

Fatah and Hamas Human Rights Violations in the  
Palestinian Occupied Territories from  
June 2007 to December 2007

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## **I. Introduction**

During this past June, Hamas and Fatah clashing peaked, devastating civilian lives throughout the Occupied Territories, and resulting in absolute Hamas control over the Gaza Strip. The inter-factional violence between June 7<sup>th</sup> and June 14<sup>th</sup>, 2007 followed fifteen months of mounting tension and conflict between the two primary Palestinian political actors.

On January 26, 2006, Hamas won control of 74 out of the 132 Legislative Council seats that serve Fatah leader and Palestinian Authority President, Mahmoud Abbas (elected in January 2005).<sup>1</sup> The shocking Hamas triumph was attributed to Palestinian dissatisfaction with the Fatah Movement's corruption and complacent attitude towards Israel. As a result of increased Israeli military control over the Occupied Territories and more specifically, the construction of a 700 kilometer concrete barrier separating the West Bank from Israel, Palestinian resistance sentiments had heightened.<sup>2</sup> Resistance to the Israeli occupation had reached the forefront of concern for a Palestinian majority. Consequently, Fatah's appeasing conciliatory efforts were voted out of the Legislative Council.

Following the 2006 parliamentary elections, internal turmoil ensued. The shift in governmental control triggered a treacherous power-struggle between Fatah and Hamas that continued at the expense of Palestinian civilians. The two movements failed to uphold various peace agreements constituted in 2006 and 2007, and conflict continued into June 2007, when Hamas initiated a rapid military conquest of the Gaza Strip. In a single week of escalated fighting, in which 161 Palestinians were killed including 41 civilians, Hamas took control over every Fatah stronghold and governmental office throughout the Gaza Strip.<sup>3</sup> P.A. President Abbas immediately dismissed the Hamas led government, formally dividing the Palestinian territories.

The governmental split has widespread implications for the future of the Palestinian people. Hamas and Fatah have violated international humanitarian law and the United Nations Declaration of Human Rights on numerous counts and continue to threaten the safety of the Palestinian People. The continued fighting has killed hundreds of Palestinian men, women, and children throughout the Gaza Strip and the West Bank since last June.

## **II. Hamas Human Rights Abuses during the Seizure**

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<sup>1</sup> "Palestinian Parliamentary Elections." The Electronic Intifada.  
<<http://electronicintifada.net/bytopic/416.shtml>

<sup>2</sup> Abunimah, Ali. "Hamas Election Victory: A Vote for Clarity." The Electronic Intifada, 6 Jan. 2006.  
<<http://electronicintifada.net/v2/article4425.shtml>.

<sup>3</sup> Palestinian Center for Human Rights. "Black Pages in the Absence of Justice: Report on Bloody Fighting the Gaza Strip from 7 to 14 June 2007." 9 Oct. 2007.

Since its victory in the January 2006 parliamentary elections, Hamas has violated the human rights of numerous populations throughout the Palestinian Territories. From April 2006 through June 2007, Hamas committed various international war crimes against Fatah members. Hamas engaged in the capture, torture, and murder of Fatah members and leaders in the Gaza Strip and the West Bank. Members of Hamas stormed the homes of Fatah members with guns and weapons, wounding and sometimes killing selected targets and civilians during the months following Hamas' parliamentary victory.<sup>4</sup>

During the last week before Hamas' seizure of Gaza, violence against Fatah members escalated and numerous targeted attacks were executed. For example, on June 11<sup>th</sup>, 2007, Hamas captured and killed Jamal Abu El Jidian, the Secretary General of the Fatah movement. El Jidian's home, located in the town of Jabaliya in Northern Gaza, was shelled. His family and the family of another Fatah security member were also killed in the attack.<sup>5</sup> Hamas forces also captured Beit Lahiya of Jamal Abu al-Jadiyan, a Fatah senior official during its seizure of the Gaza Strip. Lahiya was removed from his home and shot multiple times in the street.<sup>6</sup>

Additionally, in seizing Fatah strongholds throughout the Gaza Strip, members of the Izzedine al-Qassam Brigades, the militant wing of Hamas, killed dozens of Fatah members and leaders. On June 12<sup>th</sup>, in capturing the Fatah security forces headquarters in Northern Gaza, Hamas was reported to have executed several Fatah members and surrounding witnesses, killing over ten people in the raid.<sup>7</sup> Hamas also threatened the families and affiliates of Fatah members, bringing guns and weapons into their homes throughout the deadly week. The fundamentalist Islamic movement also broadcasted hit lists of Fatah leaders across Hamas controlled airwaves and threatened to infiltrate Palestinian Authority media outlets.

Hamas militants brutally executed dozens of individuals who were working for Fatah President Mahmoud Abbas, including those who had not been politically active. For example, Hamas security forces pushed Muhammad Swairki, a cook for Abbas, from the fifteenth story of an apartment building in Gaza City. Hamas forces bound Swairki's arms and legs before forcing him to his death last June.<sup>8</sup>

The human rights of civilians were also gravely violated throughout Hamas' takeover of Gaza. Between June 7<sup>th</sup> and June 14<sup>th</sup>, 2007, rampant gunfire in the streets and indiscriminate attacks throughout the Gaza Strip halted civilian life. In particular, according to customary international humanitarian law, medical personnel and hospitals

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<sup>4</sup> Palestine Center for Human Rights. "Black Pages in the Absence of Justice: Report on Bloody Fighting the Gaza Strip from 7 to 14 June 2007." 9 Oct. 2007.

<sup>5</sup> Xinhua. "RPG Fired at Haneya House as Hamas-Fatah Clashes Going On." The People's Daily Online. 12 June 2007. <[http://english.peopledaily.com.cn/200706/12/eng20070612\\_383380.html](http://english.peopledaily.com.cn/200706/12/eng20070612_383380.html).

<sup>6</sup> "Gaza: Armed Palestinian Groups Commit Grave Crimes." Human Rights Watch News. 13 June 2007. <<http://hrw.org/english/docs/2007/06/13/isrlpa16156.htm>.

<sup>7</sup> Issacharoff, Avi. "At Least 10 Killed as Hamas Forces Seize Fatah HQ in Northern Gaza Strip." Ha'aretz. 13 June 2007. <<http://www.haaretz.com/hasen/spages/870095.html>.

<sup>8</sup> "Gaza: Armed Palestinian Groups Commit Grave Crimes."

must be protected at all times.<sup>9</sup> However, Hamas directly targeted hospitals endangering patients and medical staff, and obstructing health care access to thousands.<sup>10</sup>

A general state of lawlessness emerged during Hamas' siege of Gaza. Rampant gunfire on the streets, attacks on targeted Fatah members, bombings, kidnappings, and the lack of consolidated and effective law enforcement heightened feelings of insecurity among the Palestinians. The fear that emerged among the Gazan people perpetuated the culture of violence that still pervades the region. Hamas celebrated violence as an acceptable tool for conflict resolution, which led to the increased misuse of firearms among civilians. During its takeover of Gaza, Hamas committed severe human rights abuses against Fatah members and civilians, ultimately failing to ensure the security and protection of the Palestinian people.

### **III. Hamas Human Rights Abuses Following the Seizure**

Since Hamas gained control over the Gaza Strip in June, the Izzedine al-Qassam Brigades have continued to commit human rights violations against the Palestinian people. Attacks on Fatah members and institutions have continued after Abbas' dismissal of the Hamas led government. Almost immediately following Hamas' seizure of the Gaza Strip, Haniyeh and his senior officials halted Gazan access to Fatah controlled media outlets. On August 1<sup>st</sup>, 2007, Ismail Haniyeh terminated the broadcasting of Palestinian public television, directed by Fatah leader and P.A. President, Mahmoud Abbas, throughout the Gaza Strip. Later that week, Haniyeh also shut down a pro-Fatah radio station and news agency.<sup>11</sup>

In addition to limiting freedom of press and freedom of speech, the Hamas government has violated the rights of Fatah supporters to peacefully assemble in protest of Hamas rule. In the last six months, Fatah rallies throughout Gaza have sparked inter-factional violence. For example, during the first week of August, over three hundred pro-Fatah Palestinians rallied in Gaza City for about twenty minutes before Hamas dispersed the group using clubs and riffle butts. Hamas security forces halted dozens of buses transporting Fatah supporters to the rally, seizing Fatah flags and beating up passengers.<sup>12</sup>

In addition, Hamas has committed abuses against local and international media reporters in Gaza. During the early August pro-Fatah rally, Hamas security forces attacked

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<sup>9</sup> "Gaza: Armed Palestinian Groups Commit Grave Crimes."

<sup>10</sup> "Palestinian Authority: Fatah and Hamas Violations Leave Gaza's Civilians Trapped in their Homes – Growing Concerns About Violence Spreading to the West Bank." Amnesty International. 15 June 2007.  
<<http://domino.un.org/UNISPAL.NSF/eed216406b50bf6485256ce10072f637/2f23468462bd3e65852572fe006cb854!OpenDocument>.

<sup>11</sup> "Hamas to Form Coast Guard Unit in Gaza." *Gulf News*. 11 Aug. 2007.  
<[http://archive.gulfnews.com/indepth/palestiniancrisis/more\\_stories/10145873.html](http://archive.gulfnews.com/indepth/palestiniancrisis/more_stories/10145873.html).

<sup>12</sup> The Associated Press. "Hamas Forcibly Breaks Up Rally in Gaza, Confiscates Cameras." *Ha'aretz*. 13 Aug. 2007. <<http://www.haaretz.com/hasen/pages/892872.html>.

television reporters and journalists and confiscated cameras at the scene. Hamas also infiltrated media agency offices based in Gaza City, taking recorded and written material from the rally.<sup>13</sup> Following the raids, the Palestinian Journalist's Union proclaimed a three-day boycott of Hamas-organized events to protest media maltreatment in Gaza.

On August 31<sup>st</sup>, 2007, security forces forcibly dispersed Fatah supporters protesting Hamas control over Gaza at Friday prayer, injuring at least 8 people, including two foreign journalists.<sup>14</sup> The following Friday, Fatah supporters again gathered for open-air prayer in protest of Hamas' military takeover of Gaza. In response, Hamas broke up the prayer meeting, beat and arrested dozens of participants, and once again, targeted media representatives reporting on the clash.<sup>15</sup>

On November 12<sup>th</sup>, 2007, thousands of Fatah supporters assembled at the Qatiba Grounds near Al-Azhar University Gaza City in memory of the death of former P.A. President Yassir Arafat. Gunmen dressed in civilian apparel and Hamas security forces were heavily deployed in and around the grounds and used guns and batons in attempts to disperse the rally. The security forces indiscriminately shot at the crowd resulting in the death of six participants and the injury of over eighty men and women. In addition, twelve- year-old Ibrahim Mahmoud Ahmad was shot in the neck by Hamas forces at the Fatah demonstration. That evening, Hamas called for the arrest of dozens of Fatah activists throughout the city. Additional Fatah supporters in the Gaza Strip received summoning orders during the following two days.<sup>16</sup>

The Hamas Executive Force has also conducted numerous raids on Fatah offices, institutions, and events celebrating the political party. Hundreds have been arrested and detained over the course of the last six months. The unpredictable violence against Fatah supporters throughout the Gaza Strip has driven them into a perpetual state of insecurity and fear.

The most recent string of brutal attacks against Fatah members commenced on December 28<sup>th</sup>, 2007. Hamas police forces arrested thirty-five students at al-Azhar University that were organizing an event to celebrate the anniversary of the Fatah Movement. Upon release, the students claimed that they had been forced to sign a document swearing not to partake in Fatah anniversary events under the threat of a \$4000 fine and a fifteen-day detention.<sup>17</sup>

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<sup>13</sup> The Associated Press. "Hamas Forcibly Breaks Up Rally in Gaza, Confiscates Cameras." Ha'aretz. 13 Aug. 2007. <<http://www.haaretz.com/hasen/spages/892872.html>.

<sup>14</sup> Reuters. "Fatah Men Rally for Gaza Prayers, Defying Hamas" Alert News. 31 Aug. 2007. <<http://www.alertnet.org/thenews/newsdesk/L31919714.htm>

<sup>15</sup> Abu Alouf, Rushdi and Ellington Ken. "Hamas Targets Fatah Prayer Rallies in Gaza Strip." L.A. Times. 7 Sept. 2007. <<http://www.latimes.com/news/nationworld/world/la-fg-gaza9sep08,0,200376.story>.

<sup>16</sup> Palestinian Center for Human Rights (13 Nov. 2007). *PCHR Condemns Excessive and Lethal Use of Force against Civilians in Gaza*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/160-2007.html>.

<sup>17</sup> Palestinian Center for Human Rights (30 Dec. 2007). *PCHR Calls for an Immediate End to Attacks Against Offices of Fatah Movement and Affiliated Institutions in Gaza*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/178-2007.html>.

On December 29<sup>th</sup>, 2007, Hamas police raided a Fatah office located in the al-Remal neighborhood of Western Gaza City. The police forces confiscated large amounts of office equipment, including a computer and photocopier, and arrested six individuals at the office. One released detainee declared that officials would have forced him to pay a \$4000 fine to the Hamas authorities if he had not signed a document declaring that he would not participate in events celebrating the anniversary of the Fatah Movement.<sup>18</sup>

Also on December 29<sup>th</sup>, masked gunmen raided another Fatah office located in the al Daraj neighborhood in Eastern Gaza City. Hamas militants confiscated office equipment, photographs, and Fatah flags. On December 30<sup>th</sup>, police and masked gunmen stormed the Fatah headquarters near the Ansar security compound in Western Gaza City and the Palestinian Liberation Organization Executive Committee Office from which they confiscated more equipment.<sup>19</sup>

In addition to committing human rights abuses against Fatah supporters, the Hamas Executive Force has prevented civilians from peacefully assembling throughout the Gaza Strip. On Saturday, November 24<sup>th</sup>, 2007, Hamas militants detained Wa'el Ahmed al-Salmi, a member of the Palestinian General Intelligence and transported him to an unknown destination. In response to the detention, fifty civilians living in al-Shati refugee camp rallied toward the home of Ismail Haniyeh, the dismissed Prime Minister of the Palestinian National Authority. Haniyeh's security forces stopped the demonstrators using sticks and later arrested several participants, including a fourteen-year-old child. In investigations conducted by the Palestinian Center for Human Rights, the detainees claimed that they had been beaten during their confinement.<sup>20</sup>

Numerous human rights violations have also been committed against the Palestinian Christian community under Hamas rule. Due to Hamas' desire to implement Shariah, strict Muslim law, many Christians in the Gaza Strip have considered fleeing under the threat of forced conversion.<sup>21</sup> Since June, a string of anti-Christian attacks have heightened fears among Christian citizens of Gaza. In late June, attacks on the Rosary Sister's School and the Latin Church caused over \$500,000 in damages. The masked gunmen responsible for the attack stormed the school and church using grenades to blow the entrances. The gunmen destroyed desks, chairs, and beds, and set curtains and other materials ablaze. Furthermore, sacred images and religious books were desecrated.<sup>22</sup>

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<sup>18</sup> *PCHR Calls for an Immediate End to Attacks*

*Against Offices of Fatah Movement and Affiliated Institutions in Gaza*

<sup>19</sup> *PCHR Calls for an Immediate End to Attacks*

*Against Offices of Fatah Movement and Affiliated Institutions in Gaza*

<sup>20</sup> Palestinian Center for Human Rights (26 Nov. 2007). *CHR Calls for Investigation into the Use of Force Against a Peaceful Demonstration and the Detention of a Number of Demonstrators in al-Shati Refugee Camp*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/168-2007.html>

<sup>21</sup> CNA. "Christians Fears Threats by Islamists Hamas." *Spero News*. 18 Aug. 2007.

<<http://www.speroforum.com/site/article.asp?idarticle=10736&t=Christians+fear+threats+by+Islamist+Hamas>.

<sup>22</sup> "Gaza Priest Slams Barbaric Attack Against Sisters of the Rosary." *Asia News*. 19 June 2007.

<<http://www.asianews.it/index.php?l=en&art=9601>.

While several Hamas officials visited the covenant and the school following the attack, continued strikes reflect Hamas' failure to protect members of the Christian community and their institutions in the Gaza Strip.

In addition, at the end of September, Claire Farah Tarazi, an eighty-year-old Christian Palestinian woman, was assaulted in her home during a targeted robbery. A masked gunman forced his way into Tarazi's home during the night and demanded money. When Tarazi returned with some gold jewelry, a cell phone, and a few hundred shekels, the gunman beat her with a tool, and then locked her in a bedroom. He proceeded to ransack the home and then left.<sup>23</sup> The gunman referred to Tarazi as an "infidel," implicating that the attack was religiously motivated.<sup>24</sup>

Again, on October 7<sup>th</sup>, the body of a prominent Christian bookstore owner, Rami Ayyad, was found beaten, mauled, and shot outside of his store, the only Christian bookstore in Gaza City. The murder reflects increasing tension among the Christian community in the Gaza Strip under Hamas leadership.<sup>25</sup> Muslim extremists also bombed his bookshop about six months ago. While the Christian community has sought additional protection under the Hamas government, continued attacks threaten the community's stability and security under fundamentalist Islamic control.

On November 5<sup>th</sup>, 2007, prominent Christian leaders throughout the Gaza Strip, including Artinious Alexious, a priest of Gaza's Greek Orthodox Church, and Emanuel Salum, an influential Catholic in the territory, were coerced into attending an event in which Ismail Haniyeh, the president of the Hamas-controlled government, discussed the spread of Islam throughout the world. The security forces for the event comprised of hundreds of gunmen, including members of the militant group, Jihadia Salafiya, responsible for executing attacks against the Gazan Christian community early this Fall. Haniyeh forbade international media coverage of the event except by Hamas-accredited journalists. According to attending journalists, Haniyeh explicitly acknowledged Alexious and Salum when he discussed the excellent conditions of Christian life in the Hamas-controlled Gaza Strip. However, Christian community members claimed that the two leaders were threatened into assisting with the event and believed that Hamas has failed in protecting them from militant Islamic groups in Gaza. Jihadia Salafiya has widely warned Christians against engaging in missionary activity and stated that Christian schools and institutions throughout Gaza will be publicly monitored to prevent proselytizing and the conversion of Muslim students. The Islamic outreach movement has consistently called for the strict imposition of Islamic law throughout Gaza in order to enable Hamas' effective control over the territory.<sup>26</sup>

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<sup>23</sup> Abu Toameh. "Gaza: Christian-Muslim Tensions Heat Up." The Jerusalem Post. 25 Sept. 2007. <<http://www.jpost.com/servlet/Satellite?pagename=JPost%2FJPArticle%2FShowFull&cid=1189411486459>>.

<sup>24</sup> Cole, Ethan. "Attack on 80-Year-Old Christian Escalates Fears in Gaza." The Christian Post. 30 Sept. 2007. <[http://www.christianpost.com/article/20070930/29512\\_Attack\\_on\\_80-Year-Old\\_Christian\\_Escalates\\_Fears\\_in\\_Gaza.htm](http://www.christianpost.com/article/20070930/29512_Attack_on_80-Year-Old_Christian_Escalates_Fears_in_Gaza.htm)>.

<sup>25</sup> Martine, Allie. "Prominent Palestinian Christian Kidnapped, Murdered." One News Now. 10 Oct. 2007. <[http://www.onenewsnow.com/2007/10/prominent\\_palestinian\\_christia.php](http://www.onenewsnow.com/2007/10/prominent_palestinian_christia.php)>.

<sup>26</sup> Klein, Aaron. "Hamas Accused of Intimidating Christians." World Net Daily. 6 Nov. 2007.

Incitement against the Christian community and its religious institutions has not diminished over the last six months. With a growing population within the Hamas political party that calls for the Islamization of the Palestinian Occupied Territories, the Christians have become increasingly uncertain of their current or future safety in Gaza. Once Hamas seized control over the Gaza Strip, protection for the Christian community plummeted. Thus far, Hamas has continued to rule with a complete disregard for human rights. Until Hamas progresses towards more moderate, peace-oriented positions, Gazan Christians will continue to live in fear and desperation.

#### **IV. Fatah Human Rights Violations in June: Immediately Following the State of Emergency Decree**

During a week of heightened inter-factional fighting, between June 7<sup>th</sup> and June 14<sup>th</sup>, 2007, Palestinian National Authority President, Mahmoud Abbas, declared a state of emergency in the Palestinian Occupied Territories. While tension between Fatah and Hamas had been mounting since Hamas' victory in the January 2006 Parliamentary Elections, this round of clashing unfolded some of the most brutal violence yet between the two political powers. Following Abbas' decree, based on the seventh chapter of the amended Palestinian Basic Law, there was a series of arrests of Hamas affiliates and individuals in possession of firearms throughout the West Bank.<sup>27</sup>

During the month of June, Fatah flagrantly violated Palestinian law and committed numerous human rights abuses in their illegal detainment and arrest of Hamas supporters, their families, and members of local media agencies. For example, Article 111 of Palestinian Basic Law outlines the following regulations for arrests under a declared state of emergency: any detention must be reviewed by the Attorney General or a competent court within a fifteen day period of the arrest, and the defendant has the right to select and appoint a lawyer.<sup>28</sup>

In addition, according to Penal Procedures Code under the Palestinian National Authority, no individual can be arrested or detained without the consent of a competent party. Holding security forces cannot induce physical or psychological pain to the detainee. Finally, the detained individual cannot be subjected to house searches at night, unless absolutely necessary.<sup>29</sup> Fatah security forces in the West Bank defied the penal procedures and basic law stipulated above immediately following the state of emergency decree in June. However, Fatah abuses in regards to illegal arrest and abuse of detainees have also heavily persisted over the course of the last six months.

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[http://www.wnd.com/news/article.asp?ARTICLE\\_ID=58531](http://www.wnd.com/news/article.asp?ARTICLE_ID=58531).

<sup>27</sup> The Palestinian Independent Commission for Citizens' Rights (2007). Arrests in the West Bank Following the Declaration of the State of Emergency of June 14, 2007. 2.

<sup>28</sup> PICCR, 2

<sup>29</sup> PICRR, 3



Throughout June, Fatah security forces throughout the West Bank revealed a shocking disregard for Palestinian Basic Law and customary human rights standards. First, many detainees were held in detention centers for more than fifteen days without review by the Attorney General. Some detention centers violated health and safety regulations and were not inspected by the Attorney General.<sup>30</sup> The detention centers often lacked proper air ventilation, lighting, and a sufficient number of bathroom facilities. The centers were also usually subject to severe overcrowding. While appropriate medical services were available to detainees, some reports indicate that certain medicines were unavailable at the detention center medical facilities.<sup>31</sup>

Second, many individuals detained during the initial period following the decree, in which Abbas outlawed the Executive Force and Hamas militia, were severely tortured, physically and emotionally. Many detainees testified that excessive force was used during their arrests. Some reported that they received death threats and that their families were threatened with violence as well. Some individuals claimed that they had been blindfolded for extended periods of time and transported in the trunks of vehicles.<sup>32</sup>

Third, some families and friends of detainees claimed that they had never received official word about the detainment or arrest of their loved one. Many individuals were also prohibited from establishing contact with friends or family during their detention and therefore, could not secure the services of a defense attorney. The rejection of a detainee's right to appoint a lawyer constitutes a fundamental violation of human rights.<sup>33</sup>

Fourth, arrests were often conducted by parties that were not authorized law enforcement. In the majority of cases, the forces involved in the arrests refused to identify themselves and, as previously mentioned, used extreme force during the arrest. Detainee reports indicate that the arresting parties often failed to show an arrest or search warrant. They were sometimes responsible for the destruction of detainee property and conducted house searches at night.<sup>34</sup>

## **V. Fatah Human Rights Violations from July 2007 through December 2007**

Fatah's violent arrests and unwarranted detentions of Hamas supporters and media representatives still persist with appalling frequency throughout the West Bank. In particular, Fatah security forces have continued torturing Hamas affiliates. On September 30<sup>th</sup>, 2007, Rasem Khattab Hasan Mostafa, from Nablus, was transferred to Rafedia Hospital with severe beating marks on his head after interrogation by the Military Intelligence Service. The M.I.S. captured Mostafa on September 26<sup>th</sup>, 2007 when gunmen raided the Andaleeb Nursing School in the Women's Union Hospital in

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<sup>30</sup> PICRR, 4

<sup>31</sup> PICRR, 6

<sup>32</sup> PICRR, 4

<sup>33</sup> PICRR, 4

<sup>34</sup> PICRR, 5

Nablus. The force used gunfire to disperse the students, and then took Mostafa to an undisclosed location.<sup>35</sup>

On September 5<sup>th</sup>, 2007, four school principles in Nablus were summoned by the Palestinian General Intelligence and taken with sacks over their heads to J'neid Prison. They were detained until September 13<sup>th</sup>, when only three of the four principles were released. On September 14<sup>th</sup>, three men in a village near Nablus were detained and tortured by the Palestinian General Intelligence. One released detainee claimed that he was severely beaten, blindfolded, bound, and terrorized with sounds of gunfire. On September 17<sup>th</sup>, 2007, five teachers were detained at a checkpoint while traveling to school. They were taken to the Military Intelligence Compound in Nablus, and then to J'neid Prison. Three of the teachers were released that night, but two remained imprisoned.<sup>36</sup>

On September 17<sup>th</sup>, 2007, M.K., from Nablus, was also taken by members of P.A. Security Forces in the West Bank to a Nablus security headquarters. The officers interrogated the man about his connection to Hamas and his possession of a firearm. The detainee was subjected to various methods of torture, including beating with sticks. M.K. was not released until October 11<sup>th</sup>, 2007.<sup>37</sup>

In addition to the violence committed against arrested individuals, the families of detained and/or imprisoned Palestinians in the West Bank have also been threatened and physically abused by Fatah security forces. While this category of abuses is not well documented (due to victim fear and desire for anonymity), there have been numerous cases of family abuses. On August 21<sup>st</sup>, 2007, during the arrest of his son Mohammad Ali (30) from his home, Ahmad Taher Ahmad Mohsin (92) and several other relatives were beaten while attempting to prevent the arrest. The security forces also riddled the home's interior with gunfire during the operation. Again, on August 28<sup>th</sup>, 2007, members of the Preventive Security Apparatus attacked Fawwaz Hisham Hussein El-Tarada's family in their home. Tarada was also tortured during his interrogation on account of his ties with Hamas and the Executive Force.<sup>38</sup>

Since Abbas' formal dismissal of Gaza's Hamas led government and state of emergency decree, there has also been an increase in media arrests and torture cases in the West Bank. For example, on October 7, 2007, members of the Iqra T.V. channel media crew

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<sup>35</sup> Palestinian Center for Human Rights. (1 Oct. 2007). *PCHR Condemns Continued Torture by Security Forces in the West Bank*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/130-2007.html>.

<sup>36</sup> Palestinian Center for Human Rights (19 Sept. 2007). *PCHR Calls for Investigating Torture and Abuse by Palestinian Security Forces in the West Bank*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/122-2007.html>.

<sup>37</sup> Palestinian Center for Human Rights (23 Oct. 2007). *Condemns Torture Practiced by Security Services in the West Bank and Calls for Investigation*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/145-2007.html>.

<sup>38</sup> Palestinian Center for Human Rights (3 Sept. 2007). *Families of Detainees Assaulted and Detainees Tortured and Mistreated*. Press Release. <<http://www.pchrgaza.org/files/PressR/English/2007/113-2007.html>.

were arrested in Ramallah by the Preventive Security Forces on the charge of reporting to an enemy entity. Once taken to the security services headquarters, the media crew was beaten and tortured during interrogation. The attacks constituted violations of freedom of press and freedom of speech rights stipulated in Palestinian Basic Law and international law.<sup>39</sup>

On November 7<sup>th</sup>, 2007, two journalists, 'Alaa' Mohammed al-Titi and Asyad 'Abdul Majid 'Amarna were arrested and detained in Hebron by the P.A. Preventive Security Service. Both journalists had worked for al-Aqsa Television in Ramallah, a station that was affiliated with the Hamas political party. 'Alaa' al-Titi and Asyad 'Armarna became freelancers when al-Aqsa Television was terminated by the Palestinian Authority government in the West Bank after Hamas' seizure of the Gaza Strip.<sup>40</sup> The arrests reveal a continued assault on freedom of expression and the persecution of Hamas affiliates by Mahmoud Abbas' Fatah controlled government in the West Bank.

In addition to targeted attacks on Hamas supporters and members of the media, Fatah has been obstructing the Palestinian right to peacefully assemble, dispersing various politically oriented rallies. On August 22<sup>nd</sup>, 2007, the Public Relations Department in the Palestinian Police Nablus Directorate stated that Colonel Ahmad El-Sharqawi banned organizing and assembling except with the permission from a party formally recognized by Palestinian law. El-Sharqawi's declaration is in blatant violation of Palestinian Basic law, which permits citizens to peacefully assemble. The decision has also had threatening implications for the rights of Palestinian people in other parts of the West Bank.<sup>41</sup>

On September 9<sup>th</sup>, 2007, Palestinian security forces dispersed a rally organized by Hebron University's Student Council (controlled by the pro-Hamas Islamic Bloc) on a main street in front of the university. Women and men police officers used sticks to disperse the students, injuring several participants. Security forces also attacked photographers and journalists, and some were detained while trying to cover the rally.<sup>42</sup>

Again, on September 22<sup>nd</sup>, 2007, dozens of wives of political prisoners and female members of Hamas demonstrated from Jamal Abdel Naser Mosque towards El-Manara Square in Ramallah. Just before reaching the square, police forces used tear gas to disperse the crowd.<sup>43</sup> At least one woman was also detained at the rally. The forced

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<sup>39</sup> Palestinian Center for Human Rights (8 Oct. 2007). *PCHR Condemns Arresting and Torturing Iqra TV Media Crew in Ramallah by the Preventive Security*. Press Release.  
<<http://www.pchrgaza.org/files/PressR/English/2007/135-2007.html>.

<sup>40</sup> Palestinian Center for Human Rights (8 Nov. 2007). *PCHR Condemns the Detention of 2 Journalists by Preventive Security Service in Hebron*. Press Release.  
<<http://www.pchrgaza.org/files/PressR/English/2007/157-2007.html>

<sup>41</sup> Palestinian Center for Human Rights (26 Aug. 2007). *PCHR Calls for Rescinding the Decision of the Nablus Police Chief for Licensing Peaceful Demonstrations*. Press Release.  
<<http://www.pchrgaza.org/files/PressR/English/2007/108-2007.html>.

<sup>42</sup> Palestinian Center for Human Rights (10 Sept. 2007). *PCHR Condemns Use of Force to Disperse Student Conference and Attacks on Journalists in Hebron*. Press Release.  
<<http://www.pchrgaza.org/files/PressR/English/2007/119-2007.html>.

<sup>43</sup> Palestinian Center for Human Rights (23 Sept. 2007). *Palestinian Security Uses Force to Disperse*

dispersion reflects a dangerous move towards the elimination of free speech and the right to peacefully assemble and organize in the West Bank.

Following the November Annapolis Peace Summit, Fatah security forces again suppressed politically motivated assemblies throughout the West Bank. On November 27<sup>th</sup>, 2007, despite a ban on public demonstrations issued by Abbas' government, hundreds of students of various political parties and civil society organizations gathered in Hebron, Nablus, Bethlehem, and Ramallah to peacefully protest the Annapolis Conference. Palestinian Authority Preventive Security Forces used excessive force in attempts to control the crowds of protestors. Open gunfire, beating and batons were used to dismantle the demonstrations. Hisham Na'im Yusef Baratha'a, from Hebron, was shot in the chest, and died as a result of the clashing.<sup>44</sup> In Ramallah, thirty other participants were injured due to the extreme force used by security force members deployed in the streets surrounding the protests. In addition, eight participants were arrested, including, Jamal Juma, the coordinator of the Palestinian Grassroots Anti-Apartheid Wall Campaign. While covering the Ramallah protest, several members of the media were assaulted by security forces. Mu'ammur Urab, of Watan TV, and Wael Shuyokhi, an Al-Jazeera correspondent, were seriously wounded.<sup>45</sup>

Another protest against the Annapolis Conference on the following Tuesday resulted in additional arrests and violence. Up to two hundred protesters of the pan-Islamist Hizb ut-Tahrir movement were detained by the Preventive Security Forces. Additional men, women, and student participants were arrested and beaten. Event organizers also claimed that the heavy deployment of P.A. forces surrounding Ramallah prevented fourteen buses from traveling to the protest.<sup>46</sup>

On November 28<sup>th</sup>, the funeral of Hisham Baratha'a, who was killed on the first day of the anti-Annapolis protests, generated heated turmoil in Hebron, West Bank. Islamist protesters rallied at Baratha'a's funeral. While the Palestinian Authority police denied responsibility for the death, witnesses claimed that Abbas' security forces at the first anti-Annapolis protest shot Baratha'a. When protesters began throwing rocks at the funeral security forces, they fired gunshots into the air to disperse the crowds. Three people were treated for gunshot wounds, and over twenty more participants were hospitalized for other injuries.<sup>47</sup>

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*Peaceful Women's Rally*. Press Release.

<<http://www.pchrgaza.org/files/PressR/English/2007/125-2007.html>.

<sup>44</sup> Palestinian Center for Human Rights (28 Nov. 2007). *PCHR Condemns Excessive Use of Force to Disperse Peaceful Demonstrations in the West Bank*. Press Release.

<<http://www.pchrgaza.org/files/PressR/English/2007/170-2007.html>.

<sup>45</sup> "Huge Palestinian demonstrations against fake Annapolis peace conference suppressed by Palestinian Authority police, journalists covering protests also attacked." *Ma'an News Agency*. 27 Nov. 2007. <<http://mlyon01.wordpress.com/2007/11/28/huge-palestinian-demonstrations-against-fake-annapolis-peace-conference-suppressed-by-palestinian-authority-police-journalists-covering-protests-also-attacked/>.

<sup>46</sup> "Huge Palestinian demonstrations against fake Annapolis peace conference suppressed by Palestinian Authority police, journalists covering protests also attacked."

<sup>47</sup> "Dozens Hurt in Mid-East Protest." *BBC News International*. 28 Nov. 2007. <[http://news.bbc.co.uk/2/hi/middle\\_east/7117110.stm](http://news.bbc.co.uk/2/hi/middle_east/7117110.stm).

## **VI. Conclusion**

Over the last six months, Fatah and Hamas have brazenly violated Palestinian Basic law and international human rights standards throughout the West Bank and the Gaza Strip. Since Fatah-Hamas clashing peaked in June and Mahmoud Abbas decreed a State of Emergency in the Palestinian Occupied Territories, Fatah and Hamas security forces have committed grave offences against supporters of the opposing party, their families, and media representatives throughout the Occupied Territories.

The Palestinian Human Rights Monitoring Group recommends that Mahmoud Abbas and his government uphold Palestinian Basic Law and the Palestinian Penal Code and abide by international human rights standards. Fatah must halt the illegal detention, arrest, and torture of Hamas affiliates and their families and restore necessary legal procedures to ensure the proper representation of defendants and just trials. Arrests should be conducted by legitimate law enforcement parties that are authorized by the Attorney General. The PHRMG also calls on Abbas and his government to effectively prosecute individuals for previous breaches in the Palestinian Penal Code.

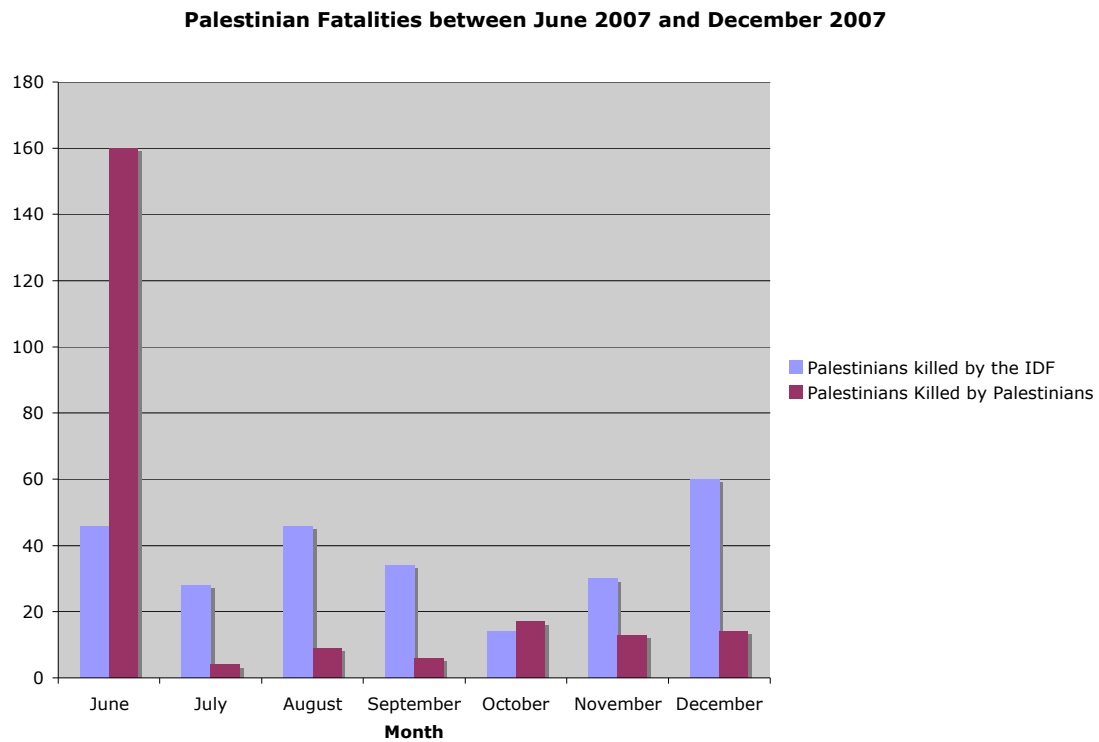
Additionally, the Preventive Security Forces must halt attacks on domestic and international media representatives. The working rights of journalists, photographers, and reporters located in the territories must be universally respected as stipulated in Palestinian Basic Law and international human rights instruments. Finally, Palestinians must be guaranteed the right to assemble as a means of peaceful protest throughout the West Bank.

Furthermore, the PHRMG recommends that the dismissed Palestinian Authority Prime Minister Ismail Haniyeh and his government halt the use of violence against Fatah members and supporters, Christians, and other Palestinian civilians. Hamas will only achieve legitimacy from Fatah and the international community once it reforms its policies to reflect tolerance for minority populations.

Hamas' offences should be brought to justice with the help of an outside arbitrator. The Palestinian Human Rights Monitoring Group calls for the just prosecution of Hamas' war crimes and a move away from the use of gunfire and violence throughout the Gaza Strip by the Hamas Executive Force and Palestinian civilians.

Both Fatah and Hamas have committed numerous violations against members of the opposing party, media representatives, and other civilians. A focus must be directed towards upholding international human rights standards and promoting peace throughout the Palestinian Occupied Territories. The two primary political powers in Palestine must be held accountable for their violations and work with the support of Israeli and international actors to restore order and foster a culture of human rights. The Palestinian people can only begin to work towards a successful, independent state once Hamas and Fatah leadership renew their commitment to human rights.

Month	Palestinians killed by the IDF	Palestinians Killed by Palestinians
June	46	160
July	28	4
August	46	9
September	34	6
October	14	17
November	30	13
December	60	14



\*\*\* Reflective of statistics collected by *PHMRG* and *B'tselem*, the Israeli Information Center for Human Rights in the Occupied Territories.