive trees (at least 15 years old) were uprooted, as were 118 other apple, peach, fig, grape, almond and banana trees.

on the property, even the thyme bushes. She added that they had

threatened to cut her legs off if she approached them or shouted for help.

On 21 May, in Ramallah, Israeli authorities tore down a new construction owned by Yihya Salameh from Al Bireh. The construction, three adjacent storerooms, spanned 100 sqm. The

preoccupied with the illness of his son, who suffered from cancer. On the same day, Israeli authorities demolished a 150 sqm chicken coop owned by Nijim Safi in Ramallah.

Within the context of Israeli policy to rid Jerusalem of its indigenous population, on June 7 1999 Israeli occupying forces demolished the house of Muhammad Khader Muhammad Abu Khdier, 52, from -sqm two-storey building, which cost \$82,000 to build, was demolished without prior notification. The house was only completed one month before in order to provide shelter to a family of 16.

In his statement to LAW, Abu Khdier said that he had begun constructing the house three months before. He applied to the Jerusalem municipality for a permit and paid the \$3,000 required for his licence. This amount is non-refundable. However, his application was rejected and a month later he received an order to halt construction.

On the same date, Israeli bulldozers tore down the 500 square metre home of Zayed Salman in Beit Hanina.

On June 17 1999 two houses in Biet Liqya in Ramallah were demolished. In the morning, Israeli bulldozers accompanied by soldiers came to the area and demolished the two houses. The first house is owned by Mahmoud Muhammad Abdil Raheem Rayyan, 40 and it is 160 sqm. This house was annexed to a 100-sqm two-story house, which was built in 1982. The house sheltered 5 families consisting of 30 members. 16 of these are children under 10. In his statement to LAW the owner of the house said that its construction had cost NIS 50,000. The house was licensed since 1982 . He added

that 20 persons were supposed to live in the house that was demolished, four of whom are blind.

The demolition affected the old house and the wall that surrounds this Bilal, 13, was beaten by the soldiers and arrested for two hours.

The other house was owned by Sharif and Ashraf Muhammad Al Qadi, 20, and Muhammad Al Qadi, 25. The 130 sqm house was constructed 8 months before and intended to be inhabited by the families of these two men and their parents, who were displaced from

stop the demolition. The owners of the houses emphasised that although they had received notification to halt construction, the houses were demolished without warning, under the pretext that the houses were not licensed.

On the same date, the 140 metre square house of Jamal Ashakour was tore down. The house was still under construction and was supposed to shelter 8 family members.

On 22 June 1999, Israeli authorities demolished the 160 metre square house of Khaled Asahouri from Al Mukabber. The house sheltered 9 family members.

On 5 July, Israeli authorities demolished a number of concrete storerooms in Kissan village in Bethlehem owned by Yousef Subh.

demolished. On 14 July, 5 Bedouin barracks owned by Ibrahim Halaseh were tore down. On 25 July, the house and another barrack owned by the same person was also demolished. The house sheltered 9 family members.

On 11 July 1999, two houses were demolished. They were owned by Muhammad and Ahmad Khalefeh from the village of Al Walajeh in Jerusalem. Israeli authorities claim that the house had been built without a license. The demolition process was also coupled by an

excessive use of force against the owners and those who were at the site causing ten injuries.

According to a statement given to LAW by Ahmad Khalefeh, at 8 am that day he was awakened by a knock on the door. He went out and saw soldiers, policemen and some employees from the Israeli Ministry of Interior outside his house, which they informed him that they intended to demolish. Half an hour later, three bulldozers arrived; the soldiers took the furniture out of the houses and demolished them.

Khalefeh built his house in March 1999 and had lived there since April 29. His brother built his house nearby and moved there a week later. The houses were 160 sqm and sheltered two families consisting of 11 members.

40 homes located in the same village of 60 houses are threatened with demolition. The mosque of Al Nour, which was built with money donated by the village residents, is also threatened with demolition. Following is a list of some of the people who received demolition notifications against their houses:

Hussein, Khaled Jibril, Mahmoud Muhammad, Musa Abid Al

Khader, Yousef and Abdil Qadir Rabah, Mahir Abu Khyarah,

Al Walajeh village and other Palestinian villages in the Jerusalem vicinity are models of the ethnic cleansing practised by Israeli authorities against the indigenous population since 1967 when the Israeli Jerusalem council and the Ministry of Interior claimed that Ein Jweiza, for example, would be annexed to the Jerusalem borders.

Regarding the home demolition of Mustafa Al Atrash, 68, who lives widower for 10 years but my sons often visit me. We all used to live in one house together but we had to leave because it was going to

collapse. I had built the 100 square metre house in 1987 at a cost of 5,000 JDs. At that time, I used it as a shelter for my livestock, but when our home became likely to collapse we moved into the other house, although the roof was made of zinc. In 1995, the Ministry of Interior filed a suit against me with the charge of transforming the livestock shelter into a residence.

because I had no money. Unfortunately, the court decided to demolish the house and fine me 5,000 NIS. The court said that if I failed to pay, I would be taken to prison for 100 days and in the event of me adding any additional building, I would be fined 10,000 NIS. I had to pay for the demolition of my own house. In court, I told the judge that I had only managed to come to court in Jerusalem because I had been granted a temporary permit to Jerusalem. He was surprised, because as I lived in the outskirts of Jerusalem I should

was also given a demolition order against his 100 metre sq. house that sheltered 7 family members. He was given 2 years to demolish his own house and a fine of 7,500 NIS.

The two Atrash brothers were given a demolition order by the Ministry of Interior demolition warnings, especially as they had been issued by the Ministry of Interior and the Jerusalem municipal council and we lived in area A, which is not under Israeli control. It is true that we are surrounded by settlements but we always choose to enter our village through Palestinian controlled areas such as Beit Jala and Bethlehem. Our village cannot be under Israeli jurisdiction, it is a part of the West Bank. The municipality claims that the village was

Jerusalemites? Where are the services? Perhaps the municipality plans to take over the village and turn it into Jabal Abu Ghneim # 2,



On August 17, Civil Administration officials, supported and accompanied by a number of soldiers, attacked the village of Jaloud in Nablus, targeting two brick rooms as well as a 400-metre wall constructed for agricultural purposes. The 50-sqm rooms were owned by Yousef Musa. Another house owned by Bassam Adama from Al Tor in Jerusalem, was demolished on August 30. The 300-sqm house was under construction and was supposed to shelter a family of seven. Up to the date of demolition the house had cost JD 28,000.

The Israeli occupying authorities continued their policy of ethnic cleansing and home demolition in the Occupied Palestinian Territories. On 25 October, a 240 square-metre house in Beit Hanina, Jerusalem, owned by three partners, Kamel Abu Dheileh, 52, Odeh Khader, 40 and Najwah Imteir, 38, was demolished. The house sheltered 24 family members including three sisters, their husbands and their children.

The house was built in 1991 without a license and the Jerusalem municipal council imposed a fine of 7,000 NIS on the owner. It had cost \$200, 000 to build, in addition to the cost of the land.

Six months ago, the family received another demolition order. The would be postponed as the case was still being examined by the court.

According to an affidavit given by Sara Fouad Khader, a relative who was present at the time, municipality officials arrived in the morning and told them to leave the house because they had instructions to demolish it. Sara asked to be shown the demolition order, but they refused to show it to her. The family members were given very little time to evacuate the house; they only managed to remove the sitting room furniture and some other personal belongings. The house was

belongings still inside.

The Jerusalem municipality has deemed that most of the houses built

believed by the town council to have been constructed without a license.

On 26 October 1999, Israeli bulldozers backed by large number of soldiers and police officers entered the Essawiyeh village in East Jerusalem to demolish the family house of Ihab Nasser, 23.

The 100 square metre house was home to Nasser, his wife and his

months before to initiate licensing procedures. The house had cost \$16,000 to build. The family was also informed today that the land on which the house was built had been confiscated.

used by Israeli authorities to ban Arab construction in the city. According to

houses threatened with demolition have been paying the Arnona tax - a type of tax paid by house owners for occupying space in the city of Jerusalem. It is also unclear as to the reason why the City Council agreed to collect Arnona tax money from the owners whose houses were threatened by demolition.

father had been shot dead by Israeli soldiers at the Biddo checkpoint as he was returning home on 27 April 1995.

November 1999 marked an escalation of the policy of home demolition. On 10 November, a 42 metre concrete wall owned by Moos Arajabi was demolished. On 15 November, the 110 sqm house

demolished. The house was supposed to shelter 16 family members. On 23 November, Israeli bulldozers tore down 7 houses in the Gaza Strip owned by Munir Abu Suhwail, Ayman and Ahmad Abu Suhwail,

Ayesh Abu Suhwail. On the same date, at approximately 9:00 am, Israeli bulldozers backed by large number of soldiers and police

officers entered the Essawiyeh village in East Jerusalem and demolished two houses. One house was owned by Ihab Nasser, 23 and the other owned by Hussein Khalil, 55. This was the second time

demolition took place on 16 October 1999 but the house was rebuilt in defiance.

armed occupation forces arrived at the house at about 9:00 am. The r was at the courthouse waiting to obtain a court order to cease the demolition, but they paid no attention and went on with the demolition. The 60 square metre house, home to Nasser, his wife, his elderly mother and his three brothers, had cost 28, 000 NIS (approx. US\$7,000) to build.

In an affidavit by the second owner, Hussein Khalil, he said that armed forces arrived at the house at about 9:30 am. The demolition lasted only a few minutes. Khalil added that it had taken him 12 years to complete the construction of his 240 square metre, two-storey house, which was to shelter 16 members of his family. The national insurance agency had refused to allocate money for Khalil who was injured in an accident in 1996, arguing that his wife could work and support the family. She was told to refer to the employment office for work.

On 29 November 1999, Israeli authorities waged a demolition campaign against Palestinian property in the village of Al Khader. The demolition included homes, barracks, and water reservoirs. Israeli bulldozers tore down the house of Imad Asarfandi, two barracks owned by Khalil Salah, two barracks and a water reservoir owned by Ahmad Salah, a water reservoir owned by Ali Abisalem and a barracks for the storage of natural gas owned by Ibrahim Asarfandi.







#### **Fourth: Detainees and prisoners**

Although Israel released 376 Palestinian detainees from its jails in compliance with the Sharm Al Sheikh agreement, 1,400 Palestinian prisoners, of whom 15 are in administrative detention, are still being held in Israeli jails. This violates the 1949 Fourth Geneva Convention, which prohibits transferring detainees from occupied land to the land of the occupying country. Furthermore, the Israeli prison administration holds these prisoners in very bad conditions, which last year led to the death of two Palestinian detainees.

Shabak (the Israeli General Security Services) still subjects detainees to torture, despite the September 6 1999 Israeli High Court verdict banning torture and considering the interrogation methods used on Palestinian detainees as illegal.

Within the framework of our programme dedicated to the release of prisoners who have served two thirds of their sentence, LAW was able to obtain release decisions for 22 prisoners in Israeli jails. However, in 1999 the Israeli authorities conducted a number of arrest campaigns resulting in the imprisonment of 666 people. 8 of these are being held in administrative detention and 34 are students from different universities, polytechnics and schools, as follows: Al Najah university (15), BirZeit University (6), Al Quds (6), Hebron University (4), Hebron Polytechnic (3), and high schools (4).

Also included in the arrests were 4 lecturers, 3 doctors, 2 members of the Palestinian national forces and police, 2 girls, one father (arrested as a substitute for his absent son), 53 juveniles under the age of 18, 33 children under the age of 14, 5 ill individuals and 5 journalists.

Detention periods ranged from 5 hours to several months, and some of the detainees have been released since their arrest.

The largest arrest campaign took place after the signing of the Wye River Agreement, when approximately 94 Palestinians, including 31 under 18 years old, were arrested in the Hebron, Bethlehem and Nablus areas. Most were arrested from their homes in zones B and C, where security is under Israeli control, but some were picked up at makeshift Israeli checkpoints or border passages.

On 1 April 1999, Israeli forces arrested 10 children and young men

Khalid Al Kbari (13), Masirah Al Barghouthi (21), William Al Barghouthi (14), Walid M Yousef (17), Muhammad Jumhour (15), Ahmad Abdissalam (17), Hassan Rasim (14) and Ayman Al Musa (18).

On 3 April, Thaer Abu Taha (19), Munther Abbas (20) and Adnan Abu Taha (18) were also arrested. On 7 April, more young people were

Tareq Atta (13), Ibrahim Atta (14), Abdallah Atta (15), Mustafa Atta (16), Mohammed Ankoush (16) and Hassan Al Barghouthi (15).

The year 1999, particularly since the Labour government assumed power, witnessed the introduction of stricter measures against Palestinian juveniles and minors in accordance with the decision issued by the Israeli Commander to sanction the pursuit, arrest and trial of Palestinian juveniles aged 12-16. It should be noted that Israeli law bans the trial and punishment of its own citizens under 17, even if there is evidence to indict them.

Under the new measures, a series of midnight raids took place on 1, 2 and 16 August 1999 in the Aroub refugee camp just north of



Hebron. Israeli forces raided several houses in the camp and took the children from their beds, arrested them and charged them with throwing stones and disturbing public order.

The children arrested were:

Ammar Jibril (16); Ahmad Jibril (14); Usama Abu Hashhash (14); Shadi Awadallah (16); Abdallah Al Badawi (15); Mohammed Banat (14); Mohammed Abd Asalam Jawabra (16); Mohammed Madi (14); Mohammed Husnieh (15); Ahmad Al Badawi (14); Hammouda Al Badawi (16); Khader Abu Ayyash (16); Nader Samara (17); Mustafa

Mohammed Al Badawi (16) in addition to three children from the Jawabra family.

In an affidavit to LAW Society, Mahmoud Jibril, 45, the father of Ammar and Ahmad, said that the occupation forces arrived at his house after midnight, surrounded the house and entered through the courtyard. They examined his ID and then asked to see the two children. The force commander was shocked when he saw them - they seemed far too young. One of the children had a deep cut in his head from a recent accident. The commander contacted his superiors: although the conversation was carried out in Hebrew, the father understood that the commander was making sure that he was expected to arrest people as young as those he had just seen. The response came that the people they wanted were indeed very young.

Jibril confirmed that the arrest took place after midnight on 2 August 1999. The children were taken to the Atsyoun detention centre. The father was not allowed to visit them, but he managed exchange a few words with them as they walked in one of the open barracks where they were being held. The officer in charge told the father that his two sons had been charged with stone throwing. Ammar, the eldest son, later told his father that he had confessed under extreme physical and psychological pressure.

Ibrahim Abu Hashhash, 41, told LAW that Israeli police had visited him at his place of work and told him to take his son, Usama, 14, to the Atsyoun detention centre; if he did not comply he would be held

responsible. Ibrahim delivered his son, who was also charged with stone throwing, and has not seen him since; he also does not know where the boy is being held.

Ahmad Awadallah, 41, told LAW that his son, Shadi, 16, was taken from their home after midnight on 16 August 1999. He added that Shadi is a calm person who does not interfere in the affairs of others and suffers a chronic condition. He has inquired at the Atsyoun detention centre, but officials there have told him that they do not know the whereabouts of his son.

In another measure that can only serve to threaten the human rights of Palestinian children, the judge at the Israeli District Court in Jerusalem acquitted Nahoum Korman, the settler who killed the Palestinian child Hilmi Shousheh on October 27 1996 near his house on the road between Housan and the settlement of Bitar Elet, which is established upon the land of Housan in Bethlehem. The acquittal was seen as encouragement to kill, especially as the judge claimed the settler to have been acting in self-defence when he killed the child. The decision was not the first of its kind issued by the Israeli courts.

On 6 June, prisoners held in confinement at the Asqalan prison declared a hunger strike in protest at the harsh conditions they with Ismail Ghneimat, a prisoner in solitary confinement, and also with

prisoners in solitary confinement were held in twos in windowless cells of 2 metres by 1.7 metres. He added that a policeman distributed food and that often some prisoners had to go without. Only two were allowed recreation time in the courtyard. They were not allowed to have their hair cut. Two of the prisoners in solitary confinement, Iweida Kallab and Ali Masarweh, suffered psychological disorders. Ghneimat also stated that the prison administration had them visits from relatives since the hunger strike had been declared. Ghneimat had not seen his brother for a year. He added that the prison administration had ignored their demands even after the termination of the strike.

lawyers conducted regular prison visits to examine the conditions and welfare of the Palestinian prisoners. The Israeli prison administration had taken several punitive measures against prisoners and lawyers alike. Among these measures were the sudden transfers of prisoners from one prison to the other and the

-day ban on visits, which was imposed as a punitive measure following recent unrest in the prison. During the visit, the lawyers met with a number of detainees and heard their requests and demands. The detainees were Abdil Ruhman Ghneimat, Raed Barawieah, Rashad Al Hroub and Imad Al Mukabal. They told the lawyer about the events inside the prison on 27 July 1999 and complained about the collective representative Othman Musleh.

The detainees said that the administration of the prison had spoken to Othman on July 27 at around 1 pm and told him that the prison administration had arranged to transfer 50 detainees from Shatta Jail to Asqalan Jail, and that another 120 prisoners would be arriving at a later date from another prison. The administration demanded that the prisoners in Asqalan not be permitted contact with the incoming detainees, who were to be distributed randomly according to the discretion of the administration. Othman rejected this decision and

the placement of the new prisoners according to their political affiliations and health.

The administration refused this demand and tried to impose its desire by force on the prisoners, provoking wide protest. The Chief Warden of the southern area and his deputy came to the prison and discussed

Committee (representatives of the political parties) and the administration. However, they did not reach an agreement, so the representatives and members of the Committee were handcuffed in the morning of Wednesday 28 July 1999 and held in solitary

confinement in the Al Ramla jail. The nine prisoners involved are:

ukri Salmah.

against them and their peers. They demanded the release of the 9 prisoners from solitary confinement. Then the protest actions increased. The leader of the southern area issued a decision declaring that area of the jail a military zone and bringing in reinforcements. They also brought 25 ambulances in case of oulak, came to the prison on Friday July 30 1999 at 11 am accompanied by two senior officers, one whose name is Abu Hasireh, and met with the Committee and the spokesman of the prisoners. They reached the compromise that the Committee would distribute the incoming prisoners as it wished. This agreement was supposed to have been implemented by August 4 1999. The prisoners were released from solitary confinement and sent to Asqalan jail.

It is worth mentioning that the 50 prisoners who were transferred Asqalan prison on July 27 were held in the visiting section with no care being taken of them. Six prisoners were allocated to each 9-sqm room. They had no sheets to sleep on but these were distributed the next day by the administration.

On 4 February 1999, the Meggiddo prison administration prevented a LAW Society lawyer from visiting 14 Palestinian detainees. In spite of the fact that his visit had been arranged, he was only allowed to visit 6 of 20 detainees.

An official in the prison claimed that the 14 prisoners were not in that prison. However, the six prisoners emphasised that they were there.

(spokesman), Jihad Hmiedan, Ziad Al Khudour, Khalid Samarah, Hussein Salah, Ratib Al Rajabi, Saleem Hijeh, Omar Sartawi, Ahmad

and Shihadeh Al Ramadeen. The prisoners who were visited are:

Arafat, Imad Shamasneh and Nahid Al Rajabi.

On 31 May 1999, Fares Asarfandi, a detainee at Meggiddo prison, told our lawyers that the medical services and health conditions of prisoners had deteriorated. Asarfandi also said that the prison doctor had often been known to prescribe unsuitable medicine. He was suffering respiratory problems, for which the doctor prescribed a medicine usually used for the treatment of rheumatism. Another detainee, name withheld, was suffering from arteriosclerosis, for which he was prescribed a medicine used for the treatment of ulcers and stomach infections. Another detainee suffering from otitis was prescribed a medicine used for the treatment of ophthalmitis.

Asarfandi also said that when the doctor examines patients he does not follow standard procedure, preferring instead to talk to the patients from behind a fence while the patients stand in a row two metres away to describe their condition. The doctor does not understand Arabic but rather relies on (often-inaccurate) translations by other prisoners. Asarfandi also said that the prison administration usually refused patient transfers to a medical clinic except in extreme cases.

Asarfandi told the story of Daoud Rawajba, a detainee from the village of Rojeeb near Nablus. Rawajba, an epileptic, was arrested a year before. At the outset, the prison administration informed him that he would not be admitted into hospital before having been in the prison for at least 6 months. He was later transferred to the Al Ramla prison hospital, where medicine was prescribed and he was sent back to prison. Since then, Rawajba has never been accorded the appropriate medicine despite the recommendations of hospital doctors. He has instead been given other types of medicine, with the result that his condition has worsened. This has also adversely affected the morale of other prisoners.

The end of 1999 marks over a year since the detention of 15 year-old  
-old  
father said that his daughter had never been affiliated to any political

faction and that the bill of indictment had never mentioned any such thing. However, the Israeli prosecution had requested the court to impose the maximum penalty on his daughter, in contradiction of all international agreements related to the trial of

to treat her, my daughter has received

punishment inflicted so far on her been sufficient? She has already lost one school year, and her medical condition is getting worse. In any case, there is no proof that she caused any physical damage to a

He stated that every hearing scheduled has later been postponed under the pretext that the case requires further examination. One hearing was set for 18 October 1999, and the guard prevented  
of the judge.

organisations, requesting intervention to put an end to their daughter's  
Education to help their daughter so that she may complete her studies.

LAW has sent a request to all human rights organisations to do all  
make Israel  
comply with the procedures stipulated in international agreements regarding the detention and trial of juveniles. LAW holds the Israeli  
reports that her health has recently been worsening.

During visits to various Israeli prisons, including Meggiddo, Talmud, (Meggiddo  
section), Hadarim, Shatta, Nafha, Ariel Detention Centre, Beit Eil,  
the following:

- There are 620 prisoners in Meggiddo, 80 in Talmond, and 300 in Asqalan, as well as 4 Palestinian women in Al Ramla prison
- A new prison (Haradim) has been opened, to which an estimated 78 prisoners whom the Israeli authorities were transferred.
- Administrative detention without charge or trial - there are currently 15 administrative detainees, 13 in Meggiddo and 2 in Talmond.
- High sentences against Palestinian detainees, especially those tried in the military court at Beit Eil.
- Indetermination of the period of life sentences
- Great suffering of prisoners in solitary confinement
- Overcrowding inside cells, which are infested with flies and rats.
- Suffering of prisoners due to the lack of detergents, cleaners and insecticides
- prisons from their residence.
- Medical negligence and inappropriate medical treatment resulting in the deterioration of the general health conditions. Appropriate  
been suffering migraine pains for which he had only been given  
  
developed an infection in his right leg and many others.
- Sustenance of torture methods despite the Israeli High Court order banning all forms of torture. Raed Al Humri stated that he

had been burnt with cigarettes all over his body and had spent 65 days under interrogation in the Al Masobia detention centre.

- Appalling living and sanitary conditions. There is one collective bathroom and a room of 48 square metres containing 16-18 beds. A cell often used for solitary confinement is only 1.5 square metres and the mattresses are changed every 8 to 10 years.
- Imposition of new measures where prisoners have to talk to their relatives behind window screens and a ban on cellular phones.
- Forcing the relatives to stand waiting for very long hours before being allowed to visit their loved ones.
- Degradation and insult of the relatives of prisoners during visits
- Ban of visits to some of the prisoners as a form of punishment.  
years.
- Deterioration of catering services
- Preventing the prisoners from contacting the outside world by phone or mobile phones. Prison administrations have started to use jamming equipment to prevent calls with the outside world. Some prisoners have complained about severe headaches probably due to the jamming systems.
- Newspapers and magazines have been banned.
- Violent treatment of prisoners in their cells under the pretext of searching for hidden cellular phones. On 11 September, forces  
ir clothes for two  
days. Some prisoners were transferred to solitary confinement and had their belongings destroyed. Others were severely beaten.
- Separation of prisoners on the basis of political affiliation. There have been attempts to gather all Jerusalem prisoners into one



prison, and an estimated 96 prisoners have been moved from Asqalan to Shatta.

LAW has been able to obtain release orders for 22 prisoners after the appealed to the Israeli release committees to release those who have completed two thirds of their sentences in accordance to the Israeli law. The Release Committees are the equivalent of a parole board and are empowered to consider requests for appeal when two thirds of a prison sentence have been served.

Following is a chronicle of these cases:

On 11 January 1999, the Israeli District Criminal Court in Nazareth ordered the release of Usama Kharma who has been in Shatta Prison for the last three years. The release order was made on an appeal submitted by LAW. Kharma was arrested on 5 January 1995 in Mukhayim Balata and tried by a military court. He was convicted on ten counts, primarily security-related offences, including membership of an illegal organisation, illegal possession and usage of a firearm and omissions to inform security services of likely offences.

Meanwhile, on 13 January 1999, another release committee was a female Palestinian detainee, Maha Zreina Al Ik, 20, who was being August 1998 on a charge of stabbing an Israeli soldier. She was

LAW represented detainee Khader Awwad before the Release Committee in the Al Damoun jail and the Committee decided to

imprisonment by the Military Court in Ramallah.

On March 21 1999 in the Al Damoun prison, the Israeli Military Release Committee issued a decision to release the Palestinian detainee Bilal Sadiq Izzat Nassar, 21, from Al Eizareyyeh in

Jerusalem. He has served two thirds of his sentence. The decision came after the

On April 22 1999 the Release Committee decided to release Hamdallah Hawamdeh who had been arrested on April 16 1992 and a bill of indictment against him was submitted to the military court in Nablus. He was accused of affiliation to outlawed organisations, violations of public order, attempts to open fire at people, military

The release committee at the Israeli Al Damoun prison decided on Sunday 25 April 1999 to release Palestinian Jerusalemite Omar Abu Sarhan, 25, in spite of the opposition of the government legal consultant who said that the detainee appeared today before the committee after it refused his request six months before to appear before it. Abu Sarhan has been serving time for a charge related to security. The committee submitted a secret report, which claimed that

lawyer represented the detainee.

LAW represented Nawaf Asouf before the Release Committee in

to release him after he had served two thirds of his sentence. He was

representative, who claimed that Asouf was an active leader in the prison and that he would be a threat to public security. She also provided the Committee with a secret report prepared by the Israeli security bodies who objected to his release. Asouf had spent 13 years in the prison.

the Release Committee on June 1 1999 and they were both released.

on 16 April 1992 and sentenced to 8 years.

LAW also succeeded on 4 July 1999, in obtaining a decision from the release committee in favour of Marwan Mahmoud Selim, 22, from

Hiedar. The decision was issued yesterday at a hearing held at Al Damoun prison. A condition of the release obliges Selim to remain within PA-controlled territory and not to enter Israel without permission. In 1994, Selim had been arrested and sentenced to 18 months arrested again on July 14 1998 and a bill of indictment submitted against him to the Israeli Military Court in Dutan. Charged with ten counts of stone throwing with the intention of causing harm to Israelis and their property, he was sentenced to two months sentence was added to the 18 months he had been given in 1994,

released after the adoption of her case by LAW. She had been in married with two children. Her husband lives in Jordan.

In a hearing held on 18 July 1999 in the Al Damoun prison, the Israeli Military Release Committee issued a decision to release the Palestinian detainees Mohammed Azam and Khaled Dari. Azam, 29, was detained on 19 March 1998 and charged with training on the use of weapons and maintaining contacts with a outlawed organisation abroad. The committee decided to release him in spite of the strong early release would be dangerous for the security of the state and the these claims. The Israeli Military Release Committee also issued a decision to release Palestinian detainee Khaled Dari, 19. Dari was detained on 16 February 1998. A bill of incitement, consisting of weapon manufacture and possession, caused the Jerusalem District Court to sentenced him to actually served 18 months.

On 2 August 1999, the Israeli Release Committee decided to release political detainee Nidhal Muhammad Abdilqadir Farhat, 23, a BirZeit University student from Bab Hatta in Nablus. LAW attorney represented Farhat at a hearing in Shatta jail, where the early release decision was made. The Israeli military authorities had arrested

Farhat on 6 September 1998 and a bill of indictment against him was submitted to the Beit El Military Court, charging Farhat with holding a senior position in the Islamic Movement at BirZeit University, and with distributing pamphlets. On 29 June 1999, the military court rendered judgement against him on the charges and sentenced Farhat to 35 months, 18 of them suspended. When he was arrested, Farhat was a senior and distinguished student in the engineering college. He lost one year of study during his detention and was to lose another year if he had not been released.

the release committee in favour of two prisoners from Jerusalem; Muhammad Niezan, 29, and Yousef Bied, 20. The legal consultant representative said that Niezan was a member of the PFLP (Popular Front for the Liberation of Palestine). It was alleged that Niezan still adheres to the ideology of the Front, which has been known to conduct bombings inside Israel, and that he has participated in many activities to justify his imprisonment. The representative also noted that the prisoner had already submitted two applications for his release, both of which had been rejected. The committee requested the refusal of the last application that he submitted to the District Court in order to appeal against the decisions.

ultant representative

decision was issued, the legal consultant representative requested that its implementation be frozen in order to enable the general prosecution to petition the Israeli High Court. The committee awarded the representative the period of three days for this petition. Niezan has been in detention since 1990 when he was sentenced to ten

High Court, with the result that another four years were added to the sentence. The committee also decided to release Yousef Bied after 5

brother to one year after being charged with burning Israeli cars and violating public order. The incident took place during the demolition by Israeli soldiers of three houses in the village, resulting in the death of

Zaki Bied. Both Niezan and Bied have many dependants and their parents are unwell.

LAW succeeded in obtaining an early release decision for the Jerusalemite detainee Muhammad Sub Laban. The decision came in

Sub Laban had been arrested on 15 April 1991 and sentenced to 11  
4 years with the stay of execution by the  
Military Court in Al Lud on 10 March 1992. He was charged of  
affiliation to an outlawed organisation, manufacturing explosive  
materials and possessing weapons.

On November 1999, the Israeli High Court rejected the appeal  
submitted on 4 November 1999 by Ilyakim Rubenstein, the

November 1999, to release 25 year old Abeer Sinnawi. During the  
hearing, presided over by Judge Aharon Barak and two other judges,  
Dorit Pinch and Dalia Dorner, it was concluded that the High Court

argument. The committee had concluded that the defendant  
recognised the implications of her act and would not repeat it in the  
future, and therefore decided to release the defendant immediately  
and requested her transfer to PA-controlled areas.

In the appeal, Rubenstein argued that over the past five years, the  
defendant had assaulted Israeli border police three times, twice with a  
knife. Rubenstein added that the committee had made a mistake and  
disregarded the risk to Israeli public safety that would result from

observed a few months before by female Palestinian prisoners. LAW

serving a of 2 year imprisonment sentence in the Al Ramla prison,  
having been sentenced on 16 September 1998 for attempting to stab  
a soldier and obtaining illegal entry into Israel. She was sentenced to

that time appealed to extend the sentence to two years, and won the case.

LAW also managed to obtain release orders for other detainees such as Anwar Atawil, Aboud Samaro, Haitham Elayan and Nasser Al Khoudour.

With its customary cold indifference to international law, the Israeli Parliament (Knesset) passed in the first reading a law that would

the occupied territories, giving large powers to the military commander and maintaining the policy of administrative detention. The passing of the law was preceded by a call from the Israeli Minister of Justice in the Barak government to extend the validity of

LAW has d

military orders, to re-enact the 1945 emergency law. We also expressed grave concern over the maintenance of the above law,

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brought back memories of the 1970 military order # 378, which sanctioned the administrative detention of Palestinians for 6 months liable to extension. It is thanks to these law that there are still 15 administrative detainees being held in Israeli prisons. When lawyers request legal explanation for their detention, the military prosecutor

The international community has refuted the sanctioning of these laws since 1967, as they contravene all international accords including the Universal Declaration of Human Rights, the International covenant for Civil and Political Rights and the 1949 Fourth Geneva Convention.

The Centre for the Protection of the Individual, along with LAW Society and an Israeli Human Rights centre, has appealed to the Israeli High Court on behalf of Salah Shihadeh for the withdrawal of

his administrative detention order. Lawyers Tamar Peleg, Dan Yakir and Ali Haidar from the human rights centres have appealed to Yom Samya, Commander of the Southern Area and Moshe Shafi, Military Judge, to repeal their decision.

he completed in mid July 1998. He was also fined 5,000 NIS, which he was unable to pay. Despite the fact that he had served the full term of his sentence, Judge Samya sentenced him to a further six

Shihada rejected the sentence, arguing that during his detention he had been totally isolated from the outside world and had therefore not committed any action to undermine Israeli security. He added that he had spent most of that time educating himself. The lawyers supported ed that there was no evidence that he had committed any further crime during his imprisonment. During the court hearing, a representative for Israeli Intelligence (Shabak) stated that no evidence had been gathered against Shihada during his sentence, but that the indictment had been based upon information gathered by Intelligence agents.

Miriam Lidor, spokesperson for the appellants, stated that the appeal would be examined by the High Court within the next three weeks.

visited the Hasharon jail to meet with Shihadeh, 46, from Biet Hanoun in Gaza. On November 18, he had had his imprisonment extended for another six months by order of the military leader of the Gaza Strip, who based this order on the claim that Shihadeh would become part of the Hamas leadership activities.

Israeli occupying authorities have also maintained the policy of transferring Palestinian prisoners who have completed their sentence to administrative detention. On 24 June 1999, despite the recommendation of the Shabak agency to extend the detention period of the Palestinian prisoner Ali Abu Ras, the judge of the Military

Appellate Court in Beit Eil refused to accept the recommendation but Abu Ras was again placed under administrative detention despite the

In his decision, the judge argued that it was possible to keep the requested confession and evidence for a third indictment to enable him to base his sentence. Abu Ras had been detained in May 1999 and was interrogated for 50 days in the Al Maskobia detention centre. His lawyers had suspected torture so they filed against the Shabak to stop the process of torture. Despite the court decision demanding the cessation of torture, the Shabak sustained the process. The lawyers filed for the second time and obtained the same decision. Abu Ras had been working in educational establishment all his life. He had been detained several times during the Intifada and had often been placed under administrative detention.

In another incident, detainee Khale had been extended for the second time one month prior to the expiry of the first period.

On 19 September 1999, the father of administrative detainee Mahmoud Shabana filed a complaint at LAW requesting our intervention and legal advice to release his son who had been sentenced for 5 years and three months. Upon completion of that sentence, he was placed under administrative detention starting 16 September 1999 and transferred to Meggiddo prison.

During 1999, one of the longest-serving administrative detainees, Usama Baham, was finally released. Usama, 35, has spent approximately half his life in Israeli prisons, having been detained for the first time in 1982. His first detention was also extended several times without trial. He was again detained on 15 October 1985, when

14 October 1992. His most recent period of administrative detention began on 17 November 1993.



Usama was never taken to trial. During his detention, he was

Tikva, Tulkarem, Meggiddo, Al Jalama, Nitsan, Kifar Youna, Asqalan, Alone, and finally Talmond, from where he was released on 18 July 1999 after his lawyers had made at least 14 appeals to the High Court and a long campaign was conducted by several human rights organisations including LAW.

Usama was subjected to a long series of torture and interrogation processes after being arrested on 17 November 1993, especially during his first few months at the military detention centre in Tulkarem and later at the Petah Tikva detention centre. He was accused of possessing weapons and being a member of the outlawed Islamic Jihad movement and questioned by dozens of Israeli interrogators for almost 60 days. He was subjected to different styles of physical and psychological pressure, including prolonged sleep deprivation, hooding with a dirty bag, being interrogated while trussed and hanging from a wall, violent shaking, intolerably loud music and a lack of food. Finally, he was told that he would be held as an

In prison, Usama and his fellow inmates were attacked with tear gas, sound bombs and batons; they were also often deprived of their recreation time. Such collective punishment measures were taken by the warden against the Palestinian detainees every time there was any hint of protest. Over his six years of imprisonment, Usama was placed in solitary confinement seven times, long months during which he was forced to sleep on the cell floor without a cover. He was transferred three times to the Tal Hashomer prison for solitary confinement.

Usama added that the prison administration mixes Palestinian administrative and political detainees with Israeli criminals, who harass them with the full support of the prison wardens. The policy of administrative detention has led to the declaration of several hunger strikes, causing the prison administration to intervene to break the strikes and take punitive measures, characterised by their excessive force, against them. For several years Usama was deprived of

communicating with his family or reading the daily newspapers as a form of pressure in order to extract a confession from him.

Commenting on the military court proceedings, Usama said that they were invalid and void, as they usually were usually a charade to serve the interests of the Israeli General Intelligence branch of Mossad. During such trials, detainees are often kept ignorant about the

The trial judges rely on information passed to them by Shabak agents, which is always kept confidential on the assumption that the administrative detainee has shown himself to be a threat to security. Usama appealed thirteen times to the military court but to no avail; none of his fellow Palestinian inmates had received a clear charge or a decent trial.

As well as being badly treated, the Palestinian inmates were suffering from various illnesses but never given appropriate treatment. Ayman Daraghma was repeatedly ill, as were Salah Shihada and Khaled Jeradat, who has currently served 40 months of administrative detention. Akram Maswadeh underwent heart surgery and anticipates another operation, depending on the decision of the doctor. Ali Abu Ras suffered several serious complications due to the torture he had undergone, while Ahmad Al Froukh suffered heart disease and lung pains due to a bullet injury.

Usama praised the attempts of HROs to comfort prisoners and thanked them for the legal advice they provide. He praised the work of organisations such as LAW, Adamir, International Solidarity,

human rights activists especially Tamar Peleg and Einat Matar, who repeatedly lobbied the Israeli authorities for his release through their solidarity campaigns. The above organisations and people have often harshly criticised the process of administrative detention and called for its abolition. Usama received several offers from the Shabak, one of which was to accept deportation to another country and another was to denounce his resistance to the occupation.



### **Fifth: Collective punishment**

The Israeli occupying authorities sustained their policy of collective punishment against Palestinians through either partial or total blockades. In addition the sustained closure of Jerusalem denied access to Palestinians from the West Bank and Gaza. These Israeli practices form a blatant violation of the international treaties such as the Geneva Fourth Convention of 1949, the Lahai agreements of 1907, the International human rights treaties and the agreements signed by the PLO and Israel.

During 1999, Israeli occupying forces closed the Palestinian occupied territories including the PA- controlled areas. The total closure reached 11 days, distributed as follows:

28 Feb until 2 March 1999 (3 days), from 19 April until 21 April 1999 (3 days), On 17 May 1999, and from 9 September until 12 September 1999 (4 days).

During 1999, the Israeli authorities forced two blockades on the city of Hebron, the first lasting for 9 days from 4 June, and the second for 5 days both lasting a total of 14 days. A curfew was also imposed on the H2 zone, which is under Israeli control in addition to the sealing off of the main, and branch roads that link the city. The following roads were closed for 15 days:

- Arahma road, which links the northern part of the city to the central and southern parts. The closed from 30 - 31 June 1999.
- The closure of the vicinity of the Ibrahim mosque that included the Asalymeh neighbourhood, the Jaber, Al Masharqa Atihta

and Al Foqa and Asahla from 7-8 November 1999.

- The permanent closure with concrete blocks of the Jaber neighbourhood on 7 June 1999.

Collective punitive measures including military closures and curfews in other parts of the West Bank and Gaza have spread over 35 days including 15 days on refugee camps, and 14 days of closure of 11 of the main and branch roads. A list below shows the total closures of the related areas:

- Hebron / the village of Tafouh A military closure from 12 -18 February 1999.
- Hebron / the village of Tafouh A military closure and a curfew from 28 February -5 March 1999.
- Ramallah / Al Mugheir village from 1 March until 3 March 1999.
- Jerusalem / Ashayah Street that links Jerusalem to Asawahra - Closure from 3 March and ending on the same day in the evening.
- - A curfew starting from 31 March - 4 April 1999.
- Salfit / the village of Kuful Haress - A curfew imposed on 21 March until the same day in the evening.
- Jerusalem Blockade from 12 - 14 April 1999.
- Nablus / Beit Forik Curfew imposed on 19 May until the evening of the same day.
- Bethlehem / the northern entrance to the city was declared a closed military zone from 5 June until the following day.
- Jenin / Arraba - Toulkarem / Allar village Blockade from 12 - 16 August 1999.
- Bethlehem / the northern entrance to the city was declared a closed military zone starting from 1 -7 October 1999.
- Bethlehem / the village of Beit Fajjar was declared a closed military zone from 11- 13 November 1999.
- Toulkarem / Kufur Zeibad - Closed for one day on 19 October 1999.
- Nablus / Askar refugee Camp A curfew for one day on 21 October 1999.
- Bethlehem / Al Khader main street - Closed on 29 October 1999

for one day

- Hebron / Ithna and Taqumia villages were declared closed military zones from 30 October - 3 November 1999.
- Bethlehem / Housan Curfew for one day on 29 November 1999.
- Jericho / the main entrance to the Aqaba village was closed on 29 November 1999 for one day.
- Gaza / the main beach road was closed from 1 -10 June 1999.
- Hebron / the village of Beit Awa A military closure and a curfew from 13-14 December 1999.

The orchestrated policy of collective punishment against Palestinians has inflicted great damage on the interests of the Palestinian population that have often led to a deprivation of their civil, social and economic rights in all the aspects of life. This policy is a method of subjugation intended to inflict the maximum possible damage to Palestinian life by hindering their geographical, sovereign and social continuity to their land. Today, the political agreements signed and the reality of the Israeli occupation have led to the severing of Palestinian-populated areas from each other. The Israeli authorities can, at any given moment, sever contact and access between the Palestinian areas and thus bring all economic and social activity to a halt.

The denial of access by Palestinian labourers to their work inside the Green Line (including Jerusalem) has inflicted great damage to the living conditions of the families they support. Many families have been forced to sell their valuables and spend their savings in order to provide food for their family. According to statistics, the number of labourers denied access to work during closures could be as many as 55-60,000 regular labourers, in addition to the irregular workers or those who do not hold official permits, this is highest amount in the past few years.

The Israeli authorities frequently seal off all exits from the Palestinian territories as a whole, or from individual towns and villages. Individuals in possession of special permission to cross the Green Line usually find that these are invalidated at times of closure. This arbitrary measure can often lead to the loss of employment with no ensuing compensation, as payment for coercive absence from work is

often unrecognised. When the closures are lifted, labourers are forced to wait in long queues at the Israeli Civil Administration office to obtain new permits to replace the invalidated ones. It is estimated that Palestinian labourers lose 6 million Shekels for ever day of closure while unemployment could rise to at least 45% in the Gaza Strip and 35% in the West Bank.

Damage is also inflicted on thousands of Palestinians whose interests are somehow linked to entering Israel and Arab Jerusalem alike. One has to remember that there are thousands of teachers, employees and students who commute to Jerusalem everyday. During closures, they are forced to waste their day in idleness and many worshippers are deprived of carrying out their religious rituals.

In Hebron, the Qaitoun neighbourhood still under Israeli control, residents have complained about the practices of the Israeli soldiers. Israeli patrols hassle the residents and often verbally insulting them over loudspeakers. Resident Abu Sneineh added that a gas bomb was fired into his house. On 3 February, another gas bomb was fired in the same neighbourhood. Faisal said that he and his family members had to leave the house for a few days due to the intolerable smell the gas bomb had caused.

On 31 March 1999, Israeli authorities imposed a total siege on the village of Dier Abu Mish 30km north of Ramallah. The village was put under siege after an Israeli settler from the nearby settlement of Halmish claimed stones had been thrown at him from the direction of the village. Israeli forces arrested 21 youngsters from the Dier Abu Mish - Kbari 13, Masirah al- Barghouthi 21, Wiliam al- Barghouthi 14, Walid

Jumhour 15, Ahmad Abdissalam 17, Hasan Rasim 14 and Ayman al-Musa 18. Israeli soldiers prevented people from leaving or entering the village and assaulted several residents. Soldiers beat Muhammad Hasan al-Sabti, 21, when he attempted to enter the village and houses were searched daily, especially after midnight.

On 3 April, Israeli troops prevented Suleiman Eidh, 75, from entering

who suffers from cancer, was forbidden to re-enter the village after receiving hospital treatment. She was delayed for several hours. Hasan Dawoud, 80, who suffers from diabetes, and his 75-year-old wife who suffers from paralysis, were both forbidden to leave the village to visit hospital. Five or six people suffering from kidney failure were also forbidden to leave the vill

45, was one of these people and a doctor from the Red Crescent Society was prevented from entering the village to offer them medical assistance. More than fifty people were forbidden entry to the village for a number of days, in view of the fact of there being food shortage. Residents were chased by soldiers when attempting to leave the village on mountain roads. On 12 March 1999, an Israeli soldier who opened random fire in the village, during the attack Husain al-Barghouthi, 8, was injured when hit on his head with a canister, which fractured his skull.

which is located to western part of the fence that surrounds the  
-in-law who lived  
in a nearby house said that at about midday, she heard the noise of a smashing window. She rushed out to check and saw smoke coming out of the window. She saw three settlers running in the direction of the settlement. Two other settlers were standing in the distance while they recorded the incident with a video camera. The owner of the house accused the settlers of the atrocious act and said that they had thrown flammable material through the window they had broken and ran away. A fire brigade from Hebron extinguished the fire but, unfortunately, it was too late as furniture and other possessions had already been burned. The losses had been estimated at 25, 000 NIS.

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especially as the computer in the house contained a thesis, which his son had been preparing for 5 months for his graduation. Jamal, the eldest son said that fire brigade arrived late although it was only a few  
t only received a document  
informing him that the complaint had been registered.



On 20 July 1999, the brothers Ahmad, Ashraf and Ishaq Abu Ijheisha were injured when an object suddenly exploded as they walked past a rubbish dump in Hebron.

In another incident, Baha' Iweidah was taken to hospital after being severely beaten by soldiers at the Bethlehem checkpoint. Iweidah was in his car when he was ordered to stop. The police fined him but he refused to sign the fine ticket, whereupon he was attacked. His 5-year-old son tried to prevent the soldiers from beating his father but was pushed roughly to the ground.

In a further incident, Fadi Hammad was also attacked by soldiers. In an affidavit to LAW, he said: 'On 24 July 1999, I was stopped by soldiers, humiliated, insulted and severely beaten, having been accused of insulting one of the soldiers. He was the same soldier who a few days earlier had checked my ID, threw it on the ground and contemptuously asked me to pick it up off the floor. Fortunately, a foreign family passed by and stood up for me. The soldiers were embarrassed and they let me go, but I am now suffering from severe back pains as a result of the beatings.'

On 30 September 1999, in another incident, Imran Ashsarabati, 26 a blacksmith Hebron resident was exposed to degradation by the Israeli

1999, I was walking in the Qantara neighbourhood, close to the H1 zone under Israeli control, in the direction of the old city to buy something from a shop when I suddenly felt a blow in my back. I looked behind and saw 6 soldiers who, like animals, dashed towards me and, without any justification, began beating me. I was made to fall on the floor and I felt the rifles butts hitting me on the various parts of the body. I was pulled into the H1 zone to face an additional number of soldiers hungry for blood and violence. My hands were handcuffed to my back and I received innumerable blows to my stomach and back. I was led into the Dabourya Street and was asked to sit on the stairs. The soldier held my head and pushed towards the wall for several times. I saw around 30 soldiers surrounding me. One of them hit my head with the rifle. I lost consciousness. When I woke up, I found a soldier pushing his foot against my neck. I almost threw

up. Every time, I was helped to stand up, I would fall again. I was carried by a number of soldiers and dropped at the Qurtuba school. Although they stopped the beatings, they continued with the insults and the hassle that was too heavy on my ears. I was later led into a military camp where a military doctor came for a rescue. I had a glucose injection pricked into my hand. I overheard my relatives having an argument with the soldiers to ask why they had done so and why they detained me. I was too tired to concentrate but I remember catching a glimpse of a Palestinian ambulance that came to the site, which transferred to the Alia hospital. I stayed there until 2 October for medical treatment.

I have never understood why the soldiers behaved in such a brutal

On 11 October, Israeli occupying forces raided the village of Beit Fajar in Bethlehem, imposed a total siege on the village and conducted a house-to-house search terrorising people and causing a number of inconveniences. In an affidavit, Ruqayya Thawabteh said that she heard knocking in the door. When her daughter opened the door, she saw 4 soldiers forcing their way in and asked the family members to stay in one room. They asked for the key for the bathroom but they could not wait so they broke the door and went

hours. The village had been raided under the pretext that the Israeli Intelligence suspected the existence of outlawed weapons.

In other similar incidents, Palestinian labourers were either insulted or assaulted without apparent justification. On 12 March 1998, Mohammed Mahmoud, 40, was stabbed in the back by members of Habbad, a Jewish extremist group. Mahmoud was working at a construction site in an extremely racist neighbourhood of Lod. He sustained serious injuries.

On 13 March 1998, the soldiers at the main Bethlehem checkpoint attacked a group of Palestinian labourers although they were in possession of the necessary work permits. They were chased and

shot at with rubber bullets and tear gas.

On the Gaza beach, Palestinian fishermen have been under constant harassment by Israeli naval patrols. In some cases, Israeli patrols chase out the fishing boats in contravention with the bilateral agreements. The most dangerous incident took place on 12 April when at least 53 Palestinian fishing boats were seized and 41 fishermen detained. Among other violations, Palestinian fishermen have been filed complaints regarding:

1. Arbitrary shooting on boats.
2. Constant raids of boats
3. The cutting of fishing nets.
4. Detention of fishermen
5. The chasing of boats and forcing them to sail into the Israeli Ashdod port.
6. Confiscation of the fishing permits and the beating fishermen.

In an affidavit given by Zuhdi Jaber from the village of Yanoun in Nablus, he said that on 3 September 1999, while his brother Atef was irrigating the crops on his property, a settler came down from the mountain and forced him to raise his hands under the threat of a weapon. In the meantime, two more settlers appeared in the distance and surrounded two shepherds, Bassam and Sameh Sbeih. One of

been earlier assaulted by one of the settlers and had lost his eye during the attack. The settlers acted out a bravado show and left.

village of Yanoun, particularly children who have to walk for miles to reach school. The settlers exploit the circumstances and terrorise them as they go to their school. The settlers also have desecrated a number of Moslem shrines in the village of Awarta, which is surrounded by a military camp and the Itimar settlement. The village has three Moslem shrines. The settlers from the surrounding

settlements have entered these shrines and have performed their own rituals **this causing blackmail** to the Moslems in the surrounding villages. In many incidents, the settlers gather in the graveyards only to chant anti Moslem slogans to provoke the

Jews to our cemetery is a desecration. Unfortunately, these attacks are conducted under the protection of the Israeli occupation army. They come to the Moslem shrines three times a month. These shrines are the shrine of Asabine Sheikhs, the Al Mufadal and the Al Aziz shrines. In one incident, the settlers stole some of the manuscripts on the wall that prove how Islamic these shrines are. In another case, soldiers fired gas bombs to prevent the worshippers from going to the mosque. This has often resulted in injuries and suffocation of women and children. The Awarta residents also complain about the military training camps that were installed close to the village and have caused much inconvenience to residents and caused extensive damage to crops. The soldiers uproot and break

On 13 December 1999, the Israeli army raided the village of Beit Awa. Later in the evening, Israeli forces announced the deaths of Iyad Al Batat, 23, and Nader Masalma, 30, both residents of the village. The army claimed that Iyad Al Batat had been hiding in the house of Ismail Masalma and that he had shot at Israeli soldiers and a number of agents of the undercover unit that had come to arrest him.

Awad Al Masalmeh at 7:30pm and bombed it. The attack was carried for their resistance activities against the occupation. An Israeli

itnesses emphasised to LAW that this was simply not true.

-year-old Suhailah Abdilqadir Awad, also known as Im Firas, said that her five children, the oldest of whom is 15, were at home at the time of the attack, as were several of her

asked if they wanted to sell their car. Just a few minutes after he left, the house was bombed. Nadir Al Masalmeh went to the roof to see what was happening and was killed. Suhailah took her children and hid in one of the rooms. After the shelling stopped she found that her husband had been wounded in the arm and eye. Another relative was also injured, and Nadir and Iyyad killed. The villagers said that the operation went on from 7:30 to 10:05 pm.

Im Firas added that the army had used loudspeakers to order family members out one by one. When anyone complied and went outside, he would be blinded by spotlights and ordered by soldiers to remove his clothes and move towards the voice. Im Firas said that her

and accompanied him outside. The soldiers ordered me to move away from my husband, but I refused because he had been injured and could not be left alone. They ordered me to take off his shirt. I tried to explain that this was impossible because he had been wounded in his arm and eye. I took off his trousers under the

When we were a few metres away, the soldiers told my husband to remove

It was as the couple were leaving the house that they saw the body of Iyyad Al Batat stretched out on the doorstep.

children. I was carrying 4-year-old Zahed, but the soldiers told me to put him down and tell him to walk towards them on his own. They told me to take off my veil, which I did. They wanted me to take off my skirt, but I refused. They insisted so I lifted it up and said that there

was nothing hidden there. Then they wanted me to take off my blouse. I lifted it up and said I had nothing hidden there either. As soon as I reached them, one of them handcuffed me while three others carried out a body search. I was pushed against a wall with my hands raised upwards. The rest of the children arrived one by one, and they were all forced to undress for a body

taken to my

Im Firas and her brother-in-law, Mahmoud, 50, were taken in a military Jeep to a main road, where they were interrogated in the open, under the rain. The questioning lasted for 6 hours, and the interrogators were rude and insulting. Im Firas and her brother-in-law were accused of providing shelter to the two fugitives. Im Firas was released at dawn, when she went to check her children and found

There were 25 soldiers guarding the house, most of whom were asleep.

After the incident, the Israeli occupying forces imposed a curfew on the village and attacked many other houses, assaulting and arresting

Masalmeh (25), Osamah Al Masalmeh (24) and Nabil Abdilmajid (20) were some of those detained.

Ali Musa said that the soldiers, who also stormed into his house, damaged the furniture and other possessions and had cruelly beaten him. The health of Musa, who also suffers from heart disease, deteriorated. He passed out and fell unconscious onto the muddy ground.

### **Sixth: Torture and Maltreatment**

Palestinian detainees in Israeli jails continue to be exposed to torture by the Israeli General Security Services (GSS) in spite of the September 6 1999 Israeli High Court decision to ban torture and consider the torture methods used against Palestinian detainees as illegal.

This decision was of the most prominent incidents of 1999. A number of human rights organisations had appealed to the High Court in January 1998 requesting it to ban all forms of torture. The prosecution argued that torture was an indispensable tool for the defence of the State of Israel. During the session, a 9-judge panel decided that all forms of torture practised by the GSS (Shabak) during interrogation, such as sleep deprivation, violent shaking and forcing detainees to

has put an end to Israeli claims that torture was an indispensable means of extracting information from Palestinian detainees although the UN Committee Against Torture had directed harsh criticism against Israel for its use of torture, which is banned according to all international agreements.

Unfort

torture, it seems that interrogators are still using torture to extract information from innocent civilians who pose no threat to the security of the state or that of its individuals. Israel itself admitted that even in the cases where forced confession was expected to disclose the truth about suicide bombings, suspects often provide unreliable information and/or sign false confessions prepared by the security services in advance, just to relieve themselves from the physical and psychological pressure that are subjected to during the interrogation.

been used to convict Palestinians to lengthy prison terms, as the Israel military courts accept them as valid even in the absence of other evidence.

Since the decision LAW received complaints regarding the exposure

centre in Jerusalem. During the year, LAW petitioned the Israeli High Court twice after its lawyer was prevented from visiting clients in Israeli jails and it was suspected that these detainees were also being exposed to torture. The Court then issued a decision forcing the GSS

visited the detainees on June 8 1999.

As soon as the High Court issued its decision, LAW affirmed its importance and requested the Israeli government to apologise to the Palestinian people for having tortured so many of them. LAW

and commit itself to the following:

- Issue an order to ban torture and to amend the Law Against Torture
- Replace the current interrogators well-trained civil personnel.
- Co-operate with Palestinian and international observers to make sure that torture has been totally banned and develop new legal and effective methods of questioning.
- Re-try Palestinian detainees who have been forced by torture to confess to crimes they did not commit.
- Compensate victims of torture and other detainees who had been wrongfully held and detained.

When the court decision was issued, a number of Israeli parliamentarians suggested a bill to legislate torture against the court decision but so far such a bill has not yet been passed.

In its efforts to defend Palestinian human rights, LAW submitted two appeals to the High Court based on the suspicion that torture had been practised against Palestinian detainees. The first was submitted on 7 June 1999, when LAW appealed for the cessation of torture

Beit Fajjar near Bethlehem, who are currently being held by the Israeli Gene family and lawyer be allowed to visit them and obtain power of attorney to represent them in court.



The appeal was filed against the Interior Security Minister and the Israeli General Security lawyers from visiting them. The detainees are feared to have been exposed to the usual Israeli torture methods, including, but not limited to, physical and psychological pressure, prolonged sleep deprivation, hooding with a dirty bag, interrogation in the hanging posture, violent shaking, intolerably loud music, and lack of food.

Lawyers from LAW have denounced legal pretexts such as ministerial decisions and the Landau decision (an Israeli High Court decision permitting the use of psychological pressure, supplemented by

Palestinians) and attempts by Israeli interrogators to justify the practice of torture against Palestinian detainees. The lawyers confirmed that General Security agents had left no doubt that they were using torture against the Taqatqa brothers. In their appeal, the lawyers noted that due to the torture methods employed, some Palestinians have died, such as Abd Asamad Hreizat who died on 24 April 1995 after being tortured by Shabak agents in the Russian Compound Detention Centre.

The Taqatqas were detained on 29 May 1999 and held in the Russian Compound Detention Centre in Jerusalem. The two brothers were arrested at home during a special operation by Shabak agents and the police. During the raid, Israeli forces fired tear gas canisters, sound and light bombs in and around the house, before finally breaking in and arresting the two brothers. Their relatives were only informed of their whereabouts on 4 June 1999.

prevented by agents of the General Security Apparatus upon orders from the Shabak; they were told that the two brothers were being held visit was not permitted. On 4 June 1999, LAW appealed to the State Public Prosecutor requesting permission for the visit, but received no answer. Told that the ban had been extended until 8 June 1999, the lawyers decided to appeal to the Israeli High Court.

The second appeal was on 28 December 1999, when LAW petitioned

Jadallah Abdirahim, 19, from the village of Abu Qash in the district of Ramallah, at the Maskobia detention centre. Police officials had stated that the detainee would be allowed visits after 31 December 1999. In the petition, LAW asked for clarification of the reasons for denying the visit and whether he had been subjected to torture. LAW's family and lawyer be allowed to visit him, and obtain a power of attorney to represent him in court.

of torture during interrogation. Mona was arrested on 15 February 1999 at a temporary Israeli checkpoint while on her way to work, and taken to the Doutan detention centre. She spent the night there and was taken for interrogation the following day at the Israeli Al Jalama detention centre. She was held for 28 days and released on 14 March 1999.

During her interrogation, Mona was subjected to various kinds of physical and psychological pressure. In her affidavit to LAW, she made the following statement:

minutes before being shackled and taken for interrogation. I was led into a room where there was a female soldier and a man, who introduced himself as Abu Munir. He began to ask me about my two brothers who have both previously been held in administrative detention, and my other brother who is currently in administrative detention at the Meggiddo prison. Abu Munir accused me of being a member of the Islamic Jihad and providing assistance to wanted activists. I was given my telephone book and told to read it 50 times. I refused to talk, so I was beaten. I hit them back in self-defence, which made them begin the torture.

was kept in the same position, with the bag on my head, for almost 20 days. During that time I was interrogated for 4-5 hours each day. As a

Mona said that she was beaten during every interrogation session and that the sessions usually took place from 9:00 am until midday, or from 1:30

them for this, they threatened to kill him, but I did not respond. They hooded me again and began playing music that was uncomfortably loud. I had been deprived of sleep and was very tense. Then they

for him in return for 5,000 NIS a month and a mobile phone. My job would be to inform him about the plans, activities and whereabouts of Islamic activists. They summoned Ahmad Hardan, another detainee who, I had been told, had denounced me as an activist. When he arrived, he denied having done so. He was bedraggled and looked like he had been tortured.

long time. Once they gave me a big dish full of food and fruit, which they told me to eat. They took photographs of me eating it so they

Mona drank some water 10 days after her arrest. The prison officials refused to give her any milk, in punishment for declaring her hunger strike. Her health had rapidly deteriorated. Until the 19<sup>th</sup> day of her

and lawyers from human rights organisations were not permitted to visit her.

Seventh: Jerusalem

Israeli authorities have incessantly violated human rights. Furthermore, Israel has violated the terms of the Wye Plantation memorandum, particularly the part relating to the final status immediately

resume permanent status negotiations on an accelerated basis and will make a determined effort to achieve the mutual goal of reaching an agreement by May 4, 1999. The negotiations will be continuous and without interruption. The US has expressed its willingness to

include the terms of the section relating to unilateral actions where it

environment for the negotiations, neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip

**From the beginning of 1999, the Israeli occupation authorities escalated their punitive measures and violations against Palestinian residents of Arab East Jerusalem, particularly in the run-up to the Israeli general elections on 17 May. Despite the escalating campaign of settlement activity in Palestinian territories during the mandate of the extremist Likud-led Government presided over by Netanyahu, such activity acquired a faster pace during the Israeli election season. The government, in co-ordination with Israeli extremists, undertook all the necessary procedures to intensify settlement activity on the ground. Endorsement of settlement projects, whether expansion or construction of new settlement and industrial zones, was given priority. Netanyahu, in his attempts to win the support of the settlers, made them many promises. In one incident, he brokered a deal allowing the Jewish Council for Settlement Building to construct more units in return for their votes in the May elections. This measure was undertaken without the least consideration for civil, social, economic or political rights and in contempt of international agreements that call for the respect of human dignity and pride. Moreover, it contravened the bilateral agreement between Israel and the PLO that stipulated no changes to brought on the ground that could prejudice the other , particularly during the final status negotiations.**

During 1999, three Jerusalemites were killed: Zaki Ibeid was killed by

The Israeli authorities also revoked the residency rights of 393

Jerusalemites, bringing the number of people deprived of their residency rights to 3,309 since 1987. During 1999, the Israeli authorities also demolished 33 constructions.

Society after a decision had been issued by Avigdor Kahalani, Minister of Interior Security. Meanwhile, Orient House in East Jerusalem has been under threat and closure warnings delivered against four offices located in the building. Summonses were delivered at a later date to the people in charge of the four offices.

On 27 May 1999, Israeli occupation forces sealed off 4 Palestinian educational establishments in Dahiet Al Barid, north of Jerusalem, for one day. Israeli forces claimed that the students had been

administrations received one-day closure orders and warnings of a further two-month closure should student rioting reoccur. The four establishments were the Husni Al Ashhab School (1,100 students), Al Umma Basic School (500 students), Al Umma Secondary School (400 students) and Al Umma College (200) students.

According to information gathered by LAW, the students of the above schools were infuriated by the detention of three classmates -

Razeq Abu Khalil (grade 10) - a week ago. The three students were alleged to have thrown stones at the soldiers, which they and their classmates all deny.

Within the context of land seizure, settlers began building a settling site in Ras Al Amoud on a property they seized in September 1997. The idea was implemented after the approval of the Israeli City Council to grant the American Jewish millionaire, Irving Moskovich, 132 construction licenses on the 10 dunam Ras Al Amoud site.

currently living in the Moslem Quarter of the Old City of Jerusalem. 14 more Jewish families currently live in the village of Silwan in houses expropriated from Palestinians by active settling companies.

During 1999, LAW foiled an attempt by the Haminota settling company to take over the house of Mohammad Sumarine in the village of Silwan / Jerusalem. After a long process of delays and procrastination, the district court settled the dispute by deciding in favour of the original owner, Sumarine.

Haminota and the Custodian of Absentee Property alleged that the owner of the house, Moussa Sumarine, had died while his inheritors were all abroad and that ownership would therefore be automatically transferred to the department of the Custodian of Absentee Property. Attempts to take over the house date back to 1991, when a group of settlers raided the house and managed to take over two rooms. The family members refused to leave their property but Haminota filed against them. The Sumarine family was represented by LAW who managed to obtain a decision in their favour.

In another case, on Thursday September 2 1999 the Israeli High Court issued a decision supporting that of the Jerusalem District Court in favour of the inheritors of Ahmad Hussein Musa Al Abassi, whose house in Silwan (Jerusalem) was seized in 1991 by the accordance with a contract signed with the Amidar Company.

appeal and approved the 1996 District Court decision, which rejected the deal struck between the guardian of the absentee property and the Israeli Development Authority. The Israeli Development Authority, in turn, had transferred the administration of the house to the Amidar Settlement Company.

The Al Abassi story began on October 9 1991, when a settlement return on December 21 1991 accompanied by police and soldiers. They seized 9 of the build been living in the building with the Al Abassi family.

After the part of the house had been confiscated, Al Abassi approached LAW -  
-  
for legal help. LAW assigned the case to the lawyer Avigdor Fieldman, who petitioned the Conciliation Court on behalf of Musa Al Abassi and demanded that the house be evacuated. At first the Israel Land Administration and the Development Authority were treated as defendants, but Al Abassi discovered that the house, registered under name of the Development Authority. At the time, Al Abassi requested demanded to be treated as a defendant, and this development increased the number of participants in the case.

It was the Custodian for Absentee Property who declared the Al Abassi house as absentee property. Fieldman described this action to the court as a conspiracy, plotted by high-ranking officials in the Israel Land Department and Israel Keren Kayyemet, to confiscate the house and transfer its ownership to the Keren Kayyemet. Later on,

Some individuals in the Keren Kayyemet began planning to confiscate the house through its lawyers Geva and Halili. On November 14 1980, they prepared the first false document, claiming that Al Abassi had transferred ownership of the house to his son Bakir who lives in Kuwait, and sent it to the Keren Kayyemet. The document also stated that Al Abassi had four other sons living abroad, three daughters living in Jerusalem, and another daughter who died before she married.

Like many Palestinian families, the Al Muwaswess family is a living testimony of this nightmare. Although they have managed to remain in the city of their birth, their tenacity has resulted in terrible loss. One of the daughters of the Al Muwaswess family was murdered and one of the sons detained. Another child had his leg amputated, a fourth was held and tortured and a fifth afflicted by disease. These heavy losses have now been compounded by another catastrophe; their house has collapsed following Israeli excavation of the region.

The Al Muwaswess house, located right in the heart of the old city of Jerusalem, is surrounded by settlers infamous for their fanaticism who have succeeded in one way or another to seize property in the area. Since then, they have committed numerous atrocities against their Palestinian neighbours. The two-storey Al Muwaswess house contains five rooms. A few months ago, Israeli bulldozers arrived to carry out some excavations near the house and install electric cables in the ground, but they paid very little attention to the vulnerability of

crack and eventually cave in.

According to the family, the first attack on the house took place in 1993. However, excavation activity increased over the past few months. The eldest son, Haitham Al Muwaswess, said that he had tried and failed to obstruct the excavation work. He added that the cracks in the house had been growing, which he tried to report to the Jerusalem municipality but received no response. The family had already had to rebuild the kitchen at their own expense. Since moving in next door, the settlers have made things more complicated by

behaviour has been less than civilised and certainly not respectful, harassing their neighbours and pushing the household to the brink of despair.

the excavation work, they tried to grab a lumber room. They raided the house and tried to take the ground floor. They even pulled some stones from the walls and smashed an iron window frame, causing

The house seemed to be held together with the thread of hope. The possibility of its total collapse is now very high. Unfortunately, there is no alternative place for its inhabitants to live. The Israeli authorities

Palestinian residents of Jerusalem. With little hope of moving into another house, and fear of having their residency rights revoked, the family was forced into squeezing its 15 members together in the



house. Two of the sons, their wives and 4 children live together, while one of the married daughters who is also pregnant now lives there as well, with her husband.

Khairiya Al Muwaswess, 40, said that life in the house was very hard. Those walls that have not collapsed are scarred with deep cracks,

such as going to the kitchen or the toilet. They live with the bare minimum of their comfort or safety requirements. Family members have on several occasions been taken to hospital for the treatment of injuries they have incurred within the demolition site that is now their home.

On 5 May 1999, Khairiya was taken to hospital after falling over and sustaining hairline fractures on her ribs. She could not stay at hospital for as long as was necessary because she was worried about her household, so she left after a few days to attend to the children and see what she could do to prevent another catastrophe. Her 3-year-old grandchild had slipped and fell in an opening just a few days before Khairiya was taken to hospital. Khairiya complained about the excavation that had caused all this damage and criticised the settlers for their behaviour. She asserts that they had set their minds on seizing the house and that they would do everything they could to succeed. She referred to the attack on the ground floor, when settlers smashed the doors, windows and furniture. Her pregnant daughter Hanadi had been alone in the house when this took place; the settlers terrorised her and she ended up spending 3 weeks in the hospital. The Israeli police took no action against the attackers despite the fact that various complaints were filed and the attackers identified.

Fifteen years ago, the Al Muwaswess family was evicted from its house in Bab Hutta, another area of the Old City. Again, the municipality had been carrying out construction work in the area when cracks appeared in the walls of the house. Upon inspection, the municipality ordered that the house be evacuated rather than repaired. The family was expelled by force and that year, 1983, the father passed away.

On 12 April 1989, Israeli occupation forces raided the house at 2:30 am to arrest the eldest son, Ishaq, who was 16 at the time. The soldiers behaved fearsomely and one of the children, Hadil, had a panic attack and began to shout and scream. A soldier pushed her and she fell down the stairs. As a result, she was paralysed until her death in 1994, while the soldier who pushed her has had no action taken against him and the family has never been compensated for its loss. On the same night, Ishaq was detained, tortured and sentenced to 5 years imprisonment. When he was eventually released, he got married and he now has 4 children.

On 5 June 1989, while Ishaq was being tried at the Jerusalem District court, Khairiya jumped out of her seat in the courtroom to hug her son whom she had not seen since his arrest. The guards prevented her and the son was beaten in front of his mother. She attacked them with all her might, punching one of the guards and throwing an empty perfume bottle at him. For this she was held in custody and sentenced to three years on stay of execution and a fine of 6,000 NIS.

In 1996, during the clashes which arose after the opening of the tunnel under the Al Aqsa mosque, Khairiya was attacked by Israeli soldiers and suffered injuries to her head and chest.

In another incident, the Jerusalem Municipality caused extensive damage to several houses on Great King Issa Street in the Old City of Jerusalem during the course of its excavations for Jewish holy relics in the area. The homes of three Palestinian Jerusalemite families (Murar, Hammo and Abu Ghazale) were left with large cracks in the walls after excavations damaged a mains pipeline which burst and

On 8 February 1999, residents heard a loud noise from the sewage system, which they immediately reported to the municipality. The municipality engineer discovered that the pipeline had burst. When he reported the extent of the damage, the families were forced to leave their houses.

When we visited the Abu Murar household, the owner, Um Muhammad, showed us around. Large cracks seared across every wall of the house. As we were looking at them, we heard a loud noise from below. Um Muhammad pushed us out of the room, genuinely afraid that the that the ceiling might fall on our heads.

Abdil Khaleq Murar asked the municipality to supply him with a document admitting that the damage had been caused as a direct result of their excavations, but they refused. It is likely that more houses will be damaged as the Bab Hutta area is heavily built-up and populated by about a hundred families.

Omar Hammo, whose three-room house is shared by fourteen members of his family, said that the municipality had dealt wrongly with the matter. When the site was examined, the damage was discovered to be far greater than expected as the foundations were all but destroyed. The three families hold the municipality responsible for rendering their homes uninhabitable. The cracks grow visibly each day while the municipality stands by. The families voiced bitter criticism of the racial discrimination that causes the municipality to prioritise services in Jewish neighbourhoods and ignore those areas with concentrated Arab populations.

On 5 October 1999, in a measure distant from judicial procedures, the Jerusalem City Council Court ordered the destruction of the

demolition was based on the pretext that the owner of the house had not obtained a license for renovations. The demolition order was signed by the Jerusalem Mayor, Ehud Olmert. The decision was issued *in absentia* defend his case.

An estimated 1,400 Palestinian houses in the Old City of Jerusalem are in desperate need of maintenance and renovation. Of the 1,400 houses, 356 are threatened with collapse as a result of negligence, absence of infrastructure, ban of maintenance, and damage caused by the excavations by the City Council.

Residency in East Jerusalem has become very difficult in light of the above measures. The taxes levied by the municipality from Arab

but only 5% is diverted back to them in the form of services. An estimated 95% of the Palestinian residents cannot afford to pay these taxes.

The Israeli occupation has worked to impose a total severance of the Arab area of Jerusalem from other parts. This policy has negatively affected the movement of trade and caused many small enterprises within and around the Old City of Jerusalem to close down due to high taxes. Of the 1,000 shops in the Old City, 250 have now closed.

There are 50 70,000 Palestinians threatened with ID withdrawal due to the law which requires them to prove that Jerusalem is the centre of all aspects of their lives, in addition to other procedures designed for the revocation of residency rights from Palestinians. In this context, on April 22 1999, the Israeli High Court in Jerusalem held a hearing consisting of five judges presided by the Judge Aharon Barak.

The hearing was held upon a petition submitted to the court in 1998 by five human rights organisations among which the Palestinian Society for the Protection of Human Rights and the Environment and the Jerusalem Centre for the Civil and the Economic Rights are part in addition to the individuals whose right of residency was abolished and have become refugees in their homeland.

The petition was submitted against the Ministry of Interior after its decision to deprive them of their right of residency in Israel and withdraw their ID cards. The petition contested this act and the some Jerusalemite women.

The prosecution representing the societies and the individuals claimed that there was a marked change in Interior Ministry policy in the period 1994 1996, adding that the number of IDs withdrawn or

revoked and the number of rejected unification applications had been intensively increasing.

In its response, the Ministry of Interior rejected the claims arguing that no change had been effectuated in internal policy when dealing with these applications. The court suggested that both parties review previous applications of that type from the late 1980s and the early 1990s. Files from that period were randomly selected and compared to current files. A report was supposed to be produced at the end of the process. The court gave a permission for the lawyers to read and revise the previous files and note down their remarks in the report.

At the end of September 1999, it was revealed that the Israeli Ministry of Interior and the National Insurance Institute had that month deprived 150 people of their right to citizenship in the city. A list of

Institute to Israeli health centres in Jerusalem upon an order from the Ministry of Interior, and Israeli sources indicated that this was the highest rate of ID confiscation since this policy came into force. These facts contradicted the assurances and statements of Israeli officials such as Natan Sharanski (Minister of Interior) and Hayem Ramon, (Jerusalem Affairs Minister), who had hinted that there was to be

In another dangerous precedent, a Palestinian Jerusalemite who was returning to Jerusalem from Amman across the Allenby bridge was told that his ID had been lost and that he should report to the office of the Israeli Interior Ministry in East Jerusalem. When the resident reported to the office, he was told that his ID had been cancelled because he had resided abroad for 7 years.

The Ministry of Interior admitted that it had revoked the residency rights of 788 Palestinians but it is believed that the actual number is far higher. Meanwhile, an estimated 10,000 children were deprived of their national insurance entitlements due to the Israeli policy.

In its efforts to challenge these discriminatory policies, the Child Unit, affiliated to LAW and headquartered in East Jerusalem, provides

legal services for people in need. It followed up 46 cases involving child registration, 40 involving child allocations, 17 involving birth awards, 28 involving family reunification permits, 42 involving medical insurance cases and 10 involving ID withdrawals.

ID of Jalal Al Masri, a Jerusalemite resident, after it had been confiscated for 20 months when he was trying to complete an application at the Ministry of

evidence to prove his residency in the form of documents such as electricity and water bills, Arnona tax receipts and educational certificates. He had to queue for long hours to get into the office, upon which he was told that his evidence was insufficient. The process lasted for several months but to no avail until the intervention of

reunify a juvenile, Hanin Sbeih, with her mother, Iman Sbeih who had been trying to register her daughter as a Jerusalemite in her ID for some time. The Interior Ministry had been refusing to register her without a legal justification.

On 22 October, LAW obtained a decision to reunify three children with their Jerusalemite mother, Bayan Moussa. The process started in 1993 without much success until the intervention

On 2 November 1999, LAW succeeded in obtaining a decision to

The decision came about after a long period of suffering for this family. He had to go to the Israeli Interior Ministry many times for a family reunification permit. However, the attempts were fruitless even though Al Qiesi provided them with all

After 1999, he approached LAW, who in turn made contact with the Ministry and finally succeeded in obtaining a decision in favour of family reunification.

In another case, Samir Ashihabi, 45, was shocked to discover that he was not entitled to medical treatment at the clinic where he had been working since 1995, his name having been deleted from the computer upon instructions from the National Insurance Agency.

Ashihabi, a permanent resident of Jerusalem, graduated from university in 1982. Since then, he has always worked in his home town, at different medical centres of the Kopat Holim Clalit medical fund. Since 1 January 1995, he has been working at a clinic in Beit Hanian, a town under Israeli jurisdiction.

Ashihabi has been receiving flu vaccinations on a yearly basis for the past five years. This year, when he asked the pharmacist to provide the vaccine, he was told that his name was not on the computer records. At first, it seemed as if there must have been some kind of mistake, but in fact there was none. Ashihabi made inquiries and found that his name had been deleted from the records because he had been found to reside outside Jerusalem. Further investigation

September 1999, only 10 days before the incident. Although he had had been totally revoked. Ashihabi resorted to LAW and after a while succeeded in regaining his residency rights as a Jerusalemite.

The Israeli authorities sustained other violations in the Holy City during 1999. On 6 August, a number of Israeli policemen assaulted the family of Peter Sahajian, including four women who were later taken to hospital. On 11 August, 5 more residents were taken to hospital when clashes erupted between them and Israeli forces in the wake of a home demolition.

On 15 August, five residents were injured when Israeli soldiers brutally assaulted them. In an affidavit to LAW, the uncle of one of the victims, Asli Anatshe, said that he saw the soldiers kicking his nephew and blood coming out of his head but the soldiers refrained from taking him to hospital.

On 20 September, settlers assaulted a number of Palestinians inside the Old City. Abdil Karim Atakrouji, who sells fruit, said that a number of settlers upset his wooden palette and beat him.

Hussein Asayouri said that on 20 September, a group of Jewish fanatics ransacked the village of Atori and broke the windscreens of various cars parked in the area. The police came after one hour and did nothing to provide first aid to a taxi driver whose head was bleeding.

Israeli authorities took punitive measures against Palestinian residents of the city when they sealed off a number of streets to allow access of Jewish worshippers to pray at the Wailing Wall. Many Palestinians had to go home because they were unable to get to their work.

On 4 December 1999, in their attempt to accommodate the growing number of worshippers at the Dome of the Rock, especially during the holy month of Ramadan, the Islamic endowment authorities (Al

was meant to be used as an emergency exit. However, the Israeli cabinet promptly convened and declared that this was illegal, adding that the Awqaf should have co-ordinated with the Israelis before taking any such action. The Israeli cabinet, presided over by Prime Minister Ehud Barak, met several times to reach a decision on the matter. Barak also met with the Minister for Jerusalem affairs and the Minister for Internal Security, Shlomo Ben Ami and Haim Ramon respectively, in the presence of the Head of the City Council. No

request to the Israeli Police to maintain and encourage dialogue between the Israeli Department of Archaeology and the Awqaf.

On-site engineer Issam Awad told *LAW* that the opening of the gate was a purely Islamic affair and had nothing to do with the Israelis. The gate was opened for reasons of worship when their number multiplies for Ramadan prayers. This move was made by the Awqaf to counter problems of overcrowding or potential risks such as fire. Awad was sceptical about Israeli claims that the



Awqaf had to co-ordinate with the Israeli government in case of construction or renovations, adding that the Awqaf had never obtained permission from the competent Israeli parties prior to carrying out construction or work within the confines of its own property. He said that these claims were part of unfounded Israeli propaganda and that there was no legal need to obtain permission before carrying out any such work.

The Al Marwani mosque was constructed during the Ummayyad era and reopened in 1996, when the funds had been raised to cover the expense of renovations. There are plans to reopen the Old Dome of the Rock, which lies beneath the current Dome building; this, it is hoped, will provide more space for the growing number of worshippers.

istence on opening an exit from the church of the Holy Sepulchre, Awad said that it was contradictory for the Israelis to insist on an exit for the church while prohibiting the opening of such an exit in the mosque.

In another incident, a wine-making company used a photograph of the mosque on a label for wine bottles to market them on the occasion of the third millennium without the least consideration of the feelings of Moslems world-wide. On 28 September, Kamal Al Agha denounced the action of the Israeli company for desecrating the sanctified holy shrine of the Al Aqsa mosque and for using it as a label on the wine bottles. Al Agha described the action as an assault on Islamic sanctuaries and called on the wine company to refrain from using the label and withdraw it from the market.

On 2 September, dozens of fanatical Jews tried to force their way into guards and Israeli police officers. They tried to force their way in again later that day but the guards again prevented their entry.

On 27 September, supporters of the so-

Old City during which they chanted anti-Arab slogans. In other activities, an estimated 1,500 extremist Jews held a celebration in West Jerusalem to mobilise local and international public opinion and win support for rebuilding the temple which they believe lies underneath the Dome of the Rock. The group published a letter on their website asking for financial support to buy a house adjacent to the mosque that they wish to use as an operations

to research and prayers. The same group earlier declared that a Jewish millionaire had already donated 50 million shekels to help the temple be installed in the temple after its construction.

Within the context of anti-Arab feelings, 50 soldiers, a bulldozer and an official from the General Intelligence Services destroyed 15 telephone poles in the Al Mukabber area that had been installed by the Palestinian telecommunications company. According to information gathered by LAW, it cost 25,000 NIS to install the poles and the process lasted for 10 days.

Another incident of telephone cable destruction took place in November 1998 in the Asalalem area. The assault was also carried out by Israeli soldiers who not only destroyed the cable but also damaged water pipelines and demolished the surrounding walls of some nearby houses. When the residents of the area questioned these destructive acts, an official told them that the region was under the jurisdiction of the Jerusalem municipality and that they should refer to the Israeli phone company Bezek to acquire the services. The residents referred the case to LAW society.

On 14 July 1999, Israeli occupying forces destroyed the Palestinian telephone cables in the Koptic neighbourhood in Aram town. 20 families had been using these services.

The Palestinian telecommunications company filed a complaint at LAW to follow up the case in Israeli court and request compensation for the damage caused to the cables and clients. The destruction of

the cable systems recurred in Boddo, Aram, Qattana, Al Sheikh and other areas.

### **Eighth: Hebron**

Israeli occupying forces maintained their assaults against Palestinian civilians in the city of Hebron, particularly the part which remained under Israeli control in accordance with the January 1997 Hebron Redeployment Protocol.

During 1999, Israeli occupying forces killed 4 Palestinians in Hebron.

was killed on 3 June; and two children, Adnan Al Hiless and Mithqal Al Amour were killed when a mine exploded on 23 June. During 1999, the Israeli authorities forced two blockades on the city of Hebron, the first lasting for 9 days from 4 June and the second for 5 days from 3 August.

On 1 May 1999, Jawad Al Muhtaseb, 12, was shot in the left thigh by an Israeli soldier in the main court of the Ibrahim Mosque in Hebron. His sister, Saeda, 4, was injured when a fragment of one of the bullets settled in her head. The two were rushed to hospital.

A day earlier, four-year-

pregnant Palestinian woman, Saida Khaled from the village of Deir Qiddis, had a miscarriage after inhaling tear gas released by soldiers during clashes. Four more civilians were also injured during the clashes.

On 4 June, Israeli authorities imposed a blockade on the city of Hebron that lasted until 12 June. On 3 August, another blockade was imposed on 140, 000 residents who were trapped inside the city. A curfew was imposed on the southern part of the city. According to Israeli Army spokesmen, the curfew was enforced when an Israeli vehicle was shot at on 3 August. Meanwhile, the Ibrahim mosque was sealed off twice, the first time for two days in January and the second time on 7 November for 2 days due to Jewish festivities.

Israeli collective punishment measures against Hebron residents included the ban of entry or exit from the city, the sealing off of branch roads, and the deployment of heavily armed soldiers around the exits of the city. The Israeli authorities denied access to medical teams and prevented the transfer of food and medical supplies. The whole town was paralysed and people unable to go to work while patients had to endure difficult conditions and the risk of death. 20 residents from the surrounding villages of Yatta and Al Fuwar were captured by Israeli soldiers as they attempted to go to work..

Palestinians who live in zone H2 under Israeli control have been complaining about Israeli soldiers who often harass, insult and beat people without any legal justification. In some incidents, the soldiers used loudspeakers to insult people in their houses.

In the southern part of the city, residents stated that they had to endure harassment by settlers day and night. Terror reigned as settlers shot at houses and stoned windows under the protection of Israeli soldiers. Trucks with fresh water were prevented from gaining access to the area, which had already been facing problems with water pipelines. The settlers assaulted 12 houses and ransacked the market where peddlers keep their fruit and vegetable stocks.

They marched in the city chanting anti-Arab slogans and also called for the return of Baruch Goldstein, who in 1994 killed 29 Moslem worshippers at prayer inside the mosque. After the massacre, the Israeli army placed the Palestinian residents of the city under curfew for over a month while the settlers had absolute freedom of movement. When the curfew was lifted, Arab shopkeepers were

the town, was also sealed off and cars and pedestrians banned from

Street has been closed since the massacre. In Annex 1 of the

and the Hebron road shall be undertaken promptly after signing the

However, the road remains closed to Palestinian vehicles and pedestrians. Israeli forces continue to harass passers-by, especially the one hundred shop-owners in the area.

Hadassa and the one built in the early 1980s, now known as Bet Romano, on the site of the Usama Ben Munqeth School after the expulsion of its students. It is located close to another settling site known as Shni Orson. Moreover, in October 1998 the Israeli Government approved plans to construct a new building called Bet Hashasha.

he property owners to leave the street. The owner of a petrol station was forced to put an iron fence around his petrol pumps in order to protect them from being destroyed by the settlers. He later had to close up and the station is now used by Israeli soldiers and settlers as a car park.

horseshoes, saddles and tent canvas, which he inherited from his street from my early childhood. It was always packed with cars and

father and uncle and their two partners. There were also three labourers who each supported families of 13. They used to work 13 hours a day. These days, I only work a few hours and then I leave. I

Nassar described some of the harassment to which he has been

goods to put in my shop. When I arrived at the Israeli checkpoint, the soldiers refused to allow my car through. They told me to go around the city to get to the other side. I drove around, but I faced the same problem at the other checkpoint. I was forced to park the car and

allow us to open our shops, but their behaviour leads us to despair. Very often, customers are harassed and even assaulted before they

Nassar indicated how his deceased father used to be harassed by the settlers, under the protection of the Israeli soldiers who stood there

his head-dress and throwing rubbish at him. When he made it to the shop, he would sometimes find the locks filled with matches, plastic or glue to make it difficult for him to unlock the door. He was

street. His father had been ill, so he made this step in order to

which was later confiscated by Israeli Intelligence in Hebron. He said,

apparatuses. They said that they would give me back my ID if I closed the shop. I have had no document to prove my identity since November 1993, when they confiscated my ID. I have been a constant target for harassment by Israeli soldiers, especially as my

Al Qasrawi gave a cynical account of the lives of the shopkeepers on

we have no customers. We gather together to talk. Then we play backgammon until we get bored. Then we smoke a water pipe until we feel tired. By this time, the day draws to an end and we go back home. On some days, we argue with the settlers and shout at them if they throw stones or garbage at us. Quite often, these incidents end

with heavy Israeli army presence. The soldiers excel in harassing and

Palestinian and Israeli officials visited the site, articles were published and photographs taken. We thought a new era had dawned , but unfortunately, public transport was only allowed into certain parts of the marketplace. We were promised that things would ease up, but a few months later, public transport was completely banned from

Qasrawi noted some other details about daily life in the

occupying forces tried to impose new restrictions on us entering our own neighbourhood. They asked us to obtain special entry permits, but we refused. In a vindictive measure, Israeli soldiers installed two checkpoints at the main entrances to the area and kept a list of our car registration numbers. If a shopkeeper wished to enter, he had to leave his ID at the checkpoint. There have been cases when our ID

has 186 pupils from between 6 to 14 years of age. The school has a long record of resisting the settlers and th

military checkpoint to get to our school. Our pupils are continuously harassed by soldiers and settlers. A lot of the harassment goes unreported to the administration because it occurs as the pupils leave

-day curfew on the Old City was lifted on 13 October 1998. The next morning, as I was on my way to the school, I saw that the soldiers were not allowing people onto the road leading to the school. The girls were being told to take another route, which is basically a narrow staircase leading up a hill and which could be dangerous for the younger children to walk along, especially as the stairs become narrower the higher they go. Some girls were told to go

through Ashalala street, which is a long diversion. The girls refused to comply and they and their teachers held a sit-in at the checkpoint until they were allowed access to the road. The road was restricted to other pedestrians and vehicles until 28 January 1999; only pupils

The pupils themselves also have plenty of stories to tell. Sandy Al ol, I saw a settler assaulting one of the girls. A soldier took her satchel. Another soldier saw this, so he ordered me to go away. Eager to watch what was happening, I walked away, but slowly, to give myself time to see what would happen next. The soldier dashed towards me and grabbed me by the neck. I lost consciousness and my neck was

school. As I walked past the rubbish skips, I saw a female settler dumping her rubbish. She came up to me and started pulling at my clothes. I tried to side-watching but did nothing to help me. I punched her, at which point

On 10 January 1999, two members of the Christian Peace Team were detained by Israeli soldiers when the (mostly foreign) members of the team formed a human blockade to prevent the soldiers from shooting at Palestinian children during clashes. The two team members arrested were Pierre Shans, 24, and Sarah Richly, 26. They

for interrogation.

It should be noted that the Christian Peace Team arrived in Hebron in the wake of the Ibrahimi massacre in 1994 on a fact-finding mission. They have since been hassled by the Israeli authorities and one of their members was deported. They also received a number of threats by settlers, particularly the members of the extremist organisation Kach.

On 5 September 1999, the Israeli occupation forces detained six



journalists from Hebron: Samih Shahin, Husam Abu Allam, Imad Al

According to information collected by LAW, an armed settler assaulted the journalists, who were covering the story of Israeli

west of the Hajay settlement, located south of Hebron. The settler threw stones at the journalists and threatened them with his gun. The Israeli border forces and police arrested them and took them to Kiryat Arba police station, but they took no action against the abusive behaviour of the settler.

### **Ninth: Environmental Violations**

The Israeli occupying authorities have incurred widespread environmental violations in the occupied territories. During 1999, it was disclosed that toxic waste had been dumped in the village of Um Atout near Jenin. Moreover, extensive environmental damage had also been caused by settlements in the West Bank where settlers had been dumping solid industrial waste in Palestinian vicinities.

Alawna, head of the Municipal Council, stated that he had spotted a number of barrels in the land of Abdil Karim

In his affidavit to *LAW*

March 1999, Fayege Alawna informed me that a number of barrels containing toxic waste had been found on the property of Abdil Karim Alawna. The same evening, I went with one of the council members

that he could not do that because they belonged to a Jewish person called Moshe. However, he said that he would tell Moshe to remove them before Saturday. The next day, Abu Arab came again to my office and told me that each barrel had cost US\$100 and been sold for \$300 or \$400, but he did not elaborate. I told him that if he did not have them all removed within 24 hours then he would face the consequences.

and Environment authority. He asked me to accompany him to the site, where a group of experts was examining 20 of the 240 barrels. The tests showed that 18 of them did not contain any toxic material,

He was not at home, but she provided us with the following affidavit, ed an Israeli to bring some barrels, which he told us contained paint, and store them on our land. He also told him that they would soon be removed, that he was the owner of a hygiene chemical plant in a nearby settlement and that his name was Moshe. We cultivate the land every year, but could not do so this year because the barrels were there.

his property, and we do not know what they contain. They are well-covered. The case was disclosed because of the jealousy of some villagers who thought we were trying to establish a business selling paint, although we have actually levelled part of our land so we can build a livestock coup.

the  
PA, the ministry of Health and the Environment found out. We cannot afford to establish a factory, and I have no objections to removing the

Abu Arab told us that the barrels belonged to Moshe, a Jewish businessman who had closed his factory in a nearby settlement and was planning to transfer it to Tel Aviv and wanted to store his barrels until he moved. They contain the raw materials for paint. Abu Arab was supposed to fill the barrels with paint in return for payment from Moshe, but he has not done so.

He added that he had informed the tax office in Jenin and requested tax registration to account for any commercial activity. However, he could not do so before obtaining a trading licence. He intended to do this after connecting the site to electricity and water supplies, but unable to do this he gave up pursuing the licence.

Abu Arab informed the Environment authority and asked officials to visit the site and test for toxic material. They took samples to be

the General Intelligence Agency on two matters; the barrels and a land sale. He was never summoned again.

On 19 March 1999, Moshe came to remove the barrels but Abu Arab did not allow him to, because the Environment Authority had issued instructions that they were not to be moved.

The Jenin Governor stated that he was in direct contact with the competent parties, especially the Environment Authority. He has not yet received a report from them on this matter, but is following up the case with the security services. He expressed his surprise that Abu Arab had not been detained until the investigation was concluded.

A report issued by the Palestinian Environment Authority alleged that toxic materials had been transferred from the Ghanim settlement to Um Atout. They were then placed about 3-400 meters away from residential areas. The report rubbished claims that the barrels were  
r a short while,

Tests show that the material was waste from a paint factory. A few barrels were sold to someone in the Askar area. Exposing the barrels to high temperatures, even from the sun, could lead to an explosion as the material inside is highly flammable.

The production date of January 1999 is written on some of the barrels, which proves that they were dumped only recently. The report also says that the contents of the barrels do not necessarily correspond to their labels, which state the following ingredients:

Nitro-cellulose (1/7/1993); Methylene Chloride (UN 1598/3) (12/1/1996); Propylene Glycol; Propane; (Marine pollutant) Canial Can-Petah Tekva; ICI-602868; Flammable Liquid (Class 3); Batch Number: SD 4947 J 300 (18/11/1996); Explosives.

The Palestinian Environment Authority reached the following conclusions:

1. A decision was taken to dump the toxic material in the West Bank.
2. Most of the contents of the barrels are highly toxic and inflammable, which could affect the soil for a long period of time.
3. The material in the barrels must have produced in a paint factory.
4. The barrels contain some solid elements such as Cobalt and Zinc.
5. The way the waste is sealed in the barrels indicates their flammability and explosiveness.
6. The barrels contain solid waste and expired raw materials

In another incident, Mohammad Atawil, 82, a Tulkarem resident, filed a complaint against a number of contractors who dump garbage from Israel and the settlements into the Occupied Territories. Atawil said that an estimated 10 dunams of his property had been levelled. Upon further inspection, he found that a road 800 meters long, and 6 meters wide had been opened to lead into an old dumping area. He added that his property fell within zone C. When he reported to the land registration office, he found that his land had been registered under the name of a resident in Ataiba who sold it to two residents, one from Tulkarem and the other from the village of Qolunsuwa a garbage contractor.

Atawil indicated that the use of the current dumping area was a result of the closure of the old dumping area used by the Taiba municipality. The closure was ordered by the Israeli High Court in favour of a petition filed by the residents to move it to another place.

Atawil added that he filed complaints to a number of Palestinian officials including the Tulkarem Governor, the DCO office and the Palestinian Environmental Authority but he received no responses. The two contractors still dump garbage brought in from Israel and burn it; the smoke can be seen from Tulkarem. Although the dumping

area is located near a village, nothing has been so far done to stop this. Atawil said that the smoke and fumes have had a negative effect on his agricultural crops, adding that the two contractors have not obtained a license from the competent parties and he expressed surprise at the silence of the Israeli officials especially as the area fell within zone C. It is worth mentioning that the area where the dumping takes place is famous for its citrus and olive products, as well as its fresh water springs that are used for irrigation and drinking.

## Palestinian Human Rights Violations

Assault on the right to life

### **Execution:**

On 26 February 1999, the PNA executed Major Mohammed Abu Mustafa of the Palestinian National Forces (Border Police), bringing the total number of people executed by the PNA to three. In 1998, the brothers Kamal and Raed Abu Sultan were also executed.

Major Mohammed Abu Mustafa had already been sentenced to 15

years for the assault of a six year old child from Khan Younis. However, after the case came to light on 24 February 1999, the streets of Khan Younis

erupted as the public clamoured for his execution, so a special Palestinian Military Court convened at about 11:30 pm on 25 February 1999 and sentenced him to death for inciting the public against the PNA. He was executed by firing squad at 2 am.

In its sentence, the court relied on Articles 350, 356 and 195 of the

punishment of hard labour shall be imposed on whoever; (A) forces by violence or threat someone else to act indecently the punishment shall be a minimum of 6 years of imprisonment if the victim is less than 15 years of age, (B) abuses the mental or physical handicap of another person and forces him to commit act of indecency, (C) tacitly or forcefully commits an indecent act against a male or a female juvenile in which case the punishment shall not be

or cheating, a male or a female in order to commit an indecent act against them shall be punished with temporary hard labour. If the act is committed, he shall be punished with imprisonment for not less than 7 years. (B) The latter punishment shall be imposed on anyone who commits the act without using violence or deceit against a male or female juvenile who is less than 15 years of age. (C) It will be taken into account if a kidnapper returns the kidnapped person within 48 hours to a safe place and grants him his freedom without committing a

shall be imposed on anyone who commits a felony as defined in the Revolutionary Penal Code as an act that will defame the Palestinian Revolution and will

**Deaths in custody:**

Two Palestinian civilians died while being held in custody: Mohammed Shreiteh from Yatta in the district of Hebron and

Bethlehem.

On 4 October 1999, 33-year-old Muhammad Ahmad ShrieteH from Yatta in Hebron died in the Alia hospital after being transferred from the Hebron police station in very poor health. The father of seven was arrested without a warrant on 28 September 1999 by the Preventive Security Services, who then transferred him to the Beit Nouba police station. Ibrahim ShrieteH, 24, said in a statement that his brother Muhammad had been tortured at Beit Nouba police station during his two-day detention there.

Ibrahim also stated that he had gone to the police station and found his brother lying on the ground suffering from convulsions. He and police officer Adnan Al Hourani carried his brother to the military

immediately transferred to Alia hospital without examination by military medical staff. Ibrahim said that as there was no ambulance available in the military medical services, he brought a car belonging to the Preventive Security Services. With the help of some Preventive Security members, they reached the hospital at around 12 pm. Doctors in the emergency unit examined Muhammad ShreiteH., and

irregular and he would remain under observation for 24 hours.

had seemed to improve in the emergency unit but died of a heart attack at 19.00 hours on 4 October 1999. The body was later taken to the family for burial.

On 6 December 1999

tara near Bethlehem, died in Ramallah prison. In an affidavit given by his sister Suad, she stated that her brother had been detained by the Israelis in 6 November 1995 and was extradited two years later to PNA-controlled areas. He was held in Junked prison for two years and later transferred to Ramallah prison, where he died. He had not

delivered to the family, there were no indications of violence on the body. Suad further said that the doctors at the Ramallah hospital told her that he died because of a stroke. However, the family was not shown an autopsy report. Mahmoud was married with 3 children.



**While enforcing the law:**

In 1999, 7 citizens were killed by the police and security services:

Major Hani Zeina, 43 and

On February 1, the first three, two children and a Preventive Security officer, were killed in Gaza. Joudeh had been shot, while the two children had been hit by a car during the subsequent police chase.

were also injured during the chase.

According to official sources, the Palestinian police were chasing Hamas and Islamic Jihad members. The Palestinian security services and the suspects did not take into account the safety of civilians. Furthermore, the random use of weapons added chaos and

horror to the incident. According to eyewitness reports, all the injuries were sustained by innocent civilians who happened to be in the wrong place at the wrong time.

Salameh, both from Rafah, died after being shot during a demonstration organised in

death by firing squad and Muhammad Abu Shammaleh to life with hard labour, while Usamah Abu Taha received 15 years of imprisonment with hard labour.

According to eyewitnesses, the peaceful demonstration set out from

General Intelligence and the police blocked the path of the demonstrators. In retaliation the demonstrators began throwing stones, at which point the security forces opened fire. In addition to the two who died, several people were injured. There is no clear information as to why the violence occurred and escalated, but it seems certain that the security officials did not act in self-defence. Ala

Al Hamas was shot in the forehead and Khamis Mahmoud Salameh in the chest. One of the injured was 15-year-old Karam Al Kurd.

On the night of Thursday 26 August 1999, two days after announcing the death of 43-year-old police officer Hani Omar Abu Zienah from murder and sentenced him to death.

Abu Zienah had gone to Rafah on August 23 1999 after being informed of skirmishes between the Abu Al Eish and Abu Uulwan families. He was hit on the head with a heavy tool and then taken to the Soroka Hospital in Bir Sheva.

After the incident, President Arafat ordered the State Security Court to convene. The court held a hearing headed by Abdil Aziz Wadi and attended by Jamal Shameyyeh and Jamal Nabhan and military prosecutor Khalid Hamad. After six hours and two hearings, the court issued the death penalty. The decision is neither contestable nor subject to appeal and it awaits the approval of President Arafat.

died after being shot in the chest by his colleague while they were chasing suspected car thieves through the Balata refugee camp in Nablus. The perpetrator who did not want to be named then surrendered to the police. Majid Hawwari, a Colonel in the police force informed the family of the deceased that their son was killed during a chase in Balata. The details of the accident were not given.

were in the camp and while the officer responsible for the shooting was speaking to one of the suspects he attempted to secure his gun but it fired and the bullet hit his colleague .

However, the family did not received the autopsy or the investigation report.

Weapon misuse

LAW has followed with great concern the growing phenomenon of weapon misuse in Palestinian society, whether by members of the

security forces whose role it is to impose law and order, or by the public in displays of power or bravado. During 1999, LAW has documented 23 cases of death in the West Bank and Gaza caused by weapons misuse. Over the past several months, there has been a noticeable increase in the number of such deaths. Such incidents reveal the growing threat to the lives and security of the Palestinian people. Any militarisation of society is a grave threat to the future of democracy, human rights and the rule of law in this country. Moreover, these incidents constitute a grave violation of the right of life which is stipulated in multiple international human rights treaties, declarations and accords, obliging all countries to respect it in their national constitutions.

### **Incidents of Weapon Misuse**

On 20 February 1999 25-yearold Salim Abu Samaha, a military border police officer from Azayaida in the Gaza Strip, died while he and his friends playing a gun while on duty.

On 6 March 1999 at 3:30am, Issa Abdilfattah Shanana, 50, from Kober near Ramallah died after being shot by a relative who works in the

Abdallah Shanana said that the relative had visited his father that day and they both went outside. His mother heard a gunshot and hurried outside but her husband was already dead.

In a statement published in the *Al Ayam* newspaper, Colonel Kamal Al Sheikh, director general of the Ramallah police services, stated that the dispute was between two men from the same family who lived next door to each other. The previous Friday they fought about the border between their houses, but the dispute appeared to have been settled. However, at 3:30 on Saturday morning one knocked at

house in the village, told the owner that he had shot and killed Abdilfattah, and fled. He was later captured and tried at the State mprisonment with hard labour, without possibility of appeal.

from Deir Jreer near Ramallah, was shot dead by a member of the Palestinian security forces. According to information collected by LAW, a fight broke out between two groups after elections had taken place in the village. An eyewitness stated that a group of youths had

nephew Muhammad, a member of Force 17, began shooting at them. A passer-  
he was taken immediately to hospital, the ambulance was delayed at

His body was transferred to the Legal Medicine Institute in Abu Kbeer. The gunman was arrested by the Palestinian military intelligence, as was his brother, Ahmad Alawi, who is a member of the general intelligence body.

These events are just a few examples of the growing repercussions of weapon misuse by members of the security forces: the last example was the seventh event of its kind in the past 8 months. Others include the June 30 1998 killing of Hamdi Mazen Murshid Karajeh, a member of the Preventive Security, by his colleague; the killing of the Khaldi brothers by two members of border intelligence on August 27 1998 in a public fight; the killing of Waseem Al Tarifi by military intelligence during a peaceful demonstration in Ramallah at  
sh by the police  
on December 17 1998.

On 15 March 1999, Ayman Zayed from Beit Iksa in the district of Ramallah was shot dead by men in his village.

On 23 March 1999, Yasser Hamad, 23, a presidential bodyguard from the village of Naqoura near Nablus received bullet wounds in his leg and stomach. He was in intensive care for a few days but later died. According to the affidavit of his brother, Mohammed, a 20-year-old

around 8:00 pm on Saturday 20 March when a bullet was fired through his rear windscreen. Yasser got out of the car and shot back. When he had run out of ammunition, he tried to escape but fell as he

was running. The attackers followed him and shot four bullets into his legs and abdomen.

On 4 April 1999, Mohammad Duha from the village of Deir Sudan in the district of Ramallah was killed by one of his relatives during a celebration marking the return of the uncle from the pilgrimage in Mecca.

, from Nablus, was killed by unknown assailants.

On 20 April 1999, Raed Darwaza, 25, from the town of Nablus, was killed by unknown assailants.

from Dier Dibwan in Ramallah, was killed after being shot by Ali investigations, the two had an argument that afternoon. In a he said that the victim had been in the home of his uncle, Muhammad

uncle went outside and found him in time for him to tell them that Ali had shot him. He was dead on arrival at the Ramallah Hospital.

On 1 June 1999, Anwar Shihada, 25, from the village of Orif near Nablus was killed by 13-year- affidavit from villager Farid Shihada his nephews Anwar, Ghassan and Raed Shihada were helping with the building of an additional

was taken to the Rafidia hospital for treatment.

In an affidavit taken at the hospital, Raed said that he had been working when he was shot in the leg. He lost consciousness and was been playing with the rifle.

On 27 June 1999, Ramadan Abu Shahin from Balata Refugee Camp was shot dead by a police officer while in custody.

On 8 July 1999, Yousef Assaf, 44, from the village of Bir Zeit near Ramallah, was accidentally shot dead a friend of his.

On 29 July 1999, 6 month old Dunya Atabggi was killed by a bullet

On 31 July 1999, Nidal Al Hakali was shot dead by mistake during a wedding celebration. On the same day, Hamada Abu Shaqra from Gaza was also killed at a wedding celebration.

On 31 August 1999, Ahmad Taher, 31, from Al Bireh, was shot and killed by revellers during a wedding celebration in the Qadoura refugee camp. In an affidavit to LAW, Hassan Abu Halaweh said, "At midnight, having been invited to attend the celebration by the bridegroom, Imad Izmiqna. Two young people were shooting Russian-made Kalashnikov machine guns into the air, and several others were firing pistols. My friend Ahmad asked one of the young people, later identified as Ziad, where he had obtained his gun. The young man approached Ahmad, pointed the gun at his stomach and shot one bullet. Ahmad twisted and fell to the ground, while Ziad pushed his weapon into the hands of one of his friends and ran away. Ahmad was rushed to Ramallah hospital, which was only 300 metres away, but he was pronounced dead on arrival. I think that the victim knew the killer, because the

"I had been there earlier to warn people against firing live ammunition, but they were warded off by the bodyguards of the Governor, who was also attending the celebration. The police were asked to leave the premises in the presence of the Deputy Governor, Saeb Nassar, and I was questioned by the Deputy Governor and the Public Prosecutor at the hospital.

On 16 November 1999, 29 year old Ghassan Dweikat from the village of Rojib near Nablus was killed by his neighbour during a heated argument between the two families. The victim was shot while

the police arrested a number of suspects but released those who worked in the security services. He requested that the PNA provide him with an autopsy report and organise a fact-finding committee but the PNA did not do so, in spite of recurrent promises by the Nablus Governor and the Police District Director.

On 27 December 1999, the High Military Court sentenced Hussein Hashem Abu Nahel, 22, a member of the national security forces from Gaza, to death by firing squad for his involvement in the murder of Ayman Abu Nahel on 23 November 1999 because of a family feud.

Since 5 December 1999 the military court has held various sessions, all devoid of fair-trial safeguards. In a session on 20 December 1999, a defence lawyer declared his withdrawal because of the illegality of

relatives appointed another defence lawyer who later withdrew for the same reasons. In the concluding session, the third defence lawyer, who had apparently consented to represent the defendant upon the client.

This merely proves the injustice of the court procedures.

On 28 November 1999, Nivine Rusheid, 18, from the town of Sinjel, was accidentally shot by her brother-in-law.

On 7 December 1999, 52 year-old Musa Ibrahim Al Suwwaneyyeh from Ithna in Hebron was shot dead by his son Ahmad, who works in

deceased was shot in the head at 7 am yesterday by his 23 year-old son during a family dispute. Al Suwwaneyyeh was taken to the Al Ahli hospital in Hebron, but he was pronounced dead on arrival. His son was later arrested by the police.



y was transferred to the Abu Deid Forensic centre for an autopsy but the neither the autopsy report nor the fact-finding mission report had been given to the family members.

On the same date, Mohammed Abbas, 11, from Al Bureij Refugee pistol, aimed at the victim and killed him.

died after being shot in the chest by his colleague while they were chasing suspected car thieves through the Balata refugee camp in Nablus. The perpetrator who did not want to be named then surrendered to the police. Majid Hawwari, a Colonel in the police a car chase in Balata. The details of the accident were not given.

were in the camp. The officer responsible for the shooting was speaking to one of the suspects and attempted to secure his gun, but it fired and hit his colleague.

However, the family has not received the autopsy or the investigation report.

#### Torture and Maltreatment

There has been harsh criticism of the Palestine of citizens held its custody. A number of complaints against the police were filed with LAW and its lawyers have attempted to contact the police in order to investigate the issue. However, LAW did not receive any responses. Below is a chronicle of these incidents and complaints to the police and the various security apparatuses.

1999 witnessed widespread violations by the police force, including torture, house raids, illegal arrests and administrative detention. The police also took punitive measures against LAW and denied its lawyers access to prisons under the police jurisdiction. These

measures were taken after the publication of a LAW press release  
and transf

In 1999 LAW took on the cases of two citizens, Mohammed Shreiteh

cus

the year, LAW has also received a number of complaints from other people who have suffered at the hands of the police force.

On April 28 1999, officers from the Ramallah police department assaulted a number of people with their batons. Yousef Selim, the owner of the Gaza taxi office, and his three sons, Selim, Iyad and Zuheir, were arrested and sent to the Ramallah police station.

According to the statement of 23-year-old Samir Yahya Safi from Al Bireh, who also works at the taxi office, Selim, 29, and Yousef, 31,

that one of their cars had been clamped and that a fight had broken out between the sons and their father.

his sons to put the cars in a no-parking area. We got out of the car while Yousef and his sons were shouting at each other. I know two of the police men who were there; one is Muhammad Abu Al Rub and

According to the statement by Safi, when the owner of the office and his sons heard the insults from the police, tempers flared and the situation became volatile. At this point the police sent for reinforcements and then assaulted Yousef and his sons. Several passers-by intervened and tried to separate them. However the policemen did not stop the assault and shots were fired. Fifteen minutes later the father and three of his sons were arrested.

In another statement to LAW by one of its own field researchers he

saw a group of policemen chasing some young men and assaulting them with batons. They tried to detain them by force and the road was blocked after a crowd had gathered. There were a lot of policemen waving their guns around. When I asked what was happening, I was told that it was a fight between the policemen and the owner of the Gaza taxi office, his sons and drivers. The policemen behaved in an unacceptable way and the others also acted childishly.

Detainee Ayman Al Amsi, 32, from Jabalya Refugee Camp, was transferred admitted to intensive care while still unconscious and was found to have the marks of severe torture all over his body. At the time Al Amsi was being held by the Gaza Criminal Police Department.

According to LAW, Al Amsi had been arrested on a criminal charge by the Israeli police on 11 February 1999. The Israeli police failed to find sufficient evidence against him and confirmed that his fingerprints did not match those found at the scene of the crime. He was released on bail on 26 February.

On 14 March 1999, he was arrested again in Gaza, but this time by members of the Palestinian Criminal Police Department. One of the offences brought against him by the Israeli police. A witness (name withheld) who saw Amsi at the hospital on 12 May 1999 noted the traces of torture on his arms, shoulders, hands, thighs and legs. His skin was bruised and covered in black marks. Ayman Asmi is a father of 5 who supports 15 members of his family.

Police also used excessive force in raiding houses. The family of Hussein Jabara from Qalqilya filed a complaint with LAW in which they indicated that the police had raided their house with excessive force. In an affidavit that about 4.00pm on 11 July 1999, 14 members of the Jabara family neighbourhood when about 50 heavily armed policemen surrounded the house, pounded at the door and shot into the air. It was later

disclosed that they had arrived at the house in order to arrest the owner, Hussein Jawabra, 27, who was believed to be involved in the trade of narcotics.

Hussein is married and has two daughters, with a third child on the way. He has three children in total. He also has his parents, his mentally disabled brother Mohammed, aged 20, and his three sisters, one of whom has four children.

At the time of the incident, the rest of the family were in the sitting room when they heard a loud knocking at the door. The police officers identified themselves and explained that they were looking for Hussein. They ordered the outside door to be opened.

When the police told them that Hussein was not at home but they climbed over the wall and jumped into the courtyard, breaking the inner door with an iron bar. My mother-in-law and her two daughters ran over to see what was happening and I saw the police dragging them across the floor by their hair. The family members dispersed, leaving me, my husband, his brother and his wife and daughter trapped inside the courtyard. One policeman broke the window and began yelling insults at my husband, who told them that if they did not leave he would carry out a suicide bombing with the gas pipelines. A policeman opened the outside door with an iron bar but my husband ran to the door and blocked it with a piece of iron to make things more difficult for them. We heard shooting and my sister-in-law

was injured. The ambulance arrived, but the police officers prevented the medical team from entering the house. The police chief called on the policemen to retreat and allow the ambulance staff to carry out their duty; some of them did so but a good number remained hiding behind the kitchen window. A policeman tried to storm the room where Hussein was

holding a pistol. He was holding the pistol until he dropped it, upon which Hussein shouted at the police that he had a gun and would ignite the gas pipelines if they did not

leave. The police retreated from the courtyard and shouted at Hussein to give himself up. Hussein replied that he was very nervous and that he would report to the police station with the pistol the following day. Hearing this, about 30 policemen ran into the courtyard firing randomly in all directions. Nadia

was also hit in the leg. Following the event, his sister Basma suffered

brother, Muhammad, was hit by a bullet in his left shoulder. The two brothers later managed to escape from the back door of the house.

The Mayor was eventually summoned to restore order and the police charged the family members with obstructing justice. Nadia further added that one of the family members, who worked for Force 17, arrived at the house and reiterated the threats. He disappeared for 10 minutes and returned with approximately 30 hooded members of the special forces. In light of the above, Nadia continued, it was impossible for the family to remain in the house, so they moved in with their neighbours. Nadia saw members of the special force on the roof, looking for something, and they later went into the rooms to continue their search. They took her father-in-law out of the house.

turned into a shambles. The next day, at about 4.00 am, we were visited again by Force 17 officials, who accused us of knowing the whereabouts of Hussein and Muhammad and told us to hand them over. An hour later, Jibril Al Joub, head of Preventative Security, arrived at the house and told us that we had to give them up as soon as we discovered their whereabouts.

As a result of the above, the family members were kept in the house. The guards were ordered to keep guard. We were asked to leave the door open. We tried to close the inner door but they refused to allow this. We were not allowed to leave the house, even to go to the shops. That evening, the guards moved to the roof and later to the ground floor.

and guns. They said that Hussein had been seen in the neighbourhood. My mother-in-law was taken to the courtyard and surrounded by

he did not surrender, they would kill his mother. They had already arrested Mohammed, whom they had beaten over the head until he lost consciousness. Hussein had sought refuge and ended up hiding in the house of his in-laws without their knowledge. The police surrounded the house, which they then stormed, shooting Hussein in the leg. He was tied and led like an animal from the top of the hill to the main street. As he was being dragged along, his head struck against stones and rocks and blood could be seen pouring from various parts of his body.

telephoned Ramallah prison to see what was going on, but they hung up on me. I tried again, and was told that Hussein and Mohammed had been transferred to Nablus Central prison; when I called there I was told that they had not yet arrived. After midnight on the same day, two policemen arrived at the house and arrested Mona, one of my sisters-in-law. She was held from two in the morning until 3:00 pm the next day, and told that she

The following day, police sisters, and took them to the police station with their children (one

Georgette, was also summoned for interrogation. Mona and Zeinab, along with Hussein where they were held from 15 - 18 July 1999 and prevented from obtaining diapers and milk for the babies. They were later released for humanitarian reasons by the Police Chief, Major Ghazi Al Jibali. A number of other detainees from the same area, in addition to a few relatives, were released a month later, but until 20 September 1999, the family had no idea as to the whereabouts of Hussein and Muhammad.

On 21 July 1999, the Palestinian police at the Deir Ghasana Police Station detained six young people from the village of Qarawat Bani Zeid and another from the village of Deir Soudan. The detainees complained of being beaten while being taken from their houses and later in the Deir Ghasana station. According to affidavits from the relatives of the detainees, they were arrested without warrant or charge after a fight erupted between rivals from two villages. The detainees were Moayad Suleiman, 22; Fadi Suleiman, 22; Mohammed Suleiman; Yazid Suleiman; Imad and Iyad Suleiman - members of the same family from the village of Qarawet Bani Zeid. Mohammed Abu Duha, an in-law from Deir Soudan, was also detained.

Relatives affirmed that they saw the police beating Fadi Suleiman in the house. The police had asked him about the whereabouts of his brother, Ayed, whom they had come to arrest. When Fadi claimed not to know where Ayed was, the police pointed a gun at his head and arrested him. One officer fired a bullet into the air. Relatives and neighbours also witnessed Fadi being beaten inside the police vehicle. When visiting the detainees at the Beir Zeit detention centre relatives were told that the young men had been badly beaten and maltreated and that at least two of them; Fadi and Muayad, were now very ill due to severe injuries inflicted upon their legs and eyes during interrogation. The two were unable to stand upright because of the pain and bruising. One relative said that a police officer had told her that the police had the right to beat and shoot as they desired.

The detainees were forced to clean the premises under the threat of beating; one of them later said that the police station was like a siding with one of the adversaries, claiming that the fight itself had a fact-finding commission to examine the reasons and motives behind the fight, the behaviour of the police, and their manner of dealing with the issue.

LAW staff member Tahisn Elayan went to the Deir Ghasana police station to investigate, but he too was detained and beaten by an



officer identified as Abu Ali Adeek. Elayan was later released. In his affidavit, he said that he had heard at about 9:30 pm that a relative of one of his friends, along with a number of other people, had been arbitrarily detained at the Deir Ghasana police station. He went to the police station, accompanied by relatives of the detainee and another friend, to inquire about what had happened. A policeman at the entrance of the station refused to allow them entry and ordered them to leave.

Elayan requested to see the Sergeant but the policeman refused and began insulting and pushing them. The shouts attracted the attention of Major Ali Abu Adeek, who went to see what was happening, but instead of calming things down he gave orders for them to be brought inside the station, whereupon they were beaten and degraded. Elayan was pulled into a room and assaulted by two policemen for 15 minutes. They laid him on the floor and began kicking his head and prepared to beat him with batons, until the Sergeant intervened and told them to stop. The Sergeant decided to release Elayan, who noticed that many of those who had been detained with him bore the marks of similar brutality.

LAW wrote to the Police Commander requesting clarification on the reasons behind the beating of these citizens but no answer has yet been received.

employee, was brutally beaten and humiliated by police interrogators who were investigating charges filed against him by the director of the Department of Labour.

In an affidavit to LAW, Mahmoud said that the incident took place on beat me, one of whom used a cable to whip me on various parts of my body. When I asked why, they said it was because I had lied. The beating lasted for almost an hour. I was made to stand up and raise my arms, upon which I was whipped and hit all over my body. Later, I was put in a cell with only a small window in the door, no light and no ventilation. At about 2:00

pm, I was taken from the cell and asked to sign an affidavit stating

Mahmoud went to see the doctor, who gave him a report describing the severe and painful bruising all over his body. He was also suffering a severe headache and a rise in his temperature. There are still marks of the beating on his left thigh and the lower part of his left shoulder. LAW has written to Major Al Jibali Chief of Palestinian Police, requesting an investigation into the above matter, but we have not yet received a response.

In September a number of residents from the Abu Rumman neighbourhood filed a complaint against the Al Hawouz Police station to protest at the mistreatment of their children by police. According to the complaint, their children had been mistreated and beaten on 15 September 1999 at the police station when they went to get their ball,

to the police station at about 5:00 pm by two policemen who had taken the ball and were playing with it. I was taken to the first floor where I was insulted and beaten with a stick on my feet

The children had gathered in front of the police station asking for the policemen came out of the building and said that he wanted five of us to come and get the ball. It was 6:

laughed. The policemen told me not to laugh and kicked my bottom. Another policemen slapped Mohammed on the face and kicked him. The other policemen shouted in our faces and told us not to look at

Mohammed added that he had been assaulted by the same policemen a day earlier when he went to the police station to collect the clippers that the policemen had borrowed from his family the previous day. He s

I jumped off the balcony and ran towards the wall of the school over which I jumped into the courtyard. I was chased by 4 policemen. They entered the school looking for me. I was on the second floor so I

-  
ranking police officer came to their house with another policemen and that it would never happen again.

On 12 October 1999, Bassam and Abdil Karim Amous, brothers from the town of Tulkarem, were brutally beaten by 10 policemen. They received various injuries to their heads and bodies, although it was not clearly understood why the police behaved in this way.

Abdil Karim said to LAW that at about 12:30 pm on the day in question, a policeman and four city council officials had entered his restaurant and told him that it would have to be closed because it had doors, but an argument broke out over a previous fine. The city officials left the site but the policeman took the keys of the restaurant.

policemen pointed his gun at me, so I ran away, fearing for my life.

neighbours intervened so the policemen left, taking my ID with him. A few minutes later, he came back with reinforcements and the director of the main police station, Major Nimr Al Jayyusi. The first policeman pointed at me and the others surrounded me and began beating and insulting me. They kicked me and hit me with batons. Al Jayussi did not take part, but he encouraged them to beat me more. This kept on for 15 minutes and then I was arrested. They had beaten my brother Bassam on the head and I saw him lying on the floor. He was unconscious, so they carried him to the car. I was released the next

brother shouting, so I left the garage and ran to help him. I saw him on the floor while policemen were kicking him and beating him with batons all over his body, in front of the passers-by. I tried to talk to the Major but he refused to listen and instead told the policemen to beat me on the head, which they did. When I came round, I found myself

in the Tulkarem government hospital. I was told that they had continued to beat me even after I lost consciousness.

13 year-old Mohammed Abu Asbeh from Doura near Hebron was wounded with a razor blade in an assault in the town centre on 15 October 1999. Mohammed told LAW that a 23 year-old policemen had cut his face in order to settle an account with his uncles who had

had to stay in the Al Makassed hospital for five days for treatment. According to hospital records, Mohammed was admitted with a 20 centimetre-long cut extending from the right side of his nose to his right jaw. According to his father, Mohammed has now been transferred to Hadassa hospital for further treatment and may

policeman had been arrested upon the order of Police Chief Ghazi Al Jibali and will face trial.

In another incident, Munir T at the criminal department in the Alar police station and later in the

said that two policemen arrived at his house in the Qafine village to arrest

but the conciliation committee intervened and promised that I would be released as soon as possible. I learned that they would also release my friend Ahmad Shalabi. After the committee members left, I was interrogated, beaten with a stick and slapped around the face. I was later tied up and beaten again; when the stick broke, they brought another one. I was thrown on the floor and told to lie on my back. A policeman stamped on my head; another stamped on my stomach. I told them that my stomach was hurting badly and that I needed to see a doctor, but they ignored me. Later, I was led into the room where Ahmad was. They went away for a session with him and I was left alone. A few minutes later, three policemen came into the room and started kicking me and hitting me with sticks all over my body. I was made to stretch out on a table while the policemen were

On the third day of their detention, Tu

was beaten in the stomach. I told the interrogator that my stomach was hurting and I needed to see a doctor but he ignored me. I had my hands tied behind my back and they left me like that for 2 hours, during which I was beaten for 15 to 20 minute periods. Shalabi went through the same thing. Later we were told to clean up the rubble outside a new construction.

behind my back, an interrogator dragged me and hit my head against the walls and cupboard. I was later told to raise my hand and leg and stand still, looking at the wall. Every time my hand or leg dropped, someone would hit me on the back. I was left in this position for about two hours. I could not keep my hands up so I dropped them. The interrogator took me to another room, untied me and told me to take off my shoes before beating me on my feet. Later I was taken into a cell. Instead of being given lunch, they took me for another beating session. The pain was intolerable so I screamed. The interrogator said that he was being like Jewish interrogators and that I would not see a doctor but I would die. Later, they brought in a collaborator from my village and accused me of co-operating with him. He told them that he never had any connection with me. They took me back to the cell and told me that a court hearing would be held on Saturday, but it never took place. I think they were worried about the conspicuous signs of torture all over my body. On Sunday, I appeared in front of the public prosecutor and I told him that I had been tortured and forced to sign confessions admitting my involvement in a number of robberies. I took off my shirt and showed the prosecutor the marks on my body. Later, I appeared before a judge who decided to expand my detention for two more weeks, but I was released on bail the same day.

two large bags of olives on the side of the street, which they took and sold to a shop in the village. The owner of the two bags found out from the shopkeeper who had sold them to him and filed a complaint

Shalabi apologised and returned the olive bags. The man dropped the case, but the interrogations and torture took place in spite of this.

they indicated that they had been assaulted by members of their own tribe of whom one was Sergeant in the police force. They added that they were also illegally held in prison in retaliation for a complaint which the victims had filed to the Prosecutor on 10 July 1999.

a group of people as I was returning home after the Friday prayers. I identified the assailants - they were members of the police force - and filed a complaint at the office of the Prosecutor. My wife also filed a complaint. I presented the two complaints at the Yatta Police station and I was arrested for 48 hours. Six hours later, my son came looking for me and he was arrested as well. We were later transferred to Hebron central prison and stayed there until 18 July 1999. We were

and he was released on 27 July. He was detained to make him lose credibility as a witness, because he had seen the assault. On 17 July, we appeared before the judge and were charged with assaulting the

LAW has written to Major Al Jibali, Palestinian Chief of Police, requesting an investigation into various complaints but we have not yet received a response.

to the Council in which it described the grave violations by the police force. The report indicated the following:

- 1) There have been incidents that have resulted in the deaths of innocent civilians during wedding celebrations and football matches. These deaths have been caused by weapon misuse due to the absence of effective measures to control weapon

disbursement and weapons use. In addition there lacks public awareness about the dangers of weapons.

- 2) There exists the illegal levying of fees in the form of parking fines, border fines and markets fines. The most serious violations are those that occur inside prisons operated by the forces responsible for keeping civil order. Many prisons impose arbitrary fees protected by official mandates. For example, officials charged 10 NIS for every complaint filed by citizens. The measure was believed to reduce the number of complaints and to cover the costs of paper and food.
- 3) There have been recurrent incidents of cars being stolen by the Police who later license them and use them to compete with collective and licensed taxis. This phenomenon is dangerous because it apparently condones robbery and promotes the formation of gangs.
- 4) The right to freedom of expression and opinion has been systematically denied and the police and government have been arresting journalists who speak out against the police or the PA. These actions contravene with article 2 of the Palestinian Publication Law of 1995.
- 5) There have been cases reported in which court orders indicting individuals have been totally disregarded by the Police, who are instructed to do so by Police Chief, Ghazi Al Jibali.
- 6) Despite the ban of torture, some security apparatuses are still using torture and beating citizens in public, in addition to hair cutting. These actions contravene official instructions given by the police force.

#### The Military Intelligence

On 19 April 1999 at 9:30pm, 25 year old Mahmoud Omar Al Rub from Betounya and Ibrahim Faris Ibrahim Saqir from the Al Amari camp were injured after Palestinian military intelligence opened fire at their

driver was

Samir Al Bayyari, 22, was with them. Al Bayyari is a member of the Palestinian military intelligence.

problem dates back three mo

head of military intelligence, stole a revolver owned by the Fatah movement. Since that time he has procrastinated in giving it back. On April 19, a member of military intelligence met my brother Nasir and provoked him. Nasir tried to take his revolver but the man threatened him.

That same day, my brother Ibrahim, accompanied by Shihadeh and Al Bayyari, met with seven members of the intelligence near the Al Manara Square in Ramallah. The intelligence agents were armed and began shooting randomly and without warning. My brother Ibrahim was shot in the left leg and the other two were hit with shrapnel. Ibrahim was taken to Ramallah hospital where he underwent surgery. At 4am the next day, he was taken to Jericho and I do not know

Israeli number plates which now has several bullet-holes on its side.

was arrested by military intelligence after visiting a friend at the detention centre in Jericho. The arrest came as a result of the recent clashes which occurred after Palestinian police and security services searched the refugee camp for weapons and carried out a number of arrests. Abdilbohi was arrested after being accused of being involved with two people who were charged with taking part in incidents.

Abdilbohi was held for three days during which he was assaulted. In a statement he made to LAW after being released on 27 September 1999, he said that he had been severely beaten and that security force members had verbally insulted him, used sticks to beat him and subjected him to sleep deprivation. A lawyer from LAW recorded seeing bruises on his body.



collaborating with the Israelis as well as arms dealing, drug trafficking and car theft and charged me because of my relationship with two

Abdilbohi held the military intelligence apparatus responsible for what had happened to him and demanded an investigation into the case and a trial of the perpetrators.

In another incident, Shaharazade Al Hadi from the village of Al Yamoun stated that she had come back from Jordan to live in her village. She built a house on the property of her husband but did not register the house under her name because she had no ID.

brutally assaulted by her step-children, who worked for Palestinian General Intelligence. According to her statement, they poured tea over her head and she ran out of the house fearing for her life. A while later, she came back to the village but was assaulted again and month after the first assault, my step children entered the house again, insulted me and beat me severely. One of them had a baton which he used to fracture my left

On 8 September, Al Hadi came to LAW asking for legal advice. LAW wrote to the Military Attorney, Major Al Bishtawi, to request his intervention. Al Bishtawi replied on the same day and claimed that the soldier who had beaten Shaharazade had been punished. He added that she could take the case to the Nablus Court of First Instance to obtain her civil rights. He said that if the soldier was indicted, he

On 15 September 1999, a number Tulkarem residents filed a complaint protesting Military Intelligence behaviour while arresting people and the fact that once arrested, suspects are not allowed to receive visits from lawyers. Farid Abdil Hadi, 34, the brother of one of the detainees, said that 20 days after the detention and the ban on order to express his

director of the MIA, Moussa Arafat, and asked him to grant a visit to the pretext that visits can only be allowed after completion of the he was told that all visits had been banned on the instruction of Major Haj Ismail.

The Oversight Committee intervened and stated that a decision had been published in the newspapers on 8 March 1999 to the effect that the MIA had been banned from arresting civilians and should refer the cases to the competent parties. Unfortunately, the MIA continues to arrest people in spite of the existing laws and regulations. The Oversight Committee indicated that it had received 9 complaints from West Bank families and 5 from Gaza families who had been denied access to their civilian relatives who were being held in MIA prisons.

The General Intelligence Agency

On 17 August 1999, Sami Nofal, General Secretary of the Islamic Al Khalas party, was arrested. After his release, he held a press conference in which he confirmed that he had been subjected to torture.

Shortly after midnight on 16 August 1999, agents from the General family. Nofal was not there, but the family was informed that he should appear at the Gaza headquarters. The following day Nofal did so, accompanied by several other members of the party. The official there reassured them that this was a routine investigation and that Nofal would be released as soon as his interrogation was over.

In fact, Nofal was not released until 25 August. In the meantime he was subjected to torture, insults and psychological pressure. During his press conference, Nofal said that the torture had begun on the first day of his detention, when his feet and hands were bound and he was blindfolded. His feet were then beaten with hoses until he could barely stand up. In addition, he was humiliated and insulted. Medical reports corroborate his story.

Nofal did not manage to ascertain exactly what it was that they wanted from him. He told them many times that he was a member of the Islamic Al Khalas Party, but they insisted that he was affiliated to Hamas. Whenever he denied this, he was beaten. He was made to stand for long periods of time with a filthy bag covering his face, and was deprived of sleep. Once he was led blindfolded into a room and told that this was the State Security Court and that he had been

During a telephone interview with the editor of \_\_\_\_\_, Nofal said that on 19 August 1999, while he was in custody, he was examined by a doctor, who promised to send him the medication he needed. He received the medicine the day before his release. Nofal added that he was also forced to sign a document without being

that he was shocked at the manner in which his house had been barbaric search, completely ignoring the presence of women and children. They raided it twice, and on the second time they

He would never have expected Palestinian General Intelligence agents to behave in such a manner towards their own people, but now they had succeeded in planting the seeds of hatred with the suffering and pain they caused.

45 year-old Riyadh Hussein from Ein Yabroud, who holds a Dutch passport, recently filed a complaint with LAW about an incident of blackmail by two agents from the Deir Dibwan General Intelligence.

In his affidavit, Riyadh stated that he returned to Ramallah from Holland on 4 May 1999, at which point Nasser Siam, a Jerusalem

known his brother in America, so Riyadh agreed. On 23 June 1999, furniture arrived and was installed in the storeroom. Not long after, three men arrived. They identified themselves as General Intelligence agents and claimed that the furniture had been stolen.

Siam showed them his ownership documents; they apologised and left.

and asked for my name. I gave them the information they required and told them that I owned the storeroom but not the furniture and that if they wanted to examine it they should refe

left, they asked me to accompany them to their office in Deir Dibwan. I tried to tell them that I was not the right person to ask about the furniture, but they insisted on questioning me. They forced me to sign a paper admitting to having imported the fright; I agreed to do so because I had heard terrible stories about torture and I genuinely feared for my life. They then charged me with tax evasion, in spite of the fact that the only time I have ever had American furniture was when I furnished my house; I bought that furniture for US\$60,000

Riyadh also said that his cousin had contacted the Director of the MIA office, who said that Riyadh had been remanded for tax evasion and was liable to be arrested unless he immediately paid a fine of US\$20,000 in cash. Riyadh agreed to pay the money despite his feelings of anger and injustice. During the time he took to collect the money, he was repeatedly threatened by MIA agents, who told him that he would be locked up in Hebron prison without being allowed to see anyone for 18 months unless he paid the money as soon as possible.

came to see me at the house. With them were my brother-in-law, a lawyer and the Director of the Deir Dibwan office. I tried to give the money to the Director, but he refused to take it, saying that he was not authorised to do so. We negotiated for a while, and eventually the

Riyadh a receipt in return.

When Riyadh went to the Ramallah tax department, Nasser Tahboub, the Managing Director, said that the department knew nothing about the case, and that the Hebron tax department would in any even have nothing to do with tax cases in Ramallah.

After a month of hard work, Riyadh eventually managed to obtain US\$15,000, which included a fake one-hundred dollar bill. LAW wrote to the Director of the MIA, Major General Amin Al Hindi, but so far we have not received any response.

about cases of blackmail by the GIA. The names of several high-knemed Abu Dahoud, have recurred in several of the cases filed to the Oversight Committee. In one case, the sum of money involved was 60, 000 NIS; in another, it was US\$20,000; in a third it was US\$50,000.

#### Force 17

In a complaint submitted by Maen Salama, a resident of Thanaba village near Tulkarem, he stated that a Force 17 agent had asked to borrow 2,000 shekels (approx. \$500) from him. Salama told the agent that he did not have that kind of money, so the agent left but told him that he would be back again that night. At midnight, he returned and asked again for the money; again Salama told him that he did not

hand over the money.

In the following few days, the agent harassed the man by driving around his house several times. On May 8 1999, the agent and his brother, another Force 17 agent, came to the house in the morning. The man was not at home so they held their pistols to the head of ater, they left the house to get Salama from his work. Finally, they took him to their headquarters in Tulkarem where he was beaten and insulted before the eyes of their supervisor.

In his affidavit, Force 17 agent Abdallah Ahmad, 32, from Thanaba, stated

house, which happens to be near where my brother lives, we were

insults at us. She accused us of trying to stop her husband from earning money and that he could not afford to pay what he owed us.

She kicked the Jeep and hit it with a baton. We drove past and tried to get away from her; it is not true that we threatened her with weapons. We contacted the district office and told them what had happened, it was agreed that we would summon her husband to resolve the problem and set an ultimatum for the repayment of the money he owed my brother, my cousin and I. We fetched him from his workshop and asked him to settle his debts. He apologised on behalf of his wife and he left. No one laid a finger on him. I recall that my brother and I had managed to confiscate stolen car parts from

grudge against us for being able to disclose his dirty games.

#### The Preventative Security

On 18 October 1999, during a visit by the lawyers to the Jericho detention centre, detainee Ibrahim Hamed, 24, a Silwad village resident, filed a complaint against the Preventative Security Apparatus. In the complaint, he said that he had been arrested on 24 January 1999. He was transferred to the interrogation centre in Jericho where he had been tortured. As a result his left eardrum was damaged.

According to his statement, the interrogators promised him medical treatment but they never provided it. His family brought a doctor to

interrogator, Moussa, held my head while the other, Faleh, slapped me in the face and punched me in the stomach. I was tied in a very uncomfortable position and had my head placed under running water for a long time. Every time I told them that my leg hurt, they would put pressure on it to increase the pain. The torture lasted for a week with half an hour respite between

added that the agents had confiscated his computer diskettes, his

camera and the sum of US\$12,800 from his house. LAW wrote to the legal advisor and received a response promising that a committee would look into the matter.

In another incident, 30-year-old Nidal Shahin, a trader from Hebron, said that he had been arbitrarily arrested by Preventative Security agents who had taken it upon themselves to resolve a debt dispute even though the apparatus is not authorized to deal with such cases.

been given them back since his release.

10:00 am, I was unloading a van in a Ramallah street when three men approached me saying that they were Preventative Security agents and worked as bodyguards under the control of the Director of the Petroleum Authority. They asked me to go with them to their office.

out any legal justification. On 12 December, lawyer Bahij Jalal asked the Prosecutor to release me on bail but he refused, arguing that he had not been responsible for my arrest. I learned that my car and the vanload had been delivered to the trader Deeb Abu Absa in payment for what I owed him.

he used that contact to have me arrested. He probably incited the Preventative Security agents to detain me and teach me a lesson. The agents called my relatives and told them that they had taken my car. On the second day of my detention, Abu Absa and the Preventative Security legal advisor, Khalil Kharaja, came to talk to me about the debt. They suggested taking my car to cover the debt; I refused, because without a car I cannot work. I have been making deliveries in the car for ten years, but I have been having financial problems. They confiscated my car, my ID card and my jacket, where I had 2000 NIS in the pocket.

d that my possessions were being held by Preventative Security. When I went to them, they told me that

Shahin confirmed that he was responsible for his trade activities and that settling his debts was his own affair. Shahin made his statements in the presence of witnesses, asking them to give him a chance to arrange his affairs without outside interference.

On 15 January 2000, LAW wrote to the Head of the Preventative Security Agency, Jibril Al Joub requesting clarifications and the return any response.

#### Political Detention

Despite the criticism of human rights organisations against the practice of political detention against, in particular, members of the Islamic opposition, and despite innumerable calls for an end to political detention, there are still and estimated 250 political detainees sons. The High Court ordered the release of 50 detainees, many of whom have already spent more than two years in custody since a release order was issued in their favour. For

on 30 November 19

Only nine of the 50 political detainees who have already spent 5 years in prison have been tried, but in any event these trials did not meet the minimum standards of fair trial safeguards. Of the detainees, 26 are university students and 2 are secondary school pupils.

During the period covered by this report, the Palestinian Security Services (PSS) have conducted a number of arrest campaigns against members of the Islamic opposition, particularly since the signing of the Wye Agreement. The PSS have detained 47 citizens without charge or trial, not one of whom was arrested upon the instruction of the public prosecutor. Of the 47, 16 are married, 31 are re minors (2



are aged under 16), 7 are university students, 5 are high school students. Only some of these detainees have been released.

LAW has frequently demanded the PNA to halt its policy of detaining people for their political affiliations. It also requested the PNA to implement appropriate legal procedures for arrest, detention and fair trial safeguards.

In one incident on May 7 1999, Palestinian intelligence arrested four people, attacked the Al Manar press office of the Islamic Jihad in Nablus and illegally confiscated the contents of the office, including its computer equipment and newspapers.

Those arrested, students at the Al Najah National University, are: Khalid Al Zawawi (member of the student council, works as a riq Abu Sarah and Marwan Hammad (works as a journalist). The four were arrested at their homes and taken to an unknown location.

After an explosion in a shop in Hebron, the Palestinian security bodies, especially the general intelligence, began an arrest campaign. Several people suspected of being members of an Islamic political movement, probably Hamas, were arrested as a result. The

Salam Abu Khalaf, 36.

On January 24, political detainees in Juneid jail - section five - declared an open hunger strike requesting the implementation of the

without charge for 17 months before their strike, and they had reached an impasse regarding detention. The hunger strike was initiated to protest the political detainees.

The same prisoners have declared three other hunger strikes. The first was on November 24 1998 and lasted five days. The second was on December 24 1998 and lasted seven days. The third was on

March 3 1998 and lasted fifteen days. Each time, the hunger strikes were interrupted because of promises from the PNA, but none of these promises had ever been fulfilled.

On 28 February 1999, it was declared that a settlement had been reached between political detainees and the PNA in which it was agreed that in return for ending the hunger strike, all political detainees who had not committed security offences would be released and the rest would have to be charged and taken to trial.

LAW has already emphasised its condemnation of political detention, which violates the law and human rights principles, especially article 9 of the Universal Declaration of Human Rights. The numerous decisions and orders by the Legislative Council to release all political detainees and bring an immediate end to the system of political detention have been ignored, as have the decisions of the Palestinian High Court on the illegitimacy of these detentions.

In the evening of Thursday February 4 1999, five detainees, Walid  
  
prison after they collapsed.

On February 6 1999, a lawyer from LAW was sent to the hospital to visit them. They told the lawyer that they intended to continue with their strike until the PA responded to their demands for their immediate release. They had already refused to take any medicine or water despite their deteriorating health.

The lawyer noted that the detainees were indeed in a very poor condition. The Deputy Director of the National Hospital also confirmed that they had refused to take any medicine, especially glucose, to prevent dehydration and malnutrition. Despite continuous attempts by hospital staff to persuade them to break their strike, the detainees adamantly refused to respond. Those in hospital were kept under armed guard by the security services, and reporters were not allowed into the hospital.

LAW was also deeply concerned over the deteriorating health conditions of political detainees in the Jericho Military Prison who were on hunger strike for thirteen days. On 11 February 1999, four detainees were taken to hospital. These were Jamil Atawil from Al Bireh and Abdullah Al Qawasmi, Hisham Asharabati and Munir Al Hroub from Hebron.

A military doctor examined the detainees, who were suffering from nausea, dehydration and general physical weakness. The doctor recommended that the detainees be promptly attached to glucose drips, but the detainees refused to receive this treatment. They were later taken to hospital in the hope that they may consider receiving treatment there.

LAW filed a complaint at the High Court demanding the release of the political detainees. On 12 October 1999, at a hearing held in Ramallah and presided over by Judge Sami Sarsour, the head of the Palestinian High Court of Justice, decided in favour of the immediate release of 34 political detainees held at Juneid prison in Nablus.

On 22 October, prior to petitioning the court, LAW requested that the Nablus prosecutor assume his responsibilities at Juneid prison and provide reasons for the continuing detention of the detainees. The Nablus prosecutor explained that the detainees were not held by his orders. On 26 October, LAW applied to the attorney general in Ramallah regarding the same case. A response was never received.

On 21 February 1999, the Palestinian High Court of Justice held a detainee Jamal Al Taweel. On 24 February the court unanimously decided in its preliminary verdict on the case: the public prosecutor and Yasser Arafat, in his capacity as Interior Minister, were to provide within 10 days reasons for the ongoing detention of Al Taweel.

On October 29 1998, LAW petitioned the court on behalf of 48 political detainees from Nablus, Tulkarem and Qalqilya. The petition was recorded as case # 77/98. On November 2 1998, LAW reapplied to the court for the same case. The second application was recorded

as case #78/98. The 48 prisoners have been in detention since September 1997, while Jamal Al Taweel was arrested on October 5 1998.

On October 3 1999, the Palestinian High Court of Justice issued a preliminary verdict for the release of three political detainees, Dawoud Ahmad Al Qawsmi, Ahmad Ali Abdiaziz Al Qadi and Mahir Ahmad Abdiljawwad Dannoun, from PNA prisons. The court gave President Arafat a ten days to explain the continuous detention of the detainees.

The Palestinian security bodies arrested Al Qawsmi from Hebron on October 20 1998, Al Qadi from Ramallah on April 25 1998 and Dan petitioned the court on 29 July 1999 requesting the issuance of a preliminary decision demanding the President and the Attorney General explain the reasons of their continuous detention and argued the detention was illegal as it was without arrest warrant or any charge against them and is a violation of their legal rights.

On 27 October 1999, the Palestinian High Court of Justice issued a preliminary decision demanding the President, in his capacity as Minister of Interior, and the Attorney General to justify the continued

General ten days to explain the reason for the continued detention of the detainees.

The Palestinian security agencies arrested Mahmoud Sleiman on 7 decision demanding the President and the Attorney General explain the reasons for their continued detention. They argued the detention was illegal as it was conducted without arrest warrant or any charge against them, a violation of their legal rights.

sted the Jenin Public Prosecutor to assume his responsibility and duties in accordance with

articles 16, 100, and 108 of the Penal Procedure Law # 9 of 1961 to

lawyers requested the Attorney General to assume his responsibility and duties to release the detainees being held without charge or trial.

- Most detainees have been held for more than two and a half years. Some, such as Salen Atalahmi who was arrested in 1996, have been held for more than 3 years.
- Arrests were conducted without presenting arrest warrants, most detainees have not appeared before the Attorney General and the time of their detention is usually unlimited.
- None of the political detainees have been charged or sent to trial.
- Several political detainees have been held in the detention centres of different security apparatuses such as the MIA, the GIA or Preventative Security.
- Many of the political detainees have been exposed to punitive measures and are held in prisons far from their homes, rendering it difficult for their relatives to regularly visit them. Some of them have been denied access to education and others denied recreation time. These measures were imposed after the escape of three detainees from Juneid prison.
- Some are held in military prisons such as the Jenin Military Prison. Some are held with civilian prisoners or criminals. Some of the detainees suffer health problems, such as Yousef Asarkaji who is being held at the Juneid detention centre.
- Health services are provided twice a month. However, some detainees have to buy medicine at their own expense, adding to their financial burdens.
- Food is generally good. Detainees are provided with three meals a day.
- Prisoners, except those held in Jenin Military Prison are provided with telephones to contact the outside. TVs, radios newspapers and magazines are allowed at the prisoner own expense.

- Political detainees suffer social and economic setbacks in light of their detention. They constantly worry about their future, their families and their jobs.
- Some detainees had their salaries cut off such as detainee

department where he worked since the first day of his detention.

- Political detainees and their families suffer financial setbacks especially as the Ministry of Social Affairs has denied them financial support. With long periods in prison, political detainees have many reasons to worry about the future.

### **Freedom of expression, opinion and peaceful assembly:**

In many cases, the PNA has violated the right to freedom of expression, opinion and peaceful assembly. Security services have detained journalists, academics and politicians. The PNA has closed private TV and radio stations and news offices in a direct violation of international human rights standards such as those outlined in Article 19 of the International Covenant for Political and Civil Rights and Article 19 of the Universal Declaration of Human Rights.

In  
journalists detained and interrogated. Human rights activist Dr Iyad Saraj was held for a few hours after an article of his was published in Magazine. In November 1999, 8 public figures were arrested after signing a public appeal statement calling for an end to corruption and a redress of the political situation.

On 17 May 1999, the Preventative Security apparatus ordered the em for no reason other than the ambiguous pretext that the station had disregarded the appropriate considerations for transmission. The order, a copy of text or law.

LAW condemned the closure of the television station as a violation of the freedom of expression as set out in the Universal Declaration of Human Rights (UDHR) and confirmed in the International Covenant

on Civil and Political Rights (ICCPR). Article 19 of the UDHR states  
t  
without interference and to seek, receive and impart information and  
closure constituted a violation of the Printing and Publishing Law  
passed by the Palestinian Legislative Council.

On 23 May 1999, Mahmoud Al Bardaweel and Wisam Afifa, the Chief  
Editor and a reporter for *Arisala*, the newspaper of the Islamic Al  
Khalas Party in Gaza, were detained by the public prosecutor. They

publisher, after the newspaper published a story about Ayman Al  
Amsi, who was detained by the Gaza Criminal Department after being  
acquitted of the same crime by an Israeli court. On 23 May 1999, Dr  
Ghazi Hamad, the publisher, was released after being held with his  
two colleagues for 26 hours.

In an affidavit to LAW Society, Hamad said that at about 3:00 pm on  
22 May 1999 he received a call from the Gaza Criminal Department  
asking him to appear at the police headquarters 6:00 that evening.  
Hamad appeared as requested and was questioned by the officer in  
charge of political security, Mahmoud Saqer. He then met with  
Brigadier General Talal Abu Zeid and Mahmoud Asfour.

Hamad was questioned about the article that was published in the  
Al Amsi by the Criminal Department in Gaza. He was severely

Hamad added that Brigadier General Asfour claimed that he had  
ordered him not to publish any information about Al Amsi. Hamad

detention. He based his article on information obtained from human  
rights organisations, his relatives and the press conference on the  
subject held by Major General Ghazi Al Jibali, the Police Commander.

Hamad was referred to the prosecutor to complete the investigation, but he was later released on the basis that he was not the Chief Editor.

The Chief Editor, Mahmoud Al Bardaweel, and the journalist who wrote the article, Wisam Afifa, are still being held in custody awaiting indictment.

On 22 June 1999, LAW received a complaint by the director of Watan TV in which he described the assault against him while he was filming the evacuation of a house by the police. In his complaint, he said,

laws of publication and press that guarantee freedom of expression and opinion.

June 1999, as a camera team was filming the evacuation, a Sergeant asked it to obtain a permission from the Police Chief before shooting. Not convinced, they called the Ramallah Chief of Police, S  
behaviour and said that it was our right to film as we wished.

asked us to obtain a permission from the bailiff office or the Minister

On 5 August 1999, the Palestinian Civilian Police issued an arrest warrant for Dr Iyad Sarraj, Director of the Gaza Community Mental

Magazine, which was distributed in the Occupied Palestinian Territories on 1 August 1999. The article

rights organisations and gave special mention to the Minister of Justice, who led this campaign against NGOs. Sarraj also referred to the issues of corruption in the PNA and the delay in the Presidential approval of the NGO Law, which was passed by the Legislative Council in the third reading.

Dr Sarraj was summoned by telephone. He arrived at the police station at 2pm and was there until 4.15. He told LAW that he had met with General Ghazi Al Jabali, who informed him that a complaint had



hours of questioning and significant international and domestic pressure, Dr Iyad Sarraj was released from the Gaza police headquarters on police bail with travel restrictions. He was told that he would not be allowed to leave the country until further notice and that the case was being investigated.

On 19 September 1999, LAW attorney Husni Kalboneh petitioned the military Attorney General to release the journalist Maher Adisouqi, who had been held in custody by the Preventative Security service since 15 September 1999. Kalboneh argued that the reasons for detaining Adisouqi were no longer valid due to the fact that the

justification was unlawful and that he should be released immediately.

On 15 September 1999 at about 11:30 am, members of the Ramallah Preventative Security apparatus searched the library of the Arab Culture House in the building of the Amman Cairo Bank and arrested Maher Adisouki, 38, from Al Bireh. He was later taken to Preventative Security service headquarters.

LAW, on seeking access to the detainee, was told that there was a search warrant in addition to the arrest warrant issued against Adisouki, and that the search could be conducted in the presence of witnesses. The arrest warrant, dated 15 September 1999, accused Maher of possessing material that would cause incitement against the PNA. However, the PSS legal office confirmed that no such material had been seized. The following day, LAW managed to visit Adisouki, who told him that he had been on a hunger strike.

The end of November and the beginning of December 1999 saw the internal Palestinian front marked by incidents that seriously undermined the future of democracy and political expression. On 27 November 1999 eight prominent figures and intellectuals were

statement) calling for an end to corruption and a redress of the political situation. The arrests were conducted a few hours after the

appeal was made public  
arrests were arbitrary, illegal and conducted either in the early hours of the morning or very late at night.

The arrests included Abdel Sattar Qassem, 50, a lecturer at Najah University, Dr Yasser Faek Abu Safieh, age 45 a physician, Dr Abdul Rahim Kittani, age 47 from Tulkarem, Dr Adil Samara, 57, Ahmad Qatamesh, 48, and Dr Afif Barara, 46. On the following day, 28 November, two more people, Ahmad Doudine, 58, a retired teacher and Dr Afif Joudeh, 45, a general physician were arrested. Two more -mayor of Nablus municipality and Wahid Al Hamdallah, the ex-mayor of Anabta were also placed under house arrest. Another Anajah university lecturer, Ismat Ahskhshir, was held in custody at a police station for three consecutive days.

According to information gathered by LAW, at about 2:30am in the morning of 28 November, General Intelligence agents surrounded the home of Abdisattar Qassem, stormed it and searched his personal belongings. Abdisattar was told that this was because he had signed a petition and that other signatories had already been placed under arrest.

Relatives of Dr Abu Safieh said that members of the Criminal Department had arrested him on 28 November 1999 while he was in his clinic at 10:30 am. The agents told him that he was requested for interrogation - usually a precursor to detention without charge. Abu Safieh called his relatives and confirmed his detention at Nablus Central Prison.

The wife of Abdirahim Kittaneh said that General Intelligence agents arrived at their home at 11:30 am on 27 November. Her husband had refused to leave the house without an arrest warrant, which was produced later. The wife of Adel Samara said that members from the criminal department arrived at their home at 2:00 pm on November 28, arrested her husband and took him to an unknown location.

criminal department had stormed their house to arrest her husband.

He told them that he would go to the police station on his own. When he arrived, he was arrested.

On 28 November 1999, according to information gathered by LAW, sign the order. On the same day, house arrest was imposed on Wahid Al Hamdallah, the previous Mayor of Anabta City Council.

According to affidavits given to LAW by relatives of the detainees, the issued by Chief of Police Ghazi Al Jibali. In a further development, LAW was denied access to some of the detainees. LAW considered this a serious violation of the basic entitlement to seek legal advice and protection; all detainees should be entitled to a lawyer and informed about any charges against them.

In another event, detainees Ahmad Qatamesh, Adel Samara, and Abdul Sattar Qassem were transferred to the General Intelligence detention centre in Jericho. Later, LAW attorney Husni Kalboneh managed to visit Yasser Abu Safieh, Afif Suleiman Al Judah and Adnan Odeh who are being held at the Police Criminal Department in Nablus.

These public figures were detained without charge or trial and therefore their detention by police and the General Intelligence was illegal. On 5 December 1999, several of those arrested declared a hunger strike in protest at their ongoing detention. Dr Abdel Sattar Qassem, Dr Adel Samara and Ahmad Qatamesh were informed by the Jericho General Intelligence Services that they would not be permitted to receive visitors, although they were not given a satisfactory reason for this. At the same time, the Nablus Chief of Police refused to allow LAW to visit strikers Dr Afif Barabrah, Dr Yasir Abu Safiyyeh, Dr Abdilrahim Kittaneh and Adnan Odeh. On the same day, the families of the detainees held a sit-in near the Nablus police station to protest at the illegal and prolonged detentions.

On 19 December 1999, the PNA released 6 of 8 of the signatories of the 20 Petitioners. Excluded were Ahmad Shaker Doudine, held at the Nablus prison, and Abdi Sattar Qassem, held at Jericho Detention Center, no explanation has been given for their continued detention. Those released were Adel Samara, Ahmad Qatamesh, Afif Barabra, Adnan Odeh, Abdil Karim Kittanneh and Yaser Abu Safieh.

According to information gathered by LAW, Khaled Al Qidra, Head of the State Security Court, informed the detainees that President Arafat had issued a release order for bail. They were required to sign a pledge that bound them to appear at police stations if summoned. Bail was placed 50,000 Jordanian Dinars (approximately \$75,000) to be forfeited for non-compliance with the summons.

#### Excessive Force

On 5 July 1999, Force 17 (the Presidential Guards) used excessive violence against political detainees in Juneid jail and their families. During their visit to the prison, the families were subjected to personal searches and some of them forbidden to visit their imprisoned relatives.

In an affidavit to LAW, 70-year-old said that he and members of his family were searched by a soldier

added that a number of the families present had been denied access to the prison for their scheduled visits.

shouting. Clashes erupted between soldiers and prisoners after the above soldier accused the prisoners of collabourating with Israel. The soldiers then opened fire into the air and threatened to shoot the

consciousness and was taken into the prison to receive first aid. The same soldier then pointed his gun at the chest of one of the

Al Asi said that Colonel Abu Sufyan, head of the Nablus branch of Force 17, came to the site accompanied by reinforcements from the naval police force, who also took part in the shooting and the violence.

On July 6 1999, Palestinian Military Intelligence troops used force to political detainees in PNA prisons. A number of national dignitaries and representatives of national institutions participated in the demonstration.

gathered close to the governate building and tried to close off the street. Military intelligence agents confronted the women, some of whom were injured as a result

Mansour; Um Nasir Al Qadah; Um Sayil Asfour, sister of the detainee Adnan Asfour; Um Muhammad Bashkar and the son of detainee Ahmad Nabhan Saqir. Some of the protestors were arrested, including Ayman Al Masri (who was severely beaten), along with three members of the Dawabsheh family, the brother of detainee

beaten.

On 3 December, the security services prevented a peaceful assembly from proceeding into the streets of Nablus. The assembly was in protest of the shooting in the foot on council member, Muayiwa Al Masri. In the same month, security services dispersed protestors from the Islamic movement under the pretext the demonstration had not been licensed.

### **Ministries and civil institutions**

The end of 1999 marks five years since the PNA assumed power during which time it has exercised civil jurisdiction of the areas under its control. The PNA is still unable to provide the necessary services to the Palestinian population in many areas, mainly because medical services and general infrastructure were totally shattered by the Israeli occupation. Six Palestinian residents have died due to medical negligence and 24 others have died due to the lack of safety

measure

Government, Environment, Municipalities and business owners should be held responsible. In October 1999, fourteen people died and a further 20 were injured after a fire broke out in a lighter factory in Hebron. Most of the victims were women.

In 1994, the PNA took control of the education and health services in the Palestinian Territories. Although the health sector already existed, it was deficient. There were hospitals and specialists available, but the infrastructure had been destroyed during the occupation and was therefore ill-equipped to meet the needs of patients. Five years after the arrival of the PNA, there has been no real improvement in medical services. In fact, there has been an increase in the number of complaints and, in some cases, medical negligence has led to fatalities and near-fatalities, both in government and in privately-run hospitals or clinics.

### **Case # 1**

On 23 April 1999, Adnan Hattab, father of the deceased Suzan Hattab, filed a complaint at LAW in which he described the events

Suzan, 4, had died only hours after being admitted to the Tulkarem Red Crescent hospital, where she underwent throat surgery. Experts confirmed that the operation itself was easy and could not have led to her death, which can only be the result of the medical and administrative negligence of hospital staff.

Adnan, a journalist from a local newspaper, explained that his wife Maisa, 32, had taken her daughter to an ear, nose and throat specialist to find out why she was snoring so much. The specialist

removed. He also told her that Susan should undergo some tests before surgery. The tests were carried out at the Benevolent Friends Society, and the doctor made an appointment for her operation on 19 April 1999.

d not stop shouting.

They took her into the operating theatre and ten minutes later it was all over. The doctor came and showed me the tonsils, assuring me that the operation had been a complete success. Susan was brought out of the operating room still under anaesthetic. We took her into another room. A few minutes passed and then I noticed that she was shaking and her left hand was turning blue. We called the doctor, who tried in vain to revive her. He asked me to bring her to his clinic after she had woken up. Twenty minutes later, one of the nurses asked if Susan was awake yet. The left side of her face had turned blue. When she saw this, the nurse took Susan back into the operating theatre and called the doctor again. A few minutes later, the doctors and his assistant Dr Al Hilteh came out and asked if my husband was there. I asked what the matter was and after a short silence, they told

Mr Hattab had driven his wife and daughter to the hospital, before going to visit a relative in the village of Safarine. His sister called to ask him why he was not in the hospital with his wife and daughter. His suspicions aroused, he telephoned Dr Al Hilteh, an old acquaintance of his, to find out what was happening with the operation. Al Hilteh

back to Tulkarem. When I arrived at the hospital, I was told that

In light of the above events and in accordance with Articles 45 and 55 committee decided to take the following measures:

Indictment of Azzam Suleiman, the anaesthetist responsible for not completing anaesthesia procedures and bringing the child back to consciousness. Azzam was found guilty and suspended from carrying out his work for one year. He was also requested to receive more training. Dr Hatem Mallak was rebuked for carrying out the operation

in the absence of a permit for the hospital to carry out such operations.

The Board strongly recommended that the hospital management obtain the permit processes before carrying out any further similar operations. Furthermore, it was found that the nursing staff should be re-trained to better cater for the needs of the patients.

## **Case # 2**

On 20 June 1999, Amjad Freihat, 27, from the village of Yamoun in Jenin, filed a complaint with LAW in which he referred to the conditions that had led to the death of his father, Hassan Freihat, on 10 June 1999. Amjad had woken up at 5:20 am to hear one of the neighbours shouting for help to move his father, who had fallen to the floor. He was unconscious and blood was oozing from his ears and his nose, but he was still breathing.

Jenin hospital, where I put him on a bed in the emergency room. There was one nurse there. The doctor was called, but he was half asleep. Another doctor arrived, and they tried to save my father, who was suffering a brain haemorrhage and a fracture in his skull. The hospital had no oxygen so the two doctors used a balloon to pump air into his mouth.

busy with something else. They did not do anything to stop the e and the ears, so we wiped it off with some cotton. The nurse called for an ambulance driver to report to the emergency room as soon as possible, but it took 45 minutes to locate him. When we had eventually put my father into the ambulance, an argument broke out over who was going to accompany him to Ramallah hospital. The doctor threatened to report the nurses to the Hospital Director if they refused to do as he asked.

brother accompanied my father to Ramallah hospital. On the way to the hospital, the doctor tried to use the oxygen machine but it did not



work, so they were forced once again to make use of the balloon. The ambulance was very badly equipped and the siren did not work. My brother had to hold onto my father to prevent him from falling off the bed, as there were no seatbelts to secure him.

quarter of an hour to find his stethoscope, when he found that there was no pulse. My father had already died. The ambulance went back

On 27 June 1999, LAW filed a complaint at the Ministry of Health outlining the details of the event. On 11 July, the Ministry sent a response stating the following:

He was in a critical condition on arrival; unconscious and bleeding from the nose and ears. The patient had fallen off a roof and was found lying on the floor at 5:20 am. It was not known when he had fallen. He lived alone although his family knew that he suffered from epilepsy, diabetes and high blood pressure.

nto the hospital, he was promptly examined. His blood sugar level and blood pressure were very high. A nurse carried out artificial resuscitation. The patient was transferred to Ramallah hospital. It is true that it took some time to summon the ambulance driver.

his critical condition and a brain haemorrhage. In light of the above, we conclude that the medical team did its best and the allegations in your letter do not relate to the trut

### **Case # 3**

Jihad Salameh filed a complaint with LAW about the death of his child, Thabet, at the National Hospital on 30 June 1999. His son had

fallen off a chair, but no change was observed in his behaviour as he ate his lunch. He played for a while and then went to sleep.

suppository to reduce his temperature and taken to the Rafidia hospital for an X-ray. Although this indicated no fracture in his skull, the doctors recommended his transfer to the National Hospital to examine the rise in his temperature.

Thabet was admitted into the National Hospital at 11:00 pm, where he was given another suppository although he had only received the first half an hour before. Cloths soaked in cold water were placed on his head and body to reduce his temperature. The doctor suspected that he may have contracted meningitis, but tests indicated otherwise.

The child was placed under supervision, but the only treatment he received was the suppositories. His mother continued to monitor his

rose, he was treated with the cold wet cloths. The x-ray failed to reveal anything but the high temperature could not be explained. The parents were later told that Thabet was suffering from influenza.

That night, when the doctor came to check on him, his father grew very angry and accused the nurses of negligence. The room grew chaotic, but the child had already died. The parents requested an inquiry into his death. On 9 July 1999, a hearing was held by the inquiry commission, during which one of the doctors blamed another. The autopsy request was dropped and the inquiry commission was satisfied with its findings.

LAW filed a complaint at the Ministry of Health. On 23 August, we

his request for an autopsy and that an inquiry commission had collected sufficient information to show that there had been no medical negligence. However, the prosecutor added that if any more

informed.

**Case # 4:**

UNRWA hospital in Qalqilya responsible for his death, which they claim was caused by the administrative and professional negligence

ok my brother  
to the UNRWA hospital in Qalqilya because he was suffering chest pains. When we arrived, we were asked to show our refugee cards before being admitted. When we were eventually allowed in the emergency room, my brother had a scan which revealed heart

an Israeli hospital if necessary. The doctor replied that the condition was not as serious as it seemed, and in any case Hamza could not be transferred without first obtaining the approval of the heart specialist, who was not present at the hospital.

fetch a trolley from the corridor for my brother to sit on. We thought this was strange, especially as we had been told that the scan had revealed cardiac problems. My brother sat down and was taken away to intensive care. He was asked to move to a bed. We were asked to leave the room and the medical staff followed us, leaving my brother alone in the room.

suddenly, the machine began to whistle. We thought that there was something wrong. One of the nurses shouted for help. The doctor  
ere have

went into the room and found them applying electrical shocks. This

injection that would cost \$250. The family was asked to pay the

been informed the moment we arrived at the hospital. An ambulance was sent to get the cardiologist, who was apparently not at home. The ambulance driver waited for him until he returned, but by the time

where his presence could have helped matters. The injections usually given in critical cases had been locked in a cupboard in the

physician hesitated to administer it because he was not a specialist. When he finally decided to inject, it was too already too late

### **Case # 5**

10:00 am on 31 August 1999, Salah arrived at the hospital for an examination scheduled because of his severe chest pains. On 2 September, he was discharged. Imad added that he asked the doctor to transfer his brother to the Al Makassed hospital in Jerusalem for a

good health.

On the next day, 3 September, at about 9:00 pm, Salah complained of severe pain in his chest. Imad took him to hospital immediately

condition, although the doctor had told Imad to try the medicine before taking his brother to hospital.

My brother was admitted to the emergency room, where he immediately received oxygen, although the nurse had to take the oxygen cap from the mouth of another patient. The doctor, who had asked to be provided with certain types of medicine, was told that they were unavailable. He became confused and did not know what to do.

Imad asked the doctor to have his brother transferred to the intensive care unit, but it took some time before they were able to find a trolley on which to take him there. When one was found, it was not equipped with an oxygen cap, so Salah had to do without until he reached the intensive care unit. Salah then had to wait 15 minutes while staff looked the pain became intolerable, and he died in the lift.

When we inquired about the delays, an employee said that there had been an administrative decision to prevent anyone from using the lift been just such a case, but the employee declined to offer further comment.

ing that the details of the

the Director, he was able to find excuses for everything. He said that he had looked into the matter and found that my brother had been supervised by two doctors and one specialist, which is contradictory to the truth: there was only one doctor and one nurse. He told me that the lift had been intentionally blocked because he did not want it to be used by the public. When I asked about the delay, he said that the guard had gone to take the tests to another department and that his

### **Case #6**

In an affidavit to LAW, Zeid told us that on Friday 12 November 1999

gynaecological department as advised by the family doctor. As soon as she was admitted, she was referred to the delivery room and given a suppository to induce labour. An hour later, she was told by the family doctor to walk around the hospital corridors, which she did for about two and a half hours, before receiving another injection to induce her labour.

the appropriate preparations. She asked one of the nurses for help, but the nurse replied that she was too busy doing other things. By this point my wife was screaming with pain, so another woman on the ward asked a nurse to help, but the nurse answered shortly that they could not be expected to respond to every shouting woman.

to fetch a doctor to help her, but he never arrived. She overheard a nurse saying that they were unable to contact the doctor. Half an hour later, another doctor arrived and

During the ultra-sound scan, the doctor found the non-

summoned, and he administered another labour inducing injection and decided to speed up delivery by use of a suction machine. The

another room. She looked very pale and sad; she had already been told that our baby had died, and her own life was at risk because she was bleeding heavily. The doctor had still not examined her, which made matters even worse as her internal bleeding was not detected until later.

on did not improve. Her blood pressure was 140 / 80 and she had lost a lot of blood, as well as suffering severe abdominal pains. At 10:30 pm the nurses finally discovered the internal bleeding, so they summoned the doctor. My wife was sent back to the operating theatre at 11:25 pm; almost one hour later. The operation lasted for two hours; I was later told that her womb had ruptures and that stitches had been applied to

by

neck. However, it was later disclosed that the death could have been

... r why the doctor had left the hospital or why the nurse had refused to summon help when she was requested to do so. Even when they discovered the bleeding, it

#### The Ministry of Education

On 9 February 1999, thousands of civil servants and teachers refrained from going to work in protest of the deteriorating conditions and low and delayed salaries. Frustration was rampant among the employees of the health and the education sectors whose salaries were cut by 30% in December 1998. These cuts only cancelled the pay raise they had received a month earlier. Teachers were left without wages from December 1998 to January 1999 and by the middle of February 1999, they had still not been paid despite public appeals to improve their salaries and living conditions.

Tension was relieved when President Arafat instructed the retroactive application of the Civil Service Law for teachers.

LAW requested equal application of the civil service law to all employees. LAW has also demanded the issuance of executive regulations to implement the law as soon as possible. Moreover, LAW requested the abolition of cuts that took place before the adoption of the Civil Service Law, as well as the immediate payment of the salaries to the teachers.

Teachers have also complained about their transfers from one school to the other at the beginning of the scholastic year 1999/2000. These transfers were described by some teachers as arbitrary and punitive as the case with Beita teacher Jamal Rashdan from the village of Ein Yabous who, together with 9 other teachers, had been transferred to other schools far away from their residence.

The teachers had been involved with a dispute with the school administration in which a student was expelled but later returned and the teachers concerned were dismissed. In the complaint, it was

students insulted the teaching staff in the presence of other students and teachers during recreation time. The staff decided to recommend the transfer of the student to another school.

was transferred to another school only to return three weeks later. The students presented a letter from the Ministry of Education instructing the director to accept him. We felt insulted, betrayed and disappointed.

municipal council and activists of the Fatah political movement intervened. It was decided that the student would be dismissed from school but he would be readmitted after a few days to maintain our dignity. We accepted the terms and thought that the case had ended. However, we felt that the Ministry of Education had intended to disperse and undermine the unity of the staff over that affair. Our feeling was right - at the beginning of the scholastic year 1999/2000, ten of us were transferred to other schools. I was hard hit because the school to which I was transferred

The Ministry Of Higher Education

Khalaf Ideais, 18, from Yatta, filed a complaint in which he indicated that he obtained an average of 94.4 in the General Certificate Exam the second highest mark in the district of Hebron. On 5 August 1999, he went to the Ministry Of Higher Education in Ramallah with regards to an advertisement in the daily newspapers offering a scholarship to Turkey.

Khalaf met the requirements and thought he was qualified for the scholarship. He applied and he was asked to report to the Ministry on

whom I had met the first time, told me that I had not been selected

Khalaf was not convinced because the in the ad it was stated that whoever obtained 90% or more would be considered. LAW wrote a



complaint to the Ministry and received the following answer from the

reference to the complaint filed by LAW, I would like to clarify the following: The friendly countries provide a limited number of scholarships, which are usually advertised in the newspapers. There is an open competition for all students in accordance with specific conditions that should be met by the competing students. The scholarships are distributed to Palestinian students inside the homeland and in the Diaspora.

met the condition of the scholarship in accordance with competitive principles, according to their averages and according to the number of available scholarships. In general, the number of qualified students is bigger than the number of scholarships. The Ministry treats the students with transparency and gives them the right to choose the

The Ministry is concerned with keeping the competition open and those who have not been lucky are remembered in the event of available scholarships in the future. The lowest average for the Turkey scholarship was 96.4 in the scientific stream. It should be noted that the above student can apply for a scholarship in the future. He was notified about that when he reported back to the Ministry.

The financial crisis faced by Palestinian higher education has become so grave that even the considerable fees paid by each student do little to ease it. Student fees already make up 58% of university revenue, which is 3% more than average at universities around the world. As the examination period approaches, questions are once again being raised about the intensity of the problem, the real

it to an end.

The crisis peaks every year and in spite of the successive problems, no measures have been taken to prevent this occurrence. When challenged, university administrations blame the PNA, which has not

served its obligation to cover the 22 million dollar deficit, which represents approximately 2% of the total annual budget.

Mohammed Abu Zeid, head of the Federal Union of Palestinian Universities, believes that some officials at the Ministry of Higher Education do little to prevent staff protests and strikes. The crisis varies in severity among institutions - in some universities, the staff have not been paid for up to six months.

In a speech broadcast on a local radio, the Deputy Minister for Higher Education said that the crisis dates back to the beginning of the Intifada, when the leadership exempted students from paying university fees. This affected the budgets of the various establishments, resulting in the current situation where some universities have completely exhausted their financial reserves, including the savings funds of the staff. Abu Zeid blamed university administrations for not having invested their savings and for being unable to put forward a developmental plan to cover their financial needs. Abu Zeid also criticised the mentality of university administrators who depend on the aid bestowed upon them by the EU. Over the past five years, the EU has covered running costs on the condition that universities increase fees paid by students.

Mohammad Shalalda from the Department of Legal Studies at Al Quds Open University says that the relationship between the PNA and the university was decentralised in accordance with article 7 of Higher Education Law # 11 (1998). The law stipulates that universities are entitled to independence of character and administration. Shalalda added that universities are under the supervision and control of the PNA, but not to the degree of other governmental establishments.

This independence was given to universities to allow them self-administration different from that of other public institutions.

However, it is important for Palestinian universities to co-ordinate with the PNA and the Ministry of Higher Education and reach a consensus

guidelines would not affect the independence of the universities, but

would incorporate  
enabling universities to make the required policy changes and

to be responsible for solving the  
has to nationalise the universities and place them under the  
jurisdiction of the Ministry of Higher Education, in accordance with the

Bahjat Tayem, lecturer in Economics at BirZeit University, holds the

of fund  
teaching staff to pay for the crisis, he blames the administration for  
procrastinating in fulfilling their commitments.

As for the strikes, Anwar Abu Eisha says that a strike is the last resort  
of staff when attempting to put pressure on the administration. He  
urges the administration and the PNA to find solutions for the crisis  
before the damage becomes irreparable.

The problem reached critical proportions when months went by  
without employees receiving their salaries. Information from union  
sources claimed that the union had asked the Ministry for Higher  
Education to provide 21 million dollars for 1999, but only 4 million  
dollars were approved, of which the university has yet to receive a  
penny.

response to recent decisions taken by the BirZeit administration to  
terminate the service of a number of employees and close a number  
of the national centres that provided a link between the university and

will take the action. These procedures are described as a series of

action to be taken against the administration, such as partial strikes and sit-ins.

In a statement given to LAW by the co-affairs, Leila Dabit, she said that the problem was not new, but it had recently culminated when the university decided to fire some of its long serving employees, such as Addil Rahim Amdour and Reem Ghazal from the Research Centre, Smal Hammad from the Literacy Centre and Fouad Fallas, from the bookstore. Another employee, Hiam Abu Ghazaleh, was assimilated as a consultant in the centre for development. It is noteworthy that Ms Abu Ghazaleh was the one who established the centre 23 years ago. In a press conference held by the Union on 23 August 1999, Abu Ghazaleh questioned the wisdom behind closing the centre, arguing that half a million dollars had been allocated as a budget for the centre in the next three years.

Ms Dabit added that a year ago, the administration employed part of its staff on daily contracts. The whole cleaning section had been entrusted to a private company, and the stability and security of the

administration entrusted the cafeteria to another private company. The cafeteria staff was forced to work with their new managers, which provoked wide dissatisfaction on the part of the staff. One of the administrators commented that, amid the resulting chaos, the employees had been advised to leave the cafeteria with dignity.

Ms. Dabit questioned the wisdom behind closing the academic research centre, which had not been affiliated to the university

academic life and the message on which the university was founded. The university is following a policy of quiet expulsion of its employees: an average of 12-13 employees are expected to be made to leave

Abdil Rahman Nazal, a security guard at the university, and a had pledged to provide free education to their children. However, he  
-serving and faithful

employees in this manner can also be expected to break their promises, particularly, in the absence of a law to regulate the relationship between the employees and the employer.

that this employer has decided to fire its employees before the passing of the law, instead referring to the old Egyptian, Syrian and Jordanian laws, selecting whatever legislation suits their purposes

connected to the payment of fees by the students, causing tension between the employees and the student movement, which is trying hard to prevent the fees from being raised and the university from being transformed into a private institution. The administration has been relying on the policy of isolating the union and calling individual

that in one case, the cafeteria staff collectively resigned.

Since last year, the university has been running a new program called

unlucky in obtaining the averages that allow them to enter university

whereupon they can become regular students and pay the fees like everyone else at the university. The union asked that if such was the case in the process of privatisation, why would the university still depend on its government subsidy?

Dabit added that the law centre is funded by Qatar and France, and that staff are usually on short term and conditioned contracts of a

the expert is usually attracted by good money, so whoever pays more will be able to hire him or her. This leads to the drainage of experts at

Hanna Nasser, president of the university, addressed a letter to the staff explaining why he had to undertake the recent measure at the  
ty

informed, I would like to describe the new administrative procedures that mainly rely on the regulations and laws of the university. Decisions have been taken by the Board of Trustees in light of the financial crisis facing the university, which has led to the closing of some facilities, mainly those that do not relate to academia, in order to eliminate the burden of spending money or to entrust them to private companies to raise the standard of performance. The following departments have already been closed:

**The Department of illiteracy elimination and teaching the elderly** was closed because it was unable to cover its expenses through the funds that it had been raising in the past years. The department was closed and the services of one of the employees terminated. The employee was informed in advance, keeping the possibility open that he would be employed at the university for one semester depending on the funds available and his willingness to continue. Moreover, the department of the elimination of illiteracy achieved many favourable results during the occupation, but things are different now. The Ministry of Education has assumed the responsibility of sustaining the work; the university has been relieved of this responsibility and there is no further need to maintain this department.

has been closed, resulting in the termination of the services of two employees. The centre concentrated on the study of the economic, geographical and folkloric aspects of Palestinian society, in addition to statistics on the number of villages destroyed, etc. The centre was unable to sustain its existence and depended mainly on donations or the revenue made by selling its publications. We intend to move the s bookshop into the main library and some of its activities will be maintained.

has been losing money because of accumulating stocks of unsold books. For this reason, it was sold to a private company that committed itself to selling the books at a reduced price. Unfortunately, the privatisation of the bookstore resulted in the termination of services of one of its employees. However, it was

### The Ministry of Interior

According to the owner of the International Computer Centre, Issa Al Masri, it has been operating without a license due to a dispute between the office of the Ministry of Interior in Doura and the office of Ministry of Education in Hebron. On 3 June 1999, Al Masri applied for a certificate of good conduct at the Ministry of Interior, which is a prerequisite for a license.

I was told that I need to get a certificate of good conduct from the Ministry of Education. I referred to the Ministry of Education but I was told that such documents can not be issued from the Ministry. However, the Director of Public Affairs at the Ministry of Interior showed a certificate of good conduct. It was customary for the Ministry of Education to issue such certificates upon request, particularly to obtain licenses for educational centres such as mine. I have been trying to obtain the certificate since 30 June 1999, the date when the license expired. I could not advertise new courses due to the absence of a license. I have been lost in a play of bureaucracy

On 2 August 1999, Al Masri filed a complaint at LAW asking for legal advice. LAW wrote to both ministries but has not received a answer yet.

In was indicated by the Oversight Committee in the PLC that certificates of conduct can be obtained from the Ministry of Interior whose role is to refer the application to the committee of institutional security that is made up of agents from the General Intelligence and the Preventative Security agents who usually recommend the issuance of such a certificate.

### **Other Ministries**

This year saw an increase in the number of labour accidents resulting in loss of life due to insufficient precautions and safety measures at work. Blame has been directed at the Ministry of Industry, Local Governance, Municipalities and the Ministry of Environment.

24, of whom 17 died in the West Bank and 7 in Gaza. 3 died of electric shocks, 7 died of collapse of roofs or walls while they were on duty, and 14 died of burns (see attached table).

bu Eitah,

installing aluminium frames on the third floor of a house in Gaza. The incident took place when an aluminium board fell onto high tension wires. One of them tried to catch it and was electrocuted. His friend tried to save him but he was also electrocuted.

On 8 July 1999, 5 construction labourers died in two separate accidents. The first took place in Al Bireh when 2 labourers, Lutfi when the roof of the building collapsed on their heads. The second incident took place in Gaza when a wall collapsed on the site of their work killing 3 people who were identified as Saqer Al Yazijji, 22, Ihab Abu Tiha, 18, and Ibrahim Al Madhoun, 20.

On 16 August 1999, Fahmi Iweida died as he was supervising the downloading of sand from a truck. On 12 October, Ibrahim Irheim was buried alive while on duty. Irheim and his fellow colleagues were installing pipelines in the area of Al Maghazi in Gaza.

On 21 October 1999, 14 Palestinians were burnt to death and more than twenty injured when a fire raged through an unlicensed factory in a residential district of the West Bank town of Hebron. According to information gathered by LAW, the fire broke out inside a factory that manufactured cigarette lighters on the ground floor of an apartment block, which also contained eight inhabited flats. At the time of the fire, more than 30 people, including several children, were in the apartments. Injuries were mostly sustained by factory workers, as well as several members of the rescue team.

Most of the victims were women who were trapped in a corner with no fire exit. They were identified as Ilham Shawamra, Nellie Al Uqueli,



Hiyam Khalaf, Ibtisam Khalaf, Suhaila Khlaf, Raeda Al Hawajra, Fawziya Al Fafous, Yusra Al Fafous, Majdoline Khalaf, Iftikar

in Hebron and eight were from Doura in Hebron. The fire, which began after an explosion on Thursday morning, burned out of control for more than two hours.

Preliminary investigations indicated that the factory was not licensed by either the Ministry of Industry or the municipality. It had been manufacturing gas lighters for more than a month without supervision and without necessary heed being paid to concerns such as security

from the factory. At first only one Hebron fire engine reached the building. The staff was then joined by two fire engines from the nearby Kiryat Arba settlement, and Israelis and Palestinians worked side by side to put out the flames. A number of fire-fighters were treated for smoke inhalation.

Once the flames had subsided, the charred bodies of the fourteen employees were retrieved from the factory building. Hebron Mayor Mustafa Natche said the factory, which produced cigarette lighters and cleaning materials on the ground floor of a three-storey block of

he speculated it was probably caused by the accidental ignition of canisters containing lighter fluid. Crowds of angry Palestinians

stones at City Hall on Saturday before being pushed back by guards shooting in the air.

The protesters broke several windows in the building and threw stones at municipality cars. Eventually the riot police arrived, clashed with the protesters and took over the building. The demonstrators said that Mayor Mustafa Natche should be held responsible for ; Natche and the city council have been accused of not

doing enough to close down sweatshops operating without permits or basic safety features.

Just before the protests erupted, Palestinian president Yasser Arafat families, promising them that

ministers will conduct the investigation, which Arafat said that he would oversee personally.

According to initial findings, some doors were locked when the fire broke out on the ground floor of the three-story apartment building. Natche has said the owner of the building had a permit to sell fruits and vegetables on the ground floor, but not to produce cigarette

when more than 400 Palestinians marched toward City Hall. About 60 of them began throwing stones at the building, with Natche and other employees inside. Some of the employees retaliated by throwing stones from the roof, injuring two protesters. Palestinian riot police armed with clubs and semiautomatic weapons clashed with protesters before gaining control over the building.

### **The Judicial Authority**

On June 19 1999 after 14 months of waiting, President Arafat issued a decree assigning Mr Zuhair Al Sourani as attorney general. Another presidential decree was issued assigning Radwan Al Agha as Chief Justice. Despite endless calls for the abolition of the State Security and military courts, they still operate in PA-controlled areas without the least consideration for the legally required procedures and safeguards for fair trial. The State Security court was formed by virtue of a presidential decree on 2 February 1995 to examine the cases that, according to the Executive Authority, pose a threat to the State.

Civilians continue to be brought before military judges, people are still sentenced without the opportunity to defend themselves, appoint a lawyer or prove their innocence. Once judged, these people do not have the right to appeal. In another measure, President Arafat

appointed the previous Attorney General as Head of the State Security Court. During the year 1999, an estimated 17 sentences were issued by the State Security Court against Palestinian residents, 4 were sentenced to death and 1 was executed. In another incident, Issa Sharrar, head of the Appellate Tax Court, declared an open strike in protest at the transfers of judges to various geographical locations, which he described in a press conference as being arbitrary and illegal.

Even though President Arafat issued a decree assigning Mr Zuhair Al Sourani as new attorney general not enough has been done to safeguard the rights of citizens. LAW welcomed this step and it emphasised the need to accomplish the rest of the elements like approving the basic law, the law of the judicial authority, forming the judicial council, implementing the decisions of the court and stop interference in its work and respect the judiciary. LAW also emphasised that the attorney general should practice his responsibilities properly to keep the liberties and strengthen law regardless of any consideration.

In a later development, LAW welcomed the 19 September PNA decision that granted the supreme judge in the Gaza Strip authority to arrange the conditions of the judicial system and the vacations of the personnel and the managers. It also authorised him with the responsibilities of the judicial council in the West Bank.

LAW welcomed the decision but noted its own reservations. LAW saw that the proposed decision would enforce the principle of judiciary independence and restrict interference by executive authority in the responsibilities of the judicial power. The law which is in force in the West Bank does not provide for the job description for the supreme judge, therefore application of the recent decision would modify this law and would make this matter the responsibility of the legislative authority. This decision is not in conformity with the law which is in force in the West Bank as the this law grants the responsibility of managing the judicial system to the Supreme Judicial Council in the Ministry of Justice.

**On 10 October 1999, an open strike was declared by a group of West Bank judges, in response to a decision issued by Radwan Al Agha, the Chief Justice in Gaza, to transfer a number of judges from their current positions to other towns in the West Bank.**

**The order stated that Judge Abdallah Guzman, head of the Ramallah Court of First Instance was to be transferred to the Bethlehem Court of First Instance. A second order stated that**

**to become head of the Jericho Magistrate Court, and that Judge**

**transferred to the town of Ramallah. A third order stipulated that Usama Ataher, originally a judge of the Nablus Magistrate Court, was to be seconded as head of the Ramallah Magistrate Court.**

**In issuing these orders, the Chief Justice relied on Presidential Decree # 28, issued on 19 September 1999, which stipulated that the Gaza Chief Justice is mandated to grant judicial vacations to judges and their administrative staff, and in addition arrange the conditions of the judiciary. By virtue of the decree, the Gaza Chief Justice holds the power of the West Bank Supreme Judicial Council.**

In light of the above and in order to protect the judiciary in Palestine, LAW issued a press release and demanded the following:

1. Acceleration of the process of approving the Judiciary Law, in order to unify the judicial system in Palestine
2. Formation of a Supreme Judicial Council in the West Bank
- 3: Execution of the court decisions that have not yet been implemented so as to maintain the role and dignity of the judiciary.

In reaction to the strike, the Palestinian Bar Association issued a press release in which they expressed their deep disappointment over the state of the judiciary and the ensuing results of the transfers of some of the judges that brought about the strike. It said,

and have requested immediate steps of reform. At the time that the Bar welcomes the appointment of an Attorney General, a Chief Justice and the endorsement of the Bar Association Code, the Bar still believes that these steps should be accompanied by other steps that would consolidate and strengthen judicial independence such as the endorsement of the Judiciary Code, the formation of the Supreme Judicial Council and the establishment of the court of Cassation. We

court of First Instance in all districts and equip the court with professional and

-appointed Attorney General, Khalid Al Qudrah, declared that President Arafat had also appointed him Attorney General for the State Security Court. Al Qudrah is the first person to be appointed to this position since the State Security Court was established on 7 February 1995.

LAW has frequently declared its rejection of this court and demanded its abolition, because it violates international human rights standards. However, LAW is concerned that this recent step indicates reinforcement of the State Security Court rather than the required move towards its abolition.

, which in turn indicates that human rights violations in PNA-controlled areas will continue. Al Qudrah did not perform his duties well when he held the position of PNA Attorney General, and he has supervised many of the arings that have been held after midnight and in the absence of guarantees for a fair trial.

A Second, and equally worrying appointment, was that of Abdil Latif Abdil Fattah to the position of Public Prosecutor. Ironically, Abdil Fattah was sentenced to s military court for indirectly causing the death of a detainee, Walid Al Qawasmi, but the sentence was reduced to one year upon the intervention of President Arafat. Abdil Fattah had been working for the

Jericho General Intelligence when Qawasmi was arrested, and he

On 16 May 1999, Palestinian lawyers suspended their work at the Jenin Conciliation Court for the second time Monday 17 May 1999, in protest at the declining conditions of the Judiciary. The action follows a decision by the conciliation court to postpone court cases for long periods of time because of the lack of registration sheets for noting down the events of the hearings. This wastes the time of lawyers and citizens alike. The lawyers had already declared a half an hour sit-in on 16 May 1999, when they learned about the shortage of registration sheets. The Bar Association recently declared a one-day strike in protest demanding a reform of the judiciary, but nothing has been done by the PA to remedy this.

LAW complained several times about the poor conditions in Palestinian courts and the lack of investment, poor infrastructure, inadequate training, support and staffing to the court system, which have not yet been remedied.

On 13 October 1999, the representatives of lawyers in the Tulkarem area met to discuss the declining conditions of the legal profession, particularly the conditions facing the Tulkarem Conciliation court. At the end of the meeting, the lawyers wrote a letter addressing the Minister of Justice and the Chief Justice and included a number of requests:

1. court of First Instance.
2. With regards to the shortage in staff in the Tulkarem conciliation court, the lawyers requested the following to ease up the work load;
  - i. Appoint a clerk to act in the capacity of a notary public
  - ii. Appoint at least 3 clerks
  - iii. Appoint a treasurer

- iv. Appoint at least 3 summoners. The lawyers indicated that there was only one summoner in the Tulkarem area to serve 200, 000 residents. Before 1967, there were three summoners - the appointment of one summoner was not enough especially in light of the population growth of the area in the few years. The existing summoner had been on sick leave and it is not known if he will come back to work.
  - v. Establish a room for the lawyers at the court premises where they can meet. The lawyers had been without a room for two years. They usually gather in the corridors leading to the stairs.
3. The lawyers unanimously agreed to postpone a strike for three week after the meeting to give a chance for the officials to achieve their requests.

LAW society conducted a opinion poll among the lawyers and indicated the following impediments facing the judicial system:

1. The incompleteness of national liberation which forces state-building and liberation to be achieved simultaneously.
2. The backwardness of the laws applied in the territories and the inability of these laws, in particular those we have inherited from the times of the Ottoman period or the British mandate, to minister contemporary political, social and economic needs,
3. The legacy of the Israeli occupation has been a worn out judicial system with shattered administrative and professional conditions. During the military occupation, the Palestinian judiciary was almost abolished and was either directly or indirectly controlled.
4. judiciary. The judiciary remains poorly equipped and its performance has been deteriorating as a result.



5. The non-existence of a Supreme Judicial Council to administer judicial affairs, and the non-endorsement of the Basic Law to this date.
6. The unjustifiable non-existence of vital components of the judiciary, such as the Court of Cessation.
7. The shortage of judges in relation to court hearings and cases.
8. The poor salary of judiciary staff does little to protect them from corruption, bribery and frustration. In addition, many legal experts have either left their jobs or shunned working for the judiciary.
9. The slow pace of the PLC when updating old laws and approving new ones.
10. The resort to tribal systems of dispute resolution, which is echoed in the security services apparatuses and the officials in the Executive Authority.

#### **The State Security Court**

Despite endless calls for the abolition of the State Security and military courts, they still operate in PA-controlled areas without the least consideration for the legally required procedures and safeguards for fair trial. Civilians continue to be brought before military judges, people are still sentenced without the opportunity to defend themselves, appoint a lawyer or prove their innocence. Once judged, these people do not have the right to appeal. There are three types of Security courts: 1) State Security Courts 2) Overall Security Courts and 3) Partial Security Courts.

#### **The State Security Court**

This type of court is presided over by a head and two judges who are usually military personnel, and examines cases related to internal and external security affairs. The court is convened in

effect of a presidential decision, depending on the case to be examined.

### **The Partial Security Court**

This court is presided over by one judge, who examines criminal offences of the kind stipulated in articles 386, 387, 388, 428, and 233 of the 1960 Jordanian Penal Code # 16. These offences usually revolve around food-related embezzlement and cheating in food quantities as well as all crimes for which the punishment does not exceed 3 years. These offences tend to contravene the following provisions:

1. The regulations of the Office of Supplies and Supervision and prices determined in accordance with the Public Defence Law of 1935.
2. The regulations of the 1959 Supplies and Supervision code # 19, particularly the offences stipulated in articles 63 and 68 of the 1966 Public Health Code # 43 related to cheating and false description of food.

### **The Overall Security Court**

The three judges of this court consider cases whose punishment exceeds that of military personnel. It should be noted that these three courts have chosen between various rules and regulations applicable in either Gaza or the West Bank, causing a great deal of confusion within the legal profession.

According to the laws of the British mandate more than half a century ago, but in some cases it bases its sentences on the decisions of the Egyptian Military Governor, such as military order # 555 (1957) or military order # 55 (1964), which themselves were derived from the

Security Court relies on the 1956 Jordanian Law # 17 (otherwise known as the State Security Court law). The Partial and Overall Security courts in the West Bank and Gaza base their judgements on

some of the old Jordanian laws, such as articles 386, 388, 28, and 433 of the 1960 Penal Code # 16, or the 1935 Public Defence law, the 1959 Supplies and Supervision Code # 19 and articles 63 and 68

Presidential Decree # 55, which calls for the formation of military courts, should also be examined critically. It is unconstitutional, because it contravenes article 69 of the Gaza Constitution which disallowed reliance on legislature and laws passed during the British Mandate and after 15 May 1948 when the Egyptian forces entered the Gaza Strip after the British had departed. The British Emergency Law should have been invalidated and rendered illegal after 15 May 1948, while the Egyptian laws inherited by Gaza are invalid in the West Bank because the West Bank was never under Egyptian administration.

During the period covered by this report, 17 sentences were issued by the State Security Court against Palestinian residents, 4 were sentenced to death and 1 was executed.

On 26 February 1999, the PNA executed Major Mohammed Abu Mustafa, member of the Palestinian National Forces (Border Police) bringing the number of people executed by the PNA to 3 since the arrival of the PNA. Two executions had been carried out in 1998 against the two brothers Kamal Abu Sultan and Raed Abu Sultan.

On 10 March 1999, the State Security Court in Gaza issued a death sentence against 24-year-old Mohammed Abu Shammala. The trial have lasted for 10 minutes. In the same case, the court also passed down sentences on Mohammed Abu Shammala and Ussama Abu Taha, both 25 years old. Mohammed Abu Shammala was sentenced to life imprisonment with hard labour, and Ussama Abu Taha to 15

execution by firing squad for a violation of Article 378 of the 1979 Palestinian Revolutionary Code.

Mohammed Abu Shammala and Ussama Abu Taha were found guilty respectively of violating Article 377(d) and Article 376 of the same

law. The case was heard by a panel of five military men each serving as judges and presided over by Brigadier-General Fareed Al Khutub. The other members of the panel were Talal Abu Zeid, Salim Al

had no defence lawyers but were represented by five court-appointed lawyers, all members of the Civilian Police - Imad Klob, Mohammed Jundiah, Saaf Bahsih, Ussmam Hamad, Mohammed Shawki. The proceedings in the State Security Court violated the minimum standards of fair trial.

The trial arose from incidents on 1 February 1999, leading to the death of Preventive Security Service member Rifaat Juddah. Rifaat Juddah and other officers from the Palestinian security services had earlier in the day been in pursuit of the three defendants, who are understood to be members of Hamas and Islamic Jihad. While trying to apprehend them, Juddah was killed in the shootout.

On the night of Thursday 26 August 1999, two days after announcing the death of police officer Hani Omar Abu Zienah, 43, from Rafah, the

convicting him of murder. The incident took place after Abu Zienah went to Rafah on August 23 1999 accompanied by a police force after being informed of the eruption of a skirmishes between the families of Abu Al Eish and Abu Uulwan. There he was beaten on the head with a heavy tool and then taken to the Soroka Hospital in Bir Sheva.

After declaring the death of Abu Zienah, President Arafat ordered the formation of the State Security Court. The court held a hearing headed by Abdil Aziz Wadi and attended by Jamal Shameyyeh and Jamal Nabhan. After six hours during which two hearings were held the court issued a decision of death penalty shooting against Abu

awaits the approval of President Arafat.

On 27 December 1999, the High Military Court sentenced Hussein Hashem Abu Nahel, 22, a member of the national security forces

in the murder case of Ayman Abu Nahel on 23 November 1999 after a family feud.

Since 5 December 1999 the military court has held various sessions, which have been void of the safeguards of a fair trial. In a session that was held on 20 December 1999, a defence lawyer declared his withdrawal protesting the illegality of the legal procedures undertaken by the court. The court seconded a defence panel committee comprising of three police personnel. Relatives of the defendant appointed another defence lawyer who later withdrew for the same reasons. In the concluding session, the third defence lawyer, who apparently consented to represent the defendant upon insistence of the family, was denied the opportunity to plea in favour of his client. This merely proves the deficiency and injustice of the court procedures.

LAW denounced the murder of policemen Ayman Abu Nahel, and called on the PNA to provide safeguards for a fair trial such as the appointment of a competent judge, the right to a defence lawyer and the right to appeal against the issued sentence in a higher court.

LAW called for the abolition of the death penalty from Palestinian law decision of execution. LAW demanded that the PNA refrain from trying civilians at military or state security courts. These special courts do not respect in their proceedings the rules of fair trial and detract, without any legal foundation or basis, from the competency of regular courts.

Furthermore, the State Security Court has also spread its jurisdiction and began examining cases of tax fraud and cases of supplies. Following are some of the sentences issued by the court in these domains:

1. On 14 February 1999, the state security court sentenced trader Mohammed Azaim to 7 years imprisonment with hard labour, returning the sum of 5,102,120 NIS and a fine of 5 million Shekels

coffers. On the same date, the same court issued a sentence *in absentia* against trader Jalal Al Ghuf for 7 years imprisonment and a fine of 551,000 NIS as a compensation he had incurred to the

of 551, 661 NIS was Jamil Khweiter.

2. On 25 April 1999, the court issued a sentence of 3 years imprisonment and a fine of 4,823,067 NIS against trader Jamal Al Khayatt.

3.

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coffers. The three have been charged with tax fraud.

4. On 1 July 1999, the state security court sentenced trader Fawzi Nasser to 7 years imposed on him to return a sum of 1, 511, 868 NIS and a fine of 3,011,868 million shekels in compensation for the damage he

5. On 11 October, the state security court sentenced trader B on him to return a sum of US\$2,269,000 and a fine of 2 million dollars.

6. On 14 October, the court sentenced Bassam Atamimi to 3

LAW has attended a number of trials at the State Security Court, including the cases of:

**Ahmad Barrouq**, who was sentenced to three months for embezzlement; **Rashed Odeh**, who was sentenced to one month for embezzlement. His sentence was later reduced to a fine. **Khaled**

**Abu Dayeh**, also sentenced to one month. **Ahmad Budeir**, who was acquitted. **Jamal and Jifahm Odeh**, who were acquitted for lack of evidence. and **Wisam Subhi**, all of whom are accused of involvement in a forgery. The legal proceedings of this case have yet to be completed. Following are some of the notes we recorded on the proceedings of these courts:

1. Fast sentencing. In the case of Watheq Othman on 24 May 1999, the trial lasted 15 minutes.
2. The defence attorney is never given the chance to prepare adequate defence for his client. A period of one week is stipulated, but sometimes even this is not granted. The prosecutor usually informs the defence lawyer one or two days in advance, but sometimes defence lawyers simply do not receive notification of the date and time of the court sessions.
3. Technical mistakes are common during trial proceedings.
4. The judges are not usually too concerned with the evidence provided by defence lawyers. In many cases, the sentence has been determined in advance.
5. There is no chief clerk in these types of courts. The minute-taker is usually an officer from the prosecution office.
6. The absence of litigation affects the rights of defendants.
7. Defence lawyers are usually denied access to the evidence that will be produced against their clients.

8. In many cases, case files are not to be found on court premises.
9. The court sessions are scheduled by the military attorney.
10. In many cases, important considerations are not taken into account, such as in the case of Isam Jamous, who has been held for some time without charge or trial. His health has deteriorated and is now so bad that he should be tried as soon as possible. Despite various pleas, the military attorney continues to ignore all requests to hasten proceedings, and although Isam has been rushed to hospital several times he is still awaiting trial.
11. Pleas by defence lawyers for a courts.
12. The method of arrest in these cases is illegal, because the defendants are never informed of the charges against them and lawyers are denied access to their clients.
13. More than one attorney can represent the State in each session. This contravenes local law.

The State Security Courts are therefore illegitimate and contravene the standards of justice, the rule of law and human rights.

1. The existence of military courts is not a violation of the rule of law and human rights, however, these courts should be subject to the usual restrictions.
2. The Palestinian military courts derive their jurisdiction from the Revolutionary Code of Penal proceedings and the Revolutionary Penal Code of 1979.



3. The Palestinian military courts violate a number of rights guaranteed by the law, such as the right to legal representation, the right to appeal, the right to adequate time for preparing a defence, the right to see the case files and many other rights guaranteed by the Revolutionary Penal Code and international humanitarian law.

4. The violations perpetrated by the special military courts are more serious than those perpetrated by other types of military courts. These violations usually culminate in the pronouncement of harsh sentences such as the death penalty.

5. In light of the aforementioned, military courts cross the boundaries of the law within which they should operate. The sentences of these courts should be reviewed or revoked.

LAW Society and other human rights organisations have previously declared their opposition to the State Security and Military courts in PNA-controlled areas. Such organisations frequently request the abolition of these courts, because their procedures tend to lack the minimum requirements of justice. For the same reason, these organisations also frequently request the revocation of all decisions issued by such courts.

#### **Disregarding Court Decisions**

The Tulkarem Police Commander, Major Bilal Abu Zeid, refused to release two brothers, Ashraf and Abdil Hafeth Thaher, held in police custody, although their release had earlier been ordered by the Tulkarem magistrate court. In his statement to LAW, the defence lawyer for the two brothers, Abdil Karim Hanoun, said that on 6 September 1999 his clients were referred to the Public Prosecutor on a charge of possession of stolen money. On 7 September, they were referred to the magistrate court for trial.

They were sentenced to pay a fine and the judge decided to release them, but the police refused to comply with the court order. The lawyer said that the two had been held upon instructions by the Police

Prosecution office over restricting the freedom of clients despite the

court order in accordance with article 108 of the Penal Procedure Law valid in the West Bank. The case was ignored. I filed another

In another incident, despite two release orders issued by the Hebron Prosecutor, Major Tareq Zeid, Police Director of the Hebron District Police is still refusing to release detainee, Ali Nassar, 27 from Yatta. Nasser has been held under investigation at the Hebron District prison since 28 September 1999. Zeid had denied the prisoner the right to appear before the Prosecutor and the court to defend his case.

Nassar was detained on 28 September 1999 charged with a criminal offence. He was held in Yatta prison for two days and was later transferred to the Hebron District prison where he had been tortured.

father, he explained that his son had been severely beaten and tortured by the interrogators and that he and other relatives had been denied access

lawyer was also denied access to his client.

on bail. On 7 October, a second release order was issued by the prosecutor granting permission for Nassar to receive medical treatment by a physician upon allegations of torture. The order also recommended that another physician affiliated to the military medical services examine the victim and a medical report be submitted to the prosecutor.

### **The Legislative Authority**

As of May 1999 the Palestinian-Israeli interim agreement terminated in accordance with the Oslo peace accords. However, the Palestinian Legislative Council, which supposedly ends its work for new elected council members, continued its responsibilities. During the year, there was frequent interference and attempts to marginalise the PLC by the

and Abdel Jawad Saleh were assaulted. Mr Saleh was assaulted by

Palestinian Intelligence officers in Jericho.

In addition, the PLC approved eight laws in the third reading. Five of these were published in the official gazette and included: The Law of General Assembly, The Law of Natural Sources, The Bar Association Law, The Law of Civil Affairs and the Law of Disabled Rights. The laws that were approved but not published in the official gazette include: The Law of Governmental Tenders, modifications of the Bar Association Law and the Environment Law.

These five laws were approved by the PLC long ago and were submitted to the executive for ratification but have yet to be approved. These laws are: The Basic Law, The Law of the Regulation of Foreign Ownership of Real Estate, The Law of the General Institute of Palestinian Petroleum, The Law of the Judiciary Authority, and the LAW of Non-Governmental and Charitable Societies.

During the same year the PLC discussed many important issues like threats to block confidence in the government if the submission of the budget law was unduly delayed, it did not execute its threats.

Perhaps the most prominent incident was the signing of a petition by a number of public figures and the ensuing consequences that resulted in the indictment of the signatories and the physical assaults against two of them, Muaweya Al Marsri and Abdil Jawad Saleh.

November and December 1999 witnessed a serious decline in human rights affairs in PA-controlled areas, which will probably have huge impact on the future of democracy and human rights in Palestine. As a result, the Legislative Council, the highest legislative body which is supposed to be a podium for open debate, has been shattered, its members left defeated and humiliated.

As the news spread on 27 November 1999, the General Intelligence Agency and the Criminal Department arrested a number of Palestinians. Abdel Sattar Qassem, 50, a lecturer at the Al Najah University in Nablus, was arrested by Palestinian police at 2.30am

from his home. His personal computer, files and documents were confiscated by Palestinian General Intelligence agents, and Qassem was taken to Nablus central prison to be interrogated. Dr Yasser Faek Abu Safieh, a 45-year-old physician from Nablus, was arrested from his clinic at 10:30am and taken to Nablus police station. Dr Abdul Rahim Kittani, 47, from Tulkarem, was arrested at 11:45pm from his home by Palestinian intelligence forces. As there was no arrest warrant, Dr Kittani resisted arrest, but a warrant was later produced and he was arrested. Dr Adel Samara, 57, received a telephone call asking him to report to a police station in Ramallah. He did so but was told that he was not needed; an hour later he was arrested at his

he was arrested at all.

On 1 December 1999, the Legislative Council held a session to discuss the issue. The speaker declared a closed meeting, spurring anger among the nine signatories who left the hall for 15 minutes in protest. The session was said to be very loud, with members vociferously expressing their views. At the end of the session, the speaker made his concluding statement, translated as follows:

the petition, which had been signed and issued by a number of council members on 27 November 1999. The Legislative

statements made by other members, wishes to express its condemnation of the petition.

and the way that it was drafted, which are viewed as an attempt to spread frustration and desperation. The petition called for sedition and internal conflict at a time when the council is doing all it can to deal with the more pressing concerns of all Palestinians. The petition coincides with a serious dialogue for unity between the various political factions and the need for public unity with the PNA to enable it to challenge Israeli policy such as settlement

activity, the judaisation of Jerusalem and other issues related to the final status negotiations.

Legislative Council wishes to affirm its confidence in the Palestinian negotiators, the principles endorsed by the various Palestinian councils regarding the negotiations and the efforts of the Palestinian leadership to mobilise local and international support for our people and their rights.

attempt at slander and defamation, an escape from democratic dialogue and an evasion of legislative principles. It has come at a time when the Palestinian leadership is making huge effort to unite, consolidate national unity, call for the convening of the Central Council, prepare for the declaration of statehood and challenge the conspiracies for nationalising Palestinian refugees in Lebanon.

Its denunciation and indictment of the petition, which included expressions of slander, defamation and insults.

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contravenes with democratic practices and freedom of expression. It should be confirmed that democracy is about freedom of responsible speech, with restraints and limits. It is not about slander, insults and accusations to destroy the basis of democracy.

he has been democratically elected and represents a symbol for the people.

petition and its warning to them about the seriousness of the affair. The council confirms that it is the podium and guardian of free democracy. It is a tool for reform,

accountability and questioning in co-ordination with other civil society institutions.

affirm the importance of the Executive Authority implementing PLC decisions as the appropriate frame for achieving reform, accountability and questioning.

Palestinians in order to achieve legitimate rights of national self determination, the right of return and the establishment of a Palestinian State with Jerusalem as its capital, and support the Palestinian negotiators in steering this decisive national battle.

mittee to monitor members of the council on the individual level and the compliance level to measure their commitment to parliamentary traditions. The Council wishes to confirm its jurisdiction and power to take appropriate action against any member including the lifting of immunity in a temporary or permanent manner.

Parliamentarian affairs to hold a press conference to explain the view and the position of the council regarding this affair. The Council wishes to confirm that it will sustain its role as a podium for democracy and will continue to carry out its work in legislation in order to make prevail the rule of law, transparency and accountability in compliance with limits and laws of democratic practice and in compliance with the political programme of the PLO and the granting of total

On 1 December 1999, Muawiya Al Masri one of the signatories was outside his home in Nablus when three hooded and armed assailants

attacked and shot him in the right foot. Masri had been denounced by the PA as disloyal for signing the petition.

Legislative Council member Abdil Jawad Saleh was beaten in Jericho by a number of agents from the General Intelligence Agency. The incident took place when Saleh and a few colleagues were holding a sit in outside the Jericho detention centre to protest the detention of their colleagues who had signed the petition 20 statement. The gathering was peaceful despite the tension in the air.

Saleh was summoned by members of the General Intelligence to see the director of the detention centre, Abu Amer. He went into a room waiting for the appearance of the director. Suddenly a number of agents stormed the room and one of them asked Saleh to identify himself. As soon as they heard his name, they punched him. Later they whipped him with a hose. He was so brutally assaulted that he had to be transferred to hospital. The whole incident indicated that the assailants might have been acting upon instructions by higher parties.

Saleh was transferred to the Ramallah hospital where he received treatment for sustained injuries in his body. He had bruises in his right leg and his face.

On the legislative level, the PLC approved 8 laws in the third and final readings. Five of these laws were published in the official gazette; These are: The Code for Public meetings, the Code of Natural Resources, the Code of the Legal Profession, the Code of Civil Affairs and Code of the Handicapped; laws approved but not published were: The Code for Governmental Tenders, The Amendments on the legal profession, and the Environment Code.

There are also five laws that were approved by the PLC but not endorsed by the President. These are: the Basic Law which was referred to estate possession by foreign parties referred on the same date as above, the law of the Petroleum Authority referred on 7 December 1997, the law of the Judicial Authority referred to the President office on 5 December 1998 and the Law of Charitable Associations

and Community Organisations referred to the President on 27 December 1998. The latter was returned to the PLC for amendments after it had been rejected by the Executive Authority.

Twenty-two laws have been endorsed by the President of the PNA. However, endorsing the laws is only one step towards making them valid and effective. They should also be published in the Official Gazette. Moreover, in order for these laws to become effective, instructions for implementation (rules and regulations) should be put into place. The indispensable procedure that renders laws effective should fall under the jurisdiction of the executive authority.

During 1999, the PLC discussed a number of hot issues such as political detention. On 7 January, a session was convened to discuss further steps against the executive authority that was summoned to attend the session but declined to do so without legal justification. However, the PLC unanimously decided to ban political detention and demanded the immediate release of all political detainees. A committee made up of the speaker, the Minister of Parliament affairs, and the rapporteur to follow up the matter with the concerned parties. On 13 January 1999, the PLC discussed the matter another time and mandated the Minister of Parliamentarian affairs to pass on the discussions of the issue to the cabinet demanding the participation of members from the cabinet in the future discussions. Unfortunately, the executive Authority disregarded all calls for in the same manner that it disregarded other calls to release political detainees, and stop overlaps of the security services and implement court decisions.

The annual budget of 1999 was given priority during the 1999 PLC discussions. In January 1999, the PLC discussed the report of the PLC Budget Committee of 1999. The PLC took decision # 353/17/3 which held the cabinet responsible for delaying the discussion of the budget issue. A special session was held to question the Minister of Finance on the delay but the PLC was not convinced about the reasons. The PLC gave the cabinet three weeks starting from 28 January 1999 to submit the budget unless otherwise, the PLC would conduct a no-confidence on the cabinet. After a period of delays, the budget



was approved on 12 August 1999.

During the last period, the annual budget was an issue of debate and conflict between the Legislative and the Executive authorities. The Executive has failed to comply with the obligations of the laws passed by the Legislative Authority, especially those regarding the annual budget. The Ministry of Finance has so far failed to meet the deadlines set by law to present the annual budget. In 1997, the budget was presented in late March, while in 1998 it was presented in May. The Ministry of Finance continued to allocate funds in the absence of a supervisor three months after the lapse of the legal period, which is a violation of the regulations stipulated in the articles of the General Budget. The same circumstances recurred in 1999.

On the other hand, on 17 November 1999, the Palestinian Bar Association suspended its work for two hours and held a sit-in in front of the Legislative Council building in protest at the implementation of the Bar Association Law #3 of 1999, which they believe is insufficient and restrictive to their work.

anathema to their performance. The new law stipulates that lawyers should accompany their clients to a public notary and have the client sign a power of attorney in the presence of the three parties: the lawyer, the client and the public notary. Lawyers cannot represent their clients unless they follow the above procedure. Moreover, no lawyer is allowed to replace another lawyer in any case unless approved by the public notary. This means that if the lawyer representing a client is not available for any reason and wishes to mandate another lawyer to follow the case, he should first obtain the approval of the public notary.

LAW viewed the above procedures as restrictive to the work of lawyers, especially as public notaries were few and the whole procedure would entail extra expense and time. Furthermore, the above procedures also imply a marked distrust of lawyers. Despite its delay, LAW views the action taken by the Bar as a positive step towards amending these provisions. Such a step would have been

avoidable if the Bar had proposed its amendments while the law was being discussed in the third reading at the Legislative Council. LAW and other human rights organisations took an active role in proposing extensive amendments to the NGO Law before it was passed.

LAW viewed the action as necessary to pressure the competent parties to amend the law. LAW also called on these parties to do everything they can to amend the law and adapt it in a manner that will serve the interests of lawyers and their clients.

### **NGOs**

1999 witnessed tension in the relations between the PNA and NGOs particularly human rights organisations. Since the arrival of the PNA to the West Bank and Gaza there have been frequent incidents of tension. The tension reached its peak after the UN co-ordinator published a report regarding the amounts of money which the donors gave to promote the status of the judiciary in the Palestinian Territories. The report indicated that the amounts of money given for that purpose reached \$100,000,000. The report was an opportunity for the PNA to attack the human rights organisation without even checking the accuracy of the report.

The first reaction from the PNA came on 11 June 1999 when the cabinet met and voiced twisted and harsh criticism against the NGOs, particularly those that deal with the rule of law. The Palestinian Minister of Justice, Frieih Abu Middien, described the report of the special co-ordinator of the United Nations as a faulty report regarding its information about the financial and the administrative affairs.

He added that his Ministry has received only \$ 2,2 million out of the \$100 million offered by the donors. He emphasised that the UN report regarding the Palestinian judiciary did not touch on the judiciary and its conditions and he asked about the party who receives this money.

He said that the report is clear, that the money was not paid in order to improve the judicial body in Palestine and that the Ministry has received only \$2,2 million over the past five years. He demanded reconsideration of the aids and the loans considering them as burden

on the coming generations. He said that a large amount of this money has been given to Palestinian and non-Palestinian NGOs who have misspent it on the salaries of foreign experts, so that donors are effectively taking back the money they offer to the Palestinians. He also expressed his regret about the report, which he described as subjective.

The French press agencies published a report about the Palestinian judiciary depending on the report of the special co-ordinator of the UN. The report mentioned that the UN has offered \$100 million over the past five years. Abu Middien demanded the donors to contact the PNA when they want to offer money to the NGOs and that this process should be one through the Ministry of Planning and International Co-operation. He added that the Ministry of Justice received only \$2,2 million and the judiciary system received \$14

NGOs received \$16.8 million, the Independent Committee for received \$15 million and the legal reformation received \$4,4 million.

Abu Middien accused the some of the NGOs, especially the organisations working in the field of human rights, of corruption. It is worth mentioning that he praised NGOs in a radio interview, saying, re very good at their work in the fields of agriculture, disabled,

not follow the steps of other NGOs, but rather they take the money political

participate in a conference to be held abroad without connecting to the Ministry and without co-ordination with it, adding that these organisations do not abide by their main goals but p

also  
sparked by the faulty information published in a daily newspaper in

LAW refused to accept reports presented by him that do not deal with cases of torture in these prisons.

In the orchestrated attack on LAW, Maher Salameh, head of the License and Research Department in the PNA, wrote a letter to LAW to draw the attention that Magazine was registered at the Ministry of Information under the name of Chief Editor, not LAW as it appears on the magazine. He requested the amendment of that information.

In reaction, Palestinian Human Rights Organisations denounced the adverse campaigns and pledged to continue their strife for freedom, published for that

was later released by the Network of Palestinian Non-Governmental Organisations and the General Union of Welfare Associations, in which they clarified the sums of money allocated to these

and contradictory to the facts shown in the UN Special Co-report a fact that has spurred negative reactions by the PNA and NGOs alike. The reported 100 million dollars of aid donated annually has not been well detailed, nor has it been totally allocated to NGOs. The report indicates that the allocated money has not all been spent, but that it was allocated to:

- A. Projects that have since been completed
- B. Projects still under implementation
- C. Projects that have not yet begun.

already been completed. It should also be noted that the total share of this money given to Palestinian NGOs amounts to approximately 7.8 million dollars over a period of four years, or an average of 2.2 million dollars per year as opposed to the 98 million dollars alleged by the press. Moreover, the money remaining was allocated to other official and quasi-official government establishments such as the PLC (\$15 million), the Judiciary (\$14 million of which only \$4 million has

been spent), the PNA (\$10.2 million), the Law Centre and the development of legal education (\$5 million), the Independent (million) and developing

for so long been part of Palestinian civil society, they have led the challenge of the most critical issues and the defence of human rights on national, regional and international levels. They have been raising the awareness of basic rights, and teaching Palestinians how to defend them. Human rights organisations have been maintaining an Arab and international campaign in an effort to challenge one of the most critical issues threatening the legal status of the occupied territories. They have been doing their utmost to unify international public opinion to apply the International Humanitarian Law and the Fourth Geneva Convention in the occupied territories.

Unfortunately, during the past few weeks, a counter campaign against human rights organisations has been waged to undermine their credibility and slander the personal and national reputation of the leaders. It is unfortunate that the campaign is being headed by the Minister of Justice and a group of familiar opportunists who are well known for their loyalty to different administrative and executive parties.

Human Rights Organisations fear that there are certain parties in addition to the executive authority conspiring to prevent the passing of the Law of Charitable Associations and Community Organisations in Palestine. Human Rights Organisations have contributed to the amendment of the Law to keep these associations and organisations under the jurisdiction of the Ministry of Justice instead of the suggested Ministry of Interior. The amendment was approved by the PLC in the third reading. This law was seen by the various civil and democratic institutions as a great achievement that will provide legal protection to the various NGOs and consolidate the independence of the civil society to fulfil its national role.

to keep the NGOs under the jurisdiction of the Ministry of Interior. The

suggestion is viewed as a threat to NGOs independence especially as they have expressed their desire to fall under the jurisdiction of the Ministry of Justice.

Human rights organisations also fear that this campaign is meant to undermine Palestinian national achievements of civil society building and the advancement of democratic values. We have been calling for the establishment of a democratic state in which the three authorities are separated, consolidation of an independent judiciary, activating a legislative and supervising role to the legislative authority, respecting the rule of law, and bringing an end to all human rights violations.

The clear objective of this ferocious campaign is to camouflage the failure of the Ministry of Justice to maintain its role in establishing an independent judicial system that is protected by the guarantees

judiciary that is capable of applying the rule of law in all honesty and strength.

Another clear objective of this ferocious campaign is to preoccupy the HROs with defending themselves instead of maintaining work to mobilise public opinion, build the state of law and draft basic legislation, including the Palestinian constitution, in a manner that agrees with the other Palestinian laws and fulfils the international legitimacy of human rights.

HROs request the following from President Arafat and all other concerned parties:

1. Issue the Law of Charitable Associations and Community Organisations as approved by the PLC in the third reading.
2. Promptly appoint an Attorney General to represent the conscience of the nation, alleviate the basic responsibilities of defence and protect the legal guarantee of basic rights
3. Disclose the actual reasons that led to the failure of the Ministry of Justice to perform its duties in preparing the necessary legislature to consolidate judicial independence, provide protection

and guarantees for the judicial authority, and enforce respect of court sentences by the executive.

4. Challenge illegal claims voiced by a number of Palestinian officials and ministers and confirm the commitment of all democratic forces and NGOs to defend the State of law and its establishments and public freedoms.

1. **LAW: The Palestinian Society for the Protection of Human Rights and the Environment**
2. **The Palestinian Society for Human Rights**
3. **The Jerusalem Centre for Political and Social Rights.**
4. **The International Movement for the Defence of Children Palestine branch**
5. **The Jerusalem Centre for Legal Council**
- 6.
7. **Al Haq**
8. **Palestinian Physicians for Human Rights**

On July 9 1999 President Arafat appointed Hassan Asfour as a Minister of NGO Affairs. Asfour, in turn, emphasized that appointing a ministry for NGO affairs is a precedent-setting move in the history of

had come at a difficult time, especially as the tension between the government and the NGO sector has grown. He also added that the Ministry would work to develop the technical society and that there was no adversity between the PNA and the NGOs.

Asfour stated that the main goal of his ministry was to compliment the NGOs and foster the development of society, adding that his ministry was in the process of completing its structural hierarchy and setting missions in accord with the NGO Law. He said that the NGO Law would soon see the light, that the Ministry will start co-ordinating with NGOs and bring the views of these organisations closer to those of governmental establishments to build a healthier relationship between the two sectors.

