



Euro-Mediterranean
Human Rights Monitor

Strangulation Twice

Oppressive Practices of Palestinian Security Services

April 2016





Introduction

Since the internal division of 2007, the Occupied Palestinian Territories have been governed by the security forces of Fatah in the West Bank and Hamas in the Gaza Strip. This report, which covers the year 2015, reveals both forces have been guilty of violating civil liberties of our own citizens—including summons orders and arbitrary detentions based only on the targets' political affiliations, peaceful participation in protests and dissenting opinions. Individuals belonging to either Hamas or Fatah who publicly expressed opposition to the other party were targeted, sharpening the political division and eroding the social fabric.

Statistically, violations by Fatah's Palestinian Authority in the West Bank by far exceeded those committed by Hamas in the Gaza Strip both in 2015 and in previous years. Nonetheless, arbitrary arrests and orders to appear (summons orders) have been committed by both parties in both areas, along with related crimes such as assaults on and—in some instances—torture of peaceful protestors, organizers and journalists.

Documented in this report are 1,274 arbitrary detentions and 1,089 summons orders in the West Bank, and 117 and 98 respectively in the Gaza Strip. Incidents of torture, including physical and verbal assault, as well as humiliating treatment, were committed by both parties.

It is reprehensible that each ruling party rejects and often punishes every critique of its behavior. Shockingly, criticism is labelled as exacerbating the Palestinian division, but the violations themselves are not considered to be destructive.

Palestinians long have endured suffocation by the Israeli occupation. These acts by their own governments is in effect “double suffocation”—strangulation from all sides, including by parties that should be their champions. We call on those Palestinians in positions of power to bring to an immediate and absolute end the repression and violations of human rights.

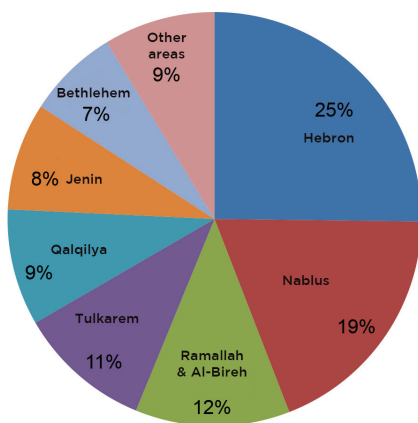
Palestine now is a member of several human rights conventions, most prominent of which is the International Covenant on Civil and Political Rights. And yet we document in this report numerous violations of their mandates. Our goal going forward is to keep the UN special rapporteurs updated on these violations, so they may work with us and others to ensure they do not recur, that perpetrators are held accountable and that justice is delivered.

West Bank Violations by PA Security Forces

Detentions and summons, specifically of political opponents, have been practiced by the PA security forces in the West Bank at an annual rate exceeding 1,000 case since 2007. Two forces carry them out: the Interior Ministry's preventive security forces, headed by General Ziad Hab Al-Reeh, and the General Intelligence, which is directly linked to the president's office and is headed by General Majid Faraj.

Detentions

Geographic Distribution of detentions across the West Bank



Detentions and summons orders primarily targeted members of Fatah's political rival, Hamas. Among the latter are those affiliated with the Islamic Bloc, which represents Hamas on university campuses. Members of other Palestinian factions as well as independent activists also were targeted.

Most detentions (321) were reported in Hebron in the southern West Bank. Nablus, in the north, followed, with 241 detentions. Trailing behind were Ramallah and Al-Bireh, 154; Tulkarem, 133; Qalqilya, 116; Jenin, 107; and Bethlehem, 91. Other detentions took place in Jerusalem, Jericho, Tubas and Salfit.

Typically, detentions lasted anywhere from 24 hours to many days. In about a quarter of the cases (27 percent), detainees were held for more than a month.

The Preventive Security Forces, ironically charged with citizen protection, were most frequently responsible for detentions, totaling 712 in the West Bank last year. The General (external) Intelligence apparatus was responsible for another 494 arbitrary detentions, and internal intelligence for three. For 65 cases, we could not identify the responsible party.

The highest number of detentions (382) occurred in the two-month period of July and August of 2015. Following was May, during which 128 individuals were detained, including members of the Islamic Jihad and Hizb ut Tahrir factions. University students also were targeted—especially those attending Birzeit University in northern Ramallah—when the the Hamas-affiliated Islamic Bloc won the student council election in late April. Other victims included journalists, human rights activists and academics.

Table 1: Categories of Detainees in West Bank during 2015

Month	All Detainees	Journalists & Human Rights Activists	University Students	Teachers and Academics	Others
January	76	1	24	5	46
February	91	3	24	3	61
March	111	3	35	7	66
April	85	-	31	2	52
May	128	6	65	13	44
June	85	2	22	9	52
July	235	5	97	12	121
August	147	7	49	4	87
September	51	-	21	-	30
October	91	3	33	6	49
November	67	2	36	2	27
December	107	3	39	4	61
Total	1,274	35	476	67	696

Summons Orders

When summons orders are issued, the individuals are instructed to go to the security headquarters at a specific time without any further information.

During 2015, the number of summons orders issued by the PA due to targets' political opinions was 1,089. The highest number, 401, occurred during July and August. May followed with 124.

Table 2: Summons Orders in 2015¹

Month	Summons Orders
January	32
February	24
March	96
April	31
May	124
June	93
July	214
August	187
September	79
October	103
November	51
December	55
Total	1,089

Summoned individuals are interrogated about their activities, including peaceful protests in which they participated or plan to organize. Frequently, they are ordered not to continue their political or social activism. For example, Fadel Jibarin, from Yatta village, was summoned in June and forced to resign from his job at a local orphan's society. Sometimes summons orders are issued repeatedly. After individuals wait for long hours in extremely hot or cold conditions, they may be told to leave and come back later.

Targeted Journalists

Muntasser Billah Mohammed Nassar, who was working for Alam Radio at Hebron University, was one of the summoned journalists. He said that on 20 January, 2015, he was ordered to appear by Preventive Security in Hebron and warned not to criticize the Palestinian president and security authorities. According to Nassar, they deliberately held him for a long time in the waiting room before he was led in for the interview. The interviewer asked him for his email address and Facebook password, so that his comments related to the Palestinian Authority could be investigated. At the end of the “interview,” he was warned not to write anything against the president or the authority.

In some cases, the interrogations end with detentions. One example is **Osaid El-Amarnah**, the cameraman for Al-Aqsa TV in Bethlehem, which is affiliated with the Hamas movement. He received a call from Preventive Security, ordering him to come to an interview on 14 February about his broadcast reports. He was detained and transferred to the public prosecutor, who charged him with sectarian agitation.



El-Amarnah reported spending long hours in extremely hot or cold conditions, and his detention was extended two times until he was released after a month.

Retaliation for Facebook Posts

In 2015, 37 detentions and 24 summons orders were issued in response to specific Facebook posts, comments or likes that were seen as critical of the Palestinian Authority, particularly its relations with Israel.

In a local survey, this question was asked: “Do you take into consideration when posting on social media that security forces are watching you?” The number of people saying “yes” increased from 52 percent in 2014 to 66 percent in 2015.

Facebook-related arbitrary detentions in 2015

Amer Abu Arafa, a journalist from Hebron, was detained on 17 August by the Preventive Security Service due to an old post on Facebook criticizing a local news agency's reference to "the Palestinian cabinet." It's worth noting that the word "cabinet" usually is used to describe Israeli leaders' meetings. When he was charged with sectarian agitation, Abu Arafa began a hunger strike. He was released four days later on bail.



Khalil Afana, an employee of the Ministry of Awqaf and Religious Affairs in Abu Dis (East Jerusalem), was detained by the Palestinian General Intelligence Service on 25 April. He had commented on his niece's Facebook post, saying former president Arafat "was not a martyr." According to the Palestinian Authority, Afana's detention was due to his attack on "the immortal leader and symbol of Palestinians, Abu Ammar."

Hisham Kamel Khaled Abu Shaqra, journalist and photographer from Bethlehem, was detained by Preventive Security on 16 Mach. He was accused of several transgressions, including "inciting sectarian strife" and "incitement against the authority" through his Facebook posts. In addition, the forces confiscated his camera and personal computer. Abu Shaqra was released two weeks later on bail (about US \$1,400).





Baraa' El-Qadi, Palestinian activist, was charged with “insulting a public official” by the Palestinian General Intelligence Service after he was summoned on 26 January. He was detained due to a post on Facebook criticizing Jibril Rajoub, president of the Palestinian Football Association and a Palestinian Authority official. In his post, he called for the dismissal of Rajoub in a mocking manner. El-Qadi was released after spending four days in jail. El-Qadi had been previously detained for 10 days by the Palestinian Authority on 14 September, 2014, due to one of his news features. He was charged with “disparaging the public authority” and released on bail (US \$7,000).

Violations start from the moment of arrest

Detention usually occurs at the home, workplace or public place. For example, on 26 March, **Mu'ayad El-Teet** and his wife Maisoun were beaten while members of Preventive Security seized him from his home in the town of Bayt Amr, north Hebron. They were transferred to the hospital.



In April, a group of veiled people attacked **Baraa' El-Qadi**, a media student at Berziet University; he was taken away in an unknown car. His sister Tasneem tried to stop them, but they beat her as well. El-Qadi said that in the two weeks before this incident, he received a lot of threats on his Facebook page and in phone calls, all due to a post criticizing President Mahmoud Abbas. He said he informed the security services about these threats and assaults, but no serious investigation was undertaken.



In October, **Samer Abed** was assaulted and tortured when he was accused of “libelling the authority.” On 2 October in Tulkarm, he and several participants in a demonstration were assaulted by members of the police and the Preventive Security Service. They were tortured because they raised the green flag of the Hamas movement. Also detained were Ekrema Ra'ed Qozah, 17, and Yahia Qarout.

Confiscation of Private Property

In addition to assaulting the people they detain, security forces often confiscate victims' private property, especially computers and mobile phones. In most cases, it takes a long time to recover these items, perhaps several months. In some cases, they never are returned.

In February of 2015, eight computers and other devices were confiscated from Abed Salem Hajjaj, Naji Hajjaj, Badia'a Brigia, Mostafa Ouda, Adel Hajjaj, Khabbab El-Hamad, Basel Abu Sulaiman and Mahmoud Mousa Rebii. In addition, Iyad Naser's car was confiscated during his detention.

In March, five computers and other devices were confiscated from Mahmoud Said Nofal from Qalqilia, Ma'moun El-Awawdah and Taher Asafrah from Hebron, Ahmed Ouda from Tulkarm and Lotfi Abu Naser from Jenin.

In April, computers and phones owned by Muath Harsheh, a student from Tulkarem, and Alaa' El-Haroub, a student from Hebron, were seized.

In November, the security services in Qalqilia detained Mohsen Shriem and his child Islam, at the same time confiscating two computers, four cell phones and some money from his family.

When journalists are detained, security services usually confiscate their computers and cameras, as in the case of Amer Abu Arafa, Jawad Shalabi, Hisham Abu Shaqra and Musab El-Khateeb. For example, in August, the General Intelligence Service detained and confiscated El-Khateeb's camera and mobile phone while he was covering a sit-in calling for release of detainees in Nablus.

Torture and Cruel Treatment

Dozens of complaints as well as medical reports have confirmed the practice of torture and other cruel treatment in jails administered by the Palestinian Authority in the West Bank. Our findings show that the use of torture is systematic by the Palestinian Authority security services. There is no evidence suggesting these incidents are investigated.

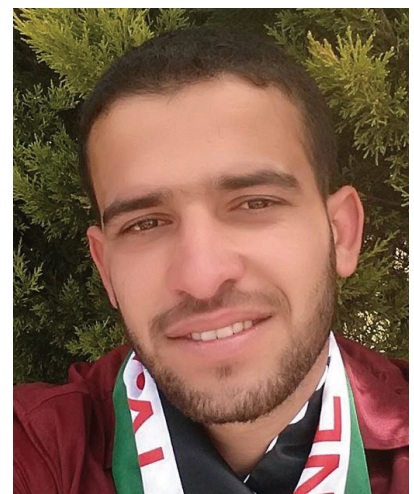
The report of the United Nations Fact-Finding Mission on the Gaza Conflict, known as the “Goldstone Report,” stated that the practice of torture by the Palestinian security forces in the West Bank is condoned through a “conspiracy” of silence by those responsible for these acts (paragraph 1,560).

The number of documented incidents of torture in 2015 was 179, representing 14 percent of all arbitrary detentions.

Torture and other cruel treatment took various forms, including intense beatings with sticks or “the lash,” kicks, slaps to the face, punches, solitary confinement, sleep deprivation, death threats and verbal abuse. For example, detainees had their eyes taped closed with thick bandages and were forced to stand for long periods (up to 10 hours) facing the wall. Their arms were pulled back and they were hung from the interrogation room window, door, ceiling or a ladder.

Examples

- On 4 January, 2015, **Laith Asafrah**, an agriculture student at Hebron University, was detained by the Palestinian intelligence service after being accused of money laundering. However, he learned the inquiry was actually due to his student activities, and he was acquitted and released after 10 days. Asafrah was tortured during his detention, including being hit on the fingers with a stick and stomped on his bare toes.



- The next month, **Omar Hasan El-Kiswani**, head of the Islamic Bloc at Birzeit University, was detained by the Preventive Security Service. He said, “I was transferred to its headquarters in Balou neighborhood in Ramallah, then hung in a crucifixion position for more than 15 hours. I was forced to stand with my back against a ladder, with my hands and legs tied to the edges. Then they started beating me all over my body.” He stressed that the inquiry focused on the activities of the Islamic Bloc at Birzeit University.



- In late April, Preventive Security detained **Jihad Salim**, a student working for the Al-Wafaa' Islamic Bloc at Birzeit University. Salim said officers assaulted him “physically and verbally,” also confiscating his glasses. He added that two investigators insulted his mother and sisters, then slapped him and punched different parts of his body. They forced him to stand in a stressful position for 12 hours and refused to provide food or let him go to the toilet. He was released the day after his detention. Salim said the investigators asked him about his activities in the Islamic bloc, which had just won the student council elections. They also asked him to reveal who printed the bloc’s leaflets.
- On 29 May, **the Liberation Party organized a demonstration** in Qalqilia, in the northern West Bank, in protest of the Palestinian Authority’s refusal to allow it to hold a conference in Ramallah. Members of Preventive Security attacked the demonstration, detained seven people and assaulted several. One of those detained, who preferred anonymity, said he asked the officer who detained him for a warrant. The officer replied sarcastically, “I am from Preventive Security, so I do not need warrants.” Another officer pulled his hand back and beat him with the butt of a gun all over his body. After that, the man was transferred to the military medical services for treatment of two broken teeth.

- In the same month, Euro-Med documented six severe torture cases; one of them suffered a slipped disk in his vertebral column as a result. In July, Ayman Daamsah, an El-Dawha resident suffering from cancer, was tortured in the local Preventive Security jail. Afterward, he was transferred to a hospital for surgery.
- The family of **Baraa Ghassan Thuqan**, a student at An-Najah University in Nablus, said their son was detained for seven days by the Preventive Security Service due to his student activities. On the third day of his detention, he was held in a crucifixion position for long hours. A knee injury was reported by the doctor in his status report when Thuqan was detained. However, the interrogators beat Thuqan's knees and feet with their shoes until he fell down.



Continuing Detentions Despite Court Decisions

Most serious is the PA's deliberate refusal to abide by court orders to release detainees. In some cases, detainees were kept for several months even though a court decision required they be released.

- In May, Kefah Ghanim was detained by General Intelligence. He was taken from his city, Tulkarem, to Jericho's Central Prison, where he was kept for six months after the court ruled he should be released.
- In the middle of June, Haroun Alrashid Ibrahim Abu Al-Haija, a student from Jenin at Al Najah National University, was summoned by General Intelligence. He was detained and transferred to the First Instance Court of Nablus, which sentenced him to 80 days of imprisonment ending on 27 August.

However, his detention continued at the discretion of the governor (similar to administrative detention). During this extended detention, Abu Al-Hija was exposed to beating, torture and humiliation, which he protested by launching a hunger strike. After hunger-striking for 14 days, he was taken to the Peace Court of Nablus, which ruled that his detention continue. He stayed in detention for six months before he was released on 2 November.

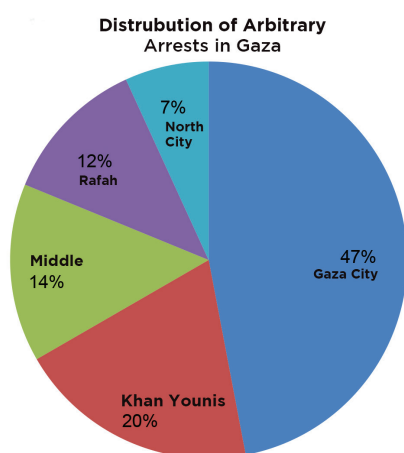
- On 15 June, **Baraa Zuhdi Abdallah**, a university student from the village of Dair Ball-out, also was detained by General Intelligence forces. Two months into his detention, a court ordered his release on bail. However, General Intelligence refused to release him. Two weeks later, Abdallah's family again requested that their son be released on bail, as ruled by the court. However, General Intelligence turned a deaf ear to the request and continued his detention at the discretion of the governor.
- On 26 August, Preventive Security forces detained **Moutaz Sedqi Abd Al-Rahman Al-Jiba'**, 29. One week later, the Hebron Peace Court ordered his release, which was never executed. In response, Al-Jiba's family again requested his release on bail, which was approved by the court with a release order on 6 September. The next day Al-Jiba was released.
- In November, Samer Al-Saqqa was detained while on the court's gate despite a release order. He finally had to pay 300 JD as bail.

2 Violations by Security Services in the Gaza Strip

The security services in the Gaza Strip include the police, which is part of the Ministry of the Interior and headed by General Taiseer Al Batsh, and Internal Security, established by Hamas after its takeover of the Gaza Strip and led by Dean Sami Odah. These two services execute arrests and issue summons orders, particularly targeted at members of Fatah and those who oppose Hamas policies.

In 2015, the number of arrests and summons orders decreased compared to the previous year. However, they continued to occur, and torture and other practices designed to suppress dissent remained steady.

Arrests



The Euro-Med team recorded 117 arbitrary arrests in Gaza during 2015. The largest number (55) occurred in Gaza City, which is the largest province and considered the center of activities. Khan Younis came in second with 23 cases, followed by the middle-area province Deir Al-Balah with 17, Rafah with 14 and the northern Gaza provinces with eight. The duration of arbitrary arrests ranged from a few hours to a month.

The police in Gaza accounted for 67.5 percent (79) of total arrests, with Internal Security responsible for 19 and Security and Protection for two. No information was available for another 17 arrests.

The number of arrests varied from month to month, with the highest (29) in September. The following table shows the distribution of arbitrary arrests in the Gaza Strip across months and according to their type.

Table 3: Categories of Detainees in Gaza during 2015¹

Month	All Detainees	Journalists and Human Rights Activists	University Students	Teachers	Other
January	11	1	2	-	8
February	5	1	1	-	3
March	11	1	2	1	7
April	5	-	1	-	4
May	9	2	1	1	5
June	9	3	-	1	5
July	4	-	1	-	3
August	5	1	1	-	3
September	29	5	10	2	12
October	22	9	4	-	9
November	3	-	-	-	3
December	4	-	1	-	3
Total	117	23	24	5	65

Summons Orders

The main goal of most summons orders was to deliver a message: “You are under the supervision of the security services and any activity will be observed. If found wanting, you will be arrested.” This is particularly true for activists planning to hold a protest against the government’s policies or to register a complaint about inadequate services such as electricity.

Sometimes, a summons is issued to gather information on the activities of the person in question, along with his or her political affiliation or relationship to the PA and. In 2015, 98 summons orders targeted Palestinians due to their political activities and opinions.

The highest number of summons (39, or about 40 percent of the total) were reported in January 2015, mostly targeting Fatah activists planning to celebrate the anniversary of the movement. A number of activists complained that they received anonymous threats, warning that if they organized any demonstrations to celebrate the anniversary, they would be held responsible for any bloodshed. As a result, the activities were cancelled. Although the threats were reported, the security services did not conduct any serious investigation.

Table 4: No. of Summons Orders Issued in Gaza During 2015, by Month

Month	No.
January	39
February	7
March	4
April	3
May	4
June	6
July	5
August	5
September	13
October	2
November	4
December	6
Total	98

Targeting of Journalists

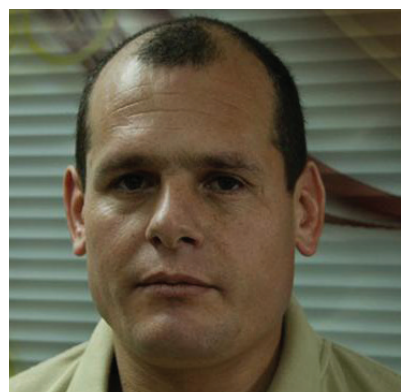
Journalists stand out as a major target in the Gaza Strip. Despite repeated official praise and respect for journalism in Gaza, especially in coverage of Israeli crime, the acclaim comes to an end with the slightest criticism of the regime in Gaza.

Following his 5 January, 2015, publication in Al-Monitor of an investigative report on executions by Hamas during the summer 2014 assault, **journalist Mohammed Ahmed Othman**, 28, received a summons from a militant faction in Gaza called the Resistance Committee, on the pretext of discussing the findings. Othman was physically and verbally abused. He later filed a complaint at the police station in Gaza City, but no serious investigation was conducted.



Journalist Ahmad Fayyad, a correspondent for Al Jazeera Net, was assaulted by security agents May 17 while he was covering a press conference for the Turkish minister of awqaf and Islamic affairs, who was visiting Gaza.

Fayyad says he was asked to leave the conference hall, and when he stated that he only wished to take pictures



of the event, a man in civilian clothes kept pushing him toward the door, where other men suddenly appeared and assaulted him.

The man later identified himself as a security officer and asked that Fayyad be taken to a police station to file a complaint on what happened. Fayyad became sick and was taken to the hospital at his own expense. The investigating officer then informed Fayyad of his arrest. He was released after giving a statement to the prosecutor, but was not allowed to file a complaint.

The Ministry of Interior Affairs issued an account of the incident, stating that Fayyad was arrested for obstruction of police work and insolence.

On the same day, **Hazem Balousha**, freelance correspondent for the British newspaper The Guardian, was assaulted and detained. He had been accompanied by two members of The Guardian newspaper (who had Australian and British citizenship) while filming at an UNRWA shelter in Gaza City's Tel Al-Hawa neighborhood.



While interviewing some of the displaced people who complained of ill treatment by security forces, the crew was surprised by a group of police officers who prevented it from filming. The crew refused to give up the camera's memory card, and the officers then shoved Balousha, insulted him and seized the card. He then was taken to a police station.

Balousha says, "Officers allowed me to use my phone. I spoke to various media outlets and to the spokesman for the Ministry of the Interior, who promised my immediate release. The integrators said my arrest was due to a dispute with the superior officer. Forty-five minutes later, I was released and Fawzi Barhoum, a spokesman for Hamas, apologized and gave me back my equipment, fully intact." He was warned, however, not publish photos of the police at the shelter door."

On 5 October, the police arrested nine journalists due to their coverage of the commemoration of the 6 October war, which had been organized by Fatah members in Shijaiyya to honor fallen members of the Egyptian army. **Journalist Ahmed Mohamed Fayoumi**, one of those who was arrested in the incident, said the police took them to Shijaiyya police station, erased the content of their cameras and confiscated their mobile phones. They were released three and a half hours later.



Retaliation for Facebook Posts

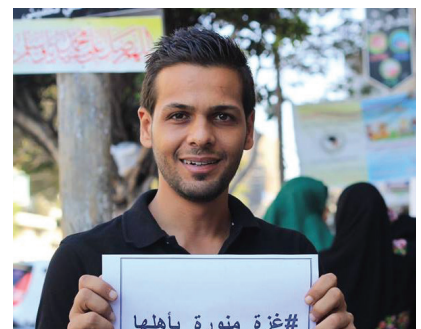
As in the West Bank, Gazans have been targeted and arrested for their posts on social-networking sites, especially Facebook. In 2015, 11 arrests were made in the Gaza Strip related to Facebook posts, in addition to 13 summonses.

Most of these arrests and summonses were for publishing or commenting on/liking posts critical of Hamas leaders; calling for a demonstration; or discussing positions or religious ideas inconsistent with the direction of the ruling authorities.

- Internal Security in Gaza summoned **Ramadan Jamal Abu-Shkran**, photographer for The Palestinian Network, more than once in February 2015. In one of these incidents, on 19 February, his mobile phone and personal computer were confiscated. The investigation focused on his production of a humorous clip describing the Palestinian reality, as well as on his writings on social-networking sites.



- On 13 and 14 April, security forces in northern Gaza arrested four activists: **Amr Sabri Abu Nada**, 20; Rezq Al-Madhoun, 24; Nofel Ziad Darwish, 24; and Jamal Majid Yaghi, 27—all from Jabalya refugee camp. The investigation focused on their Facebook posts and support of a protest named People’s Day.
- On 4 May, internal security in Khan Younis summoned **journalist Mohamed Khalil Abu Fayyad**, 41, a journalist and editor for the Wafa news agency. Over the course of more than five hours, Fayyad was interrogated about his personal Facebook page and was forced to divulge his password. Before Fayyad’s release, the investigator asked him to sign a pledge not to talk about Hamas in his writings and threatened to summon him again if he did.
- On 29 June, the Internal Security Agency in Khan Younis summoned **Hisham Sidqi Abu Younis**, 48, a writer and political analyst. The investigators questioned him about some of the views he stated in his lectures and social-networking posts. He was forced to divulge his Facebook password, then released after nine hours.
- **Journalist Tareq Mousa Al-Farra**, 28, was summoned for interrogation on 8 August by the Internal Security Service in Khan Younis. According to Al-Farra, he was subjected to cruel and degrading treatment in retaliation for his Facebook posts and for publicizing his summons on his page.



Al-Farra stated that he was interrogated while blindfolded and was subjected to physical abuse. He was questioned about his reasons for criticizing the attorney general’s decision to shut down Jawwal Company, along with his cynical comments about Hamas’ rule. The investigator asked for his Facebook password, ordered him to delete previous posts and made him write an apology for sharing the summons on his page. Later, the Homeland Security director in Khan Younis released him, only to call him back the next week.

Al-Farra also had been arrested for two days in January in conjunction with a campaign launched on Facebook calling elections in the West Bank and Gaza Strip. He filed for a license to hold a sit-in, but was arrested instead.

Retaliation for Demonstrations

The Ministry of Internal Affairs in the Gaza Strip requires everyone who wishes to hold a demonstration or protest to apply for a permit. However, the ministry accepts or declines a permit depending on whether or not the planned demonstration supports its policies.

As a result, some demonstrations are held without applying for a permit or despite rejection of the application. In such cases, the police and its crowd control unit break up these demonstrations—sometimes in a very violent manner. Participants and/or the organizers often are arrested.

On 1 January, 2015, at a peaceful demonstration in support of the Fatah anniversary, eye witnesses say, the police attacked participants with sticks and detained three of them. The detainees were released seven hours later.

On 23 March, another demonstration in which Gazans protested the continuing electricity blackouts was violently broken up. The police hit the protesters with sticks and fired gunshots in the air to scare them away. Many of the protesters were injured and five were detained for several hours.

Still another protest related to electricity shortages was organized on 14 September by a group of Gaza citizens in Rafah. The police broke it up as the march approached the power company. Six young men were arrested and forced to sign papers promising not to participate in any protests or activities that disturb the public order. Mohammed Fathi Ahmed Juma, 26, was among them. He said he and the other detainees were insulted, beaten and accused of throwing stones at the police.

In the Square of the Unknown Soldier in central Gaza City, a second demonstration was organized with about 50 participants. The police quickly arrived on the scene and broke it up, arresting six people who were detained at police headquarters for four hours. They were interrogated, then released after signing a pledge to abide by law and order.

Torture and Maltreatment

As in the West Bank, individuals detained by Hamas security forces in Gaza were subjected to inhumane treatment. The Report of the United Nations Fact-Finding Mission on the Gaza Conflict (known as the Goldstone Report) stated that the security services' practices in Gaza were marked by torture and maltreatment (paragraph 1,345).

The torture methods used by the police in Gaza include beating in all of its forms and verbal abuse such as threats to “crush you” and accusations of being an Israeli spy. Euro-Med has been able to document 39 instances of torture in Gaza prisons during 2015—a third of all detainees.

Torture cases

On 4 and 5 January, 2015, the Security Service Department in Gaza called in 13 of Fatah's leaders. Five were detained on charges of planning activities for the party's annual anniversary. The detainees were forced to take off their clothes in the cold, beaten severely and threatened before they were finally released.

Nehro Haddad, 58, Fatah's secretary for eastern Gaza, told Euro-Med that he received a call from the security services in Gaza about an event he was organizing. Haddad was warned that if the event proceeded, he would be responsible for the resulting bloodshed. On 4 January, Haddad received a written summons from the police, along with many other Fatah leaders.



When Haddad and the others reached the station ,they were detained and tortured .They were hit the faces and feet ,humiliated ,called degrading names and forced to strip in

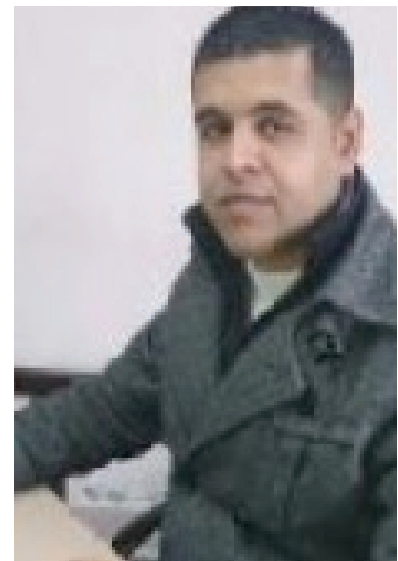
the cold .Moreover ,an officer poured cold water on Haddad’s back before hanging him for two hours and covering his head with a black plastic bag.

According to Haddad, the men were given female names and asked to answer when called. When they refused to answer, they were cursed and hit in the faces, feet, and back. The men were also asked about Fatah, its members in Gaza, its policies and its upcoming activities. After seven hours, the detainees were dumped in various areas of Gaza. Among those who were tortured in the same incident were Ziad Matar, Wassim Obaid, Mohammed Altramsi, Ahmed Hweiti, Zaher Abu Amira, Raed Ayad, Nayef Khuytr, Ahmad Murshid, Saadi Hillis, Mohamed Zaig, Mohammed al-Wahidi, Iyad Ramadan and Hamdi Abu Sharia.

On 23 February, Hatem Othman, 49, was called by the police to come to the Deir Al-Balah station. He was interrogated about the bombings that were happening all around Gaza at the time and questioned about his connection with Mohammed Dahlan, the controversial Fatah leader.

Othman said he was blindfolded and beaten on his legs with an electrical wire, even though he told the interrogators he had a leg injury. He was forced to sit on a small chair and answer questions. Two interrogators then squeezed his fingers, hit him in the head and pushed him to the wall. He was taken to Shuhada’ AlAqsa Hospital later to have a cast put on his sprained foot.

On 27 February, **journalist Khaled Ismael Abu Magseeb**, 37, was detained by the police in the Azzayton neighborhood in Gaza City without any legal cause cited. He was interrogated due to his coverage of a protest against the substandard living conditions in Gaza. When he told the interrogators he had no photos He was cursed beaten up by the police. One officer slapped him in the face before locking him in a small prison cell and making. Four hours later, he was released after signing a pledge to never again be found in places where “suspicious” activities are held to oppose the government.



Legal Background

The actions documented here, carried out by Palestinian security agencies in the Gaza Strip and West Bank, are in violation of both Palestinian local law and many international treaties and agreements.

Article 9 of the Palestinian Basic Law prohibits discrimination based on political opinion. Articles 11, 12 and 13 state that arrests and imprisonment are permissible only upon court order, that detainees have a right to contact an attorney and that coercion or torture is prohibited.

According to articles 19, 26 and 27, everyone has the right to express his or her opinion and to participate in political parties. Freedom of the press is assured as well.

In addition, Article 32 of Palestinian Basic Law states that any assault on personal and general freedoms is a crime with no statute of limitations, and that victims deserve fair compensation from the authorities. Likewise, Article 6 of the Press and Publications Law (1995) states that the authorities are charged with facilitating the work of journalists.

In April 2014, Palestine became a party to the International Covenant on Civil and Political Rights (1966), as well as conventions prohibiting all forms of discrimination and torture (for which no statute of limitations is set). The actions documented in this report violate these and a number of other international laws, most prominently the Universal Declaration of Human Rights (Article 3 on the right to life and freedom; Article 5 on the right to be protected from torture and cruel, inhumane or degrading treatment; Article 9 on arbitrary detentions; and articles 10 and 11 on the right to fair judicial proceedings).

Article 3 of the UN Code of Conduct for law enforcement officials likewise prohibits breaking up demonstrations without cause and the excessive use of force. The fourth UN Basic Principle, covering the use of force and firearms, bans the same.

Recommendations

Internal

1. Palestinian Authority President Mahmoud Abbas must issue a clear and binding resolution to halt restrictions on citizens' freedoms, arbitrary detentions and torture in the PA's jails
2. Palestinian Prime Minister Rami Hamdallah, who serves as interior minister, must publicly support that action.
3. Palestinian President Mahmoud Abbas is urged to call upon the Legislative Council to cooperate by passing laws that criminalize torture in all its forms and increase supervision of security agencies.
4. Hamas and the security agencies in the Gaza Strip must demonstrate their commitment to human rights conventions and international law by halting all forms of torture in local jails as well as arbitrary detentions and restrictions on citizens' freedom of expression.
5. Officials in both the West Bank and Gaza must release all arbitrarily detained individuals, ensure redress and compensation and hold accountable those who are responsible for perpetrating torture and arbitrary detention in violation of local and international law.
6. The courts and departments of public prosecution in Palestine must carry out their legal responsibilities by freeing individuals arbitrarily detained, opening investigations of torture and bringing to justice those responsible—thus shielding the courts from internal Palestinian divisions.
7. Security agencies and their officials are encouraged to open their doors to humanitarian organizations to allow independent inspection, and to educate employees about their legal and moral duties.

International

8. We call on the UN special rapporteur to communicate with the Palestinian Authority about its obligations under international law (since it currently refuses to speak directly with Hamas).
9. We call on the UN special rapporteur to investigate arbitrary detention and torture in Palestine and issue its own, independent recommendations.
10. Finally, we call on the governments of the world, especially the United States and the European Union (which also refuse to talk directly with Hamas), to work with the the Palestinian Authority to hold it accountable for its actions.



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