

## Monthly report of Israeli human rights violations in Abu Dis December 2008

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It has to be said at the beginning that it is hard to write this report in January 2009. The human rights violations in Abu Dis in December were real and there were some very bad incidents including the shooting of several young men. But at the end of December, Israel began a severe attack on the people of the Gaza Strip that was terrible when the first hundred were killed, but this went up to three hundred, five hundred, one thousand, and did not stop, with thousands seriously injured and the hospitals, which were poorly equipped owing to the Israeli siege, not coping. The sufferings of the people of Abu Dis were still possible to count, but in Gaza, they were uncountable. During this period the people in Abu Dis and the whole of Palestine have been in agony for the people of Gaza.

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*Hamam Mohsen from Abu Dis in hospital*



*The rubber bullet casing that was shot at Hamam's head (as well as three rubber bullets). The hand is to show how big this is.*

The Israeli violations on the people of Palestine continued during the last month. At the beginning of the month, there were cruel attacks by Zionist settlers in the West Bank and Jerusalem. Many of these attacks centred on the town of Hebron, the middle and the north of the West Bank, Israel also started a military operation with Israeli planes making random air strikes on the Gaza Strip. In just the first days there were hundreds of killed and thousands of injured. The situation in Abu Dis could not stay distant from these incidents and Israeli invasions, and nightly confrontations started in the town, from solidarity with Gaza. Several young people were injured from Israeli soldiers firing rubber and live bullets. Hamam Mohsen and Mohammed Eriqat are still under intensive care in hospital. Four young people were arrested, three of whom are students at the Abu Dis Boys' School. This report records the main human rights violations during the month of December 2008.

### **Building the Wall and confiscating land.**

On the fourteenth of December the Al Quds newspaper wrote about a new plan of transfer for the (Bedouin) Jahaleen Arabs:

During the days of Eid al Adha, the Israeli military authorities announced dozens of destruction orders to the Jahaleen Arabs in the places in Abu Dis and Aizariyeh that are around the settlement of Maale Adumim. They gave them a week to dismantle and leave their encampments which are on hundreds of donums of land. The military authorities announced that some of this land would become closed military areas and forbade them to enter it. The Israeli military authorities completed the building of the Israeli police headquarters that was at the top of a high hill on Essawia land and part of the project known as E1 and created the infrastructure of buildings and cut a road bridge linking E1 to the Maale Adumim settlement. It's recorded that they are building 6000 settlement units in two years and they are going to complete

the project in five years, adding ten thousand settlement units including five hotels and a huge trading complex. This will join Maale Adumim in the east with French Hill in the centre of Jerusalem. These settlements will be on the lands of Aizariyeh, Anata and Shawfat, once they've cut off the Shawfat camp with the Separation Wall, of which a huge part has been built. There will be a military gate to Jerusalem [for soldiers and military vehicles only] close to the generators of the Jerusalem Electricity Company.

Hussein Abu Dahouk, one of the Arab Jahaleen tribes, who the Israeli authorities have chased from place to places for fifty-eight years, who were forced out from their land time after time, "We were pushed out of our encampment and we have no idea where we are going. The ghosts of destruction and deportation are starting to haunt us wherever we go."

Note that all the way through the Israeli authorities have been there, they have tried to deport the Jahaleen Arabs to places outside the Wall and specially to the Palestinian areas around Jerusalem which have been separated from the city by the Wall. In this way, the Occupation tried to create difficulties between the Palestinian citizens in those places, and conflicts between them about land, which happened with people of Abu Dis, Sawahreh, Anata and Azzayem.



Maps adapted from Gush Shalom

This map shows the limited area of Palestinian control in the West Bank. In fact, Gush Shalom is optimistic in labelling any of the areas "full Palestinian control" – these red areas actually refer to Area A where the Palestinian police operate, but the Israeli army demonstrates its control by coming in regularly, whenever they want to.

### Israeli violations at the checkpoints round Abu Dis

Since the Israelis started to build the Separation Wall around Jerusalem they have worked to seal off Jerusalem very thoroughly from its suburb, and they

have made special "terminals"<sup>1</sup> for people to go through to get into the city. For the towns on the east of Jerusalem, the Israeli authorities built a terminal in a place between the Mount of Olives and the town of Aizariyeh to allow people carrying West Bank passes and who have also got a permit, following very long and complicated procedures, specially now they use finger prints as well as permits. And at al-Zayem on the Jerusalem road leading to the settlement of Maale Adumim, they have put a checkpoint that can only be used by people with Jerusalem passes.



*This map shows main fixed checkpoints – There are often temporary “flying” checkpoints*

- On Tuesday, 2nd December, dozens of settlers closed off the Jericho-Jerusalem road near the Fred Treho settlement and a large group of

<sup>1</sup> The Palestinians are now using the word “mua’bar” (translated into “terminal”) to describe the huge checkpoints, like international frontiers, that are the ways through the Wall.

settlers stood in the road near Khan al-Ahmer, and they started to throw stones at Palestinian cars.

- On Thursday, 4th December, the occupation forces tightened their repressive measures towards Palestinians at the Container checkpoint. They held up a group of Palestinian youths for two hours, having made them get out of their cars.
- On Friday 5th December, the Israeli authorities put obstacles in the way of worshippers going to Friday prayers in the mosque in Jerusalem in anticipation of the operation "Damaging the system" after evacuating a house in Hebron the day before. The Israeli army radio said that the leader of the occupation army in Jerusalem Aharon Franko gave an announcement forbidding the inhabitants of the West Bank to go to Friday prayers in the Al Aqsa Mosque. Israel tightened the conditions of entry so that only men of forty-five and above who carried blue passes, or women, could enter the Al Aqsa and declared that, following the incidents in Hebron, the army was in a state of readiness in different parts of Israel.
- On Thursday 25th December, the soldiers at the checkpoint in Jericho held up the passengers on a bus which was carrying supporters from Abu Dis sports club on their way back from Jericho. The bus was held up for four hours and everyone who was in it was told to get out and their passes inspected.
- On Saturday 27th December, the Israeli authorities imposed a general closure on the West Bank following the beginning of the Israeli aggression on the Gaza Strip. They put big obstacles in the way of movement between towns and districts in the West Bank and closed the checkpoints surrounding Jerusalem and refused to let even those who had permits go through. They increased the Israeli military presence in the towns of East Jerusalem.
- On Saturday 27th December, the Israeli authorities prevented the family of the young man Hamam Mohsen from going to the Maqassed Hospital to see how he was after he was shot by the Israeli soldiers in the afternoon. The mother of the injured was with several members of the family at the Al Zayyam checkpoint, trying to go to Jerusalem, but the soldiers at the checkpoint stopped them from passing through.

### **Israeli pass laws and the issue of Jerusalem citizenship**

Successive Israeli governments have worked to implement a recommendation made in 1973 by the Israeli Ministerial Committee for Jerusalem under the leadership of Golda Meir, to reduce the percentage of Palestinians in Jerusalem to under 22%. This has led to many different policies that have distorted the demography of Jerusalem. The most recent of these policies has been to put great pressure on Palestinians of Jerusalem, and led to many thousands of people having their Jerusalem IDs taken from them. Although five thousand families in Jerusalem have lost their IDs since 1973, the Palestinians still represent 35% of the population of Jerusalem city itself, because many Jerusalemites who had moved into the suburbs have moved back to live inside the city since the Wall was built. During just the year 2006, 1,363 Jerusalem residents lost their Jerusalem IDs (figures - Israeli Interior Ministry) This came after Israel had separated Jerusalem completely from its

suburbs. Many people who have Jerusalem IDs, and many families who have mixed IDs live in these suburbs. Note that most people in Abu Dis have West Bank IDs but a minority have Jerusalem IDs.

### **Arresting and invading houses**

During this month the Israeli authorities continued the policy of invading houses and arresting people. Israeli soldiers together with the intelligence forces invaded houses during the night, searched and damaged things, and made several arrests during the last month

On Thursday 25th December, special Israeli forces arrested Mohammed Hassan Eriqat, a student aged 17, after Israeli forces had opened fire on him and injured him in his stomach and his back. He was taken to the Israeli Hadassa hospital and up to the time of writing this report, he is under intensive care with his hands bound and with his family refused permission to visit. They are not getting information about his state of health. The Israeli authorities are charging Mohammed after doing an investigation on him in the hospital.

Ady Khalid Mohsen aged 17 was arrested with Mohammed on the same night and was taken to the police station in the settlement of Kfar Atzion in Bethlehem.

On Thursday 25th December, Israeli military force burst into the house of Ali Abu Muthkooor, a student from Abu Dis Boys' School, and arrested him. Ali's family told how the soldiers searched the house and beat up Ali inside the house, in front of the family, Ali is now in the police station of Kfar Atzion, undergoing investigation.

On Saturday 27th December, a special force of the Israeli Border Police burst into the town of Abu Dis at five o'clock in the afternoon and confronted a group of young people who were protesting against Israel's invasion of the Gaza Strip. The soldiers fired bullets at the protesters which led to the wounding of three of the youth. Hamam Mohsen, one of the young people, aged eighteen, was injured when one of the soldiers fired at him from a distance of two metres. The doctor treating Hamam in the Maqassed Hospital said that he had undergone a surgical operation lasting six hours and a half as they had to extract two bullets from his brain and a bullet from his face. Hamam is still in the intensive care unit in the hospital, and his medical report says that he is suffering from paralysis in his right side and he cannot talk or move.

On Saturday 27th December, an Israeli special force arrested the young man Usama Mohammed Alnoafleh from a shop in the middle of Abu Dis where he had gone when the Israeli soldiers started shooting at the protesters and several of them were wounded. According to the Israeli authorities, Usama has been taken to the police station of Kfar Atzion for investigation.



*Hamam Mohsen gradually getting better after being shot in the head at close range by Israeli soldiers*

### **Prisoners' affairs**

During the long years of the Occupation, hundreds of people from Abu Dis have been arrested, usually for peaceful resistance against the Occupation, such as demonstrations, just as in the rest of Palestine. Among these there have been many young people under the age of eighteen. At the end of December 2008, there were 69 prisoners from Abu Dis in Israeli jails. Among

them there were 18 children. In addition there are currently more than 70 student prisoners from Al Quds University Abu Dis campus.

Many of these people have suffered bad treatment, physical and psychological torture, forced confessions, denial of family visits. There is further information on Abu Dis prisoners at <http://www.camdenabudis.net/prisoners.html>

On Wednesday 3rd December, the Israeli authorities released Naif Jafal, Saad Abd Alkareem Jaffal and Mohammed Jamal Mohsen, claiming it was a goodwill gesture. They had been arrested at the end of November. Murad Rabeea was released from detention after spending two years and a half out of a sentence of three years given to him by the Israeli military court. On Thursday the fourth of December, the Israeli military court issued a prison order for a period of 30 months to Sufian Izzat Rabeeah from Abu Dis Boys' School. Sufian has been imprisoned for more than two years.

On Thursday 31st December, the Israeli authorities freed Fadl Zakrea Almubeid after he had been imprisoned for six months. Note that Fadl had been imprisoned several times during the past few years.

The prisoner Mohammed Mohsen who is sick with cancer is still suffering in prison. His mother says that he is not getting sufficient treatment and that the prison does not want to give her enough information about his health situation. So his mother addressed a letter to all local societies and international ones asking for her son, who has been in prison for nine years, to be freed straight away, and the Israeli authorities are responsible for his life.

### **Abu Dis Boys' School, and complaints about Israeli violations**

Details of the attack by Israeli Border Police on boys inside Abu Dis Boys' School on 14<sup>th</sup> February 2007 and the follow-up to this are available on the CADFA website [www.camdenabudis.net](http://www.camdenabudis.net)

We haven't received any response or information from the Israeli side about reopening the investigation in the case since the Abu Dis School Head teacher asked for the enquiry to be reopened in the middle of last May.

We have written a number of other letters in the meantime about other serious incidents in Abu Dis including the following:

March 07: Bassim Mohammad Uredat who was shot in the back by the Israeli army

May 07: Mohammed Yasser Mohsen aged 16-yr-old who was arrested and beaten and hurt so badly that he was taken to an Israeli hospital before being taken home.

July 07 and Nov 07: Abdul Wahab Sabbah who was prevented from travelling by the Israeli border guards at the Allenby Bridge.

August 07: Wa'el Younis Bader aged 15 whose brother was told by Israeli soldiers that Wa'el would be killed if he did not report to the police station

Dec 07: Abdullah Awwad and Mohammed Eriqat who were badly beaten in the street by Israeli soldiers

April 08: Mohammed Faraon from Aizariyeh who was arrested aged 15

Aug 08: Dakhlallah Dakhlallah who was very badly beaten in the street and arrested

Sept 08: Miriam Ayyad who was killed in her house by Israeli soldiers.

We have had no satisfactory answers to any of these, although the threat to Wa'el appears to have been lifted and he was able to return to school, and Abdul Wahab Sabbah has now been able to travel.

## **Conclusions and recommendations**

There is helpful information on human rights and international humanitarian law at the following United Nations site:

<http://www.ochr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>

Some important agreements and decisions which the Israeli occupying power are violating in their treatment of the Palestinian people are:

### **1. The Wall**

The International Court of Justice asked Israel to stop work on the Separation Wall in the Palestinian occupied territories including East Jerusalem and the area around it, to destroy all the bits that are already built and to delete all the laws and decisions which the Israeli government had made in creating it (Hague decisions paragraph 133, 152 and 153 – Advisory Opinion of the ICJ, 9th July 2004)

### **2. Torture and the mistreatment of prisoners**

There are many international agreements against torture and mistreatment of prisoners. Article 7 of the International Covenant on Civil and Political Rights (1976) reads: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The UN Convention against Torture was signed in 1984.

### **3. Confiscation of lands**

According to The Hague agreement signed in 1907 paragraph 152, occupation forces must not confiscate lands or properties from the people under occupation.

**4. Equal treatment of people (note the unequal treatment of people through the permit system and pressure on people around Jerusalem)**

Israel is a signatory to the undertaking “to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” (International Covenant on Civil and Political Rights, article 2, paragraph 1, signed 1966, in effect from 1976)

**5. Right to family life**

The same international agreement states that “No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation... Everyone has the right to the protection of the law against such interference or attacks”

This month’s report shows that the people of Abu Dis are suffering regular violations of all of these agreements and decisions. We call on the international community and all the supporters of the rights of the Palestinians to make some pressure on Israel as an occupying force to stop the violations and to guarantee their human rights and their rights under international humanitarian law.