

The Occupied Palestinian Territories

The situation in the occupied Palestinian territories remained critical in the midst of ongoing violations by both the Israeli occupation authorities and the governments of Fatah and Hamas in the West Bank and Gaza Strip, respectively.

The year 2011 saw some limited progress on the issue of Palestinians held in Israeli detention facilities when Israeli soldier Gilad Shalit was exchanged for nearly 1,000 Palestinian detainees. Israel continued its unjust siege and collective punishment of the captive population of the Gaza Strip for the fifth year in a row and illegally annexed more land in the Palestinian territories for its settlements and the expansion of buffer zones.

The right to life continued to be widely violated given the ongoing siege, Israel's shelling of civilians, and extrajudicial killings of those believed by Israel to be involved in military acts against it or its settlers. Israeli abuses were accompanied by increased attacks on Palestinian journalists and human rights activists in the West Bank and Jerusalem.

The security apparatus of both the Ramallah government in the West Bank and the Hamas authority in the Gaza Strip continued to commit violations against perceived enemies. Thus, Fatah loyalists, among them media and civic institutions and their staffs, remained a target for repression by the Hamas authorities, while Hamas partisans were targets for similar repression in the West Bank. This was reflected in the perilous status of the freedom of expression, freedom of assembly, and freedom of civic action, and the situation of detainees on both sides deteriorated. However, abuses were more frequent in the Gaza Strip as compared to the West Bank. Indeed, incidents of death due to torture were limited last year to the Gaza Strip and

the Hamas security apparatus, and the Hamas judiciary alone issued several arbitrary death sentences.

Although a Fatah-Hamas reconciliation agreement was signed in May 2011, it led to no fundamental changes in the status of human rights in either the West Bank or Gaza Strip, nor did it end factionalism, produce a national unity government, or lead to the reform of the security and justice sectors.

I. Human rights violations by the Israeli occupation authorities

Arbitrary detention and torture

Thousands of Palestinians continued to be arbitrarily detained and imprisoned in Israeli prisons. As of April 2011, Israeli detention facilities held some 6,000 prisoners, among them dozens of Arab prisoners of various nationalities; only 820 prisoners had been convicted and sentenced. The list of detainees includes 37 women and 245 minors, among them 180 administrative detainees.

Many detainees were subjected to torture, medical neglect, solitary confinement, denials of visits and education, and poor living conditions in detention centers.¹ Means of physical and psychological torture include insults, beating, dragging, threats of death and rape, and the arrest of family members, as well as cigarette burns, sleep deprivation, forced standing for long periods, denial of medical treatment, and prohibition of performing religious rites.²

On June 7, the occupation authorities in the Nablus district of the West Bank arrested Ahmed al-Hajj Ali, a member of the Palestinian National Legislative Council, and Mustafa al-Nashar, a Hamas leader.³ In early December, a broad arrest campaign was launched against members of the Popular Front for the Liberation of Palestine and Hamas. The detainees included Ayman Daraghma, an MP with the Change and Reform Bloc (Hamas), bringing the total number of detained MPs up to 24, most of them from Hamas.⁴

¹ Field data. See also, Palestine Behind Bars, "Taqrir shamil bi-munasabat yawm al-asir al-Filistini 17 Abril," Apr. 16, 2011,

<<http://www.palestinebehindbars.org/ferwana13ap2011.htm>>.

² Arabic Network for Human Rights Information, "Isra'il tastakhdim akthar min mi'at wasilat ta'dhib bi-haqq al-usra," June 26, 2011, <<http://www.anhri.net/?p=34211&print=1>>.

³ Felesteen online, "Iqtiham makatib nuwwab Hamas fi Nablus," June 7, 2011, <<http://goo.gl/TaOwm>>.

⁴ Palestinian Center for Human Rights, "IOF Conduct Wave of Arrests against Leaders and Members of Hamas and PFLP in the West Bank," Dec. 7, 2011, <<http://goo.gl/HSnzc>>;

There was some improvement in the sphere of prison affairs last year as a result of the prisoner exchange that saw Israeli soldier Gilad Shalit, held by Hamas, swapped for some 1,000 Palestinian prisoners.⁵

Shelling of civilians and extrajudicial killing

Occupation forces continued to launch missiles and artillery at various areas of the Gaza Strip, causing heavy civilian casualties and damage to property. Extrajudicial killings continued as well in the form of assassinations of those believed by occupation forces to be involved in military actions against Israel. In the first quarter of the year, shelling led to the deaths of 10 people, among them 5 children.⁶ In April, repeated Israeli shelling of residential areas in the Gaza Strip caused 16 deaths, among them a child and two women.⁷

On August 18, Israeli planes fired two missiles targeting a group of leaders of the Popular Resistance Committees in Rafah, killing five of them and one child. On August 24, Ismail Zuhdi al-Asmar, a leader of the Quds Brigades, the military wing of the Islamic Jihad, was killed after an Israeli plane fired a missile at his car in Rafah. A similar strike was launched against Mutazz Bassem Hamdan, also with the Quds Brigades, killing him, his brother, and one of his children.⁸

Continued siege and collective punishment of Gazan population

For the fifth year in a row, the Israeli authorities continued their siege of the Gaza Strip, which constitutes a form of collective punishment levied on the area's 1.6 million residents. Despite claims made by Israel since mid-

Palestinian Center for Human Rights, "PCHR Condemns Detention of PLC Member by IOF," Dec. 15, 2011, <<http://goo.gl/v62yF>>.

⁵ Palestine Behind Bars, "Farwana: 453 asiran min al-mufraj 'anhum fi-l-duf'a al-thaniya hum min al-shabab wa-l-afal," Dec. 20, 2011, <<http://www.palestinebehindbars.org/ferwana20dec2011.htm>>.

⁶ al-Mezan Center for Human Rights, "Taqrir maydani rub' sanawi hawl intihakat huquq al-insan al-Isra'iliya yughatti al-fatra min 1 Yanayir 2011 ila 31 Maris 2011," <www.mezan.org/upload/12002.pdf>.

⁷ al-Mezan Center for Human Rights, "Intihakat quwat al-ihtilal al-Isra'ili li-qawa'id al-qanun al-dawli al-insani fi ta'amuliha ma' al-madaniyin fi qita' Ghazza khilal shahr Abril 2011," <www.mezan.org/upload/12101.pdf>.

⁸ al-Mezan Center for Human Rights, "Intihakat quwat al-ihtilal al-Isra'ili li-qawa'id al-qanun al-dawli al-insani fi ta'amuliha ma' al-madaniyin fi qita' Ghazza khilal shahr Aghustus 2011," <www.mezan.org/upload/12785.pdf>.

2010, no fundamental changes have been made with regards to border crossings, whose closure is controlled by Israel. Despite an increase in imports permitted to enter the Gaza Strip, imports are still largely limited to food and consumer goods, while most basic commodities, raw materials, building materials, and industrial equipment are banned. As a result, the reconstruction of Gaza has stalled, and the humanitarian situation, as well as the population's economic and social rights, continues to decline due to the ongoing siege.

Although the occupation authorities partially opened the Mintar Crossing, the biggest commercial passage to the Gaza Strip, they closed it again in March 2011, making the Karam Bin Salem Crossing, unequipped for commercial goods, the principal crossing for goods.

At the same time, Israel continues its naval siege of the Gaza Strip, denying fishers access to the source of their livelihood. Fishermen at sea face grave dangers including gunfire or death, pursuit, and detention. Last year, one fisherman was killed and 11 others injured, while 24 were detained, in addition to the confiscation and destruction of fishing boats and equipment. Israel continues to expand its buffer zone inside the Gaza Strip, eating up agricultural land and water wells and restricting access to these zones. A total of 77 Palestinians were killed and more than 300 injured from June 2010 to November 2011 as a result of incursions into the buffer zones and the targeting of their residents.⁹

Gazans continued to die in underground tunnels between the Gaza Strip and Egypt, built by the local population to smuggle goods and fuel into the besieged area. In the first nine months of 2011, 17 people died¹⁰; 3 more were killed in October.¹¹

Violations of freedom of opinion and expression

Attacks by Israeli occupation forces on journalists and media crews who were carrying out their professional duties continued, and some were taken into custody or placed in administrative detention.

⁹ Palestinian Center for Human Rights, "Qita' Ghazza: hisar lam yatawaqqaf wa i'mar lam yabda'," Dec. 21, 2011, <http://www.pchrgaza.org/portal/ar/index.php?option=com_content&view=article&id=9290:-q-q-&catid=96:2009-12-29-09-16-15&Itemid=173>.

¹⁰ al-Mezan Center for Human Rights, "17 qatilan khilal al-'amm al-jari wa 'adad al-qatla yartafi' ila 179 qatilan mundh al-'amm 2006," Sep. 25, 2011, <http://www.mezan.org/ar/details.php?id=12602&ddname=tunnel&id2=9&id_dept=9&p=center>.

¹¹ Independent Commission for Human Rights, "al-Taqrir al-shahri hawl al-intihakat al-waqi'a 'ala huquq al-insan wa-l-hurriyat fi manatiq al-sulta al-wataniya al-Filistiniya," Oct. 2011, <<http://goo.gl/J4AYh>>.

On February 4, 2011, occupation forces fired percussion grenades and tear gas directly at six journalists and correspondents who were covering the occupation forces' crackdown on groups of Palestinian youths in the Bab al-Amoud area of Jerusalem, injuring a photographer with the Japanese News Agency with burns.¹²

On February 25, occupation forces targeted journalists in Hebron, injuring photographers with AFP and German Television, one of them with a rubber bullet.¹³ At the same time, the occupation authorities arrested al-Jazeera correspondent Mahmoud al-Jaabari while he was covering a solidarity march for martyrs' families in Hebron. Al-Jaabari was assaulted and cursed and detained until March 3.¹⁴

On April 21, researcher and writer Ahmed Qatamesh was arrested.¹⁵ The next month, journalist Walid Khaled, the editor-in-chief of Gaza-based *Filistin* was also arrested.¹⁶ On May 15, photojournalist Mohammed Othman was seriously injured after a Palestinian march in commemoration of the *nakba*, the dispossession of 1948.¹⁷ In July, Nawaf al-Amer, the program director for the Quds satellite channels, was sentenced to five months in prison after being placed in administrative detention on June 28.¹⁸ On August 21, Amer Abu Arafa, a correspondent for the Shihab news agency in Hebron, was detained for six months, while Asyad Amarna, a photographer for al-Aqsa satellite channel was detained for one week.¹⁹

In November, the occupation authorities in Ramallah arrested Raed Sherif, the announcer for Radio Marah, while announcer Isra Salhab, who presents a program on Palestinian prisoners on al-Quds satellite channel, was

¹² Arabic Network for Human Rights Information, "Intihakat al-hurriyat al-i'lamiya fi-l-aradi al-Filistiniya khilal shahr kanun al-thani 2011," Feb. 7, 2011, <<http://www.anhri.net/?p=23617>>.

¹³ Mada Center, "Various Violations against Journalists in OPT during February 2011," Mar. 10, 2011, <http://www.madacenter.org/report.php?lang=1&id=867&category_id=13&year=>>.

¹⁴ Ibid.

¹⁵ Amnesty International, "Palestinian Facing Indefinite Detention," May 6, 2011, <<http://www.amnesty.org/en/library/asset/MDE15/024/2011/en/86c03f49-18ac-4845-a6a0-56518d294e16/mde150242011en.html>>.

¹⁶ Mada Center, "Violations of Media Freedoms in OPT during May 2011," <http://www.madacenter.org/report.php?lang=1&id=870&category_id=13&year=>>; Arabic Network for Human Rights Information, "I'tiqalat jadida bi-haqq sahafiyin Filistiniyin fi Isra'il," Nov. 23, 2011, <<http://www.anhri.net/?p=43678>>.

¹⁷ Mada Center, "Violations of Media Freedoms in OPT during May 2011."

¹⁸ SKEYES, "al-Sultat al-Isra'iliya tahkum 'ala-l-i'lami Nawaf al-'Amir bi-l-sajn al-idari khamsat ashhur," July 8, 2011, <<http://skeyes.wordpress.com/2011/07/08/6546546546546546546/>>.

¹⁹ Arabic Network for Human Rights Information, "Mada: intikasa jadida li-hurriyat al-i'lam khilal al-shahr al-madi," Sep. 11, 2011, <<http://www.anhri.net/?p=39072>>.

detained after being questioned without the presence of a lawyer and without being presented with the reasons behind her arrest.²⁰

Pressures on human rights defenders

On June 28, the occupation authorities arrested Fouad al-Khafsh, the director of the Ahrar Center for Prisoner Studies in Nablus, after storming his home; he was taken to an undisclosed location. Al-Khafsh is also a member of Karama for the Right to Travel and Movement and is among those forbidden from travel by order of the occupation authorities.²¹

The Magistrate's Court in Kfar Saba in Jerusalem ruled to extend the detention of 8 activists with the Freedoms Foundation and other organizations and to "release" 7 more activists and instead place them under house arrest, on charges of chanting slogans in a demonstration of November 20 calling for the abduction of Israeli soldiers in order to exchange them for Palestinian prisoners. The ruling was issued even though the police were unable to provide video footage proving their allegations.²²

Shawan Jabarin, the director of the Palestinian foundation "al-Haq" in Ramallah, remains under a travel ban which has been in effect since 2006. He was denied permission to leave the West Bank to attend a ceremony in his honor after he was awarded an international prize from a Danish institution for his defense of human rights. He was also unable to participate in the EU human rights forum or attend a Human Rights Watch advisory committee meeting in New York.²³

II. Violations by parties to the Palestinian National Authority

Arbitrary detention and torture

Arbitrary arrests and the torture and ill treatment of detainees by security services in the West Bank and Gaza Strip continued, despite the

²⁰ Arabic Network for Human Rights Information, "I'tiqalat jadida bi-haqq sahafiyin Filistiniyin fi Isra'il."

²¹ SKEYES, "al-Quwat al-Isra'iliya ta'taqil mudir markaz ahrar li-dirasat al-asra," June 1, 2011, <<http://skeyes.wordpress.com/2011/07/01/6546546546545/>>.

²² SKEYES, "Mahkamat al-sulh al-Isra'iliya tumaddid i'tiqal thamaniyat nashitin huquqiyin," Oct. 28, 2011, <<http://skeyes.wordpress.com/2011/10/28/64987987987987987987987987987465465/>>.

²³ Human Rights Watch, "Israel: Lift Travel Ban on Human Rights Defender," Nov. 29, 2011, <<http://www.hrw.org/news/2011/11/29/israel-lift-travel-ban-human-rights-defender>>.

reconciliation agreement concluded in May 2011, which required the governments of both areas to release all political detainees.²⁴

Forms of physical and psychological torture in detention centers in the West Bank and Gaza Strip include severe beatings on all parts of the body, blindfolding, beatings while suspended, cigarette burns, forced shaving, solitary confinement, threats of rape or murder, and forced standing for long periods in the cold or sun. In the Gaza Strip, there were reports of deaths likely due to torture,²⁵ including:

- Adel Saleh Rizq, who died a few days after being detained in April 2011 by the Internal Security Agency.
- Hassan Mohammed al-Hamidi, who died in the Gaza Shifa Hospital one week after his arrest by members of the police on charges of drug trafficking.
- Ibrahim Akram al-Araj, who died only two days after his arrest by counternarcotics police on June 23.²⁶

Many people who were arrested for participating in peaceful protests calling for the end of the division between the West Bank and the Gaza Strip were beaten, cursed, and insulted during arrest and forced to sign a pledge to obey the law and inform the Gazan Interior Ministry before taking part in peaceful assemblies.²⁷ The pressures on activists in the popular movement against factionalism in Gaza did not stop even after the reconciliation; they were again summoned and questioned, beaten and threatened, and accused of receiving funds from Fatah to bring down the Gazan government. Those who were repeatedly subjected to these measures include activists Asaad al-Saftawi and Samer Abu Rahma, journalist Majed Abu Salama, and several Fatah members, among them Dr. Fayez Abu Eita.²⁸

²⁴ International Crisis Group, "Palestinian Reconciliation: Plus Ça Change...", July 20, 2011, <<http://www.crisisgroup.org/en/regions/middle-east-north-africa/israel-palestine/110-palestinian-reconciliation-plus-ca-change.aspx>>.

²⁵ Palestinian Center for Human Rights, "Taqrir hawl mumarasat al-ta'dhib fi sujun wa marakiz al-tawqif al-tabi'a li-l-sulta al-Filistiniya," Oct. 4, 2011, <<http://www.pchrgaza.org/files/2011/pchr-report-5-10-2011.pdf>>.

²⁶ Ibid.

²⁷ Ibid.

²⁸ SKEYES, "al-Ajhiza al-amniya fi Ghazza tastada'i sahafiyin wa nashitin min shabab 15 Maris wa tahtajizuhum wa tadribuhum," June 27, 2011, <<http://skeyes.wordpress.com/2011/06/27/654654654654564/>>; SKEYES, " Hamas tahtajiz al-mutahaddith bi-ism Fath fi Ghazza Fayiz Abu 'Ita," June 16, 2011, <<http://skeyes.wordpress.com/2011/06/16/454545454545454/>>.

Violations of freedom of expression

Freedom of expression continued to be eroded, and the reconciliation between Fatah and Hamas brought with it no marked improvement. The West Bank government continued to ban the distribution of *Filistin* and *al-Risala*, both issued in the Gaza Strip, while the Hamas government in Gaza banned the entry and distribution of three daily newspapers issued in the West Bank, *al-Quds*, *al-Hayah al-Jadida*, and *al-Ayyam*.²⁹

Last year in the Gaza Strip, various violations of freedom of expression were documented, including the confiscation of literary works and widespread attacks on journalists who were performing their professional duties. Other journalists had their right to expression attacked due to their opinions or political affiliations.

In January 2011, General Investigations Police in Gaza confiscated copies of two novels, *A Banquet for Seaweed*, by Syrian writer Haidar Haidar, and *Chicago*, by Egyptian novelist Alaa al-Aswani, on the grounds that the books violated Islamic law.³⁰ On February 17, Sameh Dib Ramadan, a journalist and radio presenter on Voice of the People appeared for questioning before the Internal Security Agency in Khan Younis because of opinions expressed on social media websites and his radio program. Several journalists and correspondents were harassed and beaten and their equipment confiscated by security personnel and persons wearing civilian clothes and armed with batons and clubs while they were covering activities of the March 15 peaceful popular movement calling for the end of Palestinian factionalism. Four days later, security authorities raided the offices of French and Japanese Television, the local al-Manabir Radio, and several media production offices, looking for photojournalists, photography equipment, and videotapes. During a raid on the Reuters office, several televisions and computers were smashed.³¹ On March 30, foreign journalists and correspondents were assaulted by police while covering the crackdown on a peaceful march to commemorate Land Day; Gazan authorities had warned media outlets prior to the day not to cover any unlicensed marches or assemblies. The Hamas government in September denied entry to Gaza to

²⁹ Palestinian Center for Human Rights, "al-Haqq fi hurriyat al-ra'i wa-l-ta'bir wa-l-haqq fi-l-tajammu' al-silmi fi zill al-sulta al-wataniya al-Filistiniya," Dec. 11, 2011, <<http://www.pchrgaza.org/files/2011/freedom-2011.pdf>>.

³⁰ Independent Commission for Human Rights, "al-Taqrir al-shahri hawl al-intihakak al-waqi'a 'ala huquq al-insan wa-l-hurriyat fi manatiq al-sulta al-wataniya al-Filistiniya," January 2011, <<http://ichr.ps/pdfs/HRV12011.pdf>>.

³¹ Palestinian Center for Human Rights, "al-Haqq fi hurriyat al-ra'i wa-l-ta'bir wa-l-haqq fi-l-tajammu' al-silmi fi zill al-sulta al-wataniya al-Filistiniya."

BBC correspondent John Donnison, after first asking him to sign a form pledging not to disparage Hamas as a prerequisite to entry.³²

On April 25, Hamas police arrested journalist Youssef Abd al-Rahim and his trainee colleague Omar Kheiri al-Balaawi while they were shooting footage in Deir al-Balah; they were both questioned by the Internal Security Agency before being released late the same day. On May 19 journalist Salama Salah Atallah, a correspondent for France 24, was questioned by the same agency because of material broadcast by his station.³³ In August, several blogger activists and unity activists were summoned and questioned, including Ebaa Rezeq al-Barai, Mohammed Kamal Matar, and Asaad Alaa al-Saftawi, after they took part in international conferences and seminars for bloggers. Al-Saftawi was detained for 48 hours, while the others had their computers and mobile phones confiscated.³⁴ On August 16, journalist Fathi Mahmoud Tabil with the Palestinian news agency “Wafa” was detained while covering a protest against massacres in Syria; he was released the evening of the same day after being forced to sign a pledge not to take part in unlicensed activities.³⁵

On November 23, the Hamas security apparatus arrested blogger and activist Mahmoud al-Barbar after he advocated the formation of a youth shadow government to respond to the aspirations of the Palestinian street. Other bloggers, including Asaad al-Saftawi, Bashar Bin Ali, and Mohammed al-Sheikh Youssef, were also questioned.³⁶

In the last week of November, journalist Salah Abu Salah, Aswar Press correspondent Ziad Awad, and Hani al-Agha, editor-in-chief of the Nahar news agency, were detained, and Manal Khamis, a journalist at both *Sawt al-Nisa* and *al-Ayyam al-Thaqafiya*, was questioned. Some reports explained these measures by suggesting that Hamas believed the journalists to be Fatah loyalists in contact with the Ramallah government’s intelligence.³⁷

³² SKEYES, “Hamas tamna’ murasil al-Bi Bi Si min al-dukhul ila Ghazza wa tujbir akharin ‘ala tawqi’ ta’ahhudat bi-‘adam al-isa’a ilayha,” Sep. 30, 2011, <<http://skeyes.wordpress.com/2011/09/30/65456456465-2/>>.

³³ Ibid.

³⁴ Ibid; Human Rights Watch, “Gaza: Stop Harassing Activists,” Aug. 22, 2011, <<http://www.hrw.org/news/2011/08/22/gaza-stop-harassing-activists>>; SKEYES, “Taqrir ‘Skyz’ ‘an intihak al-hurriyat al-i’lamiya wa-l-thaqafiya fi shahr Aghustus 2011,” Sep. 8, 2011, <<http://goo.gl/I53jR>>.

³⁵ Palestinian Center for Human Rights, “al-Haqq fi hurriyat al-ra’i wa-l-ta’bir wa-l-haqq fi-l-tajammu’ al-silmi fi zill al-sulta al-wataniya al-Filistiniya.”

³⁶ SKEYES, “Amn Hamas ya’taqil al-mudawwin wa-l-nashit Mahmud al-Barbar fi Ghazza,” Nov. 28, 2011, <<http://skeyes.wordpress.com/2011/11/28/87984984984987979/>>.

³⁷ SKEYES, “Amn Hamas ya’taqil sahafiyin bi-tuhmat al-ta’amul ma’ harakat Fath,” Dec. 1, 2011, <<http://www.skeyesmedia.org/ar/News/Palestine/246>>.

In the West Bank, the Preventive Security Agency in Qalqaliya on January 16, 2011, detained writer Essam Shower and questioned him about articles published in *Filistin*, which is banned from publication and distribution in the West Bank. The Public Prosecution later charged him with undermining national unity and destabilizing the nation. Shower was provisionally detained for nearly a month before being released on bail on February 13.³⁸

On February 7, Preventive Security arrested Mamdouh Hamamra, a correspondent with the Quds satellite channel, which broadcasts out of the Gaza Strip; he was questioned about his work and advised to search for a job with another employer. Before his release, he was forced to sign a form pledging not to undermine the public order and to stop working for a channel that is illegal in the West Bank.³⁹

Two brothers of journalist Magdalene Reda Hassouna were detained for three days by Preventive Security in August to pressure Hassouna, who works as a correspondent for *Sawt al-Shabab* and the online Akhbariyat, after she had refused to respond to a summons from Preventive Security in Nablus. According to her, she had received several telephone threats from persons claiming to work for the security apparatus after she published a story about a sit-in by the families of political prisoners in Nablus and several investigative pieces about medical malpractice at Palestinian hospitals.⁴⁰

Security personnel prevented journalist Ibtihal Jamal Mansour, who works with the Middle East Media Observation Center and is the media coordinator for Hamas MPs of the Change and Reform Bloc in Nablus, from covering a peaceful assembly by the families of political prisoners on June 13. Policewomen asked her to turn over her camera, and when she refused, they physically assaulted her.⁴¹

Suppression of peaceful assemblies and protests

³⁸ Palestinian Center for Human Rights, “al-Haqq fi hurriyat al-ra’i wa-l-ta’bir wa-l-haqq fi-l-tajammu’ al-silmi fi zill al-sulta al-wataniya al-Filistiniya”; SKEYES, “Taqrir ‘Skyz’ hawl intihak al-hurriyat al-i’lamiya wa-l-thaqafiya fi shahr Fabrayir 2011,” Mar. 9, 2011, <<https://skeyes.wordpress.com/2011/03/09/256696/>>.

³⁹ Palestinian Center for Human Rights, “al-Haqq fi hurriyat al-ra’i wa-l-ta’bir wa-l-haqq fi-l-tajammu’ al-silmi fi zill al-sulta al-wataniya al-Filistiniya; Mada Center, “Various Violations against Journalists in OPT during February 2011.”

⁴⁰ Palestinian Center for Human Rights, “al-Haqq fi hurriyat al-ra’i wa-l-ta’bir wa-l-haqq fi-l-tajammu’ al-silmi fi zill al-sulta al-wataniya al-Filistiniya.”

⁴¹ Ibid.

Both the Ramallah and Gaza governments continued to exert pressure on public assemblies, imposing strict, extralegal conditions on assemblies. Whereas the law merely requires that the official bodies be notified in advance of such gatherings, both governments required an official permit for any public meetings or activities.

To prevent Fatah members from organizing celebrations in early January 2011 to commemorate the 46th anniversary of the movement's founding, the security apparatus in the Gaza Strip summoned Fatah cadres from all over the Strip to question and detain them, subjecting some to brutal beatings and degrading treatment.

On February 11, Hamas security forces suppressed a protest demanding the end of Palestinian factionalism, detaining dozens of Fatah members in Rafah, Khan Younis, and Deir al-Balah. On the day set for the demonstration, Hamas loyalists clashed with demonstrators in Khan Younis. Police intervened to break up the demonstration, arresting numerous protestors who were then questioned about the demonstration; they were released the following day.⁴²

Following a call issued by several youth groups for demonstrations on March 15 to demand that the Ramallah and Gaza governments end the political polarization in Palestine, the Gaza Strip saw increasing measures taken against youth activists starting in mid-February, with many summoned, questioned, and detained. Some were forced to sign statements pledging to obey the law before their release.⁴³ On March 15, numerous persons in civilian clothes carrying batons and clubs were deployed on the streets of Gaza and demolished the tents set up by demonstrators for the planned sit-in. Police cooperated with these people to pursue and arrest demonstrators and attack demonstrators and journalists. The same practices were seen the following day during a sit-in organized by hundreds of students on the Azhar University campus; the campus was stormed and the occupying students assaulted. On the same day, a number of people armed with clubs and batons, in cooperation with police personnel, stormed the campus of al-Quds University, brutally beating students. The next few days saw similar violent clashes at several assemblies demanding an end to factionalism.⁴⁴ These repressive practices accompanied by arrests of

⁴² Ibid.

⁴³ Ibid; al-Haq, "Bayan sahabi sadir 'an mu'assasat al-haqq bi-sha'n al-i'tida' 'ala-l-tajammu'at wa-l-masirat al-silmiya fi qita' Ghazza," Mar. 16, 2011, <<http://www.alhaq.org/atemplate.php?id=141>>.

⁴⁴ Palestinian Center for Human Rights, "al-Haqq fi hurriyat al-ra'i wa-l-ta'bir wa-l-haqq fi-l-tajammu' al-silmi fi zill al-sulta al-wataniya al-Filistiniya."

demonstrators were again repeated during the march to commemorate Land Day on March 30.⁴⁵

A spontaneous assembly on April 27 to celebrate Palestinian reconciliation was also suppressed, as police attacked participants in Unknown Soldier Square in western Gaza, arresting five people who were taken to General Investigations headquarters before being released.⁴⁶

A sit-in held in solidarity with the popular uprising in Egypt was broken up by Hamas police on January 31, 2011, and eight participants were referred to interrogation before being released the same day. They were forced to sign statements pledging not to participate in any further unlicensed demonstrations. On August 16, the Hamas security apparatus arrested several people who took part in a protest to show solidarity with the Syrian people.

On May 31, after the conclusion of the Palestinian reconciliation agreement, Hamas police prevented a conference organized by the March 15 youth coalition calling for reconciliation. Police surrounded the site of the conference and dispersed those assembled using batons and clubs. They arrested five young people who were later released.⁴⁷

The West Bank saw similar violations of the freedom of peaceful assembly on various occasions. The security apparatus prevented a meeting to show solidarity with the popular revolution in Egypt in Ramallah on February 2, 2011, detaining some of the organizers for not obtaining a permit. They also attacked those taking part in a similar solidarity assembly on February 5. On February 17, school students were beaten after taking part in a peaceful march in Ramallah in show of solidarity with the Egyptian uprising.

On May 15, the anniversary of the *nakba*, security forces intervened to prohibit a peaceful march in Hebron, attacking participants with clubs. On June 13, police dispersed a sit-in by detainees' families attended also by several members of the Palestinian legislature from the Hamas Change and Reform bloc. The security apparatus used force to prevent marches called for in early July by the Islamic Liberation Party to commemorate the 90th anniversary of the collapse of the caliphate. Dozens of party loyalists were beaten and detained in Hebron, Tulkarm, Nablus, and Ramallah.⁴⁸

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Palestinian Center for Human Rights, "PCHR Condemns Dispersal of Hizb ut Tahrir's Demonstrations in the West Bank," July 3, 2011, <<http://goo.gl/DrkWw>>.

Pressures on civil society organizations and human rights defenders

The authorities in Gaza imposed further restrictions on the work of civic associations. In August, it was revealed that a decree had been issued by the Cabinet in Gaza introducing changes to the implementing regulations of the law on charitable and civic associations, although they were not published in the Official Gazette. The amendments require all branches of associations and local bodies to supply the competent ministry with any documents, papers, or forms upon request. They also give the ministry the authority to monitor the activities of associations to ensure that their funds are spent on the purposes for which they are allotted. The changes made branches of foreign bodies and associations registered in the Palestinian territories subject to all the provisions to which local associations are subject under the law.

On August 2, the Gaza government issued a decree banning charitable and non-profit institutions from carrying out any donor-funded project without first obtaining the consent of the Interior Ministry, National Security, and the competent bodies, a measure that constitutes a fundamental violation of the associations law itself. The Gaza Interior Ministry's General Directorate for Public Affairs and NGOs also issued directives regarding travel for participation in NGO programs and activities in the West Bank or other countries. The directives require two-weeks advance notification to the directorate before such travel, stating the purpose of travel, participants' information, and the hosting body. The measure lacks any legal basis in the NGO law.⁴⁹

The Palestinian Center for Human Rights was subjected to a smear campaign supported by the Ministry of Prisoners and the Ezz al-Din al-Qassam Brigades, after it signed a joint statement on June 24 urging that Israeli soldier Gilad Shalit, detained by Hamas, be treated as a prisoner of war under international law.⁵⁰

Over the year, the Hamas government in Gaza shuttered and dissolved several associations, among them the Palestinian Boy Scouts and Girl Scouts, which received a closure order from the internal security apparatus in February 2011. While security claimed that the groups had not received a

⁴⁹ Palestinian Center for Human Rights, "Taqrir hawl al-intihakat al-Filistiniya li-l-haqq fi takwin al-jam'iyat fi-l-sulta al-Filistiniya," Nov. 2011, <http://www.pchrgaza.org/files/REPORTS/arabic/pdf_spi/ngo2.pdf>.

⁵⁰ Ibid.

license, in fact they had received a permit before the split in the PA between the West Bank and Gaza Strip, based on which they founded five chapters in the Gaza Strip.⁵¹ On April 1, internal Security in Gaza also shut down the office of al-Baqiyat al-Salihah Association in the northern Gaza Strip, one day after the group published a report on factionalism in Gaza.⁵² In July, the Interior Minister of the Gaza government issued an order dissolving the Participate Forum, a charitable youth group, on the grounds that its branch in Gaza was unlicensed. Yet, the association had been registered with the PA Interior Ministry since 2004, with its main headquarters in Jerusalem. The license allows it to open branch offices in the Palestinian territories without the need to register anew.⁵³

On April 30, the security apparatus in Gaza summoned lawyer Karem Mahmoud Nashwan, the director of the Center for Democracy and Workers Rights, for questioning, along with several employees of the center and labor rights activists, prior to marches scheduled the next day to mark Labor Day.⁵⁴ Gaza police also banned a conference on interactive media organized by the Amin Media Network, along with a conference on women's rights organized by the Palestinian Center for Independence of the Bar and Judiciary (Musawa).⁵⁵

In the West Bank, restrictions on civil society organizations continued on the basis of the arbitrary guidelines adopted after the Fatah-Hamas conflict erupted in 2007, under which the Interior Ministry reviews all licenses granted to associations and foundations. Although the year 2011 saw the conclusion of a Fatah-Hamas reconciliation agreement, it was not reflected in the status of NGOs, as dissolution orders for 103 associations—most of them pro-Hamas—remained in effect. Similarly, the draconian restrictions on the registration of Hamas NGOs continued, either on the grounds of security considerations or based on the claim that the law does not permit the establishment of political or religious civic associations. The Ramallah government refused to implement rulings issued by the Supreme Court

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Palestinian Center for Human Rights, "PCHR Condemns Continued Restrictions Imposed on the Right to Peaceful Assembly by the Palestinian Government in Gaza; Peaceful Assembly of Workers on International Workers' Day Banned," May 2, 2011, <<http://goo.gl/ZdcX9>>.

⁵⁵ Palestinian Center for Human Rights, "Taqrir hawl al-intihakat al-Filistiniya li-l-haqq fi takwin al-jam'iyat fi-l-sulta al-Filistiniya."

overturning arbitrary restrictions by the Interior Ministry imposed on some civic associations.⁵⁶

Hamas and arbitrary execution

The Hamas government continued to employ the PLO's Revolutionary Penal Code to refer civilians to permanent military courts in the Gaza Strip on charges punishable by the death penalty, despite the fact that the law faces constitutional challenges since it was never brought before the legislature. The Hamas government also continued to carry out death sentences, although this constitutes a violation of basic Palestinian law, which requires the approval of the president of the PA for all death sentences.

In 2011, military courts sentenced six people to death following their conviction on charges of treason, espionage, or terrorism. Four people were executed who had been previously convicted on similar charges.⁵⁷

⁵⁶ al-Mezan Center for Human Rights, "Police Obstructs Meeting of the Ameen Media Network and Disperses Meeting of MUSAWA; al Mezan Calls for the Respect of Law," Dec. 5, 2011, <http://www.mezan.org/en/details.php?id=13064&ddname=peaceful%20assembly&id_dept=9&id2=9&p=center>.

⁵⁷ For further details on the death sentences issued and executed in 2011, see, Independent Commission for Human Rights, "Monthly Report on Violations of Human Rights and Public Freedoms in the Palestinian-controlled Territory," Mar. 2011, <[ichr.ps/pdfs/marhrvhr.pdf](http://www.ichr.ps/pdfs/marhrvhr.pdf)>; Independent Commission for Human Rights, "Monthly Report on Violations of Human Rights and Public Freedoms in the Palestinian-controlled Territory," May 2011, <www.ichr.ps/attachment/99/ICHR%20%20monthly%20report-%20%20May%202011.pdf?g_download=1>; Independent Commission for Human Rights, "Monthly Report on Violations of Human Rights and Public Freedoms in the Palestinian-controlled Territory," Apr. 2011, <[ichr.ps/pdfs/ICHR%20monthly%20report%20-%20april%202011%20-%20eng.pdf](http://www.ichr.ps/pdfs/ICHR%20monthly%20report%20-%20april%202011%20-%20eng.pdf)>; Palestinian Center for Human Rights, "PCHR Condemns Implementation of Death Penalty against Palestinian in Gaza," May 4, 2011, <<http://goo.gl/mpKiK>>; Independent Commission for Human Rights, "Monthly Report on Violations of Human Rights and Public Freedoms in the Palestinian-controlled Territory," July 2011, <www.ichr.ps/attachment/100/ICHR%20JULY%202011.pdf?g_download=1>; Palestinian Center for Human Rights, "Military Court in Gaza Issues Three New Death Sentences," Oct. 13, 2011, <<http://goo.gl/bCmuc>>.

