



**Al Mezan Center for Human Rights Quarterly Monitoring Report on Human Rights Violations Perpetrated by the Israeli occupation forces in the Gaza Strip.
1 January to 31 March 2004**

Al Mezan Center for Human Rights conducts systematic monitoring and documentation of human rights violations in the Gaza Strip. This report presents the violations perpetrated by IOF during the period between January 1 and March 31, 2004. All the information included in the report is recorded in the Center's database and files, and was verified by the Center's Fieldwork Unit before being included. Additional information, including affidavits, pictures, videos and legal documents are available upon request at the Center.

Introduction

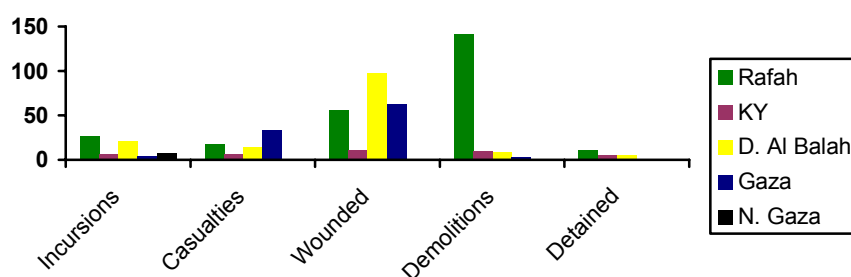
The human rights situation in the Occupied Palestinian Territories (OPT) has further deteriorated during first quarter of the 2004. This period witnessed a substantial escalation of violations perpetrated by the Israeli occupation forces (IOF), while the living conditions of Palestinians has continued to worsen with the poverty and unemployment rates that have reached 9% and 39% according to the Palestinian Central Bureau of Statistics. The same rates increase in the southern parts of the Gaza Strip, and in the refugee community.

On 22 March 2004, Sheikh Ahmad Yassin, founder and spiritual leader of Hamas Movement, was assassinated in a serious escalation of Israel's liquidation crimes. The systematic targeting of civilian premises also continued during the reporting period as hundreds of homes, public and private properties and cultivated land were demolished. Other illegal collective punishment measures were imposed by the IOF on the Palestinian people such as restrictions on access and movement to workplaces, to worship locations and to basic services. The degrading treatment imposed on Palestinian civilians at checkpoints was maintained and exacerbated at the Erez Checkpoint in the north of the Gaza Strip.

While the IOF's actions in the OPT were vetted by Israeli political figures who publicly announced that Israel will continue its operations and violations, Israeli Prime Minister, Ariel Sharon, announced a unilateral plan of disengagement from the Gaza Strip. Despite its name, this plan upholds Israeli presence in certain military locations and settlements in the Strip. It is clear that this plan's main aim is to draw the attention of the international community away from the perpetration of war crimes ongoing in the OPT, rather than to achieve peace.

Since the beginning of the Al Aqsa Intifada in September 2000, a total **1,363** of Palestinians have been killed in the Gaza Strip. During the period of 1 January to 31 March 2004, the following casualties and damages on Palestinian civilian lives and property at the occasion of **64** IOF incursions and other IOF operations:

- **70** Palestinian have been killed during the **64** IOF incursions
- **19** Palestinians have been killed during the **7** assassination operations
- The overall total of Palestinian casualties is **128**, including **25** children and **5** women
- **1** British male deceased from Israeli bullet wounds sustained in 2003
- **227** persons have been wounded
- **161** homes have been demolished
- **21** Palestinians have been arrested and detained

**Figure 1: Overall Figures 1 Jan- 31 March 2004**

I. IOF Incursions

During the reporting period, the frequency of IOF incursions in densely-populated Palestinian areas of the Gaza Strip was almost daily. Large numbers of communities were assailed and besieged during these incursions. Grave breaches of international law were recorded, such as willful killings, restrictions of medical and food supplies, and the destruction of civil premises.

Generally, an incursion carried out by the IOF involves tanks and armored vehicles entering Palestinian-controlled Area A (as defined by the Oslo Accords), often under helicopter cover. A variety of weapons, including heavy arms, are used against civilian communities, thus inevitably killing numerous people and destroying property. Israeli soldiers usually take possession of high buildings to position snipers and improvise watch towers. IOF incursions are characterized by illegal, disproportionate and unnecessary use of force, in violation of humanitarian law¹.

The following table indicates the number of IOF incursions that occurred during the first quarter of 2004 as well as the resulting loss of civilian life and property:

Table 1: IOF Incursions 1 January – 31 March 2004

District ²	# of incursions	# of people killed	# of people wounded	# of homes demolished	# of people detained
Rafah	26	19	56	141	11
Khan Yunis	6	6	11	9	5
Deir Al Balah	21	14	97	8	5
Gaza	4	33	62	3	0
North Gaza	7	0	1	0	0
Total	64	70	227	161	21

The following section draws further lights on the most significant incursions that took place in the different governorates of the Gaza Strip during the reporting period:

Incursions in Rafah:

¹ One of the basic principles of international law is that the Occupying Power must refrain from attacking non-military targets, including individuals, buildings and property. The use of certain weaponry during military operations, especially in the Occupied Territories, is strictly limited and/or absolutely prohibited. The use of force by the Occupying Power should respect two essential and basic principles:

- Military Necessity:** The international law permits warring armies to neglect some of the obligations imposed by law, yet not absolutely. It is restricted to a group of conditions. Experts who explained the texts of the Fourth Geneva Convention agree that military necessity means all the imperative procedures needed to achieve a military purpose necessary for military operations. The word 'necessary' means that the aim of war will not be achieved without these procedures. It may also mean, sometimes, to neglect some restrictions unless carrying out procedures that aim purely at punishment or deterrence.
- Proportionality and Discrimination:** Proportionality restricts Military Necessity. It refers to the fact that Military Necessity must not ignore that military operations and the strategies used should be appropriate to the military targets. According to this principle, all actions that may cause losses to souls or/and property which have nothing to do with the operations or the expected results are prohibited. Warring parties must also, in the course of military operations, discriminate between civil and military targets, and in the use of force in regard to methods and weaponry with the aim of minimizing damage and suffering to the least possible.

² Please consult the map of the Gaza Strip in annex 1.



- At approximately 9 am on January 4, 2004, 15 Israeli military vehicles, including heavy tanks and one bulldozer, entered the Al Shuka area, east of Rafah. They took control of the area and started destroying homes under intensive shooting. Over a period of 70 hours, the IOF bulldozed 12 homes and destroyed a building with explosives, causing severe damage to numerous neighboring houses. 58 people lost their shelter, as a result.
- At midnight of January 20, 15 IOF tanks and vehicles and 2 bulldozers entered a neighborhood east of the Salah Ad-Din gate on the borderline. They attacked the area with extensive gunfire and tank shells. 24 homes were completely destroyed that night and 25 others were severely damaged³. 422 people were left homeless by the time the IOF withdrew from the area at 11 am. At 2 pm on the same day, the IOF re-entered the same area, partially destroyed 5 more homes. A 31-year-old woman named Muna Ismail, was killed and 6 persons were injured including 5 children and a woman⁴.
- At approximately 4 am on Tuesday, February 11, 2004, about 25 IOF tanks and armored vehicles stormed the town of Rafah under the cover of Apaches. They started destroying houses under intensive fire. Ambulances were not allowed into the area to collect the wounded. 3 people were killed and a total of 18 were injured in this incursion, 4 of whom sustained serious wounds. In addition, they destroyed 6 homes, and blew up a five-story-apartment building. 250 people were previously living in these homes. Moreover, IOF caused damage to 3 school buildings, including 2 UNRWA schools. They bulldozed parts of the fences and classrooms⁵.
- At 1:30 am on March 4, 2004, about 17 IOF armored vehicles entered the As-Salam neighborhood east of Rafah. At the same time, another 11 vehicles attacked Block J in the refugee camp. The two forces together moved to Zuroub neighborhood in the west of the town, where the soldiers took positions on high buildings and detaining the residents in one room. A child was killed and 3 other children were injured from snipers fire. IOF destroyed 13 homes before they left the area at 7 am on Friday March 5. A total of 205 people were left homeless, as a result⁶.
- At approximately 1 am on Wednesday March 17, 2004, about 30 Israeli tanks and armored vehicles entered Block O in the refugee camp of Rafah under the cover of helicopters. One hour later, helicopters fired a missile and machineguns on the area, killing 2 persons and wounding 7, 3 of whom in critical conditions. While bulldozers destroyed homes, a helicopter fired a second missile killing another 2 children. In sum, 4 Palestinians were killed, 2 of whom were children. 50 homes were destroyed leaving 438 people homeless at the end of this incursion.

Incursions in Khan Younis:

At approximately 2:20 pm, on Sunday March 21, 2004, about 35 IOF tanks and armored vehicles entered the village of Abasan, east to Khan Yunis. 5 people were killed from bullets and missile shrapnel during this incursion: Thana'y Iqdeeh, aged 22, Basim Salim Iqdeeh, aged 37, Sana' Iqdeeh, aged 34; Basim's wife, Rafat Salih Abu T'imeh, aged 25, and Abdul Rahman Al Dardisy, aged 22. 11 others were wounded from IOF fire, and 5 people were arrested during the incursion. Iman Zaki Iqdeeh, lost her unborn baby as the IOF arrested her husband Na'il Iqdeeh. In addition, 6 homes, 1 wheat mill and 2 motor-vehicles were destroyed by the IOF, and severe damage was inflicted on the village infrastructure.

Incursions in Deir Al Balah (Middle Gaza):

³ Homes that are described as 'severely damaged', or 'partially destroyed' in the report are damaged to an extent that they no longer can be inhabited.

⁴ For more details on this incursion, please consult Al Mezan's press release 4, dated 21 January 2004, at www.mezan.org.

⁵ See Al Mezan press release n. 11, dated 12 February 2004.

⁶ See Al Mezan press release N. 17, dated 4 March 2004.



At around 3 am on Sunday March 3, 2004, IOF entered the mid-Gaza refugee camps of Al Bureij and Al Nuseirat. Eyewitnesses reported that about 23 armored vehicles and 3 bulldozers entered three kilometers into the area and that helicopters took part in the attack. In the south of Al Nuseirat, tanks destroyed the fences and gates of 4 apartment buildings. The IOF then took control of their rooftops. Snipers and helicopters opened fire on the area killing 14 people, 4 of whom are children, and wounding another 92 persons, including 36 children. Additionally, several farm fences and a bus were destroyed in the area prior to the withdrawal at around 10 am⁷.

Incursions in Gaza City:

- On Wednesday, January 1, 2004, four Israeli tanks, two jeeps and two bulldozers entered the Zeitoun area, eastern Gaza City, and opened arbitrary fire killing eight Palestinians. Two people were wounded, one seriously. One wood workshop and parts of the main Salah Ad-Din road were damaged.
- In the early morning hours of Wednesday February 11, 2004, four Israeli military jeeps entered into the Ash-Shija'ya neighborhood, south of Gaza city. They opened fire on a Palestinian police post killing one policeman before six tanks entered the area. Soldiers occupied two houses and opened fire with the tanks on the area. 13 Palestinians were killed and 44 wounded. One two-story-house was mined, and a civilian car and a bulldozer were destroyed in the area before their withdrawal at 12:30 pm.

Incursions in North Gaza:

At 1:30 am on Friday February 27, 2004, IOF stormed the area near Erez Crossing in the town of Beit Hanun and destroyed 87 small shops in the area completely. Another 25 shops were damaged. These shops were used by Palestinian workers who use the crossing daily on their way to work inside Israel. The owners of the shops were not allowed to collect their belongings. The shops were a source on income for over two hundred families⁸. This IOF incursion followed a suicide attack on Erez the crossing several days earlier. However, IOF did not use proportionate and discriminate force against civilian targets during this incursion. Military acts against occupation forces inside occupied territories do not, according to humanitarian law, justify deliberate attacks against civilian targets under any circumstances.

⁷ Further details on this incursion are available in the Center's press release no. 18, dated March 7, 2004, at www.mezan.org.

⁸ See Al Mezan press release No. 14, dated 28 February 2004.



II. Excessive and Lethal Use of Force

As per the results of the monitoring carried out by Al Mezan and by other local and international organizations, it is clear that the IOF continued to utilize excessive force against Palestinians in the Gaza Strip during the reporting period. This section provides a detailed list of the cases of arbitrary shelling in residential areas and the assassination of “wanted” Palestinians activists. It also provides figures on the loss of life during the reporting period.

Affidavit given to Al Mezan by: Saleh Khalil Farajallah, resident of Al Mughraqa, south to Gaza City.

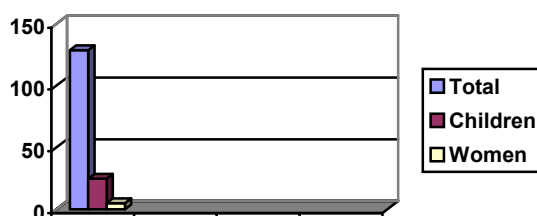
At approximately 7:30 am on Friday March 19, 2004, I woke up from the sound of tanks and helicopters. I realized that Israeli forces were near my house in the village of Al Mughraqa, especially as they increased their incursions in the village recently. I stayed inside my home until 9:30 am. I decided to go downstairs, where my parents live in the same building, and while I was walking down the stairs, I felt like losing my consciousness and fell down. Later I woke up at the hospital where I knew that I was injured from an Israeli bullet and that I lost my right eye.

According to the Center’s investigations **129** people were killed in the Gaza Strip during the first quarter of 2004, including **25** children. This includes Mr. Tom Hurndul, from the UK, deceased from his injuries sustained in 2003 in Gaza. Since the beginning of the Al Aqsa Intifada in September 2000, a total **1,363** of Palestinians have been killed in the Gaza Strip.

Table 2: Number of Palestinian Casualties including women and children

Location	# people killed	# of children	# of women
Rafah	28	6	0
Khan Yunis	13	4	2
Deir Al Balah	21	5	3
Gaza	50	5	0
North Gaza	16	5	0
Total	129	25	5

Figure 2: Palestinian casualties from 1 Jan to 31 March 2004



These figures show the evident disregard by IOF of Palestinian civilian life and demonstrate deliberate and unnecessary killing of civilians during military operations⁹. Even in cases where the IOF could have arrested suspects or “wanted” Palestinians, they opted to use lethal force against them. As one of the many examples, three people were killed in an attack on Tuesday March 2, 2004, as an Israeli jet fighter fired a missile at a car west of the settlement of Nitzarim. Trad Al Jammal, aged 24, Ammar Hassan, aged 23, and Ibrahim Al Deery, aged 32 were carbonated alive in the vehicle.

Extra Judicial Assassinations:

On many occasions Israeli senior officials have publicly backed the policy of extra-judicial assassination of Palestinians who are on the “wanted” list established by the IOF. In this context, the IOF has carried out a total of 7 assassination operations during the reporting period, including the extra-judicial killing of Shiekh Ahmad Yasin, the founder and spiritual leader of Hamas Islamic Movement. In this case, the Israeli government announced that Prime Minister Ariel Sharon had personally supervised the execution. By such actions, Israel shows serious violation of international law,

⁹ Please consult the Center’s press release no. 6, dated 28 January 2004 for further details.



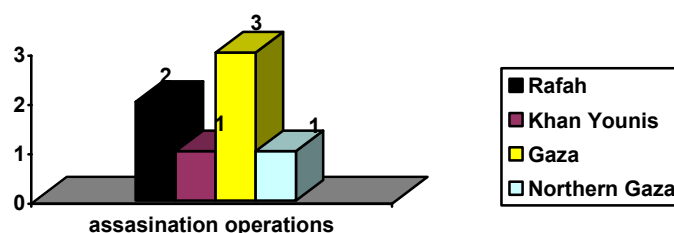
An affidavit given to Al Mezan by Yousif Abu Al Aineen

At around 3 am on Monday February 2, 2004, I heard strange sounds near my house. I went to open the door and asked who was there, and was surprised when I saw Israeli soldiers pointing their guns at me. A soldier ordered me to keep silent, raise my hands up, and take off my clothes. I obeyed the orders, was told to put my clothes back on before a soldier tied my hands, covered my eyes and ordered me to sit down by the wall in silence. There was a machine gun pointed at my head all the time, and they were shooting at anything that moved in the street. I heard the sound of tanks approaching and the sound of helicopters. There was extensive shooting at this moment and I heard an explosion. Shortly after, a loudspeaker was saying 'Yasir Abu Al Aish, come out', and 'Abu Al Aish family out'. I was taken outside the house by a soldier. The sounds of explosions and firing continued for almost an hour and a half. A soldier walked me out with a gun in my back. We walked about 50 meters, where he unveiled my eyes and asked me about my name and ID. He then asked me about Yasir and I pointed at Yasir's house, which was surrounded by soldiers and a bulldozer. I noticed that the eastern wall was destroyed and Yasir's car was crashed. Suddenly, a few soldiers started beating me, and pushed me saying 'go and bring Yasir out'. I asked them to untie me, and one of them did. The women were leaving Yasir's house with their children when a soldier asked one of them where Yasir was. She replied that he was dead inside. He repeated the question several times, threatening that they would blow the house over whomever was inside. Finally they ordered me to go in and bring him out. Yasir was dead, lying on the ground on his chest when I entered the house. He was wearing underwear and without his artificial limbs (Yasir had lost his two legs and right arm in a previous attack). I turned him on his back and called his name. He opened his eyes for a moment, and closed them; he was dead. I went out and told the soldiers, but they beat me again and ordered me to bring his body outside. They watched me dragging him on the rubble of the house. I went out again and told them that I could not bring him out. Some soldiers opened fire on his body and one of them said in Hebrew, which I am fluent in, 'now he is dead'. His body was near the door at this moment. I was ordered to bring it outside with a machine gun pointed to my head. But I refused to do so and laid myself on the ground. Three soldiers walked towards the body until they were about four meters from it, when one of them took a picture of it, before all of them started to withdraw towards the nearby Nuzha Street. A bulldozer completed the destruction of the northern walls of the house. The time was 4:30 or 5 am then, and I started to crawl towards my home. I told Yasir's family about his death. His brothers and I went to bring his body. One of his brothers asked about Hussain, Yasir's brother. His wife said he left the house from the back side, so I went to look for him. Our neighbors told me Hussain was killed by soldiers in the road behind his house. One of Yasir's brothers called an ambulance, which took the two bodies to hospital.

and electricity lines.

specifically, the International Covenant on Civil and Political Rights (ICCPR) of 1976, the Fourth Geneva Convention, of 1949 and the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, which emphasize that extrajudicial executions are not permitted, even in situations of war¹⁰. In complete disregard to such principles, Israel announced that the murder of Sheik Yassin is part of a process and that Israeli forces will continue such operations.

Figure 3: Number of Assassination Operations in the Gaza Strip



The following table shows the number of people who were killed in the IOF assassination operations in the Gaza Strip during the reported period. It also shows the number of targeted people included on the Israeli "wanted" list as opposed to the number of innocent bystanders killed during the operations¹¹.

Table 3: Casualties due to IOF Assassination operations from 1 Jan to 31 March 2004

# of people claimed targets	# of people who were in the place	# of people killed in unknown conditions ¹²
6	12	1

Below is some detailed information gathered by Al Mezan on each of the 7 assassination operations carried out by the IOF during the reporting period:

1. On February 2, 2004, IOF Special Forces and tanks surrounded the house of Yasir Abu Al Aish¹³ and opened fire on the house and the area. They withdrew from the area after they killed Yasir, his brother Hussein and three other Palestinians. Three other civilians were also were injured. Other losses were also reported such as the destruction of four homes, one car, and the bulldozing of streets and phone

¹⁰ Principle 1 provides that Governments shall prohibit by law all extra-legal, arbitrary and summary executions and shall ensure that any such executions are recognized as offences under their criminal laws, and are punishable by appropriate penalties which take into account the seriousness of such offences. Exceptional circumstances including a state of war, internal political instability or any other public emergency may not be invoked as a justification of such executions.

¹¹ The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the UN Code of Conduct for Law Enforcement Officials apply. Whilst these rules are not legally binding, they provide authoritative guidance and reflect a high level of consensus regarding the use of firearms. See Articles: 3, 27, and 68

¹² Cases where Palestinian activists were killed and for which IOF denies responsibility while Palestinian factions claim IOF's responsibility. This is the case of Abdul Nasir Shalufa, who died in an explosion on February 5, 2004. Al Mezan could not collect sufficient accurate information about these cases to further report.

¹³ Yasir Abu Al Aish was handicapped from a previous attack by the IOF. For further detail, please consult the affidavit given by Yousif Abu Al Aineen above.



2. On Saturday February 7, 2004, an Israeli Apache fired a missile on a car in Al Wahda Street in Gaza City. The target was known as Azizi Al Shami, aged 40, and was killed. In addition, 11-year-old, Tariq Al Susi was killed from the wounds sustained in the attack, while Khalil Al Buhteeni, aged 25, who was in the car, and 10 others were injured in the attack.
3. On Sunday February 8, 2004, IOF stormed the As Salam neighborhood of Rafah with tanks and helicopters and opened fire on the area. The house of Ashraf Abu Libdeh, aged 32, was surrounded before he was killed. 9 people were injured, while numerous homes and a mosque were severely damaged in the attack. IOF prohibited the movement of the ambulance in and out of the area during the incursion. The Israeli spokesman claimed responsibility for the assassination of Abu Libdeh.
4. Israeli air forces bombarded a civilian car in the Saftawi Street, south of Jabalia, on Saturday February 28, 2004. 4 Palestinians were killed, including the 3 persons inside the car: Mahmud Judeh, aged 24, Ayman Ad Dahduh, aged 32, and Ameen Ad Dahduh, aged 42. Eleven-year-old Mutaz Al Shrafi died on March 5, 2004, from wounds sustained in this attack, while 11 other people were injured and numerous homes damaged. IOF claimed responsibility for the attack.
5. IOF air forces bombarded the house of Ali Al Kharubi at 5:50 pm on Tuesday March 16, 2004. The house was completely destroyed. Two Palestinian by-passers were killed outside the house: Abid Nasir Yasin, aged 40, and Husni Al Sarafiti, aged 24, and nine were injured. IOF claimed responsibility for the attack and confirmed that the targeted was Al Kharubi .
6. On Sunday March 21, 2004, the IOF assassinated Basim Salim Iqdeeh during an incursion into the town of Abassan, east to the town of Khan Yunis. 5 Palestinians were killed and many others wounded and arrested in this attack¹⁴.
7. In the most serious escalation of violence during the reporting period, Israeli helicopters fired missiles on Sheikh Ahmad Yassin and a group of people in front of a mosque in the Sabra neighborhood of Gaza City, on March 22, 2004. Sheik Yassin and 7 others were killed. 20 Palestinians were wounded, including Yassin's two sons. The Israeli Government claimed responsibility for this operation, which generated enormous international condemnation, including by the United Nations Secretary General and the Human Rights Commission. However, Israel's Prime Minister, Ariel Sharon, appraised the Israeli military forces for the 'big success' and announced that Israel will continue similar assassination operations.

Affidavit given to Al Mezan by a eyewitness who wished to remain anonymous.

It was 5:05 am on Monday 22 February 2004, and I was at my night shift at work in the UNRWA Headquarters in Gaza City. I suddenly heard a huge sound of explosion coming from the direction of the neighborhood where I live. I called my home and asked my daughter about the explosions, and she said it was air bombing of the area. I then heard two other explosions, so I hurried to my home. I reached the Mujamma' mosque and saw the remains of Sheikh Ahmad Yasin. His right hand was cut, his head and his two legs were crushed. I saw his brains burst out from the back of the skull. I carried him and put him into an ambulance. I saw another two bodies on the road, one of which was cut from the middle, and I carried them to the same ambulance. I then went to the Shifa hospital with the ambulance and delivered the three bodies.

¹⁴ For further details, please consult the above section on IOF's incursions, and press release No. 23, dated 21 March 2004.



III. Destruction of Civil Premises

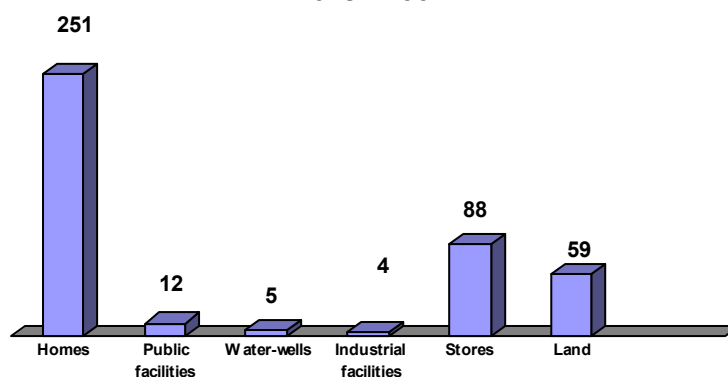
In a grave breach of humanitarian law and human rights standards, the IOF targeted civilian premises in the Gaza Strip during the reporting period. The Fourth Geneva Convention clearly prohibits the attacks against civilian objects by the occupying power¹⁵. Israel's destruction of homes and other structures shows brutal noncompliance with international law, as demonstrated by the variety of essential structures that have been targeted by the IOF.

During the reporting period, Al Mezan Center monitored and documented the destruction inflicted by the IOF on civilian and public property and infrastructure. It should be noted that these figures add to the demolition of 4,580 home, 431 commerce store, 187 industrial facilities, and the leveling of 24,000 dunams¹⁶ of cultivated land since the beginning of the ongoing Intifada in September 2000.

Table 4: Destruction of Property during period 1 Jan to 31 March 2004

Homes	Public facilities	Water wells	Industrial facilities	Commerce stores	Pieces of land
251	12	5	4	88	59

Figure 4: Destruction of Property from 1 Jan to 31 March 2004



The following section sheds more light on the damage of civil premises during the reporting period.

Destruction of homes:

IOF's escalated the destruction of homes during the reporting period. The Center documented cases of bulldozing, mining and bombarding of homes. It should be noted that all documented cases of home destruction were carried out without prior notification of the owners, and without allowing the residents to collect their savings and belongings. In several cases residents of these homes were injured trying to flee the area. In addition, IOF have, at several occasions, utilized disproportionate force, especially in the areas near borders and settlements¹⁷, as highlighted below.

¹⁵ Article 53 of the 4th Geneva Convention provides that 'Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations', and Article 33 of the same Convention states: No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited'.

¹⁶ One dunam = 1,000 square meters.

¹⁷ A flagrant example of IOF's systematic destruction of homes is the borderline in Rafah, where hundreds of homes are destroyed to secure the border.


Extracts of an affidavit given to the Center by Muhammad Abu Taha, victim of house demolition .

I woke up from the sound of an explosion at about 2 am on Wednesday March 17, 2004. There was a lot of noise near my house, so I went out to find out what was going on. My neighbor, Mahmud Abu Nahl was outside and we discussed the sound, which he and other neighbors said resulted from a missile they saw coming from the sky. They were talking about injuries in the area. I switched on the TV and saw breaking news 'Incursion in Rafah'. I went out again, and saw my mother talking to Mahmud Abu Nahl, when I heard another huge explosion. I felt that the ground trembled and I fell down. I heard a voice crying 'Al Abid, My father'. I stood up and carried my son, Ahmad, who was fine. My wife cried and said I was injured and had blood on my face. I went to the room to find my son, Ibrahim, He was lying on the ground and I saw blood and rubble on the ground around him. I felt much pain at this moment and someone took me to an ambulance.

An affidavit given to the Center by Kifah Saeed Abu Taha, a mother of 6 children.

It was about 1 am, Wednesday March 17, 2004, when I woke up from the sound of helicopters and tanks. My children woke up also. They were frightened, so we gathered in one room in the house. One hour later we started to hear sounds of machine gun fire and a huge explosion. The door of our house was extracted and the entire house trembled. I did not hear anything for a few moments and the children were attached to me.

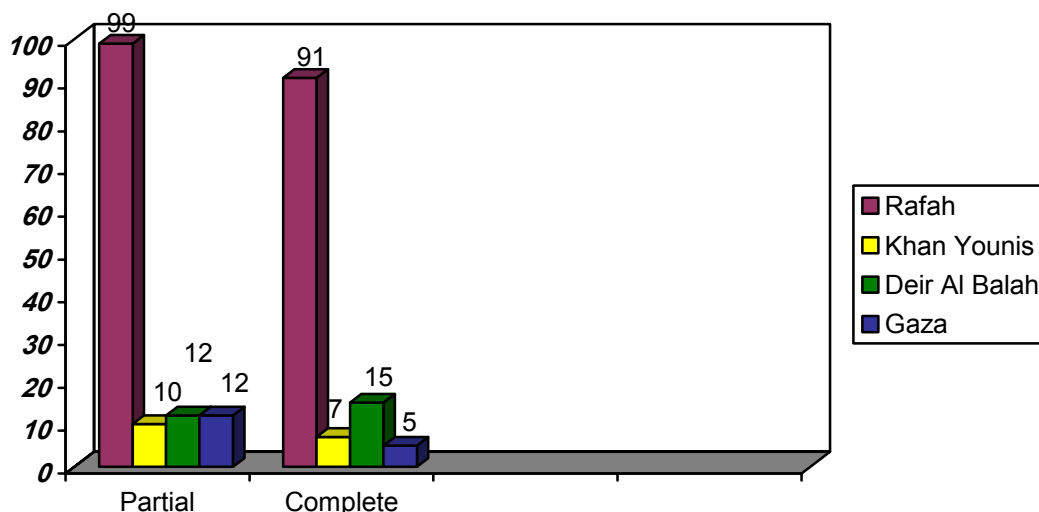
We hurried outside and I heard our neighbor calling my husband for help. His father was injured. I told my children to run and led them to the main street. The helicopters kept shooting all the time. I saw many of our neighbors in the street. I took the children to my family's house in the As-Salam neighborhood where we spent the night. In the morning, we went back to see our house, but could not reach it due to Israeli presence in the area. once they had withdrawn we went back and found rubble and sand over all of our belongings.

Looking at the areas where IOF is carrying out systematic house demolitions, it can be concluded that the aim of the Israelis is to create a security zones between Palestinian residential areas and the Israeli settlements in a view to expand the settlements and bypass roads. The second main reason is collective punishment of the Palestinians people for the attacks on Israel. The following table shows the number of houses destroyed completely or partially during the first three months of the current year in the Gaza Strip.

Table 5: House Demolitions during period 1 Jan to 31 March 2004

District	Complete destruction	Partial destruction
Rafah	91	99
Khan Yunis	7	10
Deir Al Balah	15	12
Gaza	5	12
Total	118	133

Figure 5: Complete and Partial Destruction of Houses



Targeting of education and worship places:



Palestinian elementary schools, Universities¹⁸ and worship places were frequently targeted by the IOF during the reporting period. Schools were particularly damaged during the incursions into Palestinian areas.

For instance, on Wednesday February 11, 2004, IOF targeted three school buildings hosting, six schools, in the town of Rafah. A total of 3,044 students¹⁹ attend these schools. The IOF bulldozed the fences and caused damage to classrooms and windows' panes. Two of the buildings are UNRWA schools (Rafah Boys 'A' Primary School for Refugees, Rafah 'C' Primary School for Refugees), and the third is Rabi'a Al Adawiya Secondary School.

An affidavit given to Al Mezan by Ali Al Wheedy.

At approximately 2:30 Tuesday March 16, 2004, I heard the sound of Israeli tanks near my house. I looked from my room window and saw tanks near my home. I kept looking through the window carefully; there were many other tanks approaching. I saw 15 tanks and a bulldozer, which started to level land in the area around the Al Aqsa university building. At about 3:30 am I heard a loudspeaker calling the residents of the neighborhood to leave their homes in Arabic. It said everyone should leave, including women and children. I then heard loud knocking on our door. I went outside with my father and younger brothers and saw my uncles' families and my grandfather outside. We were about 25 of us, including 10 children. There were 5 Israeli soldiers guarding us. One of the soldiers said we must leave the area and walk westward. My father asked if we could use our car, but the soldier said we could not. I carried my youngest brother and we walked about 300 meters and stopped near cypress trees and stayed for an hour. I saw soldiers entering our houses and others inside the university building. At this point we walked towards the nearby Palestinian police point, about half a kilometer from the university. We stayed there until 5:30 am, when we heard the tanks leaving. We decided to stay for sometime to see make sure they left. Suddenly there was a huge sound of explosion. We took the ground. Window panes fell on us. The children were so frightened and crying. I went out to see what happened. I noticed the university building was not there. I went there and saw that the building was destroyed. We went to our house and found that every part of it was a mess; the furniture and our clothes on the ground, windows are destroyed, probably from the explosion, the walls are cracked. Many wooden doors were extracted from the walls. Our car's panes were also destroyed. The electricity and phone lines were cut.

In another attack on Tuesday 16 March, 2004, the IOF mined and destroyed the building of the Al Aqsa University south of Gaza city. The explosion caused severe damage to the nearby building of Khadija Bint Khuwailid School and several other structures in the area.

On the same day, Israeli soldiers broke into an UNRWA school, Al Mazra'a Primary School, in Deir Al Balah. Soldiers were seen coming from the direction of the nearby Kfar Darom settlement²⁰. A few days later, on March 22, 2004, the IOF opened machine gun fire on the Deir Al Balah Industrial School. Fortunately, students were not

at school on that day, which was announced as a day of mourning for the killing of Shiekh Ahmad Yasin. However, the same school was exposed to gunfire three days later, this time with students in it. It should be mentioned that 41% of the Palestinians who were killed during the reporting period in the Gaza Strip were students.

In addition, the IOF completely destroyed one mosque and caused partial to another one in Rafah, southern the Gaza Strip. On January 17, 2004, they bulldozed the Al Tawheed Mosque during an incursion in refugee camp of Rafah. The mosque was located near the borderline. On February 8, 2004, they opened fire on the Al Iman Mosque during an incursion into As-Salam neighborhood, southeast of the town. Many windows and walls were damaged from machine gun fire.

Targeting industrial and commercial facilities:

The IOF has also continually targeted industrial and commercial facilities since the outbreak of the current Intifada. During the first quarter of 2004, the number of commercial stores that were completely destroyed is 88, while 4 industrial facilities were targeted.

At 1 am on Monday 15 March, 2004, Israeli helicopters bombarded a number of metal and electricity workshops in Gaza city in a series of air strikes. A total of 19 rockets were fired, with 9 missiles fired at a metal workshop owned by Muhammad Al Faseeh and located in the Al Zeitun neighborhood of Gaza City. 6 other rockets were fired on the Riziq electricity workshop in Naser neighborhood, destroying

¹⁸ Sources in the Palestinian Ministry of Education and Higher Education reported that since September 2000, IOF killed 646, detained 1,232, and injured 4,324 students and educational personnel. In addition, 282 schools were destroyed and losses of 10 million USD occurred to the buildings of schools and universities. Moreover, the education process was halted in 498 schools due to curfews and restrictions on movements, or closing schools. Three schools are still being used as military posts by IOF while nine others are closed.

¹⁹ See the center's press release No. 11, dated February 12, 2004, for further details.

²⁰ This school was closed in early 2001 due to frequent gunfire and shelling and destruction of its fences and other facilities by IOF.



them completely. 2 rockets fell on the Bank of Palestine branch in Naser neighborhood, causing severe damage. The last 2 rockets fell on empty land and did not explode. Numerous homes were damaged from the bombing and 4 people were reported injured at hospitals.

On Friday, February 27, 2004, the IOF entered the area near Erez Crossing, north of the Gaza Strip, under the pretext of searching for the passage that was used at the occasion of an attack on Erez several days earlier. Over 100 stores were completely razed or severely damaged by IOF bulldozers. These small stores, which were used by Palestinian workers heading to work in Israel, were owned by the North Gaza Governorate. Tens of people have lost their source of income, as a result²¹.

According to Al Mezan investigations of the aforementioned case, the IOF did not notify the store owners prior to the demolition. The owners were ordered to leave the area, and when they asked to collect the stores' contents, the request was denied. Soldiers fired warning bullets in the air when a few of the owners walked towards the stores²². At 8:30 pm, seven hours after the incursion started, the IOF withdrew from the area and Al Mezan fieldworkers documented 81 completely destroyed stores and 10 others severely damaged. Another 6 stores, owned by Palestinian National Security, were destroyed completely. The owners of a few other stores had abandoned their stores fearing demolition.

This massive demolition has had the following economic consequences:

- 99.4% of the store owners were providing for their families.
- The total number of dependents of the store owners are 531 persons, 48.4% of whom are children.
- Aside from the owners, the number of workers who used to work in the stores and therefore earn an income is 168 persons.

On March 19, 2004, the IOF also destroyed 7 commercial stores, 3 of which were still under construction, in the Al Mughraqa village, south to Gaza City.

Targeting cultivated land and water wells:

The leveling of cultivated land and destruction of water wells continued during the reporting period. Much of the land that was leveled in the previous years was frequently re-levelled by Israeli bulldozers and farmers were denied access to them. While Israel seeks to justify this practice by the need to ensure the security of Israeli illegal settlements in the Gaza Strip and of IOF troops, it nevertheless constitutes a grave breach to international humanitarian law, particularly the 4th Geneva Convention²³ and its Protocols²⁴.

During the reporting period the IOF leveled 270 dunams²⁵ of land in the Gaza Strip alone. They also confiscated land in various locations of the Strip. Larger areas of land were similarly leveled and confiscated in the West Bank for the path of the Separation Wall.

In addition, the IOF ruined 5 water wells during the same period²⁶. The destruction of water wells is linked to the ongoing use and rerouting of Palestinian water resources by the Israelis in the Strip. These

²¹ See Al Mezan press release no. 14, dated February 28, 2004, at www.mezan.org for further details.

²² According to 30-year-old Najeeb Al Mqaiad, who was among those who tried to reach their stores. The affidavit is available at the Center.

²³ Article 53 of the 4th Geneva Convention states: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations"

²⁴ Article 54 of the Protocol Additional to the Geneva Conventions of 12 August 1949, prohibits occupying power targeting of "objects indispensable to the survival of the civilian population." Paragraph 2 of the same Article also states that "It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as food-stuffs, agricultural areas for the production of food-stuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive"

²⁵ one dunam = 1,000 square meters.

²⁶ This makes the total number of water wells ruined by IOF 207 since the beginning of the Intifada. It is estimated that each well costs an average of 10,000 USD.



practices, added to frequent uprooting of agricultural trees, have severe repercussions on the weak Palestinian agricultural sector.

Table 6: Land Levelled in the Gaza Strip during the period 1 Jan to 31 March 2004

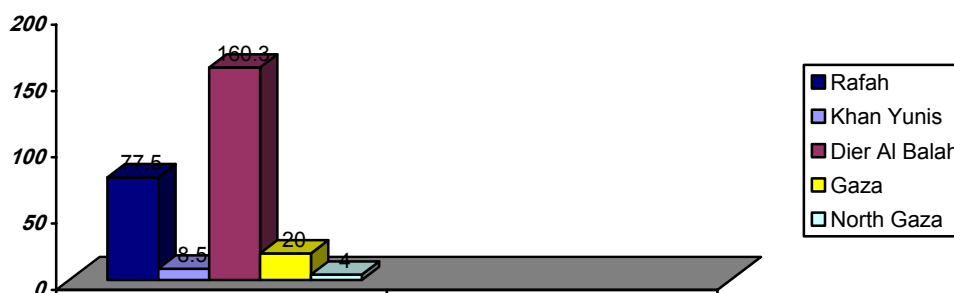
Governorate	Area of leveled land in Dunams
Rafah	77.5
Khan Yunis	8.5
Deir Al Balah	160.25
Gaza	20
North Gaza	4

In the middle of the Gaza Strip, large areas of fertile land was leveled and ruined in the vicinity of the compound of Israeli settlements, military installations and bypass roads, known as Gush Katif. While some land remains unleveled, but farmers were not permitted by the IOF to access it. As a result their crops have been ruined over the past three years. A similar situation exists in the northern Gaza area of As-Syafa, where another Israeli settlement compound is located.

Moreover, and as mentioned above, IOF has confiscated land in various areas of the Gaza Strip. On January 19, 2004, IOF handed out written notifications in Arabic and Hebrew to Palestinians who own land near the settlement of Kfar Darom, south of Deir Al Balah²⁷. The warrants, which are available at the Center, informed the owners that confiscation will take place by December 31, 2005. It was also mentioned that the land will be used to create a two-kilometer-security wall in the area.

On February 6, 2004, other warrants of land confiscation were handed to 7 land owners west to the same Kfar Darom settlement. In this case, IOF confiscated 220 dunams of land, in the security perimeter around the settlement. Moreover, on February 22, 2004, they handed notifications of confiscation of land south to the settlement of Nitzarim to build a security wall. By these orders, IOF are authorized to confiscate another 27 dunams of land by December 31, 2005. However, if effect it is foreseen that over 400 dunams will be confiscated in the vicinity of the wall.

Figure 7: Land Levelled in the Gaza Strip during the period 1 Jan to 31 March 2004



²⁷ The IOF has confiscated 30 dunams of private agricultural land with these confiscation orders.



IV. Forcible Transfer²⁸

Al Mezan documented cases of forcible deportation from the West Bank to the Gaza Strip during the reporting period. It should be emphasized that deportation, or transfer of civilians, is prohibited by both humanitarian law and human rights law. It infringes 'every person's right to liberty of movement and freedom to choose his residence'²⁹. Deportation also violates Article 9 of the ICCPR, which provides for every persons rights to 'liberty and security of person', and prohibits 'arbitrary arrest or detention', and guarantees that 'no one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law'. Such rights are utterly disregarded by Israel's practices of administrative detentions and forcible deportations. Forcible transfer also breaches the 4th Geneva Convention³⁰.

The following section previews the cases of internal deportations carried out against Palestinians during the reporting period:

1. On January 20, 2004, IOF deported Anwar Abdul Latif Abu Zahu, aged 29, from the West Bank to the Gaza Strip after 21 months of administrative detention. Abu Zahu was not given prior notification of the deportation until he arrived at the Erez Crossing from a prison inside Israel.
2. On Thursday February 19, 2004, Lu'ai Taysir Salama, from the village of Qariyut in Nablus, West Bank, was deported to the Gaza Strip. Salama, aged 32, had spent two years in administrative detention before a military court ruled his deportation. Salama reported to the Center that he was handed a deportation warrant one day before the transfer.
3. 38-year-old Raid Abdul Mihsin Zaghlul, from Ramallah, was detained by IOF on July 20, 2001 and remained in administrative detention, without charges, until February 26, 2004. He paid a fine and was deported to the Gaza Strip.
4. On Wednesday March 3, 2003, IOF deported 51-year-old Muhammad Ahmad Taqatqa, a resident of Bethlehem, to the Gaza Strip. Taqatqa was administratively detained for almost two years before his deportation. In his affidavit to the center he said he thought he was on his way to his house and was surprised to know he was at the entrance of Gaza.

²⁸ It is worth mentioning that the IOF have forcibly deported Palestinians in numerous occasions since the occupation of the West Bank, Gaza and East Jerusalem in 1967. The number of transfers has increased during the current Intifada. Most of the cases of deportation since September 2000 were carried out against Palestinians who spent months under illegal administrative detention.

²⁹ Article 12 in the International Covenant on Civil and Political Rights.

³⁰ Article 49 in the Convention states: ' Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.



V. Siege and Closures

Since October 2000, the IOF have been imposing a tight siege on the occupied Palestinian territories and restricting the movement of Palestinians in and out of the territories as well as within the Gaza Strip and the West Bank. The Israeli siege on the Gaza Strip takes three forms: a) internal siege, b) external siege, and c) isolation of entire communities.

Internal Siege

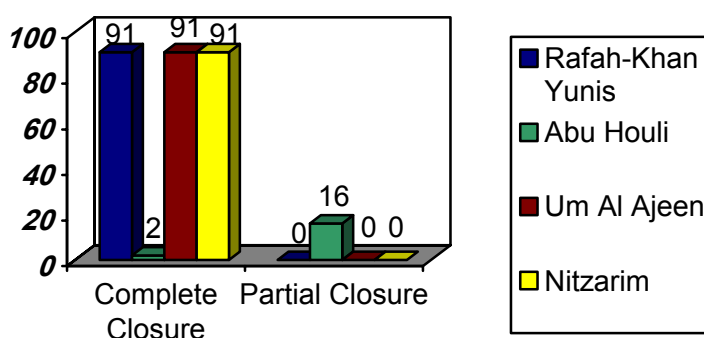
Over the reporting period, the IOF maintained full control of the main streets and crossing points inside the Gaza Strip and continued to impose restrictions on movement of Palestinians. At several occasions, the Gaza Strip was divided into four isolated parts for periods varying between several hours and several days. The main Israeli checkpoint in the Gaza Strip is Abu Houli checkpoint and is located north to Khan Yunis (see map). The closure of this crossing is causes much difficulties to Palestinians' daily life. It is always closed at night between 8 pm and 3 am. Vehicles are authorized to pass through the checkpoint at intervals during day time, resulting in long queues and important delays. At many occasions, the IOF detained groups of vehicles inside the checkpoint for hours and carried out ID controls and vehicle searches. Hundreds of people have been arrested at this checkpoint since the beginning of the Intifada.

The main road between Rafah-Khan Yunis continued to be permanently closed off at the level of Nitzarim settlement, south to Gaza City, as was the western road of Um Al Ajeen in the middle of the Strip. The following table shows the days of permanent and partial closure of the roads between the major residential areas in the Gaza Strip during the reporting period. A map is attached in annex for better understanding of the locations of the checkpoints:

Table 7: Closure of main roads in the Gaza Strip during the period 1 Jan to 31 March 2004

Road	Days of complete closure	Days of partial closure
Rafah-Khan Yunis	91	0
Deir Al Balah-Khan Yunis (Abu Houli)	2	16
Deir Al Balah-Khan Yunis (Um Al Ajeen)	91	0
Deir Al Balah-Gaza (Nitzarim)	91	0

Figure 7: Complete and Partial Closures in the Gaza Strip for the period 1 Jan- 31 March



External Siege

The IOF also continue to impose an external siege on the Palestinian territories by closing the border passages to both trade and travel and thus separating Palestine from the outside world. This state of siege has been ongoing since 9 October, 2000 when the IOF closed the occupied Palestinian territories



and, hence, the connecting passages to each other or to the outside world, such as the Gaza International Airport (GIA), Erez Crossing and the safety Passage between Gaza and the West Bank. The Rafah crossing has been under the regime of partial closure, allowing partial movement of workers, travellers and emergency cases under severe restrictions. The Sofa crossing, Karni crossing and the industrial zone near Beit Hanoun are also under partial closure. None of these crossings have worked to their full capacity since October 2000, neither in terms of working hours nor personnel. Moreover, access and movement to and from Jerusalem is extremely restricted and only Palestinians who have a special permit are allowed to reach Jerusalem for limited times. The siege has been maintained continuously during the first three months of 2004. The IOF continually prohibited peace activists from entering the Strip through Erez Crossing³¹, while below are a few examples of specific closure cases:

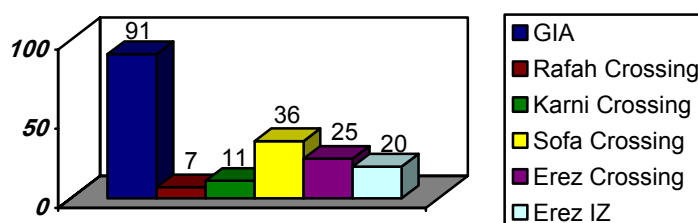
1. On 22 February 2004, and following the assassination of Sheikh Yasin, IOF implemented a complete closure of all crossings in or out of the OPT. All crossings were closed from 3 to 6 days. This also included workers and emergency cases who could no longer obtain necessary medical treatment in Jerusalem or Israel. International citizens and UN staff were also restricted from entering the Gaza Strip.
2. Following a military operation at Erez crossing by Palestinian militants, the IOF prevented vehicular movement through Erez crossing on March 7, 2004, including for diplomats and international relief agencies' personnel. UN Agencies jointly condemn this decision and announced their intention to halt their activities under such circumstances. After wide international condemnation of the decision, Israel allowed diplomats and senior officials to use their cars through the checkpoint.

The following table shows the number of days of closure of each external crossing points of the Gaza Strip during the reporting period:

Table 8: Closure of external crossing points

Crossing name	Days of closure (out of 91)
GIA	91
Rafah Crossing	7
Sofa Crossing	11
Karni Crossing	36
Erez Crossing	25
Erez Industrial Zone	20

Figure 8: Closure of external crossing points during the reporting period



Isolated Palestinian Areas

³¹ Further details are available on this case in the Center's press release 1/2004 at www.mezan.org.



In order to secure or expand Israeli settlements in the Gaza Strip and/or as a measure of collective punishment, the IOF has isolated three entire communities in the Gaza Strip: Al-Mawasi, As-Syafa, and Al Ma'ni areas³². These areas are under full Israeli control and located near Jewish settlements.

Al Mawasi Area

Al-Mawasi extends along the coastline from Khan Younis to Rafah, south of the Gaza Strip. The area is under complete Israeli control according to the agreements signed by the PLO and Israeli Government. Al Mawasi is important for its location by the sea where all the fishing industry in the south of Gaza is located. Since 9 October 2000, the Israeli forces have imposed a tight siege around Al Mawasi. The movement of Palestinians is controlled by two permanent checkpoints at the entrance of the area in Rafah and Khan Younis. Only the residents of the area are allowed to move in and out of the area, under strict procedures. These procedures include having special permits, and moving in and out only during specified hours during the day, not carrying any bags in or out of the area, and proceeding to a humiliating search procedure.

During the reporting period, the IOF restricted the movement of the residents of Al Mawasi between January 20 and February 2 2004, allowing only school students to move. On February 3, they allowed the rest of the residents to pass through the checkpoint between 9:30 am and 4:30 pm, aside from an hour when the soldiers were said to be resting. Residents of Al Mawasi were allowed to move until February 9 when soldiers closed the checkpoint for four days. It was then opened for five days, but closed again between February 20 and March 27, 2004. On March 28, the checkpoint was open under the following new conditions:

- Coordination is required for ICRC and the Palestinian Red Crescent with the IOF before they can enter/exit the area. On February 5, 2003, the IOF attacked a medical team from Doctors without Borders and prevented them from entering the area although they had permission from the IOF.
- Vehicles are not allowed to go through the checkpoints, so people have to walk in and out of the area.
- Only people who are over 40 years old are allowed to move in and out of the area.
- People between 25 and 40 wishing to leave the area will not be allowed back in.
- People less than 25 years old are required to obtain authorization for their movement from the Liaison Office. This condition has caused severe difficulty for secondary school and university students who are in this age group.

Al Ma'ni area:

This area is part of the Deir Al Balah suburbs, and is located near the settlement of Kfar Darom. Twenty-six Palestinian families reside in the area. In January 2002, the IOF bulldozed much of the land in the area and created a barbed wire fence, leaving only one outlet with a gate guarded by soldiers for the residents to move in and out. Since this time, people have had to walk about half a kilometer from the gate to the Salah Ad-Din Street to reach their neighborhood. The IOF carry out frequent searches of the houses in the area. It is clear that such procedures breach international law and human rights standards. The IOF has recently increased the restrictions on the movement of Al Ma'ni's residents as follows:

- Since January 14, 2004, the IOF allowed the movement during seven hours every day. In the morning people were entitled to move in and out of the area between 6:30 and 10:30 am and between 2 pm and 5 pm. Only people who are enlisted on the lists with soldiers at the gate can move in and out.
- The area was completely closed between February 27, 2004 and March 1, 2004. After the latter date, bicycles and carts were permitted to move only in the afternoon hours.
- On March 11, 2004, IOF produced special magnetic permits for all the residents who were over 12 years old and notified them that they would not be allowed to move at the announced hours if they did not carry these permits.

³² Al Mawasi area is located on the coastline of Rafah and Khan Yunis in the south of the Gaza Strip. As-Syafa is in the north of the Strip's coast, while Al Ma'ni is located in the middle of Gaza near the settlement of Kfar Darom.



- Movement was completely prohibited between March 21 and March 25, 2004, after IOF announced the area a military zone.

As-Syafa Area

Extract from interviews with several residents of As-Syafa.

Residents of the As-Syafa have to pass through a gate that the IOF created for them in a sand and barbed-wire fence that surrounds the entire area. Peoples IDs are checked each time they pass in or out. They have to pass one by one through a scrolling door. Men have to show their belly and raise their trousers to show the knees to soldiers, who are stationed in tanks near the gate. The Israeli soldiers then order the resident to move to a metal corridor where they are checked and searched again. Individuals have to walk to a bus to take them to a third metal detector and where soldiers may search them once again. Those who have animal carts or bicycles have to leave them at the gate, go through the detection procedure and return to the gate to take them and leave.

The As-Syafa area is located at the seacoast in the north of the Gaza Strip and is inhabited by 262 people. It is located in the vicinity of two Israeli settlements that were created on confiscated land of As-Syafa: Dugit and Ilai Sinai. The IOF have imposed strict restrictions on the movement of As-Syafa residents allowing them to move for four hours daily between 6:30 and 8:30 am and 2 and 4 pm.

On January 22, 2004, the IOF announced that women would not be allowed to move in or out of the As-Syafa area. The decision was implemented for two days after which women were subject to full searches by female Israeli soldiers. Women reported to the Center that the searches were humiliating and that they could only move on 25 January as the female Israeli female soldiers were then absent on January 26.

On 29 January 2004, the IOF changed the procedure and notified the residents that women would be allowed to move only if they are enlisted on a special list. A list of women wishing to move from the area should be handed to the soldiers at the gate one day in advance, and those who were not enlisted would be turned back. Unforeseen emergency cases were not let through.

The Center documented the case of a woman, Meriam Abu Ma'rouf, who was not allowed to leave the area to give birth for her baby for several hours.

At the same time, the movement of animal carts was completely prohibited during the same period. This traditional means of transportation is essential for the people of As-Syafa for two reasons: a) vehicular movement is prohibited through the gate; both in and out, and b) because of the agricultural nature of the area. People were also prevented from carrying any bags, even small plastic bags with them through the gate.

Extracts from interviews with residents of As-Syafa.

The new gate built by the IOF at the entrance of As-Syafa establishes a complex series of searches and checks in six stages. Residents of As-Syafa pass through a yellow gate, a metal scrolling door, a curved corridor, two separate doors and a final door where they are searched again. The distance between the first gate and the final door is about 120 meters. This is the only outlet from the area and residents must walk a long distance on a difficult sand road to get there.

On March 9, 2004, IOF issued special magnetic permits for the residents of As-Syafa, including children who are over seven years old. No one is allowed to cross the gate without showing this permit. The Center documented 160 cases of people holding such permits in the area during the reporting period.

Soldiers frequently detain residents of As-Syafa, usually for short times and without holding any charges against them. On January 12, 2004, they arrested 21-year-old Samih Musa Al Ghoul when he was returning to the area. He was detained and interrogated for ten days before they released him.

Finally, Al Mezan documented the expansion of the barbed wire fence around As-Syafa during the reporting period. The IOF also built a new by-pass road connecting the settlements of Dugit and Ilai Sinai and Nitzanit on the confiscated land inside the fence.



VI. Arrests

Since the beginning of the current Al Aqsa Intifada, the IOF have arrested thousands of Palestinians in the Gaza Strip. In general, arrests take place at checkpoints, crossings between Gaza and Israel or Egypt, or during incursions.

In a majority of cases, the arrests of Palestinians by the IOF can be described as arbitrary on contrary to international law and standards for reasons listed below:

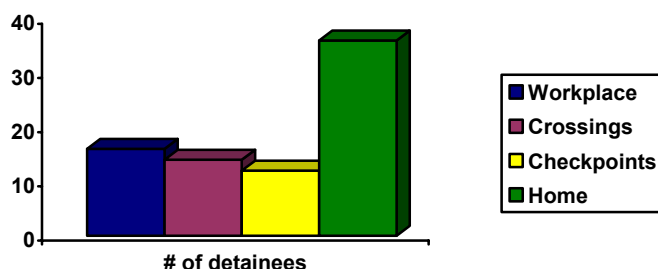
- They are carried out without a due process.
- Soldiers in the field detain Palestinians for several hours, or days before civilians without informing them of the charges against them.
- Numerous persons are put under administrative detention, which does not, according to IOF's regulations, necessitate charges or trial.
- The ill treatment of the detainees and the humiliating way used in the detention.
- The conditions under which Palestinians are detained are miserable. Al Mezan has contacted the Israeli Army Legal Advisor in many occasions requesting fast amelioration of these conditions; especially in the Erez detention Center, north to the Gaza Strip.
- In numerous affidavits collected by the Center, current and former detainees have affirmed being subject to torture and ill-treatment during their detention. Nevertheless, the Israeli High Court describes this as the use of 'moderate physical pressure'.

Al Mezan was not able to document all the cases of detention in the Gaza Strip due to the nature of the detention, which can be for a few hours or without notification³³. The following table, however, shows those cases that were documented by the Center according to the place where they were detained by IOF³⁴:

Table 9: Detentions in the Gaza Strip during the period 1 Jan- 31 March 2004

Place of detention	# of detainees
Workplace	16
International crossings	14
Checkpoints	12
Home	36
Total	78

Figure 9: Detention of Palestinians in Gaza for the period 1 Jan-31 March



³³ According to the Palestinian Ministry of Prisoners' Affairs, the number of Palestinians who were detained until the end of March 2004 was 6, 151 since the beginning of the Intifada in September 2000. This includes 362 children who are still under detention, 22 children under administrative detention and 31 children in need for urgent medical care. It also shows that 83% of the children who were detained were tortured and that 63% of them were arrested from areas under full, or intensive, Israeli presence, like Jenin, Nablus, or Hebron in the West Bank. The Ministry's reports also show that 250 women were detained since September 2000; 82 of whom are still under detention. Two women gave birth inside the prison.

³⁴ Al Mezan is authorized to represent 53 of the cases that appear in the table.



VII. Palestinian workers in Israel

During the first part of 2004, the IOF have tightened the restrictions imposed on the movement of Palestinian workers to their workplaces in Israel. New procedures were put in place by the IOF after the attacks by Palestinian militants on the Erez workers crossing, thus making the access of Palestinian workers to Israel even more difficult, humiliating and degrading. In principle, workers are only permitted to cross Erez and Sofa Crossings if they are in possession of written permissions issued by IOF. Furthermore they have to wait 5 to 7 hours in order to cross to Israel, after which they must fulfill an entire day's work and then return to the Gaza Strip in the evening. The restrictions imposed by the IOF included closing the 24 gates usually used by the workers to cross and only keeping one open. As a result of this, 15, 000 workers were made to wait for hours in one corridor. Muhammad Ibrahim Al Sheikh died of a heart attack as a result of waiting for hours in this overcrowded space.

These restrictions on working in Israel have alarming consequences on the living conditions in the Gaza Strip. The rates of poverty and unemployment have reached unprecedented levels with two thirds of the population living on less than 2 USD per day.

An affidavit by a Palestinian worker who requested to remain anonymous.

I leave my home at 5 am every day to go to Erez Crossing. I first arrive at the Palestinian security point where my ID and permit are checked by Palestinian officers to make sure they are valid. Then I enter a one-kilometer-corridor where hundreds of other workers wait in a long line. I reach the Israeli side of the crossing where there is a gate guarded by a soldier, who sits inside a closed room. I pass through the gate and reach a scrolling door which allows one person to pass at a time. Each worker passes this door and has to go through a metal detector, following a set of procedures: no jackets, no coins, no shoes or socks are allowed, the shirt should be taken off to show the belly and chest, the pants up to the knees, ID and permits in hands and above the head. Even in the cold winter, we are not allowed to wear sweaters. We then have to put everything we have in our pockets near one of the four metal detectors to be searched by soldiers. All the time we must keep our shirts and pants up and walk with the ID and permits in our hands up above our heads. If a soldier calls a worker, he has to respond fast. The soldiers aim rifles at us all the time. We then reach a second set of metal detectors and have to go through the same procedures a second time; shirts, pants, ID.... Then we reach a 20-meter corridor where soldiers check our papers with computers. Each time the computer produces a certain noise, the owner of the ID is either arrested or taken to interrogation. After this paper check, we walk to another corridor where they search plastic bags and jackets. Most of the time they throw our food in the garbage. At the end of this corridor is the entrance of another one-kilometer corridor where soldiers check the papers again. We walk to the other side of the crossing where cars and buses wait to pick us up. On the way back to Gaza, we go through the same procedures every day.

On Sunday January 18, 2004, the IOF limited the number of workers authorized to pass the Beit Hanoun/Erez crossing to 15,700 workers, all of whom are over the age of 35. Workers had to go through a set of security measures, including walking through a long corridor and passing through metal detectors with their shirts off and hands up. Since Tuesday 20 January, 2004, workers have been forced to use one corridor to pass, where in the past 24 corridors were used for the same purpose. Due to the exceedingly long delays to pass through, numerous workers are let through to late to start a day's work in Israel and must return home without income. According to several medical reports, dozens of cases of injuries have been reported due to the crowd. On Thursday 22 January, 2004 tens of workers were also taken to the hospital after Israeli soldiers closed the crossing. Hundreds of workers were

stuck into the corridor, unable to get out and the movement of the crowd injured many people.

The following table shows the daily number of Palestinian workers who were permitted through Erez Crossing and into the Erez industrial zone during the first three months of 2004. It also shows the number of days when IOF closed the crossing and the zone over this period.

Table 10: Workers crossing to Israel and to the Erez Industrial Zone

Month	Erez Crossing	# of days closed	Erez industrial zone	# of days closed
January 2004	6,905	4	2,304	4
February 2004	6,981	5	2,738	7
March 2004	8,974	18	3,693	11

The IOF's restrictions on workers' movement has great impact on the number of workers are that are able to pass through the crossing daily. It is worth mentioning that IOF eased some



restrictions after Al Shiekh's death at Erez crossing and after Palestinian workers carried out a one-day strike and a demonstration at the crossing.

VIII. Violations against fishermen:

The IOF are imposing tightened restrictions on the ability of fishermen to work inside the zone that was accorded to them by the agreements signed by the Palestinian Liberation Organization (PLO) and the Israeli government. As per the Oslo accords, Palestinian fishermen are authorized to fish within a 20 nautical mile zone along the Gaza Strip seacoast, except for the areas nearer to the borders with both Egypt and Israel. However Israeli marine forces have restricted this right and cause numerous problems to Palestinian fishermen since the outbreak of the Intifada. In numerous cases the Israeli forces have opened fire on Palestinian boats for no reasons, while they were as close as 3 nautical miles from the beach. Palestinian fishing boats are frequently prevented from going out to sea. On the days when they are authorized out, Israeli military boats frequently stop them. There are several documented cases where fishermen were searched in humiliating ways, while their boats were dragged by the Israeli military boat and their fishing nets were ruined.

Affidavit was given to Al Mezan by a fisherman who requested to remain anonymous.

I was with my nephew on board of our small fishing boat at about 9:30 am on Monday February 23, 2004. We were about 700 meters from the beach. I saw another boat with five of my nephews on board it. I also saw an Israeli armored boat nearby. These boats are always close by, watching the coast. Suddenly I heard the sound of shooting, followed by a sound of someone swearing through a loudspeaker. I saw the Israeli boat moving towards my nephews' boat. I was about 70 meters from them. The soldiers spoke through a loudspeaker. They ordered them to stop, stop the engine and take the net out of the water. Then they ordered everyone to take off their clothes. The distance between the Israeli boat and theirs was about 30 meters. The speaker ordered one of them to swim to the Israeli boat. It was cold, but one of them swam to it. Soldiers released a ladder to have him on board. Once he reached them, they tied his hands, blinded his eyes and arrested him. They did the same with the five of them. After about 90 minutes, the soldiers threw one of them into the sea, he had only his underwear on. He swam to his boat and sailed towards me, where we gave him clothes. He was freezing. The Israeli boat moved westward, and another one replaced it in the same spot. I collected his boat and the three of us sailed to the beach.

At approximately 5 pm on Sunday February 8, 2004, the IOF stopped and arrested six Palestinian fishermen opposite to Dier Al Balah coast. They were all on board of their fishing boat and are all from the Beach refugee camp. Their names are: Rajab Muhammad Al Hissi, Ziyad Rajab Al Hissi, Deib Salim Shamiya, Faris Murad Al Hissi, Majdi Mahmoud Al Hissi, Muhammad Ahmad Tulba. On February 23, 2004, the IOF also arrested four fishermen near Dier Al Balah coast. Their names are Muhammad, Qussai, Hasan, and Jamil Yousif Ali Al Aqra.

Additionally, the IOF has maintained the ban on fishing in a zone starting from the Egypt-border in Rafah to the Deir Al Balah coast. This ban has been imposed since 2000. These restrictions caused a collapse of the living conditions of the fishermen community where the rates of poverty and unemployment have become alarming.



IX. Violations against Worshipers:

The annual pilgrimage season occurred during the reporting period, between 13 and 23 January, 2004. As in previous years since the outbreak of the current Intifada, tight restrictions were imposed on the movement of pilgrims to Mecca. Out of 4,776 pilgrims this year, IOF prevented 181 from travel to Saudi Arabia through the Rafah Crossing. It should be noted here that the number of banned pilgrims was much higher. The IOF had initially delivered a list of persons who were banned from pilgrimage to the Palestinian Ministry of Religious Affairs, which then proceeded to replace them with others names before the season had started. The announced reasons for these bans were 'security concerns'.

The ban on Gazans' movement to practice their religious rites in the city of Jerusalem also continued. Additionally, IOF targeted more places of worship around the Gaza Strip; including mosques and churches.



Final comment

The collective punishment of Palestinians, embodied in the targeting of civilians life and property and closures, reflects serious humanitarian implications on the life conditions in the OPT. The Palestinian economy has close to collapsed. Besides, the levels of poverty and unemployment had reached unprecedented rates. UNRWA reported that two out three Palestinian families were living under the poverty line and dependant on regular relief aid, and that over half the working force suffers unemployment. Meanwhile, UNRWA, the PNA and other humanitarian agencies suffer from serious lack of funding to deal with this situation.

Al Mezan Center for Human Rights emphasizes its grave concern regarding Israel's systematic policy of collective punishment in the form of extra-judicial assassinations, home demolitions, land leveling, restrictions on movement, and the use of disproportionate and indiscriminate force.

Al Mezan Center for Human Rights strongly condemns Israel's violations of Palestinian human rights in the OPT, and the breach of its obligations under the international humanitarian law, especially the Fourth Geneva Convention. The Center calls for immediate international intervention to provide effective protection for Palestinian civilians and property in the OPT. and to ensure that the aforementioned violations do not go unnoticed. Rather, such violations must be treated under the provisions of international law, which necessitates pursuing and bringing to justice those who ordered and perpetrated them. The lack of action by the international community had proved to encourage Israel, the occupying power, to continue its violations and serious breaches for years in the OPT. Al Mezan also draws the attention to the humanitarian crisis caused by IOF's violations, and calls for international support for the Palestinian community to stop the serious deterioration of the living conditions in the OPT.

END



Annex 1: Gaza Strip Map of the

