



**Palestine Center for Human Rights**

# **Black Pages in the Absence of Justice**

**Report on Bloody Fighting in the Gaza Strip  
from 7 to 14 June 2007**



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## Preface

At least four months have passed since the bloody internal fighting in the Gaza Strip took place. However, the scenes of clashes are still seeable as we live their severely unprecedented results, because of the serious violations of human rights which were perpetrated by Palestinian hands, and the destruction of the self, the Palestinian unity and the national cause.

PCHR has paid extra-ordinary attention to those incidents and devoted a team of researchers and lawyers to collate information and investigate crimes that were committed. Members of the team interviewed dozens of victims and eyewitnesses and collated affidavits from them about what they were subjected to or human rights violations which they saw. Nevertheless, PCHR realizes that the facts included in this report are not exclusive and does not claim that it provides the complete truth, rather it highlights the information which PCHR's team was able to reach.

People may ask about the reasons for publishing this report: What do we want through its publication? Why now, at least 3 months after the fighting had ended?

First, we would like to unveil the truth as reporting on human rights violations is a basic tool in our work as a human rights organization and because our main duty as human rights defenders is to unveil what happened. "Saying the truth in the face of power" or "saying the truth to a tyrant ruler" is a basic duty of all those who are devoted to serve the high message of human rights.

Second, there is no good time for the truth as the timing will be always questionable. Although we are aware that this report may be misused or employed by political actors, its publication is an integral part of our commitment to undividable human rights in all circumstances.

Third, we believe that there is no means to overcome the current internal Palestinian crisis without frankness and showdown whatever severity and hardness they imply.

Fourth, this report is not meant to be a political trial against anyone, rather it seeks to unveil the truth in accordance with legal norms to be fair with victims whose rights were violated and no one has the right to neglect them, their suffering and their families' pains under any justification.

Last, this report is a public notice to concerned political powers and the Palestinian National Authority to assume their responsibilities through investigating these incidents, holding those responsible for them accountable and bringing those who committed crimes to justice in the context of the rule of law to ensure the non-recurrence of such incidents and accompanying crimes.

## Introduction

On 7 June 2007, a new stage of the Palestinian internal fighting in the Gaza Strip between the armed wings of Fatah and Hamas movements started. Palestinian security services that suffer from divisions were also involved in the fighting. Even through the two movements reached a truce like 12 previous truces over the past 15 months as an outcome of efforts made by the Egyptian security delegation to the Gaza Strip and Palestinian political factions, and sometimes Arab efforts, this truce collapsed in a few hours. Like previous rounds of fighting, the latest bloody fighting started in a specific place (this time in Tal al-Sultan neighborhood in Rafah) and the hell of fighting extended all over the Gaza Strip. This time, the fighting was accompanied by statements by a number of Hamas' leaders, in which they expressed "determination for military showdown." The 'Izziddin al-Qassam Brigades (the military wing of Hamas) launched systematic attacks against headquarters and sites of Palestinian security services throughout the Gaza Strip. The fighting ended with Hamas' takeover of all headquarters and sites of security services, and consequently, the whole Gaza Strip.

The latest round of fighting took the lives of 161 Palestinians, including 41 civilians. This figure includes 7 children and 11 women. Additionally, at least 700 Palestinians were wounded.

According to PCHR's documentation, the two parties of the conflict perpetrated grave breaches of the provisions of international law concerning internal armed conflicts, especially common article 3 of the Geneva Conventions of 1949. Common article 3 ensures protection for persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, and calls for treating them humanely. It also prescribes that "the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) Violence to life and person. in particular murder of all kinds, mutilation, cruel treatment and torture; (b) Taking of hostages; (c) Outrages upon personal dignity, in particular humiliating and degrading treatment; and (d) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples."

The fighting included: extra-judicial and willful killings of combatants who laid down their arms; killing a number of wounded persons inside hospitals; abduction and torture; using houses and apartment buildings in the fighting, endangering the lives of civilians; obstruction of access of medical and civil defense crews to areas of clashes. <sup>1</sup>

The latest round of fighting was an extension of other rounds of fighting between Fatah and Hamas movements over 15 months (from April 2006 to June 2007), in which divided security services were also involved.

Violence and fighting has been an outcome of the conflict over security and political authorities between the presidency and premiership in the Palestinian National Authority following the parliamentary elections that were held in January 2006, in which Hamas won the majority of seats

of the Palestinian Legislative Council (74 seats for Hamas and 45 ones of Fatah out of a total of 132 seats). Although the elections were an important turn point towards democratic reform since they were transparent and fair, the subsequent developments constituted a setback of the process as this democratic experience was combated and besieged to be buried. The Hamas-led government that was formed in March 2006 was boycotted by the United States, the European Union, Canada, Japan and others. All money transfers from Arab and Islamic countries through banks were also blocked. Subsequently, the economic conditions deteriorated to an unprecedented level, the government was not able to pay salaries to its employees and the services provided to the Palestinian population sharply decreased.

At the same time, the internal security situation further deteriorated with the state of lawlessness and security chaos that have plagued the Occupied Palestinian Territory for years. PCHR had already warned of such deterioration and its impacts on the Palestinian people. It had also repeatedly called upon the Palestinian National Authority to take effective measures to end the state of lawlessness and security chaos and take legal actions against those who were responsible for assaults on the rule of law. PCHR also pointed out that organized parties were responsible for the state of lawlessness and security chaos before and after the parliamentary elections, first to prevent holding the elections and later, to undermine their results. A number of militants attacked public, private and international institutions and public figures.

The political conflict over authority between Fatah and Hamas movements has negatively impacted the whole Palestinian internal situation, including the deep division it has caused in the executive between the presidency of premiership. This conflict has been demonstrated in bloody fighting between armed wings of the two movements. Palestinian security services, which are divided in support for the presidency (those formed before the formation of the Hamas-led government) and the government (those formed by following the formations of the government, like the Executive Force) have been also involved in the fighting.

The past 15 months have witnessed several rounds of fighting in the Gaza Strip between the two movements. Thousands of militants from the two movements deployed in the streets and atop of buildings and fighting erupted between the two sides. The fighting has been characterized by grave breaches of human rights and international humanitarian law, including willful killings, abduction and torture. The militants disregarded the lives of civilians when they transformed roof of a number of apartment buildings as sites for them and established barriers in densely populated areas. These places were used in the fighting, thus endangering the lives of civilians. Militants from the two movements also attacked civilian establishments, including universities and media institutions. In each round of fighting, Palestinian civilians were forced to stay at homes and traffic in the streets stopped completely.

Each round of fighting ended with an agreement between the two movements to calm down the situation brokered by the Egyptian security delegation to the Gaza Strip and Palestinian political factions. However, no investigation was conducted into any crime and the politically-covered perpetrators have remained free. The lack of legal action against the perpetrators of crimes has increased tension motivating new rounds of fighting. Any truce lasted for days, and at best, for a few weeks, while tension and lack of confidence between the two movements remained

persistent motivating new rounds of fighting. The latest round of fighting has been the fiercest of all rounds and has ended with Hamas' takeover of the Gaza Strip.

This report highlights the latest round of fighting between Fatah and Hamas movement from 7 to 14 June 2007 and the grave breaches of human rights and international humanitarian law concerning internal armed conflicts. The report does not detail every single detail in the fighting, rather what PCHR has been able to investigate and document through eyewitnesses' testimonies and checking the damages caused by the fighting.

The report does not discuss the developments that followed the fighting, including acts of retaliation by armed groups affiliated to Fatah movement and security services in the West Bank against members, offices and institutions of Hamas following the measures taken by Palestinian President Mahmoud 'Abbas.

The report includes 4 sections in addition to the introduction. The first section details the developments in the Palestinian National Authority that followed the Palestinian parliamentary elections of January 2006, including acts of violence between the supporters of Fatah movements and those of Hamas in the Gaza Strip, which developed into several rounds of fighting between the two movements from April 2006 to June 2007. The second section highlights the latest round of fighting; how it began, how it developed and its end with Hamas' takeover of the Gaza Strip. The third section details violations of human rights and international humanitarian law perpetrated or allegedly perpetrated by the parties of the conflict, including extra-judicial and willful killings, abduction and torture; using houses and apartment buildings in the fighting; attacks on civilian property; attacks on hospitals and medical and civil defense crews; endangering the lives of civilians in the streets and houses; attacks on peaceful demonstrations; and seizure, robbery and destruction of public, private and non-governmental institutions. The last section of the report provides PCHR's conclusion and recommendations to relevant parties. Annexed to this report is a list of names of those who were killed in the latest round of fighting.

## International Humanitarian Law

The latest fighting between Fatah and Hamas movements was a form of non-international armed conflicts. Although the international law does not include a definition of such conflicts, which can be in several forms, they are distinguished from armed conflicts with an international nature. Unlike international armed conflicts, which take place between two or more sovereign parties, non-international armed conflicts are those that include hostilities between armed forces or between paramilitary groups within a single state.<sup>2</sup>

The international humanitarian law imposes limitations on the parties of an armed conflict, not only in international conflicts, but also internal conflicts. The main goal of the international humanitarian law is to ensure protection of all non-combatants, including civilians, combatants who have laid down their arms, wounded combatants and prisoners of war.

Even through the Palestinian National Authority is not a sovereign state or a contracting party to relevant international instruments, it and non-governmental armed groups cannot exempt themselves from obligations under the international law. The international humanitarian law (the four Geneva Conventions of 1949 and the two additional protocols of 1977) is increasingly recognized by the international community as a part of the customary internal law.

Common article 3 of the Geneva Conventions ensures protection for persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, and calls for treating them humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria. It also prescribes that “the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) Violence to life and person. in particular murder of all kinds, mutilation, cruel treatment and torture; (b) Taking of hostages; (c) Outrages upon personal dignity, in particular humiliating and degrading treatment; and (d) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.”

Article 4(3) of the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) ensure protection for children, as it prescribes that “Children shall be provided with the care and aid they require, and in particular: ... (e) Measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.”

Article 7 of Protocol II prescribes: “1. All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected. 2. In all circumstances they shall be treated humanely and shall receive, to the fullest extent practicable and with the

least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones." Article 8 of Protocol II prescribes that "whenever circumstances permit, and particularly after an engagement, all possible measures shall be taken, without delay, to search for and collect the wounded, sick and shipwrecked, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead, prevent their being despoiled, and decently dispose of them."

Article 10 (1) of Protocol II states that "under no circumstances shall any person be punished for having carried out medical activities compatible with medical ethics, regardless of the person benefiting there from." Article 11(1) of Protocol II states that "medical units and transports shall be respected and protected at all times and shall not be the object of attack." Article 13 of Protocol II prescribes: "1. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. To give effect to this protection, the following rules shall be observed in all circumstances. 2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited. 3. Civilians shall enjoy the protection afforded by this Part, unless and for such time as they take a direct part in hostilities."

## Background

The latest clashes in the Gaza Strip cannot be discussed aside from the developments that had taken place since Hamas' victory in the legislative elections that were held on 25 January 2006, which was followed by the formation of the first Hamas-led government on 29 March 2006.

The Palestinian elections constituted a major turnover in the Palestinian political life and a significant step towards Palestinian democratic reform. However, the electoral process faced internal and external difficulties even before the formation of a new government. At the Israeli level, Israeli Occupation Forces escalated attacks against Palestinian civilians, the Palestinian government and the elected Palestinian Legislative Council. They killed many Palestinians, destroyed civilian facilities, abstained from transferring Palestinian tax revenues to the Palestinian side and further tightened the siege imposed on the Occupied Palestinian Territory. At the international level, the United States, the European Union, Canada and Japan decided to suspend financial aid to the Palestinian National Authority, which led to economic hardship and further suffering of Palestinian civilians. At the internal level, the state of lawlessness and assaults on the rule of law escalated, especially in the Gaza Strip.

Even before holding the legislative elections, the internal security situation had deteriorated to unprecedented levels due to the failure of the Palestinian National Authority and its security establishment over years to search for, and prosecute those who were responsible for assaults on the rule of law. PCHR was the first to refer to the escalating state of lawlessness and security chaos in the Occupied Palestinian Territory, especially in the Gaza Strip, through publishing updates and press releases about assaults on the rule of law. PCHR also repeatedly warned of the repercussions of the state of lawlessness on the Palestinian society. The state of lawlessness in Palestinian National Authority – controlled areas, especially the Gaza Strip, was demonstrated in armed conflicts between armed groups and Palestinian security services, in which dozens of Palestinians were killed; attacks against international organizations; abduction of internationals; attacks on public and private property; attacks against officials; personal and clan disputes; misuse of weapons; extra-judicial killings for alleged collaboration with Israeli security services; and killing “to preserve family honor.”

The weeks that preceded the Palestinian legislative elections witnessed systematic attacks against public institutions in the Gaza Strip, especially centers of the Palestinian Central Election Commission (CEC). Offices of the CEC were subjected to a series of attacks by armed groups of the al-Aqsa Martyrs Brigades of Fatah movement in protest to the way the candidates of Fatah movement for the legislative elections were nominated. Such attacks apparently aimed at exerting pressure to postpone or cancel the elections, but Palestinian President Mahmoud Abbas did not surrender to such pressure and insisted to hold legislative elections on the already specified date.

The state of lawlessness continued after the legislative elections, which was won by Hamas. The period the preceded the formation of the Hamas-led government witnessed assaults on the rule of law, including: attacks on public institutions; armed personal and clan disputes; attacks on

international organizations; abduction of internationals, including journalists; armed conflicts between security services and armed groups; and attacks on officials.<sup>3</sup> The state of lawlessness further escalated following the formation of the Hamas-led government. It was clear that there were attempts to impose additional challenges on the Hamas-led government, which vowed to combat the state of lawlessness. In the Gaza Strip, Palestinian armed groups abducted dozens of internationals, including journalists. The Palestinian National Authority failed to prosecute the perpetrators of most of those abductions, which motivated more ones against internationals. Ironically, all Palestinian factions denied any relation to abductions and condemned them. The abductions and the state of security chaos led the majority of internationals to leave the Gaza Strip, including UNRWA officials; diplomats, solidarity activists and volunteers.

In addition to the escalated state of lawlessness, a conflict over authorities erupted between the President and the Prime Minister, especially with regard to security powers. In this context, the then Palestinian Interior, Sa'id Siam, complaint about the failure of security services to cooperate with his ministry, including even services that are under his direct authority. On 20 April 2006, Siam declared the formation of a new security service called "the Executive Force" to support the Palestinian police, claiming that security services controlled by Fatah leaders refused to implement his instructions.

This conflict over authorities between the two movements was interpreted on the ground in an armed conflict that continued over 15 months. In this conflict, 350 Palestinians, including 20 children and 18 women, were killed, and at least 1,900 others were wounded, including dozens who sustained permanent disabilities. The internal fighting was also accompanied by an escalation in the state of lawlessness, which took the lives of 248 Palestinians and wounded at least 1,000 others.

The first armed clashes between the two movements erupted in Gaza City on 22 April 2006. Clashes broke out between hundreds of students from al-Azhar University and the Islamic University, which are located close to each other in the west of Gaza City. The clashes followed statements by the Head of the Political Bureau of Hamas, Khaled Mash'al, in Damascus 2 days earlier, in which he accused Palestinian parties of making efforts to undermine the Hamas-led government. The two sides threw stones and empty bottles at each other. Some students even used home-made grenades. The Palestinian police intervened and used tear gas to disperse the students. The clashes continued until the evening and the two sides were reinforced by supporters from outside the university. During the clashes, 33 students were wounded (6 were injured by shrapnel from home made grenades; 4 suffered from tear gas inhalation used by the police to disperse the students; and the remaining students were hit by stones). Buildings belonging to the two universities were also damaged. At night, at the end of a meeting in Gaza City brokered by the Egyptian government, Fatah and Hamas movements agreed to end the tension and form a permanent bilateral dialogue committee to consider all emerging issues.<sup>4</sup>

On 24 April 2006, a group of militants attempted to break into the office of the then Minister of Health, Dr. Basem Na'im. A police force was summoned to the scene to apprehend the militants. However, the situation escalated and the militants clashed with the police force, which

were supported by members of the 'Izzidin al-Qassam Brigades (the military wing of Hams). A caretaker in the Ministry, a policeman and 2 of the militants were wounded in those clashes. <sup>5</sup>

On 8 May 2006, armed clashes broke out between militants from Fatah and Hamas movement in Bani Suhaila village, east of Khan Yunis. Three militants from the two movements were killed and 11 others were wounded. The clashes were also accompanied by mutual kidnappings of activists from the two movements. The Popular Resistance Committees intervened with the two movements and released the captives. <sup>6</sup>

On 22 May 2006, a number of militants opened fire at some members of the Executive Force near the Palestinian Legislative Council (PLC) building, near the police headquarters in Gaza City. The Executive Force members fired at the militants, who fled the scene. Gunshots hit the police headquarters, resulting in policemen returning fire. Fierce clashes erupted between the two sides and continued for nearly an hour. The armed clashes resulted in the death of a driver in the Jordanian Representative Office to the PNA in Gaza city. He was hit by a gunshot to the head as he drove in the crossfire. Eleven Palestinians, mostly civilian bystanders, were also wounded. Prior to these clashes, gunmen fired at members of the Executive Force near "Mousa Arafat" building in al-Nasser neighborhood in Gaza City. One member of the Executive Force was wounded. Those clashes were the first between the Executive Force and militants from Fatah movement.

On 4 June 2006, armed clashes broke out between members of the Executive Force and those of the 'Izzidin al-Qassam Brigades on one side and members of the Preventive Security Service and the al-Aqsa Martyrs Brigades (an armed wing of Fatah movement) on the other. Clashes between both sides resulted in four deaths, including a pregnant woman, and the injury of 12 others, including a woman and a child. In the evening, members of the Executive Force clashed with armed members of Fatah movement near Martyrs Square in Beach Camp, west of Gaza City. The confrontation took place near a house where the mourning ceremony for Khader Afana, an officer in the Preventive Security, was taking place. He had been killed by unknown militants on 1 June 2006. In these clashes, 2 members of Fatah movement were killed and 2 others, including Afana's brother, were wounded. Earlier on the same day, an activist of the 'Izziddin al-Qassam Brigades was driving a jeep accompanied by his young daughter, his brother's wife who was pregnant and 2 cousins. The jeep came under fire in Mohammad al-Durra Street near the Special Police and Preventive Security stations in the Gizan al-Najjar area in the south of Khan Yunis. All the occupants of the vehicle were hit by gunshots. Special Police vehicles took the victims to Nasser Hospital and the European Hospital in Khan Yunis. Reem Shehada al-Ghalban, a 28-year-old pregnant woman, who was hit with several gunshots all over her body, and 'Attiya Ibrahim 'Attiya al-Ghalban, 20, who was hit by several gunshots to the upper body, were both pronounced dead shortly after admission into the hospital. Half an hour after the incident, gunmen from the 'Izziddin al-Qassam Brigades arrived in the vicinity of the Preventive Security station and fired at it. An armed clash broke out. A member of the Preventive Security Service was wounded by a gunshot to the foot. In the early morning on 5 June, a home-made rocket was fired at the Security Forces Compound in the center of Khan Yunis. The rocket did not explode. Soon after, another rocket was fired at the same compound, causing some damage. No casualties were reported.

Also on 4 June, armed clashes erupted between members of the 'Izziddin al-Qassam Brigades and members of the Executive Force on the one side and members of the Qishta clan, who are also members of the al-Aqsa Martyrs Brigades, and the Preventive Security Service on the other. As a result of those clashes, 6 members of the Qishta clan and 2 members of the Executive Force were wounded.<sup>7</sup>

On 12 June 2006, armed clashes broke out in various areas of the Gaza Strip involving members of the Executive Force and the 'Izziddin al-Qassam Brigades against members of the Preventive Security Service and activists of the al-Aqsa Martyrs Brigades. Armed clashes broke out between members of the Preventive Security and those of the 'Izziddin al-Qassam Brigades in Rafah. The clashes resulted in the death of Hamas member Hammad Hamed Abu Jazar, 21, with three gunshots to the chest, abdomen and foot. The clashes erupted near the headquarters of the Preventive Security in Rafah during the funeral procession of a Hamas activist, who had been killed a few days earlier during clashes between the two sides. After the death of Abu Jazar had been declared, members of the 'Izziddin al-Qassam Brigades and the Executive Force surrounded the Preventive Security compound in Rafah. Fierce fighting erupted between the two sides. Machine guns, hand grenades and rockets were used in the fighting. A passerby was killed during the clashes and 12 others, mostly civilians, were wounded. The civilian who was killed was identified as Suliman Khamis Zannoun, 36, who was deaf.

In Khan Yunis, dozens of members of the Fatah-affiliated al-Aqsa Martyrs Brigades stormed the house and private clinic of Dr. Salah al-Rantissi, the brother of the late Hamas leader Abdel Aziz al-Rantissi, who was extra-judicially executed by Israeli Occupation Forces. The house and the clinic are located in the Sheikh Nasser area of Khan Yunis. The assailants destroyed a medical laboratory in the clinic. They then abducted al-Rantissi and took him to a nearby house in the al-Qassas area. They destroyed al-Rantissi's car and confiscated his personal gun. At approximately 20:30 on the same day, Rantisi was released after intervention from local community leaders. This attack came in response to the abduction and beating of 5 members of the al-Aqsa Martyrs Brigades by the 'Izziddin al-Qassam Brigades.<sup>8</sup>

As the state of lawlessness continued to plague the Occupied Palestinian Territory, Israeli Occupation Forces (IOF) launched "Operation Summer Rains" against the Gaza Strip. This military operation followed an armed attack by the Palestinian resistance against an IOF military post near Kerem Shalom crossing, southeast of Rafah, on Sunday morning, 25 June 2006. Two of the attackers and two IOF soldiers were killed and a third soldier was captured. IOF imposed a tightened siege on the Gaza Strip. They closed all border crossings, including Rafah International Crossing Point on the Egyptian border. IOF invaded Palestinian areas, extensively destroyed the civilian infrastructure, including bridges and Gaza power plant, which provides 45% of the electricity used by the population. During this operation, IOF killed hundreds of Palestinian civilians and destroyed hundreds of civilian facilities, including houses. In the West Bank, IOF arrested dozens of Hamas' supporters, including ministers, PLC members and mayors.<sup>9</sup>

As IOF have continued their offensive, the state of security chaos has continued to plague the Gaza Strip, demonstrated in attacks on public and private property, misuse of weapons, attacks on officials and fighting between Fatah and Hamas movements.

On 1 October 2006, 6 Palestinians were killed and at least 115 others were wounded in armed clashes between Hamas and Fatah movements in the Gaza Strip. The clashes erupted first in the southern Gaza Strip town of Khan Yunis between members of security services and those of the Executive Force of the Ministry of Interior. Soon, these clashes extended to Gaza City. Various areas in the city witnessed armed clashes between the two sides. In the evening, clashes broke out in al-Boreij refugee camp in the central Gaza Strip between supporters of Hamas and Fatah movements. The violence spread to the towns of Hebron, Ramallah, Nablus and Jericho in the West Bank. Scores of demonstrators, including some militants, attacked several public buildings and Hamas' institutions, including the buildings of the PLC and the cabinet and offices of PLC members.<sup>10</sup> On the following day, 2 October 2006, two civilians were killed and 23, mostly civilians, were wounded, during clashes between Fatah members and the Executive Force in the southern Gaza Strip town of Rafah.<sup>11</sup>

In the period 14-17 December 2007, tension escalated between Fatah and Hamas movements, which failed to form a national unity government. Such tension was demonstrated in an escalation in attacks and violent actions in various areas in the Occupied Palestinian Territory. In the evening of 14 December 2006, thousands of Hamas' supporters, escorted by militants of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) and the Executive Force, broke into Rafah International Crossing Point, which was guarded by the Palestinian Presidential Security Forces, when they heard news that Israeli Occupation Forces closed the crossing point in order to prevent Palestinian Prime Minister Ismail Haniya from traveling back to the Gaza Strip. Armed clashes erupted between the raiders and the Presidential Security Forces. As a result of these clashes, 13 persons (3 children, 4 members of the Presidential Security Forces, two members of the Executive Force and 4 civilians) were wounded. At approximately 22:30, when Prime Minister Haniya left the arrival hall of the crossing point, his convoy was fired at from an unknown source. One of his bodyguards was killed, and his son and one of his advisors were wounded.

In the morning of 15 December 2006, tension escalated between the two sides and some Palestinian towns witnessed demonstrations that were characterized by the presence of militants and exchanges of fire. In Ramallah, members of the Presidential Security Forces and militants wearing civilian clothes attacked a demonstration organized by Hamas' supporters near Jamal Abdul Nassser Mosque following the Friday Prayer. At least 30 people were wounded.

The crisis between the two sides further escalated following Palestinian President Mahmoud Abbas' call for early presidential and parliamentary elections in his speech to the Palestinian people on 16 December 2006. Hamas rejected this call for early elections. Hamas and Fatah movements called on their supporters to go into the streets to demonstrate in protest or support for President Abbas' decision. The two movements organized demonstrations in most areas in the West Bank and the Gaza Strip. Militants from the two movements were intensively deployed in the streets, which led to armed clashes between the two sides. A number of persons were wounded.

On 17 December 2006, an armed group stormed a training site of the Presidential Security Forces in the south of Gaza City. The group fired bullets and RBJ ammunition at the site, killing a security man. A few hours later, a number of militants broke into offices of the Ministries of Agriculture and Transportation in Gaza City and closed them. Later, a number of militants fired

at the convoy of the then Palestinian Foreign Minister Mahmoud al-Zahhar.

On 19 December 2006, acts of violence erupted between Hamas and Fatah movements in the Gaza Strip, which killed 6 persons and wounded 26 others. In addition, 11 persons, including a retired high-ranked intelligence officer and a former minister, were kidnapped.<sup>12</sup> On the following day, 20 December 2006, tension between the two movements continued. In the early morning, an exchange of fire erupted between members of Fatah movement and those of the Executive Force, who were on their way to arrest a member of Fatah movement accused of firing at a leader of the 'Izziddin al-Qassam Brigades (the military wing of Hamas) in Gaza City. The exchange of fire continued for nearly an hour, during which two persons were killed: Mahmoud Mansour Dughmush, 25; and Ashraf Dughmush, 25. Additionally, two other persons were wounded by shrapnel throughout their bodies. An hour later, unknown militants fired bullets and RBJ projectiles at a site of the Palestinian Riot Control Police near al-Yarmouk Stadium in Gaza City. Six policemen were wounded.

The period 1-6 January 2007 witnessed another worse round of fighting between the two movements. During that period, 16 persons were killed and 117 others were wounded as an outcome of the bloody fighting between the two movements. That period witnessed reciprocal kidnappings between Fatah and Hamas movements, especially in the northern Gaza Strip and Gaza City where the worst fighting took place. The abductees were subjected to beating and torture, and in some cases their limbs were fired at to cause permanent physical disabilities. PCHR documented dozens of cases in which persons sustained permanent physical disabilities, including amputated limbs. Firing at the limbs to cause permanent physical disabilities alarmingly escalated.

On 3 January 2007, militants abducted an officer of the Preventive Security Service (PSS), after having wounded him with gunshots in the center of Khan Yunis. Soon after, an exchange of fire erupted between PSS members and militants from the 'Izziddin al-Qassam Brigades (the military wing of Hamas) in al-Mawasi area in the west of Khan Yunis. A PSS member was wounded. During the evacuation of the wounded PSS member to Nasser Hospital in Khan Yunis, and exchange of fire erupted between PSS members and those of the Executive Force inside the hospital. Three PSS members were killed.

At approximately 14:00 on 3 January 2007, an exchange of fire erupted between members of Fatah movement and those of the Executive Force after the latter burnt a car belonging to Colonel Mohammed Ghrayeb, in which two of his relatives were traveling, near Abu Sharekh intersection in the west of Jabalya refugee camp. The exchange of fire continued for two hours, during which time Muna Saleh Salha, 22, was killed, when she was in the balcony of her house, and 4 members of the Executive Force and a civilian bystander were wounded.

At approximately 14:00 on 4 January 2007, Ayman 'Essam Subeh, 26, a member of the Executive Force, was shot dead by unknown militants, when he was walking near a house belonging to Colonel Mohammed Ghrayeb (Abu al-Majd) in al-Falouja area. Soon after, members of the Executive Force besieged Colonel Ghrayeb's house. Some of them took positions atop of

neighboring houses and the minaret of a mosque. Members of the Executive Force fired gunshots and shells at Colonel Ghrayeb's house. The Executive Force continued to besiege and fire at the house until 19:00, during which time 3 persons who were inside the house were killed:

1. Eihab Yousef al-Mabhouh, 28, a bodyguard of Colonel Ghrayeb;
2. Shadi Jaber Khalil, 22, a member of Fatah movement; and
3. Ahmed Suhail al-Shurbaji, 18, a member of the Military Intelligence.

In addition, 59 persons, including Ghrayeb's wife, were wounded. At approximately 19:00, a peaceful demonstration was organized in the refugee camp. The demonstrators moved towards Colonel Ghrayeb's house demanding lifting the siege imposed on the house and a ceasefire. When the demonstrators got close to the house, members of the Executive Force opened fire at them. Shadi Kamal Abu 'Asser, 18, was killed, and 30 others were wounded. One of the wounded, 17-year-old Mohammed Ameen al-Liddawi, died from his wound on the following day. At approximately 19:30, members of the Executive Force broke into Colonel Ghrayeb's house opening fire. During this raid, 3 persons who were inside the house were killed:

1. Colonel Mohammed Diab Ghrayeb, 48;
2. Hussein Ahmed Abu Ehlayel, 43; and
3. Wa'el Hasan Ghrayeb, 35.

Members of the executive force remained inside the house for nearly two hours and a half, during which time they prevented ambulances from attending the house to evacuate the victims, and fire engines from extinguishing fire that broke out in parts of the house and 6 cars in front of it. At approximately 22:00, members of the Executive Force left the house after kidnapping 25 members of the Ghrayeb clan. They took members of the Ghrayeb clan to unknown destinations and violently beat them. They then dumped the abducted persons into several areas in the refugee camp.

On 5 January 2007, unknown militants shot dead Sheikh 'Aadel Hasan Nassar, 50, who was traveling in a civilian car near al-Maghazi intersection on Salah al-Din road in the central Gaza Strip, after he had delivered the Friday preach in Nusairat refugee camp.

On 6 January 2007, 3 members of the al-Dairi clan were killed and 3 other members of the same clan were wounded during armed clashes with the Dughmush clan in al-Sabra neighborhood in Gaza City. Earlier on the same day, armed members of the Dughmush clan abducted 4 members of Hamas in Gaza City and took them to an unknown destination.

In the period 25-27 January 2007, another round of fighting broke out between Fatah and Hamas movements, especially in Gaza City and the northern Gaza Strip. In that round of fighting, 19 persons, including 8 civilian bystanders, were killed and at least 70 others were wounded.

On 25 January 2007, unknown persons detonated an explosive device on the roadside when a vehicle of the Executive Force was passing in Jabalya town in the northern Gaza Strip. As a result of the attack, which occurred in a densely-populated area, the vehicle was destroyed and 8

members of the Executive Force and 4 passing persons, including two children, were wounded. Later, Hussam 'Abdul Malek Mtai, 36, a member of the Executive Force from Jabalya, who was wounded in the attack, was pronounced dead. Another member of the Executive Force, Mousa Taha 'Asaliya, 18, was also pronounced dead on the following day.

At approximately 01:30 on 26 January 2007, a number of militants of Hamas and the Executive Force stormed a house belonging to Nabeel Hasan al-Jarjeer, 25, a member of Fatah movement in Jabalya town, accusing him of responsibility for the attack on the Executive Force vehicle. They shot al-Jarjeer dead with a gunshot to the head. They also violently beat his brother, 33-year-old Nahedh. He sustained bruises throughout the body.

Soon after, clashes erupted near a house belonging to Sameeh al-Madhoun, a member of the al-Aqsa Martyrs Brigades (the armed wing of Fatah movement) in Beit Lahia town in the northern Gaza Strip. In a later development, al-Madhoun abducted a number of members of Hamas and held them inside his house, which he had already fortified and blocked all roads leading to it with cement blocks and sand barriers. As a result of the exchange of fire, a number of persons were wounded:

1. Saleh Jameel Matar, 28, wounded by a gunshot to the abdomen; and
2. Fatema Nafez Qa'oud, 17, wounded by a gunshot to the left hand.

Members of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas) and the Executive Force besieged the house of Mansour Shalayel, a member of Fatah movement, in Jabalya refugee camp, accusing him of responsibility for an attack on a vehicle that was calling for organizing a demonstration for Hamas. Violent clashes took place between dozens of militants who deployed around the house on one side and Shalayel and some militants who were inside the house on the other side. As a result of those clashes, two civilian bystanders were killed:

1. Fu'ad 'Abdul Mahdi al-Khalidi, 17, hit by several gunshots to the head and the chest; and
2. Ziad Isma'il Abi Zaid, 25, hit by a gunshot to the chest.

Later, the bodies of 3 persons who were killed in clashes near Shalayel's house were brought to Kamal 'Edwan Hospital in Beit Lahia town. Two of them were identified as Ahmed Saleh Salah, 20, and Sharaf Salama Abu Wadi, 22, both were members of the Executive Force.

The clashes in the northern Gaza Strip extended to Gaza City. At approximately 15:00 on 26 January 2007, Brigadier Jihad 'Abdul Ra'ouf Sarhan, 58, of the National Security Forces, was wounded by a gunshot to the right leg. Sarhan told PCHR that he was traveling in his car with his bodyguard on Salah al-Din road, east of Gaza City, when a number of masked gunmen intercepted the car and fired at him as he refused to obey their order to get out of the car.

At approximately 18:20 on the same day, a number of unknown militants broke into al-Hedaya Mosque in Tal al-Hawa neighborhood in the southwest of Gaza City, and opened fire at all those who were in the mosque listening to a preach. Three persons were killed:

● ● ● **Black Pages in the Absence of Justice**

1. Eihab Suleiman Hammouda, 22;
2. Mas'oud Jamal Shamallakh, 22; and
3. Zuhair Mahmoud al-Mansi, 40, a prominent leader of Hamas.

Four other persons were wounded:

1. Sa'id Jamal Shamallakh, 20, wounded by several gunshots to the legs;
2. Muneer Qassem al-Meenawi, 27, wounded by a gunshot to the right side;
3. Mo'taz Jamal Abu Ras, 20, wounded by two gunshots to the right leg and the left thigh; and
4. Mohammed Mansour Sa'da, 17, wounded by several gunshots to the legs.

The militants also kidnapped Mohammed al-Hussein al-Berniya, 24.

At approximately 22:00 on the same day, unknown persons fired a projectile at the house of Dr. Mahmoud al-Zahhar, the then Palestinian Foreign Minister, in al-Sabra neighborhood in Gaza City. At approximately 22:20, unknown persons fired two projectiles at the house of Rasheed Abu Shibak, Director-General of the Internal Security Service and former commander of the PSS, in Tal al-Hawa neighborhood. Approximately 10 minutes later, unknown persons fired 3 mortars at the headquarters of the PSS in Tal al-Hawa neighborhood. No casualties were reported as a result of the three attacks.<sup>13</sup>

In the period 1-3 February 2007, the Gaza Strip witnessed another round of fighting between the two movements, in which 29 Palestinians, including 3 women and 3 children, were killed, and at least 200 others, half of them were civilians, were wounded.

Thousands of militants and security personnel armed with machine guns and other weaponry deployed in streets, at intersections, and atop of buildings. Fighting erupted between the two sides. This serious escalation included various flagrant violations of human rights and international law by militants and security officers from both sides. PCHR's investigations into scores of incidents concluded that the conflicting parties demonstrated disregard for civilian lives, including the use of civilian facilities, especially residential buildings, in the fighting. Militants from both sides took up positions on the roofs of high residential buildings and at their entrances. In addition, they erected barricades in densely populated areas. These military positions were used in armed clashes, which increased the threat to civilian lives. In addition, the escalation included mutual attacks on civilian institutions including universities and media organizations. A state of fear overtook civilians, who did not go out of their houses. In addition, transportation vehicles did not function, with a state of voluntary curfew in Gaza City specifically and throughout the Gaza Strip. On 3 February 2007, a ceasefire between Hamas and Fatah movements was reached under Egyptian sponsorship.<sup>14</sup>

The fighting between the two movements was first resumed on Thursday, 1 February 2007, after militants from Hamas and the Executive Force had intercepted a convoy of trucks for the Presidential Guard moving from the south to the north of the Gaza Strip. Hamas and Executive Force members commandeered two trucks and confiscated them claiming they were carrying

weapons. The Egyptian Security Delegation and Presidential Guard denied the allegations. Fierce clashes erupted between both sides during the attack against the convoy, resulting in the death of 4 members of the Presidential Guard and National Security Forces:

1. Ibrahim Mohammad Khattab, 50, from Beit Hanoun;
2. Murad Ibrahim al-Tallaa', 24, from Nusairat;
3. Hazem Jamil al-Harazin, 23, from Gaza City; and
4. Arafat al-Mushallah, 24, from Gaza City.

Thirty four others were wounded, including 14 civilians (7 children were among them). One of the wounded, 41-year-old Maha Ahmed Abu Shammala, from al-Boreij refugee camp, was seriously wounded in the abdomen, and died from her wounds the next day. Consequently, the ceasefire drafted under Egyptian sponsorship on 30 January 2007 collapsed. Fierce clashes erupted in different areas of the Gaza Strip, mainly in the governorates of Gaza and the North.

On Friday morning, 2 February 2007, the Executive Force attacked a training compound of Presidential Guard, known as Quraish, in Sheikh 'Ejlin area in the south of Gaza City. Fierce clashes broke out between the two sides. Four trainees were killed:

1. Ramzi Nahed Abu 'Amsha, 22;
2. Mohammad Suleiman Bashir, 23;
3. Mo'men 'Abdul Nasser Wishah, 21; and
4. Hatem 'Abdullah Shihab, 20.

Six trainees were also wounded, and two of them died from their wounds the next day:

1. Azmi Waheb El-Wadeyya, 21; and
2. 'Abdul Hamid Faris Madi, 21.

In light of the fierce fighting, King Abdullah of Saudi Arabia invited the conflicting parties to Mecca for dialogue to end the Palestinian crisis. Following talks between senior delegations, the two movements reached the Mecca Agreement on 8 February 2007. The two movements agreed to stop all hostilities and incitement, form a national unity government and reform the Palestine Liberation Organization as an outlet from the existing political crisis. The agreement created an atmosphere of optimism among Palestinians, who wished that the crisis and tension between the two movements would come to an end. However, the lack of confidence characterized the relations between the two movements. Such lack of confidence was interpreted in inciting media statements by officials of the two movements who exchanged accusations for the delayed formation of a national unity government. On 17 March 2007, the national unity government was formed and obtained the PLC's confidence.

Like other previous agreements, the Mecca Agreement did not consider attacks and crimes perpetrated by the two sides, which took the lives of dozens of Palestinians, and failed to provide mechanisms for reparation for victims and their families, including taking legal action against those who were responsible for such attacks and crimes. Consequently, tension continued

and the situation deteriorated again due to the political and factional cover provided by the two movements to their members. The two movements exchanged accusations, which was an indicator that confrontation was imminent as the two movements continued to reinforce their weaponry in preparation for another round of fighting.

On 23 February 2007, a number of militants intercepted a car, in which Mohammed 'Ali Mahmoud al-Ghalban, 28, a member of the 'Izziddin al-Qassam Brigades (the military wing of Hamas), was traveling together with his wife and two children, in Jourat al-Lout area in the southeast of Khan Yunis. The militants forced al-Ghalban out of the car, and after they had verified his identity, they shot him dead. Later, the 'Izziddin al-Qassam brigades issued a statement accusing suspects, who take the Kaware' clan as a cover, of executing al-Ghalban and vowed of revenge.

At approximately 00:30 on 24 February 2007, dozens of masked militants and members of the al-Ghalban family besieged the area, in which the Kware' clan live. Some of them took positions atop of high buildings in the area. Fierce clashes between them and members of the Kaware' clan erupted, in which home-made projectiles and bombs were used. Soon, the militants moved forwards and stormed and searched houses belonging to the Kaware' clan. A number of members of the clan were able to leave the area. During the house raids, the militants detonated explosives devices in 4 houses belonging to the Kaware' clan, and prohibited traffic in the area. A number of people also attacked ambulances that were able to reach the area later to evacuate the wounded. As a result of these clashes, which continued until 09:30, 3 persons, including a woman and an old man, were killed:

1. Hazem Fawzi Kaware', 30, hit by a gunshot to the chest;
2. Isma'il 'Abed Subeh, 73, hit by a gunshot to the neck, when he was inside his house; and
3. Ghada Hussein Mustafa Kaware', 27, hit by a gunshot to the head.

Additionally, 23 persons, including 3 children, were wounded.

On 22 March 2007, a few days following the formation of a Palestinian national unity government, armed clashes renewed between Fatah and Hamas movements in the northern Gaza Strip. As a result of these clashes, a Palestinian child was killed, and his father, his grandmother and a neighbor were wounded. On the following day, the clashes continued; a number of people were kidnapped and some houses were burnt.<sup>15</sup>

In the period 13-19 May 2007, the Gaza Strip witnessed another round of bloody clashed between Fatah and Hamas movements. This round of clashes was the most violent. The fighting broke out on 13 May 2007 after the death of two Palestinians, including Bahaa' Abu Jarad, an activist of Al-Aqsa Martyrs Brigaded (the armed wing of Fatah movement). The fighting, which continued until 19 May 2007, killed 47 Palestinians and wounded hundreds of others.

At approximately 14:30 on 13 May 2007, militants wearing official security uniforms abducted two journalists, Suleiman 'Abdul Rahim al-Ashi and Mohammad Matar 'Abdo, who worked for Palestine Daily, which is known of its support for Hamas, in Gaza City. Nearly 2 hours later, the militants shot dead the two journalists and dumped their bodies near Sheikh Zayed Mosque near

Ansar security compound in the west of Gaza City. Fatah and Hamas abducted rival activists and leaders.

On 14 May 2007, clashes erupted between the two sides at approximately around the residence of Maher Miqdad, a Fatah spokesman, in al-Maqqoussi area in the north of Gaza City. Two members of the Fatah movement were killed in those clashes.

The situation further deteriorated after a leader of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas), Ibrahim Suleiman Maniya (Ghanem), 45, was killed by a gunshot to the chest, during an armed clash that erupted in the early morning on 15 May 2007 between members of the Palestinian National Security Forces and Fatah movement on one side, and those of Hamas on the other side, near al-Mentar (Karni) crossing, east of Gaza City. Following Maniya's death, the clashes extended to various areas in Gaza City. At approximately 11:00, a vehicle of the Palestinian National Security Forces came under intense gunfire, when it was traveling on the road linking al-Mentar crossing and Juhor al-Dik village, east of Gaza City. The vehicle lost direction and turned over. Ambulances went to the area and evacuated the bodies of 7 members of the Palestinian National Security Forces to al-Aqsa Martyrs Hospital in Deir al-Balah town. According to medical sources, the victims were hit by gunshots to their heads from close ranges. Palestinian security sources accused militants from the 'Izziddin al-Qassam Brigades of Hamas of killing these members of the National Security Forces, but the 'Izziddin al-Qassam Brigades issued a statement denying any relation to the attack.

Soon after, violent fighting between the two sides erupted throughout the Gaza Strip, especially in Gaza City. A number of Palestinians were kidnapped and executed in Gaza City. For example, on 15 May 2007, militants in black military uniform kidnapped Nahidh Saleh al-Nemer, 46, from his house near the Palestinian Presidential Compound (al-Muntada) in the west of Gaza City. They shot him dead near Haidar 'Abdul Shafi intersection.

At approximately 05:00 on 16 May 2007, armed clashes erupted near the house of Major General Rasheed Abu Shibak, Commander of Internal Security and a prominent leader of Fatah movement, in Tal al-Hawa neighborhood in the south of Gaza City. Those clashes continued until 07:30, during which time 4 of Abu Shibak's bodyguards were killed:

1. Mohammed Saleem Abu 'Amra, 22, from Gaza City, hit by a gunshot to the chest;
  2. 'Abdul Karim 'Arafat al-Masri, 22, from Beit Hanoun, hit by a gunshot to the chest;
  3. 'Abdullah 'Ouda Mohammed Sa'adat, 30, from Beit Hanoun, hit by several gunshots to the head, the chest and the abdomen; and
  4. Ahmed Yousef Hamada, 26, from al-Mughraqa village, hit by a gunshot to the chest.
- In addition, 6 others were wounded.

On 19 May, the two movements agreed on a ceasefire under Egyptian sponsorship, following a week of fighting that killed 47 Palestinians and wounded hundreds of others, mostly civilians.<sup>16</sup>

## Latest Round of Fighting in Focus

The latest round of fighting started first in Rafah on 7 June 2007, when armed clashes erupted between militants from Fatah and Hamas movement, in which two Palestinians were killed.

On Thursday morning, 7 June 2007, armed clashes erupted between Fatah and Hamas movements in Tal al-Sultan neighborhood in the west of Rafah and extended to other areas in the town. During those clashes, Wa'el Mahmoud Wahba, 26, was killed and 7 members of the two movements and 8 civilian bystanders were wounded. In the following days, the clashes escalated in other areas of the town, especially in al-Shaboura refugee camp and al-Junaina neighborhood. These clashes continued until Sunday morning, 10 June 2007, when the Egyptian security delegation present in the Gaza Strip and national factions intervened to stop them. During these clashes, Ahmed Fu'ad Abu Harb, 27, a member of Hamas, was killed and 44 persons, including 3 children, were wounded. A number of houses were burnt and 10 persons affiliated to the two movements were kidnapped. 17

On Sunday, 10 June 2007, the armed clashes between the two movements extended to Gaza City. On that day, 4 Palestinians were killed and 14 others, including 7 civilian bystanders, were wounded. At approximately 16:00 on that day, the body of Yasser Ghassoub Baker, a member of the General Intelligence Service, was found in Sheikh Radwan neighborhood in the north of Gaza City. Baker had been kidnapped earlier by an armed group. The situation further deteriorated when unknown militants kidnapped 2 members of the Presidential Security Forces in the morning near al-Ghefari tower building. At approximately 16:30, one of the hostages, 27-year-old Mohammed Salama al-Swaiki, was found dead as he fell down from the 15th floor of the building. Soon after, tension spread over Gaza City. Militants took positions atop of high buildings, closed a number of roads with barriers and exchanged fire. At approximately 17:30, a number of militants besieged the house of 'Adel Mohammed al-Rafati, 84, near the Blood Bank in Gaza City. They kidnapped al-Rafati's son, 36-year-old Mohammed, the Imam of al-'Abbas Mosque in the city. They took him to a place near Ansar security compound in the west of Gaza City, where they shot him dead with several gunshots to the chest, the abdomen and the limbs.

Soon after, the situation in Gaza City deteriorated and armed clashes broke out between Fatah and Hamas movements. A number of people were also kidnapped by militants who erected checkpoints in the streets. A number of those who were kidnapped were fired at. At approximately 21:00, militants kidnapped Hussam Abu Qainas, 35, in Sheikh Ejlin neighborhood in the southwest of Gaza City. They took him to the 11th floor of Muhanna building near the Ministry of Finance. Later, Abu Qainas fell from the building and then the militants shot him dead with a gunshot to the head.

On the following day, 11 June 2007, tension spread all over Gaza City in light of bloody fighting. These bloody incidents coincided with the initiation of the exams of the General Certificate of Education (Tawjihi). Thousands of students went to their exams in an atmosphere of terror, passing through checkpoints erected in the streets and being caught under crossfire. In the evening, the fighting extended to other areas in the Gaza Strip, especially the north.

In al-Nasser neighborhood in Gaza City, 3 women from the Muhsen clan were killed, when militants from Hamas Militants broke into 2 houses belonging to the Muhsen clan and opened fire inside them. Militants from the Muhsen clan opened fire inside Shifa Hospital. As a result, a Palestinian civilian was seriously wounded. He died from his wound on 24 June 2007.

On Monday afternoon, militants from the Baker clan deployed in their area of residence in the south of al-Shati refugee camp. Armed clashes erupted between them and militants from Hamas. During these clashes, Saddam Mohammed Baker, 21, was killed. Soon after, militants from the Baker clan stormed a house belonging to Mazen Sa'di 'Ajjour, 37, a member of Hamas, who lives in the area of residence of the Baker clan. They held 'Ajjour's wife and children inside the house. When 'Ajjour learnt about that and attempted to release his wife and children, an exchange of fire erupted between him and the militants, during which he was killed. Militants from the Baker clan then held members of the 'Ajjour's family in stores belonging to Colonel 'Atef Baker of the Presidential Guard. The Baker clan and Hamas conducted a series of kidnappings. Members of the 'Izziddin al-Qassam Brigades of Hamas kidnapped at least 160 members of the Baker clan, including women, and held them in 'Ibad al-Rahman Mosque near al-Shati refugee camp. Members of the Baker clan kidnapped a number of persons affiliated to Hamas.

The scope of clashes expanded and impacted several areas in Gaza City, especially near al-Saraya security compound, near Ansar security compound and in Tal al-Hawa neighborhood. At night, a number of militants stormed the transmission station of Palestine Television in Abu Rahma building in the center of Gaza City. They kidnapped 3 staff members and blew up the station. Later, the militants released the 3 hostages without hurting them.

While the fighting was taking place in Gaza City, at approximately 16:00 on Monday, 11 June, an exchange of fire erupted between members of the Executive Force and armed members of the al-Masri clan near Beit Hanoun Hospital in the northern Gaza Strip. A member of the Executive Force was killed. Members of the Executive Force pursued members of the al-Masri clan and killed 3 of them: 'Eid Mahmoud al-Masri, 51; his son Ibrahim, 21; and his nephew Faraj Fadel al-Masri, 22. At approximately 16:20, the fighting extended to the vicinity of the house of Jamal 'Abed Rabbu al-Jedian, 50, Secretary of Fatah movement in the northern Gaza Strip. A member of the Executive Force, Mohammed Mehjez, 24, was killed and at least 50 persons, including 2 women, were wounded. Jamal Abu al-Jedian was wounded in the clashes, but he was able to escape. He went to Kamal 'Edwan Hospital to receive medical treatment. However, Hamas militants stopped him at the entrance of the hospital and shot him dead. At approximately 22:00, Abu al-Jedian's brother, 38-year-old Majed was found dead in Tal al-Za'tar area in the east of Jabalya refugee camp. He had been kidnapped from his house earlier.

In Khan Yunis, at approximately 22:30 on Monday, 11 June 2007, a number of militants traveling in a civilian car kidnapped 'Amru Nabhan al-Rantissi, 21, a member of the 'Izziddin al-Qassam Brigades (the armed wing of Hamas). His body was found later on Khan Yunis – Rafah road.

Apparently, the leadership of Hamas took a decision to win the conflict militarily. This could be noticed from statements of official spokesmen of the movement, leaflets issued by the movement, including those issued by its military wing, and the mobilization by the movement's television

channel, al-Aqsa. For instance, on Monday afternoon, Hamas issued a statement titled “We Vow Comeuppance against the Killers,” which states:

“Enough is enough. Self-restrain, agreements and convention are no longer fruitful with these killers. These wrongful people insist to continue their wrong deeds and killings. If they were left unpunished, they would drown and make us drown with them. So, these people must be discarded and brought to justice, but which justice? Is it the justice of the Attorney-General, the one of the judiciary or that of comeuppance. The Attorney-General is no longer existent and he does not have justice. The only justice that remains is that of comeuppance against killers and murderers. The only means that can deter them is killing, which is not only our demand, but also the demand of our people, who lost their security due to conflicts among security services in the era of the late Yasser Arafat and the current Mahmoud Abbas, and today, they are fighting the whole Palestinian people.”

On Tuesday morning, 12 June 2007, this decision was translated into actions on the ground and the fighting became much fiercer. Fatah and Hamas movements carried out mutual kidnappings, burnt houses and militants from the two movements took positions atop of high buildings and exchanged fire. A number of shells hit the presidential compound in the west of Gaza City and the Prime Minister’s house in al-Shati refugee camp.

At approximately 05:00, dozens of members of the ‘Izziddin al-Qassam Brigades of Hamas attacked the house of Maher Miqdad, Spokesman of Fatah movement, in al-Maqqoussi housing project in the northwest of Gaza City. They took positions atop of neighboring high buildings and opened fire at Miqdad’s house. Member of Fatah movement and Miqdad’s bodyguards returned fire. The clashes continued over the day and 6 Palestinians were killed:

1. ‘Emad Abu Qadous, 27, from Hamas;
2. Motee’ Fu’ad al-Dawas, 22, from the Naval Police;
3. Ahmed Marwan al-Habeel, 22, from Fatah movement;
4. Mazen Saleem al-‘Aaidi, 22, from the Naval Police;
5. Hamed Abu Hashem, from Fatah movement; and
6. ‘Alaa’ Abu Shareefa, 30, from Fatah movement.

On the following day, 2 Palestinians were also killed in armed clashes in the same area:

1. Harbi Salem al-Ras, 22, from Fatah movement; and
2. Mohammed ‘Ali al-Hessi, 27, from Hamas.

Another Palestinian, Kamal Sa’id ‘Afana, 18, from Fatah movement, died from his wound on the following day.

At approximately 07:00, armed clashes erupted between the two movements in the vicinity of al-Bakri apartment building near al-Shati refugee camp. During these clashes, a shell was fired at the house of Palestinian Prime Minister Isma’il Haniya in al-Shati refugee camp, but no casualties were reported.

In the evening, armed clashes were resumed in al-Shati refugee campo, during which 3 members of Hamas were killed: Bilal Yousef Shamiya,<sup>25</sup>; Mohammed al-Mauqayad, 24; and 'Abdullah Sameer Miqdad, 25. These clashes continued until the following day morning. During these clashes, Hamada No'man Baker, 22, was killed.

In Gaza City, a number of people were kidnapped and killed and a number of houses and institutions, especially in al-Remal and Tal al-Hawa neighborhoods, were burnt. The fighting extended to other areas in the Gaza Strip, and militants were seen in the streets and atop of high buildings.

In Khan Yunis, at approximately 09:30 on Tuesday, 12 June 2007, hundreds of militants of the 'Izziddin al-Qassam Brigades of Hamas deployed in the streets and around the headquarters and sites of security services. Later, they called on members of security services to get out and surrender. The militants took over 5 security sites following armed clashes, which wounded 11 persons. Hamas militants also took over the building of the Governorate of Khan Yunis. In the evening, fierce fighting broke out in Gizan al-Najjar area in the south of Khan Yunis, where a number of sites of Palestinian security services are located. Militants from Hamas besieged those sites and ordered security men to get out. Firearms and shells were used in the clashes between the two sides. The fighting was resumed near the security compound in the center of Khan Yunis. Militants from the two sides took positions atop of a number of high buildings and exchanged fire, even though at least 300 Palestinian civilians participated in a demonstration called for by nationalist and Islamic factions protesting the internal fighting. The demonstrators moved towards the areas of armed clashes, but the exchange of fire did not stop. As a result of the exchange of fire, 2 members of the National Security Forces were killed and 3 civilians were wounded. Other areas in Khan Yunis also witnessed limited clashes.

In Rafah, many militants from Fatah and Hamas movement deployed on Rafah – Khan Yunis roads. They erected roadblocks and stopped and checked people.

In the central Gaza Strip, dozens of militants from Fatah and Hamas movements deployed in the streets and erected roadblocks. In the meantime, the 'Izziddin al-Qassam Brigades of Hamas called through megaphones on members of security services to get out of their sites and surrender. At approximately 10:00, Mohammed Rezeq Safi, 35, a member of the National Security Forces, was killed when members of the 'Izzidin al-Qassam Brigades and the Executive Force attacked a security site near Gaza Valley. Eihab Sa'id Nassar, 19, a member of the Executive Force, was killed while attacking a site of the National Security Force in Deir al-Balah. In the two attacks, 16 persons were also wounded. In the evening, militants from the 'Izziddin al-Qassam Brigades and the Executive Force attacked a site of the National Security Forces in al-Maghazi refugee camp. They exchanged fire with members of the site. As a result, Hani Hussein Abu Shamla, 29, a member of the National Security Forces, was killed. On the following day morning, militants from the 'Izziddin al-Qassam Brigades attacked a site of Jenin Martyrs Brigades (an armed wing of Fatah movement) in Nusairat refugee camp. Palestinian civilians intervened and formed a human shield around the site. Ten civilians were wounded by gunfire, and the Hamas militants failed to seize the site.

In the northern Gaza Strip, at approximately 16:00 on Tuesday, 12 June 2007, fierce fighting broke out near the site of the Second Brigade of the Palestinian National Security Forces near Zimmu intersection to the east of Jabalya town in the northern Gaza Strip, when militants from Hamas and the Executive Force besieged the site. The fighting continued for 4 hours and ended when Hamas militants seized control over the site. During the fighting, 15 persons, including members of the site, were killed and 90 others were wounded, including several civilians. Ten militants from the two sides were also wounded in other armed clashes in the northern Gaza Strip.

PCHR obtained affidavits confirming that members of the 'Izziddin al-Qassam Brigades and the Executive Force committed crimes against members of the National Security Forces after they had laid down their arms and surrendered. Those crimes included executions and intense shooting at the limbs to cause permanent disabilities. Most victims were killed or wounded after the end of the fighting and Hamas militants' takeover of the site.

On Wednesday, 13 June 2007, it was clear that Hamas movement, represented by its militants, was intending to take over security headquarters and sites in the Gaza Strip, especially in Gaza City. Hamas militants attacked headquarters of security services in Gaza City more than once, especially the headquarters of the Preventive Security Service in Tal al-Hawa neighborhood, the headquarters of the General Intelligence Service in the north of Gaza and al-Saraya security compound. In Khan Yunis, the 'Izziddin al-Qassam Brigades attacked and took over the headquarters of the Preventive Security Service. Hamas militants also seized control over a number of security sites.

In the afternoon, militants from 'Izziddin al-Qassam Brigades attacked the main headquarters of the Palestinian General Intelligence Service in the Sudaniya area to the southwest of Jabalya. They fired projectiles and rocket-propelled grenades at the building. The shelling and gunfire fire in the area continued until the following day evening, and ended when the 'Izziddin al-Qassam Brigades of Hamas took over the headquarters. During these clashes, 26 Palestinians, mostly civilians, were wounded.

Also in the afternoon, dozens of militants from the 'Izziddin al-Qassam Brigades of Hamas attacked the headquarters of the Preventive Security Service in Tal al-Hawa neighborhood in the southwest of Gaza City. They besieged and shelled the building and fierce fighting erupted between them and members of the Preventive Security Service. The fighting continued until Thursday morning, 14 June 2007. During these clashes, which ended with 'Izziddin al-Qassam Brigades' takeover of the headquarters, at least 20 Palestinians, mostly members of the Preventive Security Service, were killed. Members of the 'Izziddin al-Qassam Brigades raised Hamas' flag over the building and arrested a number of members of the Preventive Security Service.

At approximately 16:00, Hamas militants stormed the house of Colonel 'Aatef Baker, a Fatah operative, in al-Shati refugee camp in the west of Gaza City. They fired indiscriminately inside the house, wounding 6 women. They also burnt the house. The women were evacuated in a civilian car to Shifa Hospital, but the car was fired at even though women raised white flags. As a result, 2 women were killed: Jihane Nayef Baker, 18; and Hiba Subhi Baker, 30, who was pregnant. All

other passengers and the driver were also wounded. At approximately 17:00, Hamas militants besieged and fired at a number of Baker clan members in the same area. As a result, 3 members of the Baker clan were killed: Mansour 'Omar Baker, 47; Mohammed Suleiman Baker, 28; and Hamada Samir Baker, 18. Earlier, Colonel 'Atef Baker and other members of the clan were able to withdraw from the area towards the presidential compound (al-Muntada) using a number of hostages as human shields. The hostages were tied to a jeep, in which members of the Baker clan were traveling. On the way to al-Muntada, a militant from the Baker clan shot dead one of the hostages, 35-year-old Wa'el 'Afana. The other hostages were released when Hamas took over al-Muntada.

In Khan Yunis, at approximately 15:00, a huge explosion rocked the Preventive Security Service compound in the center of Khan Yunis. Members of the Preventive Security Service claimed that the explosion was caused by a large bomb planted in a tunnel dug by Hamas under the compound. Hamas officially denied the claim. In addition, armed clashes erupted between Hamas and the Executive Force on the one side and members of the security services on the other side. Nine people, including 3 civilians, were killed. At approximately 11:30 on 14 June 2007, the bodies of 2 members of the Preventive Security Services were recovered from the rubble of the compound: 'Abdul Wahab Ruqaya, 28; and 'Aadel Salim Shurrab, 28. Clashes in the vicinity of other security compounds throughout Khan Yunis resulted in 72 injuries, including a number of civilians.

In 'Abasan village, east of Khan Yunis, Hamas militants besieged a site of the National Security Forces and took it over following limited clashes. At approximately 12:00, armed clashes erupted in the Sea Street in the center of Khan Yunis. During these clashes, 2 civilians were killed each by a gunshot to the head: Alaa' Hamdi Farawana, 15; and 'Abdul Fattah Hussein Abu Ghali, 39, an UNRWA worker.

In Rafah, on Wednesday afternoon, Hamas militants and members of the Executive Force deployed throughout Rafah and around security compounds. They took control over the National Security Forces observation outposts on the Egyptian border, the National Security Forces compound known as "Sa'ad Sayel," and the Palestinian General Intelligence compound at Salah El-Deen road, east of Rafah. Armed clashes erupted during the takeover operation, with rockets and machine guns used. The clashes spread to Shaboura refugee camp, and continued till 00:00 on 14 June 2007. As a result of these clashes, 27 people were wounded, including 11 civilians. Five children and two women were among the wounded civilians. In the morning of 14 June 2007, clashes continued between both sides, wounding 3 Palestinians, including 2 civilians.

At approximately 18:00 on Thursday, 14 June 2007, after the 'Izziddin al-Qassam Brigades and the Executive Force had been able to take over the headquarters of the Preventive Security Service and the General Intelligence Service in Gaza City, members of the National Security Forces positioned in the al-'Abbas security compound in 'Omar al-Mukhtar Street blew up the compound and withdrew. The compound was destroyed and the second floor of an adjacent police station was burnt.

Less than an hour later, members of the 'Izziddin al-Qassam Brigades attacked and opened fire at

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al-Saraya security compound in the center of Gaza City, which includes a central prison where hundreds of security and criminals prisoners were being held. Three members of the National Security Forces were killed and other members withdrew from the compound, so Hamas militants took it over. Before their withdrawal from the compound, members of the police, who were guarding the central prison, released all detainees.

At approximately 00:00 on Thursday, 15 June 2007, limited armed clashes erupted between militants from Hamas and members of the Presidential Guard near Al-Muntada in the west of Gaza City. Three members of the Presidential Guard were killed, including Colonel Nasser 'Abdul Rahman Abu Shawar, 55, and Lieutenant Colonel Sami 'Omran, 42. Soon after, members of the Presidential Guard withdrew from the presidential compound, which motivated dozens of people to enter and rob it. Later, members of the 'Izziddin al-Qassam Brigades seized control over the compound.

By Friday morning, 15 June 2007, the 'Izziddin al-Qassam Brigades and the Executive Force had taken over all security headquarters and sites throughout the Gaza Strip.

## Extra-Judicial and Willful Killing

Extra-judicial and willful killings were an unprecedented prominent feature of the latest fighting between Fatah and Hamas movements in the Gaza Strip. PCHR has documented many crimes of extra-judicial and willful killings against members of the two conflicting parties and even against innocent civilians. This part of the report highlights the most significant of such crimes, which PCHR has been able to document. It is noticed that most of the victims were first kidnapped by militants from their homes or from the streets, held for some time, shot dead and their bodies were dumped in far areas. PCHR has also documented a number of cases, in which militants executed wounded persons during their evacuation to hospitals.

### Two People Pushed down from High Buildings

PCHR has documented two cases, in which there were suspicions that militants pushed down two persons from high buildings in Gaza City after kidnapping them. Each of the two movements accused the other of executing one of its members by pushing him down from a high building. In the first case, Fatah movement accused Hamas of executing Mohammed al-Swairki, member of Force 17, by willfully pushing him down from a high apartment building, but Hamas denied the accusation and claimed that he jumped from the building when its members were detaining him in the building. In the other case, Hamas accused Fatah movement of pushing down Husam Abu Qainas from a high apartment building and then shooting him dead, but Fatah movement denied this accusation.

- Mohammed Salama al-Swairki, 27
- Member of the Presidential Security Forces
- Gaza City

At approximately 11:00 on Sunday, 10 June 2007, masked militants kidnapped 2 members of Force 17 when they were near al-Ghefari tower building in the west of Gaza City: Mohammed Salama al-Swairki, 27; and Fawaz Darwish al-Hatu, 39. The two were distributing meals to members of the Presidential Security Forces. When they were traveling towards al-Bakri tower building, where members of the Presidential Security Forces were present, they lost their way and moved towards the nearby al-Ghefari tower building, near which masked militants were positioned. The militants took al-Swairki and al-Hatu into the building and handcuffed and blindfolded them. At approximately 16:30 on the same day, al-Swairki fell down from the 15th floor of the building and died instantly. Al-Hatu was released at night.

According to al-Hatu, 39, after Hamas militants identified him and al-Swairki and their jobs, they forced them to enter the building. The militants then handcuffed and blindfolded them. The two were taken to the 15th floor, where they were held and interrogated in separate places. Al-Hatu said that he heard Hamas militants interrogating al-Swairki, who was only 10 meters away from him. Al-Hatu stressed that he was not beaten during the interrogation and that the kidnappers allowed him to pray, while remained handcuffed. In the afternoon, according to al-Hatu, he heard a scream, and then he heard the militant who was guarding al-Swairki saying that he fell

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down from the building. The militant told al-Hatu that al-Swairki wanted to go to the bathroom, so he untied his hands, but instead of going to the bathroom, he jumped from the building.

Although investigations conducted by PCHR do not definitely indicate that al-Swairki was executed, Hamas cannot be exempted from responsibility for his death as he was kidnapped and held by its militants. PCHR calls for investigating the incident and declaring the results.

- Hussam Mohammed Abu Qainas, 35
- Worker
- Gaza City

At approximately 21:00 on Sunday, 10 June 2007, militants kidnapped Hussam Abu Qainas, 35, in Tal al-Hawa neighborhood in the south of Gaza City. They took him to the roof of Muhanna building near the Ministry of Finance. They pushed him down onto the street from the 11th floor and then shot him dead with a gunshot to the head.

In his testimony to PCHR, an eyewitness<sup>18</sup> stated:

- ● ● ● ● "At approximately 22:30 on Sunday, 10 June 2007, I heard a very loud terrifying scream and saw a man falling down from Muhanna tower building. Soon after, 4 masked militants got out of the building and shot the handcuffed and blindfolded man dead with a gunshot to the head. A civilian vehicle (a white Volks Wagen Golf) arrived at the scene and the militants got into it and traveled towards Abu Mazen intersection to the west. I entered the building and mounted up. I found that the windows of stairs of the 11th floor we lifted from their place and put on the ground. I saw also shoes, apparently belonging to the victim. I learnt from people who gathered in the area that he had been kidnapped when he was on his way back home from Khan Yunis."

## Abduction and Execution of People

PCHR has documented cases in which people were kidnapped from their homes or from the streets and were then executed.

- Mohammed 'Aadel al-Rafati, 36
- Imam of a mosque
- Gaza City

At approximately 18:00, a number of militants wearing black clothes, which had the badges of the Presidential Security Forces, stormed the house of 'Aadel Mohammed al-Rafati, 84, in al-Remal neighborhood in the west of Gaza City. They asked al-Rafati about his son, without specifying which one of his sons, and he told them that his son was not there. A number of the militants got up to the upper floors opening fire. Soon after, they kidnapped al-Rafati's son, 36-year-old Mohammed, the Imam of al-'Abbas Mosque in the city, who was also wounded. They carried him out of the house. His body was found later near Ansar security compound in the west of Gaza City. He was hit by several gunshots to the chest, the abdomen and the limbs.

In her testimony to PCHR, the victim's wife, 32-year-old Muna al-Rafati, stated:

- "At approximately 18:00 on Sunday, 10 June 2007, we were surprised by many militants besieging our house and opening fire. A number of those militants then broke into the house and started to search it. We were extremely terrified, so my husband, our children and I hid in the bathroom and closed its door. When the militants reached our flat, they broke the door and started to look for us. They attempted to open the door of the bathroom, but they discovered that it was closed, so they knew that we were inside. One of them warned us that if we did not open the door, he would shoot us. Immediately, my husband opened the door out of concern that they might kill us all. My husband got out and asked them: 'What do you want?' Immediately, they fired at him. He was wounded to the feet. He screamed and fell onto the ground bleeding. The militants searched the flat and then left it. However, a short while later, they came back and took my husband with them. At approximately 20:00, we were informed that my husband was killed."

In his testimony to PCHR, Jawad 'Aadel a-Rafati, 59, the victim's brother, stated:

- "At approximately 18:00 on Sunday, 10 June 2007, I woke up hearing intense gunfire in our building, where I live on the second floor. I saw from the balcony of my flat at least 10 militants wearing black clothes, on which the title "Presidential Security Forces" is written. One of the militants was pointing an RBJ launcher at the building. The militants knocked the door of my flat and I opened it. They attempted to pull me out, but I resisted and my family helped me. When they failed to take me out of the flat, the militants ordered me to close the door and not to get out. Soon after, I heard sounds of shooting on the floor where my brother Mohammed and his family live. I went to the balcony again and I could see the militants carrying my brother Mohammed and then taking him with them. Later, we received a phone call from Shifa Hospital, in which we were informed that Mohammed' body was in the hospital."

In his testimony to PCHR, 'Aadel Mohammed al-Rafati, 84, the victim's father, stated:

- "At approximately 18:00 on Sunday, 10 June 2007, at least 50 masked militants wearing black clothes, on which the title "Presidential Security Forces" is written, stormed our house and opened fire inside it. They asked me about my son, without specifying which one of my sons, and I told them that my son was not there. Some of the militants then moved to the upstairs, but the others stayed in my flat and continued to fire inside it. The militants attempted to break the door of the room of my son, Dr. 'Alaa', who lives with me in the flat. My son and his family were hiding in the room. The militants failed to break the door. Nearly 10 minutes later, the other militants came down from the upper floors. They were carrying my son Mohammed, who was screaming as he was wounded. When I saw my son, I moved towards him and hugged him. Four militants immediately carried me away from him. They then took my son out and I followed them, but again they took me back to my flat and took my son with them. Two hours later, we learnt that the militants dumped my son's body near Sheikh Zayed Mosque and people transferred the body to the hospital."

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- Mohammed Na'im al-Dahdouh, 30
- Member of Hamas
- Gaza City

On Monday evening, 11 June 2007, masked militants intercepted Mohammed Na'im al-Dahdouh, 30, a member of the 'Izziddin al-Qassam Brigades of Hamas, when he was traveling in a civilian car in al-Sabra neighborhood in the center of Gaza City. The militants fired at al-Dahdouh and forced him to stop. They then pulled him out of the car and took him to an unknown destination. At approximately 23:00, al-Dahdouh's body was found near al-Falah Mosque in Tal al-Hawa neighborhood in the south of Gaza City.

In his testimony to PCHR, Ahmed al-Dahdouh, 21, a member of the Executive Force and the victim's brother, stated:

- ● ● ● ● "On Monday evening, 11 June 2007, we learnt that my brother Mohammed had been kidnapped at approximately 20:50 by members of Fatah Executive Unit, who took him to the headquarters of the Preventive Security Service in Tal al-Hawa neighborhood. We started to make contacts to ensure his release, but our attempts failed. Nearly two hours after he had been kidnapped, his body was found near al-Falah Mosque in Tal al-Hawa neighborhood. There were signs of torture and beating on his body, and he was hit by several gunshots."

- Majed Jamal Abu al-Jedian, 38
- Member of Fatah Movement
- Jabalya

At approximately 22:00 on Monday, 11 June 2007, some people found the body of Majed Jamal Abu al-Jedian, 38, in the street in Tal al-Za'tar area in the east of Jabalya refugee camp. Abu al-Jedian had been kidnapped by militants from his house in Beit Lahia town.

In his testimony to PCHR, an eyewitness<sup>19</sup> stated:

- ● ● ● ● "At approximately 22:00 on Monday, 11 June 2007, after Hamas had seized control over Beit Lahia housing project and after we heard about the killing of Jamal Abu al-Jedian, the area turned to be quiet. In the meantime, I heard sounds of intense gunfire in Tal al-Za'tar area, where I was. I went to see what was going on. I saw a civilian car (a white Mitsubishi) stopping in the street and 6 masked militants, who had the badges of 'Izziddin al-Qassam Brigades, were standing near the car. A man was on the ground near them. I heard one of the militants asking another one: 'Have you killed him?' The other one said no, so the first militant ordered him: 'Kill him!' He immediately fired 4 bullets at the man who was on the ground. The militants then left the area. Immediately, we moved towards the man who was on the ground. We found that he was dead. Soon after, an ambulance arrived at the area and took his body to the hospital. We learnt later that the victim was Majed Abu al-Jedian."

- 'Amru Nabhan al-Rantissi, 21
- Member of Hamas
- Khan Yunis

On Monday evening, 11 June 2007, a number of militants traveling in a civilian car kidnapped 'Amru Nabhan al-Rantissi, 21, a member of the 'Izziddin al-Qassam Brigades of Hamas, when he was on his way back home in Gizan al-Najjar area in Khan Yunis. At approximately 08:00, al-Rantissi's body was found on Khan Yunis – Rafah road. He was hit by two gunshots to the chest.

In his testimony to PCHR, Dr. Salah al-Din al-Rantissi, 46, the victim's uncle, stated:

- "At approximately 23:00 on Monday, 11 June 2007, I received a phone call from a friend who informed me that unknown militants kidnapped a young man near our house in Gizan al-Najjar area. We checked if all members of the family were present, so we discovered that 'Amru was missing and his mobile phone was out of service. We started to make contacts to know who kidnapped him, but we failed to know. At approximately 06:00 on Tuesday, 12 June 2007, I received a phone call, in which I was informed that farmers found his body in a sac near a school in the south of Khan Yunis. I went to the area and knew that the body was actually of 'Amru."

- Wa'el Hamdan 'Afana, 35
- Worker at Gaza Electricity Company
- Gaza City

On Tuesday afternoon, 12 June 2007, militants from the Baker clan kidnapped Wa'el Hamdan 'Afana, 35, a worker at Gaza Electricity Company, and Maher al-'Assali, 43, when they were walking in the area of residence of the Baker clan in the west of Gaza City. The militants took the two hostages to stores belonging to the clan. On Wednesday evening, 13 June 2007, militants from the baker clan tied a number of persons whom they had already kidnapped, including 'Afana, to the body of a vehicle (a Mitsubishi Magnum). The militants drove the vehicle in al-Rasheed Street in the west of Gaza City towards the presidential security compound (al-Muntada). On their way, one of the militants shot 'Afana dead and pushed his body onto the street.

In his testimony to PCHR, Dr. Maher 'Ajjour, 34, one of the hostages, stated:

- "...At approximately 17:00 on Wednesday, 13 June 2007, members of the Baker clan decided to escape from their area when members of the 'Izziddin al-Qassam Brigades of Hamas besieged the area to storm it. Members of the clan brought a vehicle (a Mitsubishi Magnum) and tied two of us on its front, 4 others on its body and a 7th one on its roof to serve as human shields. They put me, my father and my nephew in the back and drove the vehicle towards the presidential security compound (al-Muntada). On our way, one of the militants fired at Wa'el 'Afana. He was wounded and he died a few minutes later. The militant then pushed his body down onto the streets, and the vehicle traveled forward..."

In his testimony to PCHR, Maher al-'Assali, 43, stated:

••••• "...At approximately 16:00 on Tuesday, 12 June 2007, militants from the Baker clan, affiliated to Fatah movement, kidnapped me when I was walking in al-Shati refugee camp towards Shifa Hospital to bring a medicine for myself. They took me to stores belonging to the clan. They accused me of spying on them for Hamas and violently beat me. My front teeth were broken. They then seated me near Wa'el 'Afana, who had been kidnapped two hours earlier. They also accused him of spying on them for Hamas. At approximately 17:00 on Wednesday, 13 June 2007, members of the clan brought a vehicle to escape from the area. They used hostages as human shields. They tied me and 'Afana to left side of the vehicle and tied other hostages to other parts of the vehicle. The vehicle traveled fast towards the presidential compound (al-Muntada). On our way, one of the militants fired at Wa'el 'Afana. He was wounded and he died a few minutes later. The militant then pushed his body down onto the streets, and the vehicle traveled forward..."

• Antar 'Omar al-Bayoumi, 27  
• Member of National Security Forces  
• Khan Yunis

On Thursday evening, 14 June 2007, militants from Hamas, including a number of masked ones, stormed the house of 'Omar Mohammed al-Bayoumi, 54, in Gizan al-Najjar area in the south of Khan Yunis. They took a-Bayoumi's son, 27-year-old 'Antar, out and moved nearly 70 meters away. There, they shot him dead with several gunshots.

In his testimony to PCHR, 'Omar Mohammed al-Bayoumi, 54, the victim's father, stated:

••••• "At approximately 19:30 on Thursday, 14 June 2007, while I was sitting with my uncle, No'man al-Najjar, near the main road leading to College of Science and Technology, at least 40 militants from Hamas, some of them were masked, came towards us and opened fire. One of the militants asked us: 'Where is Abu 'Antar?' I told him that I am Abu 'Antar. He moved towards me and fired between my feet. He then asked me: 'Where is 'Antar?' I told him that he was not there, so the militants left the area. Later, the militants came again and requested me to accompany them to 'Antar's house. When we reached the house, the militants stormed the house and damaged it, but 'Antar was not there. They continued to look for 'Antar and searched a number of neighboring houses, while opening fire. They then stormed my house, where they found 'Antar sitting with his daughters hugging him. It was approximately 20:50 when they took 'Antar out of the house. They put him into a car and traveled towards the main road. I went behind them until the area where I was sitting first. The militants stopped at the main road, nearly 10 meters away from us. They took my son out of the car, and immediately, I heard sounds of shooting. I asked my uncle about what was going, because my sight is weak. He told me that they fired at 'Antar. I then heard sounds of intense gunfire. My uncle told me that 3 militants fired at him and he died."

In his testimony to PCHR, No'man al-Najjar, 56, the victim's uncle, stated:

"On Thursday evening, 14 June 2007, while I was sitting together with 'Omar al-Bayoumi in front of my house at the main road, I saw many masked militants who had the badges of the 'Izziddin al-Qassam Brigades coming from the east and firing into the air. Two militants moved towards us and started to fire onto the ground. They ordered us to go home and I did. However, I got out again to sit with al-Bayoumi. Later, the militants came back again. I saw them talking with 'Abu 'Antar and then I saw him walking with them in front of his house. Soon after, I saw the militants bringing 'Antar. Three of them were pointing their guns at 'Antar. I heard sounds of two gunshots and I saw 'Antar falling then. The militants continued to fire at him although he was clearly dead. In the meantime, 'Antar's father asked me about who was being shot, and I told him that it was 'Antar. He cried."

- Jaber Hashem Abu al-Jedian, 23
- Member of National Security
- Jabalya

- Eyad al-Kafarna, 34
- Forces Member of National Security Forces
- Beit Hanoun

- Munther Shaker Killan, 38
- Major, National Security Forces
- Khan Yunis

- Yousef Sameer Mahdi, 26
- Member of National Security Forces
- Al-Shati

PCHR has received information indicating that militants from the 'Izziddin al-Qassam Brigades and the Executive Force executed at least 4 members of the National Security Forces on 12 June 2007, after armed clashes between the two sides near a site of the National Security Forces to the east of Jabalya refugee camp had ended. According to an eyewitness, at approximately 18:30 on Tuesday, 12 June 2007, militants from Hamas brought Jaber Abu Jedian in a jeep to 'Asaliya area in Jabalya refugee camp and shot him dead. PCHR has also obtained affidavits confirming that Hamas militants executed Major Munther Killab after they had taken over a site of the National Security Forces. According to an eyewitness, the militants fired at Killab twice inside the site. In the second time, they opened fire at his legs and left him bleeding. According to the same eyewitness, militants from the 'Izziddin al-Qassam Brigades of Hamas were able to capture Eyad al-Kafarna when he and other members of the National Security Forces were attempting to escape at the end of the fighting. The militants took him into a building, and there are concerns that they might have executed him as his body was found later.<sup>20</sup> According to another eyewitness, militants from the 'Izziddin al-Qassam Brigades fired at officer Killab's legs and left him bleeding for 10 minutes. They then transported him in their vehicle to an unknown destination. According to a third eyewitness, a jeep of the Executive Force dumped 6 wounded members of the National Security Forces, including officer Killab, near al-'Awda Hospital in Jabalya. Militants from the Executive Force then opened fire at their legs and left them there. According to the same eyewitness, officer Killab was in a serious condition, and he evacuated him in an ambulance to al-Quds Hospital in Gaza City, but officer Killab died once he arrived at the hospital. According to an eyewitness from the site of the National Security Forces, members of the Executive Force shot Yousef Mahdi after he had laid down his gun.<sup>21</sup>

In his testimony about Jaber Abu al-Jedian's death, an eyewitness<sup>22</sup> stated:

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- • • • • “At approximately 18:30 on Tuesday, 12 June 2007, I was sitting in front of my house in ‘Asaliya area in the east of Jabalya refugee camp, while armed clashes were taking place between the ‘Izziddin al-Qassam Brigades and the National Security Forces in a site of these forces, which used to be known as the ‘Civil Administration.’ I saw a green jeep stopping nearly 70 meters to the east of al-Sikka Street, approximately 150 meters away from me. I then saw 4 militants, 3 of whom were masked, getting out of the jeep and taking with them a young man. They forced the young man to lie onto the ground. They were screaming. They then opened fire at the young man. Soon after, they got into the jeep and left the area shouting: ‘Qassam...Qassam... Allahu Akbar...Allahu Akbar.’ Soon after, people gathered in the area and women started to cry. I went to the area, where I saw the young man on the ground bleeding. I noticed that he was dead when I checked his pulse. We evacuated his body to the hospital, where he was identified as Jaber Abu al-Jedian.”

In his testimony about shooting officer Killab after the armed clashes had ended, a member of the National Security Forces stated:

- • • • • “At approximately 13:15 on 12 June, I was on duty in the site of the First Brigade when the site was fired at from 3 directions. I saw a mortar shell falling near the eastern gate of the site, wounding 6 members of the National Security Forces. When al-Kashef Hill was taken over, our site became besieged from all directions. I was wounded to my left thigh when a shell fell near me. I also saw Captain Jihad ‘Aashour seriously wounded. At approximately 18:30, I saw many militants from Hamas pushing down Major Munther Killab, the commander of the brigade, after they had taken his gun. He came to us in the car park. A number of militants came to us and asked about the commander. Other masked militants came and one of them took Major Killab and pushed him down. Other militants opened fire at his legs and left him bleeding for nearly 10 minutes. They then took him in a jeep to an unknown destination.”

In his testimony to PCHR about shooting at officer Killab and 5 of his colleagues inside al-‘Awda Hospital in Jabalya, an eyewitness <sup>23</sup> said:

- • • • • “...The most horrible scene was when a number of militants brought 6 wounded members of the National Security Forces, including officer Killab, in a jeep of the Executive Force. The militants then took them down and placed them near the wall. The six security men were bleeding, but the militants fired at their legs again in front of people. The most serious case was that of Munther Killab, who was seriously bleeding. We took him to the reception department. As he was in a serious condition, he was transferred to al-Quds Hospital in Gaza City. I accompanied him in the ambulance. His condition was deteriorating. We arrived at the hospital at approximately 21:30. We learnt later that he died from his wound.”

- Adham Nafez al-‘Abeet, 20
- Member of the Presidential Guard
- Deir al-Balah

- Maher al-Bournu, 26
- Member of the Presidential Guard
- Gaza City

At approximately 15:00 on Friday, 15 June 2007, people found two bodies in al-Zaytoun neighborhood in the east of Gaza City. The victims were identified as: Adham Nafez Mohammed al-'Abeet, 20; and Maher al-Bournu, 26, both were members of the Presidential Security Forces. The two victims had been kidnapped on Thursday, 14 June 2007, when they were in Tal al-Hawa neighborhood in the south of Gaza City.

## Execution of Wounded Persons

PCHR has documented 3 cases, in which there were suspicions that militants shot dead wounded persons during the armed clashes between Fatah and Hamas movements. One of the victims was executed when he was in bed inside a hospital.

- Jamal 'Abed Rabbu Abu al-Jedian, 50
- Secretary of Fatah Movement in Northern Gaza
- Beit Lahia

At approximately 21:00 on Monday, 11 June 2007, Jamal 'Abed Rabbu Abu al-Jedian, 50, Secretary of Fatah movement in the northern Gaza Strip, was wounded as a result of armed clashes between militants from Hamas and militants from Fatah who were in Abu al-Jedian's house in Beit Lahia. The clashes ended when Hamas militants stormed the house. Abu al-Jedian was able to escape and travel towards Kamal 'Edwan Hospital, nearly 200 meters away from the house. According to eyewitnesses' testimonies, militants from Hamas intercepted Abu al-Jedian near the entrance of the hospital. Soon after, other militants arrived at the area, and one of them shot Abu al-Jedian with a gunshot to the head. The militants then opened fire at Abu al-Jedian. He was killed by at least 40 gunshots throughout the body.

In his testimony to PCHR, one of Abu al-Jedian's neighbors stated: <sup>24</sup>

- "At approximately 21:30 on Monday, 11 June 2007, I was near my house, which is located near Kamal 'Edwan Hospital in Beit Lahia. I saw Jamal Abu al-Jedian hardly waling towards the hospital. He was surrounded by 4 militants from the 'Izziddin al-Qassam Brigades who did not know who he was. I attempted to help him. I held him from the left side, while one of the militants held him from the other side. His face and neck were covered by blood and he was unable to speak. When we became 20 meters away from the hospital, Abu al-Jedian's mobile phone rang. The militant who was holding them answered the phone call and identified Abu al-Jedian from it. Another militant ran towards us shouting: 'Abu Maher Abu al-Jedian, Jamal Abu al-Jedian.' The militant who was near me then pointed his gun at me and ordered me to move away, but I did not move. Another militant fired between my feet to drive me away. Abu al-Jedian continued to walk towards the hospital. The two militants started to fire at Abu al-Jedian. Soon after, a civilian vehicle arrived at the area and 6 militants got out of it. They opened fire at Abu al-Jedian. I saw one of the militants standing on Abu al-Jedian's chest and firing at him, saying: 'Traitor... collaborator... spy.'"

Another eyewitness, a policeman who was on duty guarding the hospital, stated: <sup>25</sup>

● ● ● Black Pages in the Absence of Justice

- ● ● ● ● “At approximately 21:30, I was standing in front of the western entrance of the hospital observing the incidents. I saw 4 masked militants walking towards the hospital. Two of the militants were holding a wounded man. When they got close to the entrance, I was able to identify the wounded man; he was Jamal Abu al-Jedian. Other people also identified him. They shouted that Jamal Abu al-Jedian was wounded. The militants left him, and one of them fired at him. He was hit by a gunshot to the right side. The militants then surrounded and pointed their guns at him. Soon after, a civilian vehicle arrived at the scene, and a number of militants from the ‘Izziddin al-Qassam Brigades got out of it. They requested him to identify himself, and he said: ‘I am Jamal Abu al-Jedian.’ Immediately, the militants opened fire at him killing him. They then walked over his body and fired into the air.”

- Sameeh Ibrahim al-Madhoun, 30
- Member of Force 17 and the al-Aqsa Martyrs Brigades
- Beit Lahia

At approximately 18:40 on Thursday, 14 June 2007, militants from Hamas who had already erected a roadblock on the coastal road to the west of Nusairat refugee camp in the central Gaza Strip intercepted a car in which Sameeh al-Madhoun, 30, a leader of the al-Aqsa Martyrs Brigades of Fatah movement, and two of his bodyguards were traveling towards the southern Gaza Strip. Immediately, an armed clash erupted between Hamas militants and al-Madhoun and his bodyguards. As a result of the exchange of fire, a Hamas militants, 23-year-old Jamal ‘Abdul Rahman Abu Swaireh, was killed and two others were wounded. Hamas militants then intensely fired at the car. As a result, one of al-Madhoun’s bodyguards, 27-year-old Hasan Ahmed Zaqqout, was killed and al-Madhoun himself and the other bodyguard were wounded. The Hamas militants surrounded al-Madhoun’s car and forced him out. They took him first to a site of the Executive Force in al-Mughraqa village, south of Gaza City, and then to al-Sawarha area in the west of Nusairat refugee camp. The militants took al-Madhoun to the house of Jamal Abu Swaireh, who was killed in the aforementioned armed clash. They shot al-Madhoun dead in front of the house, where many people were watching. The al-Aqsa Satellite Channel of Hamas showed scenes of the execution of al-Madhoun by Hamas militants, who fired at him intensely, more than once. Later, the militants placed al-Madhoun’s body on the front of a vehicle and toured the streets of Nusairat refugee camp. Later, a video clip showed that al-Madhoun’s body was distorted by persons who participated in killing him or witnessed the killing.

In his testimony to PCHR, an eyewitness <sup>26</sup> stated:

- ● ● ● ● “At approximately 19:00 on Thursday, 14 June 2007, I got out of my house as I heard sounds of shooting in my area. I asked people in the area about what was going on. They told me that militants from the ‘Izziddin al-Qassam Brigades would bring Sameeh al-Madhoun to Jamal Abu Swaireh’s house. Soon after, 8 vehicles (Mitsubishi Magnum), in which some militants were traveling, arrived at the area. I saw al-Madhoun in one of the vehicle, and masked militants were treading on him. Soon after, the militants pushed al-Madhoun onto the street and opened fire at him. When al-Madhoun died, a number of people who were in the area attacked his body and cut his clothes. Soon after, the

militants placed the body on the front of a vehicle and toured throughout Nusairat and al-Boreij refugee camps.”

- Ramadan Sa’id Ghaben, 21
- Member of the Preventive Security Service
- Beit Lahia

According to information available to PCHR and eyewitnesses’ testimonies, at approximately 21:00 on Thursday, 14 June 2007, militants from the ‘Izziddin al-Qassam Brigades of Hamas broke into Kamal ‘Edwan Hospital in Beit Lahia in the northern Gaza Strip and opened fire at Ramadan Sa’id Ghaben, 21, a member of the Preventive Security Service, who was receiving medical treatment. One of the militants fired at Ghaben from the window next to him while he was in bed. Ghaben was instantly killed and 4 women relating to him, including his mother, were wounded. Ghaben was receiving medical treatment after a number of militants had wounded him with several gunshots to the legs at Beit Lahia Square.

In her testimony to PCHR, Hanan Jom’a Ghaben, 37, the victim’s mother, stated:

- “At approximately 18:00 on Thursday, 14 June 2007, I was informed that my son Ramadan, a member of the Preventive Security Service, was evacuated to Kamal ‘Edwan Hospital after militants from Hamas fired at him at Beit Lahia Square. I, accompanied by my husband, my sister, my mother-in-law and Ramadan’s uncles and aunts, went to the hospital. We found him receiving medical treatment in the reception department. We stayed with him. At approximately 21:00, masked militants from the ‘Izziddin al-Qassam Brigades attempted to break into the reception department to reach my son, but we all prevented them from entering. A few minutes later, another larger group of militants from the ‘Izziddin al-Qassam Brigades broke into the department and attacked us. One of the militants climbed the window near my son’s bed and fired at him. My son was wounded by a gunshot to the abdomen. I noticed that the health condition of my son was deteriorating. The other militants continued to attack and fire at all those who were in the reception department. I, my sister and my son’s aunts were wounded. The militants also violently beat my mother-in-law. When the militants reached my son’s bed, they opened fire at him. He was hit by several gunshots throughout the body.”

In his testimony to PCHR, As’ad Ibrahim Ghaben, 31, the victim’s uncle stated:

- “At approximately 20:00 on Thursday, 14 June 2007, I went to Kamal ‘Edwan Hospital in Beit Lahia when I learnt that my nephew was wounded. I arrived at the reception department and many of relatives were there. I found that my nephew was wounded to the legs. He told me about what happened with him. At approximately 21:00, 3 masked militants from the ‘Izziddin al-Qassam Brigades attempted to break into the reception department to reach my son, but we all prevented them from entering. Soon after, many militants from the ‘Izziddin al-Qassam Brigades broke into the reception department opening fire. One of the militants pushed my 75-year-old mother and others damaged the furniture and equipment of the department. My mother, my two sisters and my aunt

were wounded. Some militants attempted to reach Ramadan through the window that is adjacent to his bed. In fact, they fired at him through the window. Other militants also reached his bed and opened fire at him. He was hit by several gunshots, while his wounded mother was crying near him. He died between her arms.”

## Execution at the End of Fighting

An armed group thought to be from the ‘Izziddin al-Qassam Brigades executed a member of the Preventive Security Service at the end of fighting.

- Salama Zaki Barbakh, 33
- Captain – Preventive Security Service
- Khan Yunis

At approximately 15:30 on Friday, 15 June 2007, militants from Hamas took Salama Zaki Hamad Brbakh, 33, an officer of Preventive Security Service, to the house of the family of Wasfi Shaker Shahwan, a member of Hamas who had been killed by militants last year, in the center of Khan Yunis. The militants shot Barbakh in front of the house. According to information available to PCHR, militants from Hamas captured Barbakh in Rafah when he was attempting to travel to Egypt. According to members of the Shahwan clan, members of the ‘Izziddin al-Qassam Brigades (the military wing of Hamas) asked them to go to the center of Khan Yunis to see the execution of Barbakh, who was accused by the Brigades of killing Wasfi Shaker Shahwan. At approximately 15:30, members of the family went to the center of the town. There, they saw masked militants from the ‘Izziddin al-Qassam Brigades accompanying Barbakh. They shot him dead in front of the house of Wasfi Shahwan, the father. Three civilian bystanders, including the father, were wounded by shrapnel from gunshots.”

## Abduction and Harassment

PCHR has documented dozens of cases of abduction by militants from Fatah and Hamas movements in the fighting between the two movements since April 2006. Most of these cases have come as reactions by members of the two movements in the context of fighting. In some of these cases, the abductees were released in a few hours upon intervention by the Egyptian security delegation in the Gaza Strip and national and Islamic factions. However, in other cases, mediation did not prove fruitful and the abductees were shot by their abductors and left bleeding in the streets. Some of those abductees sustained permanent disabilities. Nevertheless, they might have been more fortunate than those who were found dead in the streets after hours or days of abduction.

During the latest fighting, dozens of members of the two movements were kidnapped by rival militants. They were kidnapped by militants from homes, institutions and streets.

According to PCHR's investigations and victims' testimonies, in all cases of abduction in the last week of fighting, the abductees were tortured and humiliated. It was also noticed that the two parties of the conflict did not react positively to efforts made by the Egyptian security delegation and the national and Islamic factions. So, the destinies of the abductees were decided by their abductors. Some abductees were released following hours of interrogation that was accompanied by severe torture; others were released after having been shot by a gunshot or more to the limbs that caused permanent disabilities; and the remaining ones were found dead with signs of torture and shooting were seen on their bodies.<sup>27</sup>

### Affidavit (1)

- Mohammed Basheer Abu Nahel, 20
- Member of Fatah Executive Unit
- Sheikh Radwan, Gaza City

..... "At approximately 21:20 on 8 June 2007, when I was in Milad barbershop in Sheikh Radwan neighborhood, a civilian car (a white Subaru) without a registration plate stopped in front of the shop. Four militants got out of the car and broke into the shop. They moved towards me and forced me to walk with them under the threat of guns. They transported me in the car. The car stopped at al-Nafaq Streets, which links 'Omar al-Mukhtar Street with Sheikh Radwan neighborhood. There, they moved me to another car after covering my head with a plastic sac, and the car moved. Soon after, the car stopped and they took me to a third car. Soon, they started to interrogate me about members of Fatah movement. They violently beat me and accused me of being involved in the ongoing fighting between Fatah and Hamas movements through firing at sites belonging to Hamas. I denied all accusations. At approximately 01:30 on the following day, the car took us to al-Sidra area in al-Daraj neighborhood in the east of Gaza City. There, they pushed me into the street and fired at my feet. They left me bleeding in the area. Nearly 15 minutes later, a passing taxi evacuated me to the hospital."

## Affidavit (2)

- 'Abdul 'Aziz Ahmed Abu Shanab, 23
- Member of the Presidential Security Forces
- Al-Nasser, Gaza City

••••• "At approximately 22:00 on Friday, 8 June 2007, when I was in front of my house, a civilian vehicle (a white Volks Wagen) stopped near me. Two masked militants got out of the vehicle and forced me to get into it. They covered my head, handcuffed me and took me to an unknown destination. They started to interrogate me. They accused me of kidnapping a number of members of Hamas and of firing at a site belonging to Hamas. During the interrogation, they violently beat me and pointed their guns at me. They had a list of names of a number of members of Fatah movement, and they wanted me to confess that those members were responsible for kidnapping and shooting a number of members of Hamas, and firing at sites of Hamas. During the interrogation, they threatened to kill me if I did not confess, while they continued to beat me all over my body. As a result of beating, my back bled. They put salty water on my injuries to cause more pains to me. One of them told me that there were instructed to kill me if I did not confess. As I insisted not to confess, they wanted me to convey a message to members of Fatah movement, including my brothers, that the upcoming stage would be characterized by 'heads cutting', so they should stay at homes. At approximately 02:00 on the following day, they dumped me into Hmaid Street in al-Shati refugee camp. Passing people took me to the hospital."

## Affidavit (3)

- Suleiman Fu'ad Abu Harb, 16
- Student
- Al-Shaboura, Rafah

••••• "At approximately 22:30 on Friday, 8 June 2007, I was with two of my friends near my house. In the meantime, fighting was taking place between Fatah and Hamas movements. One of my friends asked us to accompany him to his house in the refugee camp. When we arrived at his house, at least 20 militants from Fatah movement surprised us. They checked us and confiscated our mobile phones. They handcuffed, blindfolded and beat us. They then separated us from one another and interrogated us individually. They asked me about my name and about my brothers accusing me and them of observing activities of members of Fatah movement, but I denied these accusations. During the interrogation, they threatened to kill us. They kept us in the alleys of the camp until 03:00 on the following day morning. They continued to interrogate and beat us. At approximately 12:00, they released us after the Popular Resistance Committees had intervened. When I arrived at home, I learnt that my brother Ahmed, who was a member of the Executive Force, was killed in the fighting between Fatah and Hamas movements."

**Affidavit (4)**

- 'Omar Zakaria al-Shareef, 20
- Member of the National Security Forces
- Nusairat

●●●●● “At approximately 18:00 on Sunday, 10 June 2007, my colleague, Mahmoud Abu Rabee’, and I were traveling in a taxi. When we arrived in Tal al-Hawa neighborhood in the southwest of Gaza City, a group of masked militants stopped us. The militants looked at the car and requested me and my colleague to get out and we did. They ordered the driver to leave the area. They then covered our heads and transported us to an unknown destination. There, I saw 20 persons, most of them were members of security services of the Palestinian National Authority, including Kamal al-Bughdadi, former mayor of al-Boreij. The militants interrogated and beat us. They beat and insulted me. At approximately 21:20, they transported me towards the car market in al-Zaytoun neighborhood in the east of Gaza City. There, they fired at my knees and then escaped. I stayed bleeding for some time until a passing car evacuated me to the hospital.”

**Affidavit (5)**

- Mohammed Ahmed al-Khaldi, 23
- Worker, Dar al-Arqam Press
- Sheikh Radwan, Gaza City

●●●●● “At approximately 19:30 on Sunday, 10 June 2007, I was walking in al-Remal neighborhood, holding a copy of Palestine newspaper and another one of the gazette of the Islamic Bloc. There were many militants in the streets. They suspected me because I was holding newspapers of Hamas. They stopped and checked me. One of them then ordered me to stay at the corner of the streets. He caught my head and hit it to the wall more than once. Other militants also hit my head with their guns. One of the militants wanted to shoot me, but the other prevented him. They kept me in the street for more than 15 minutes, during which time they were beating me and calling the Military Intelligence to send a car to take me, but no one came. Soon after, one of the militants caught my hair and hit me to the wall. He ordered me to stand up and cover my head with the shirt that I was wearing and I did. He then ordered me to walk towards al-Saraya security compound. As soon as I walked a few steps, they fired at me. I was wounded by gunshots to the legs. Passing people took me to the hospital.”

**Affidavit (6)**

- Hamada Mohammed Ibrahim al-Qerem, 25
- Member of the Presidential Security Forces
- Al-Amal, Khan Yunis

●●●●● “At approximately 14:15 on Sunday, 11 June 2007, while I was traveling with other

persons in a taxi from Gaza City to Khan Yunis, a number of militants from the 'Izziddin al-Qassam Brigades of Hamas stopped the taxi neat Doula intersection on Salah al-Din Street in the east of Gaza City. They forced us out of the car. I was in uniform. They held us in the street for two hours together with 8 other persons who were taken from other taxis. They then took me and two other young men, one of whom was wearing a shirt with the badge of al-Aqsa Martyrs Brigades, in a jeep. The jeep traveled nearly 300 meters in Doula Street. The jeep then stopped and we were taken from it to another vehicle. They blindfolded us and took us to an unknown destination. We stayed there from approximately 16:30 to 00:45 on the following day, during which time they interrogated, insulted and humiliated me. They forced me to stand up blindfolded and my hands up. I asked them to allow me to sit and they accepted. I then told them that I had pains in my eyes. They told me not to worry as they would allow me to leave. They took me in a jeep to the car market in the east of Gaza City. They took me out of the jeep and fired at my left leg. A member of the Preventive Security Service from the Abu Dahi clan was with me in the jeep. They also fired at his legs and left him with me in the same area. I started to shout on people living in a nearby house, but no one answered me. I attempted to stop a car, but it did not stop. I attempted to stop another car, and this time, the car stopped. The driver took me to a checkpoint of the Palestinian National Security Forces near al-Shuhada intersection, south of Gaza City. Security men brought Abu Dahi and took us both to a hospital in Deir al-Balah.”

#### Affidavit (7)

- Eyad 'Adnan 'Abdullah Sammour, 22
- Member of the National Security Forces
- Sheikh Radwan, Gaza City

..... “I was in the site of the First Brigade when the 'Izziddin al-Qassam Brigades seized control over the site and another site of the Second Brigade at approximately 19:00 on 12 June 2007, following fierce fighting. I and approximately 15 others members of the National Security Forces were in a control room of vehicles. Captain Shu'aib Salem went out to talk with members of the 'Izziddin al-Qassam Brigades. He said to them: 'Fear of Allah.' A masked militant fired at him. He was wounded to the leg. They then evacuated him to the hospital. We were still hearing sounds of shooting inside the site. They asked us to gather in one place with our hands up behind our head. They forced us to set and collated weapons. They then brought Major Munther Killab, Commander of the First Brigade, and fired at his legs. Soon after, they took him out of the site. Five minutes later, they took me and 5 other persons, including two of the wounded, out of the site and requested us to go to Salah al-Din Street. We walked and entered a house, where we stayed for 10 minutes. The two wounded persons were then evacuated to the hospital. I and the other two persons continued to walk towards Hammouda fuel station. A vehicle of the Executive Force pursued us. Militants in the vehicle ordered us to get into it and took us towards Sha'sha'a Street. On our way, we passed by two members of the National Security Forces, Eyad al-Kafarna and Hasan 'Abed, who were wearing civilian clothes. A member of the Executive Force ordered al-Kafarna to get into the vehicle. They took us

to a store in an apartment building and blindfolded us. They took al-Kafrana to another place. At approximately 21:00, one of their leaders came and uncovered my head. He caught my face and ordered his colleagues: 'Execute him!' Three militants transported me in a jeep to Tal al-Za'tar area near al-'Awda Hospital. They then took me down and I asked them for mercy and not to shoot me. They forcibly pushed me down onto the ground and fired at my legs. I was wounded by 5 gunshots. They left me in the area and people evacuated me to al-'Awda Hospital, and from there, I was transferred to Shifa Hospital in Gaza City. I left the hospital out of concern that I might be shot again. I am still suffering from the wound and I have a fracture in the right leg."

### Affidavit (8)

- Mahmoud Ibrahim 'Ouda Abu Shatat, 20
- University Student
- Al-Brazil, Rafah

- "At approximately 15:00 on 14 June 2007, I was at home near Rafah Stadium, together with a friend of mine, Wissam al-Mishwakhi, while armed clashes were taking place between the 'Izziddin al-Qassam Brigades and the Executive Force on one side, and security services and Fatah movement on the other side. Seven members of the Executive Force entered my house. I asked them to leave and they did. Soon after, many members of the 'Izziddin al-Qassam Brigades and the Executive Force (approximately 80) entered the house. One of them fired 5 gunshots near my feet. One of them then asked me about activists of Fatah movement in Rafah and my relations with them. He also asked me about weapons, and I told him that there were no weapons inside the house and that they could search the house. They searched the house and when they did not find anything, they violently beat me, and one of them fired at my right leg below the knee. They also fired 3 gunshots at my friend's legs. One of the militants then handcuffed and blindfolded me. They violently beat me until I fainted. When I woke up, one of the militants pointed his gun at my head and said: 'You are faithless.' I replied: 'Fire at my head and kill me.' He fired another gunshot at my right leg. They then pulled me out of the house and left the area. Nearly half an hour later, neighbors evacuated me and my friend to the hospital. I was suffering from a bacterial inflammation. I was transferred to an Israeli hospital on 24 June. On 1 July 2007, doctors decided to amputate my leg."

### Affidavit (9)

- Bassam 'Abdul Ra'ouf Deeb Abu Rukba, 33
- Member of al-Aqsa Martyrs Brigades
- Beit Hanoun

- "At approximately 16:00 on Monday, 11 June 2007, I and three other bodyguards of Jamal Abu al-Jedian, Secretary of Fatah movement in the northern Gaza Strip, were on the roof of Abu al-Jedian's house in Beit Lahia, guarding the house. A number of neighbors from a clan known of their affiliation to Hamas tried to provoke us, but we did not react.

• • • Black Pages in the Absence of Justice

Suddenly, we were fired at from the neighboring house, and we returned fire. Soon after, many members of the 'Izziddin al-Qassam Brigades arrived and besieged the area. They opened fire at us. One of my colleagues was wounded by shrapnel. He and my other two colleagues went down and I remained alone on the roof. The house continued to be shelled and fired at. At approximately 21:00, I realized that the situation became desperate and there was no way to resist. I went down to the second floor and entered Abu al-Jedian's flat. There, I saw a number of children who were extremely terrified. I stayed with them for a while to calm them down. I then decided to get out and surrender in response to the calls made by the 'Izziddin al-Qassam Brigades. As I was moving down on the stair, at least 60 masked militants from the 'Izziddin al-Qassam Brigades were stepping up. They entered the flat and took the children away. They kidnapped me and two other young men and started to beat us. Soon after, they took me down and interrogated me in front of the house for nearly 15 minutes. They then handcuffed, blindfolded and transported me in a car to a nearby area. There, they fired at my legs and left me bleeding. I fainted several times. When I woke up, I found myself at al-'Awda Hospital. I was then transferred to Shifa Hospital in Gaza City. There, I was forced to change my name in order not to be known. Two days later, I was transferred to an Israeli hospital, where my legs were amputated. I received medical treatment at the Israeli hospital for 37 days. I then came back to Gaza."

**Affidavit (10)**

- Tha'er 'Ali Hamdan, 22
- Member of the National Security Services
- Jabalya

..... "I am a sergeant in the National Security Forces. On 12 June 2007, I was off-duty, but due to the deteriorated situation, I went to the site of the Second Brigade, where I work, to the east of Jabalya refugee camp. At approximately 13:00, many militants from the 'Izziddin al-Qassam Brigades and the Executive Force attacked our site. They fired mortars, RBJ projectiles and bullets of various calibers, without any warning. We were forced to return fire using light arms. The situation continued as such until 15:30, when Major Subhi Marwan Zumlot, commander of the brigade, received a phone call from Ra'fat Salman, a leader of the 'Izziddin al-Qassam Brigades in the northern Gaza Strip, in which Salman asked him to surrender. Major Zumlot replied: 'You are attacking us and we are in our site, so we are refusing to lay down our arms and surrender.' They continued to fire at the site. Major Zumlot, I and a number of my colleagues moved to an apartment building located opposite to the site to reinforce protection for the site. We stayed in the building for some time, and as the building was attacked, Major Zumlot ordered us to withdraw. We were divided into two groups. The first group led by Major Zumlot was able to leave the building, and I and 5 of my colleagues remained on the first floor of the building. At approximately 19:00, we were able to leave the building, carrying some weapons. We moved into a factory adjacent to the building. We hid there motionless. We shut down our mobile phones and abstained from smoking. I, Yousef Mahdi, Shadi Mahmoud Badriq and a fourth colleague hid in a corner surrounded by goods and wood, whereas

Zakria al-Khatib and Mahmoud Nasser Abu al-'Eish hid in other corners. Soon after, I heard someone walking near the door of the building and shouting: 'I am the owner of the house, and if you find anyone here, do not shoot me.' They broke into the building and searched it. At approximately 20:30 – 21:00, they entered the factory and turned on the lights. They asked: 'Is there anyone here?' We remained silent and motionless and did not resist them. Soon after, they discovered us, so they ordered us to lay our arms down and we did. They took our arms and ordered us to get out one by one with our hands up. When Shadi Badriya got out with his hands up, they shot him to the abdomen. They then forced Mahdi to get out with his hands up and he did. They immediately fired at him. He was hit by a gunshot to the head. A member of the Executive Force then opened fire at Mahdi killing him. A third colleague and I then got out. They violently beat us. They then transported us in a jeep to an area located between al-'Awda Hospital and Tal al-Za'tar neighborhood. We were 5. There, they forced us to lie with our faces to the ground. Zakaria al-Khatib attempted to escape, but they fired at him. He was wounded to the leg. They then opened fire at our legs and knees not responding to our begging. I was wounded by 5 gunshots to each leg and the others were also wounded. They left us bleeding and people evacuated us to al-'Awda Hospital. I was later transferred to Shifa Hospital in Gaza City and then to an Israeli hospital, where my legs were amputated."

#### Affidavit (11)

- Ussama Mohammed Rabee' Hamdan, 28
- Member of the National Security Forces
- Jabalya

- "At approximately 13:00 on 12 June 2007, I was in the site of the Second Brigade to the east of Jabalya refugee camp. The site was besieged and attacked by militants from the 'Izziddin al-Qassam Brigades and the Executive Force using mortars, RBJ projectiles and gunshots. When the protection site at al-Kashef Hill was defeated, we were forced to disperse in and around our site, because it is lower than the al-Kashef Hill. I and my colleagues, led by the commander of the brigade, stationed in 'Abed apartment building. At approximately 14:30, when I attempted to move to our site on al-Kashef Hill, I was wounded by a gunshot to my right leg and I ran out of ammunition. A number of militants from the 'Izziddin al-Qassam Brigades captured me. They violently beat me and confiscated my gun and mobile phone. They pulled me on the ground towards the neighboring 'Izbat 'Abed Rabbu area. They beat and insulted me in an attempt to know my name and get information about our site. They then put me near houses and many militants from the 'Izziddin al-Qassam Brigades violently beat and interrogated me. One of them identified me and considered me as a wanted criminal because I was a member of a unit of the National Security Forces that was able to break the siege imposed by Hamas on the house of a leader of Fatah movement, Mansour Shalayel. They started to compete who would execute me, using the statement 'let me go to paradise by killing him!' Residents of the area gathered in their balconies and saw what was going on with me. The militants debated on whether to execute me or fire at my legs to be cut. In the meantime, my mobile phone rang. It was a friend who was checking on me. They

answered him saying: 'We have executed him.' One of them then asked me: 'At which knee you want me to fire?' I replied suffering from pains: 'What do you want to do with me more than this?' One of the militants then put his gun on my leg and fired 5 bullets from a zero range. The gunshots made a large hole and I bled extensively. This happened while they continued their debate whether to execute or just fire at my legs and dump me near the hospital. Two militants then took me into a car and traveled towards Kamal Edwan Hospital. Their colleagues fired at the car in an attempt to prevent them from transferring me to the hospital. I was admitted into the hospital at approximately 18:00. Nearly half an hour later, militants from the 'Izziddin al-Qassam Brigades entered the hospital searching for me and other members of the National Security Forces. I heard sounds of shooting near the hospital and I was told that those militants executed a wounded person. At approximately 02:00 on the following day, I was transferred to Shifa Hospital and then to al-Quds Hospital in Gaza City to ensure my safety. Soon, members of the 'Izziddin al-Qassam entered the hospital searching for wounded members of the Preventive Security Service. I was stealthily taken out of the hospital to a house adjacent to mine. There, a doctor performed a surgery for me and I had to pay 1,500 NIS (approximately US\$ 360). On 25 June, I was transferred to an Israeli hospital, where I received medical treatment. Later, I was transferred to al-Maqassed Hospital in East Jerusalem and then to Ramallah."

## Affidavit (12)

- Tha'er Farouq Yousef 'Obaid, 19
- Jabalya

- "At approximately 14:00 on Monday, 11 June 2007, while I was guarding the house of Jamal Abu al-Jedian, the leader of Fatah movement in the northern Gaza Strip, in Beit Lahia, hundreds of militants from the 'Izziddin al-Qassam Brigades and the Executive Force besieged the house. They fired rockets and mortars at the house. Abu al-Jedian was wounded to the neck and he went to Kamal Edwan Hospital in Beit Lahia. The 'Izziddin al-Qassam Brigades and the Executive Force were able to seize control over the house. They robbed its contents, including money and gold. They also captured 4 militants from the roof and took them to an unknown destination. They then took over a neighboring 6-storey apartment building belonging to the Abu 'Ouda family and arrested 3 of the Abu al-Jedian's bodyguards. I saw them pushing down a militant, Mahmoud Jaber al-Saftwai, from the roof of the building to the roof of a neighboring 2-storey house. He sustained fractures to the legs. They also captured 'Alaa' and Mazen Abu 'Ouda. They took me and 3 other young men in black vehicles to al-Twam site, where they interrogated us for two hours. I was interrogated by 5 members of the 'Izziddin al-Qassam Brigades. They wanted to know when I joined Fatah movement and when I started to work with Abu al-Jedian, describing him as 'faithless' and a follower of Mohammed Dahlan whom they described as 'the spearhead of the coup against Hamas.' During the interrogation, one of them hit my back with a stone. They then took me and the other three young men to a space behind al-Twam area. They forced us to lie with our faces to the ground and we did. Soon after, they opened fire at our legs from a very close range. I was wounded by 11

gunshots to the left leg and one gunshot to the right leg. The other three young men were also wounded: Deeb Salem Abu Yasser, wounded to the right leg which was amputated at Shifa Hospital in Gaza City; Hadi 'Abed Rabbu, wounded by a gunshot to the leg; and Samed Abu al-Jedian, wounded by a gunshot to the right leg which was amputated at Shifa Hospital. They left us bleeding. Nearly half an hour later, a woman living in the area heard our cries, so she called for an ambulance, which evacuated us to Shifa Hospital. On the way to the hospital, we were stopped by a number of militants from the 'Izziddin al-Qassam Brigades. They asked us about our political affiliation. When they knew our political affiliation, they wanted to shoot us again, but a number of people gathered and drove them away from us. I received medical treatment at Shifa Hospital for 10 days, and I was then transferred to an Israeli hospital where my left leg was amputated."

### Affidavit (13)

- Eihab Ibrahim al-'Absi, 21
- Grocer
- Al- Shati, Gaza City

••••• "At approximately 18:30 on Sunday, 10 June 2007, while I was on my way back home, I was stopped by a number of militants. They requested me to accompany them, but I refused. They forcibly took me to a house in the area. There, they asked me about Fatah movement and its executive unit. They wanted specific information and names. My answers were that I do not have any information. They also asked me about the persons who are involved in clashes and the meetings of Fatah officials. They then transported me in a vehicle to al-Nasser Street. They asked me to get out of the car and I did. They immediately fired at my feet. I was hit by several gunshots. People in the area evacuated me to the hospital. Since then, I have been using crutches to be able to walk."

### Affidavit (14)

An eyewitness described how militants from Hamas fired at the legs of 7 young men in front of al-'Awda Hospital in Jabalya, saying: <sup>28</sup>

••••• "I am a member of the Steering Committee of Nationalist and Islamic Factions in Jabalya refugee camp and the northern Gaza Strip, representing the Popular Front for the Liberation of Palestine. At approximately 10:30 on Tuesday, 12 June 2007, I learnt that militants from Hamas were gathering around a site of the National Security Force and clashes would likely erupt. I went to al-'Awda Hospital together with a number of volunteers. At approximately 12:00, a number of wounded persons were admitted into the reception department. The clashes continued until the evening and many wounded persons from the two sides were admitted into the hospital. Many militants from the 'Izziddin al-Qassam Brigades and the Executive Force were inside the hospital, but I prevented them from entering the reception department, where I was assisting in carrying wounded persons. At approximately 17:00, one of my colleagues told me that his relative, who is a member of the National Security Forces, was kidnapped and there were serious concerns that

he might be shot or killed. He asked me to go to Haifa Mosque in Tal al-Za'tar area to intervene with leaders of Hamas to release the hostage. We went there, but did not find anyone in the mosque, so we went back to the hospital. When we arrived at the entrance of the reception department at the hospital, I saw a number of jeeps of the 'Izziddin al-Qassam Brigades and the Executive Force coming to the area. Masked militants took 7 young men out of the jeeps and forced them to stand near the fence of a house belonging to Jaber al-Sha'rawi. I saw the militants firing at the legs of the seven young men. Soon after, I saw one of the militants pulling a wounded young man out of a car that arrived at the area. The militant kicked the young man's face and pointed his gun to shoot him. I rushed towards the militant in an attempt to prevent him from shooting. The militant said to me: 'Go away!' I replied: 'If you want to kill me, do it.' He said again: 'Go away!' I attempted to prevent the execution of the young man. The militant then moved back and said to his colleagues: 'Take him.' They left the area. A number of young men brought a litter and carried the wounded young man into the hospital. I learnt that the young man whom I attempted to save is Mohammed Abu al-'Aish."

### **Affidavit (15)**

An eyewitness described how 4 wounded persons were fired at in front of the reception department at al-'Awda Hospital in Jabalya, and how a woman was shot at a roadblock of the 'Izziddin al-Qassam Brigades in Jablay, saying: <sup>29</sup>

••••• "At approximately 11:00 on Tuesday, 12 June 2007, while I was on-duty in the reception department at al-'Awda Hospital, a car stopped in front of the department. A number of masked militants who were in the car pushed 4 wounded members of the National Security Forces out of the car. My colleagues hurried to offer medical aid to the wounded security men. We found them handcuffed. At approximately 17:00 on the same day, I was traveling in an ambulance in al-Sikka Street near the site of the civil administration, where armed clashes were taking place, in an attempt to evacuate wounded persons to the hospital. I saw masked militants from the 'Izziddin al-Qassam Brigades stopping a civilian car. They forced the passengers, including two women, out of the car. One of the women was extremely scared and she screamed: 'Oh people! Help us!' Immediately, one of the militants fired at her. She was wounded by a gunshot to the abdomen. We immediately evacuated her to al-'Awda Hospital, where she underwent a surgery."

## Attacks against Houses and Apartment Buildings during Fighting

In most rounds of fighting between Fatah and Hamas movements in the Gaza Strip, militants from the two movements did not take into consideration the lives of innocent civilians, and even pushed them into the hell of fighting, which took the lives of some of them. Since the beginning of fighting between the two movements in spring 2006, armed groups used firearms and rockets in densely populated area, especially in narrow alleys of Gaza City.

Since the beginning of 2007, as the fighting between the two movements notably escalated, high apartment buildings and public and private establishments, including educational and cultural ones, have been used as bases in the fighting. PCHR has documented dozens of cases in which militants from each of two parties of the conflict used buildings as bases to attack targets of the other party, including firing bullets and rockets, which endangered the lives of innocent civilians.

The round of fighting from 14 to 19 May 2007 was characterized by intense use of high apartment buildings as bases to attack targets of the other party. During that round of fighting, al-Nour and al-Saleh apartment buildings, which are located near the campus of the Islamic University in the west of Gaza City were extensively destroyed and some flats were burnt by rockets and bullets fired by militants from the two movements. Families, particularly children, were extremely terrified, and some of them were forced to leave their homes. Shawa and Hussari apartment building in al-Wihda Street, which includes offices of a number of press offices, also witnessed armed clashes between the two movements, when militants from Hamas attempted to mount onto its roof. The clashes extended to the neighboring al-Jawhara apartment building, which also includes a number of press offices. Militants from Fatah movement took position atop of the roof. An exchange for fire erupted between them and militants from Hamas, endangering the lives of journalists, who were trapped in their offices, especially the office of al-Jazeera Satellite Channel and that of Ramattan news agency, for at least two hours due to the armed clashes.

In the latest round of fighting, hostile acts in densely populated areas escalated. Hundreds of militants from each of the two movements deployed on the roofs of houses, apartment buildings and civil establishments,<sup>30</sup> using them as bases to attack the targets of the other movement, which could be houses or apartment buildings, with bombs and rockets. Militants also established paramilitary sites in densely populated areas in disregard for the lives of civilians. PCHR documented dozens of cases, in which houses and apartment buildings were attacked with bombs and rockets.

During the fighting, dozens of houses were destroyed and many houses and apartment buildings were heavily damaged. A number of civilians were also killed,<sup>31</sup> and dozens of families were forced to leave their homes due to the fighting in their areas.

## Using and Attacking Houses and Apartment Buildings in Hostilities

PCHR has documented dozens of cases, in which militants from each of the two movements transformed houses, apartment buildings and civil establishments into paramilitary sites to attack targets of the other movement. As militants from both movements exchanged fire, a number of civilians were hurt and buildings were heavily damaged. Militants also attacked houses and apartment buildings to reach wanted persons. They used excessive force when storming houses and buildings, including detonating bombs and firing rockets. Such actions endangered the lives of civilians. There are also serious concerns that militants might have used Palestinian civilians as human shields during the fighting.<sup>32</sup>

In one of these cases, militants thought to be from Hamas broke into Cairo apartment building in the south of Gaza City, and exchanged fire with members of the Presidential Security Force positioned atop of the building. A militant was killed inside the building, which was heavily damaged, and civilians were extremely terrified.

In his testimony to PCHR, a resident of the building stated:<sup>33</sup>

••••• “Before Hamas’ takeover of the headquarters of the Preventive Security Service, members of the service had been positioned atop of the building. Later, members of the Presidential Security Forces replaced them. At approximately 10:00 on Thursday, 14 June 2007, the fighting between the two parties escalated, and militants from the ‘Izziddin al-Qassam Brigades {of Hamas} started to move towards the building stealthily from the backyard. They were able to reach the first and second floors of the building. Fierce fighting erupted between the two sides inside the building. A member of the ‘Izziddin al-Qassam Brigades was killed. I started to think how to get out of the building to ensure the safety of my wife and children, who were extremely scared.. My family and I got out of our flat raising a white flag. On the third floor, a militant from the ‘Izziddin al-Qassam Brigades stopped me and asked me about the number and weaponry of members of the Presidential Security Forces. When I told him that I do not know, he said to me: ‘It seems that you do not want to get out of the building.’ So, I gave him any information just to be able to get out of the building peacefully. We got out of the building and traveled in a taxi to a friend’s house.”

In his testimony to PCHR, another resident of the same building stated:<sup>34</sup>

••••• “I live on the second floor of Cairo apartment building in Tal al-Hawa neighborhood. During the latest armed clashes between Fatah and Hamas movements, a number of members of the Preventive Security Service took position on the roof of the building as tension spread over the Gaza Strip even before the clashes. The fiercest clashes took place on 14 June 2007. At approximately 08:00, a number of members of the Preventive Security Service knocked my door and told me that the building would be attacked with shells, so the residents should take care. In fact, a few minutes later, a shell was fired at the building. It hit the 10th floor. Soon after, the source of the shelling was fired

at from the building. Nearly an hour later, members of the Preventive Security Service started to leave the building. Two vehicles of the Presidential Guard then arrived at the area and its members stepped up to the roof. Soon after, fierce fighting erupted between members of the Presidential Guard and those of the 'Izziddin al-Qassam Brigades, who were getting closer and closer to the building demanding the militants on the roof to surrender. Members of the 'Izziddin al-Qassam Brigades were able to enter the building. They stepped up to the second floor where I live. They wanted to shoot from there, but I prevented them because it would endanger all residents. They attempted to step up to the third floor, but they were fired at intensively and one of them was wounded. Later, families of members of the Presidential Guard arrived at the buildings. They asked members of the 'Izziddin al-Qassam Brigades to allow them to step up to their sons to convince them to surrender. They were allowed to step up to their sons, but their efforts to convince them to surrender failed. The families left the building and the fighting was resumed. The 'Izziddin al-Qassam Brigades brought backups to the building. They wanted to detonate a bomb on the third floor, so they asked us to be careful. In fact, they detonated the bomb. As a result, the ceiling of the third floor, the elevator, windows, doors and the water network were heavily damaged, especially on the first 4 floors. Later, members of the 'Izziddin al-Qassam Brigades were able to seize control over the building and they arrested members of the Presidential Guard. They also searched flats looking for militants of Fatah movement and then left the building."

In another case, militants from Hamas besieged an apartment building in al-Maqqoussi housing project in Gaza City, where Maher Miqdad, Spokeman of Fatah movement, lives. They took position atop of a number of neighboring houses and buildings and opened fire at the building. Fierce fighting erupted in the area over two days, which killed 7 persons from both sides and ended with Hamas' takeover of the building. Militants from Hamas attempted to blow up the building. Palestinian civilians living in the building and neighboring buildings were extremely terrified.

In his testimony to PCHR, Kamal 'Abdul Wahab Ehlayel, 56, an employee at the Military Medical Service and resident of building #10 in al-Maqqoussi housing project, stated:

..... "My flat is on the 11th floor of building #10 in al-Maqqoussi housing project. Maher Miqdad, Spokesman of Fatah movement, lives on the 4th floor in the same building. A number of militants from Fatah movement took position atop of the building and neighboring ones as a precautionary measure to prevent any raids by Hamas militants on the buildings. Fierce fighting erupted between militants from the 'Izziddin al-Qassam Brigades and those of Fatah movement on Monday, 11 June 2007. The fighting escalated on the following day evening and continued until Wednesday morning, 13 June 2007, especially near our building. Due to the fierce fighting, most people living in the building were forced to leave it under the crossfire. At approximately 10:00, Fatah militants left the building and militants from the 'Izziddin al-Qassam Brigades seized control over the area. They decided to destroy building #10. They detonated bombs to pillars. As a result, the services networks and most windows were destroyed. They made several attempts to destroy the building, but they failed. On the following day, a number of militants broke

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into the building and burnt Maher Miqdad’s house. A number of neighboring flats were also burnt. Now, no one lives in the building as it has become uninhabitable.”

In another case, an apartment building was hit by bullets and bombs during armed clashes in the vicinity of the headquarters of the Preventive Security Service in Gaza City.

In her testimony to PCHR, Esmahan Ahmed al-Jekhle, 39, a housewife who lives in al-Sa’ada apartment building #4 near the headquarters of the Preventive Security Service in Tal al-Hawa neighborhood, stated:

••••• “On Wednesday, 13 June 2007, a number of members of the Preventive Security Service took positions on the roofs of our building and neighboring ones opposite to the headquarters of the service. At 15:00, the fighting escalated and people started to move from upper floors to lower ones to avoid being hit by bullets and bombs. In the evening, bullets penetrated the windows of my flat on the 4th floor, where 4 families gathered with my family. We were forced to stay in the corridor. Women attempted to be clam in order not to make children break down. After Hamas militants took over the headquarters of the Preventive Security Services, they searched houses in the area, including my flat, more than once. So, my children and I were forced to leave the area to be safe. We came back to our flat a few days later.”

Apartment Buildings Whose Roofs Were Used by Militants as Paramilitary Sites

Apartment Building	Address	Affiliation of Militants
Cairo (Mushtaha #5)	Arab League Street, Tal al-Hawa	Fatah movement
Al-Jawhara	Al-Jaa’ Street	Fatah movement
Mushtaha #4	Al-Jaa’ Street	Hamas
Al-Saleh	Tal al-Hawa	Hamas
Al-Nour	Tal al-Hawa	Hamas
Al-Riadh	Abu Mazen Intersection, west of Gaza City	Fatah movement
Al-Ostaz	Near Ansar security compound	Fatah movement
New Gaza	Near Ansar security compound	Fatah movement
Mushtaha #7	Near Ansar security compound	Fatah movement
Mecca	Abu Mazen Intersection, west of Gaza City	Fatah movement
Al-Shifa	Shifa Street	Hamas
Al-Israa’	‘Omar al-Mukhtar Street	Hamas
Al-Ghefari	Near Gaza Harbor, west of Gaza City	Hamas
Al-Bakri	Near al-Shati refugee camp	Fatah movement

Muhanna	Beirut Street, Tal al-Hawa	Fatah movement
Al-Sousi	Near UNRWA Vocational Training Center	Fatah movement
Al-Sham	Sheikh Ejlin area, west of Gaza City	Fatah movement
Prisoner's House	Tal al-Hawa	Hamas
Al-Omaraa'	Tal al-Hawa	Hamas
Haniya	Tal al-Hawa	Hamas
Doctors #3	Tal al-Hawa	Fatah movement
Al-Sa'ada #4	Tal al-Hawa	Fatah movement
A-Maqqoussi	Al-Nasser neighborhood	Fatah movement
Zughbor	Al-Nasser neighborhood	Fatah movement
Al-'Awda	Al-Nasser neighborhood	Fatah movement

In addition, PCHR has documented a case in which militants stormed two houses belonging to the Muhsen clan searching for a wanted person. They fired two shells inside the houses, killing two women and a child.<sup>35</sup>

In her testimony to PCHR about this attack, Wafaa' Yousef Muhsen, 26, a housewife, from al-Nasser neighborhood in Gaza City, stated:

..... "I am married to Hasan Mohammed Rabee' Muhsen, a lifesaver at the Municipality of Gaza. At approximately 23:30 on Monday, 11 June 2007, we heard a heavy explosion that broke our windows. My husband went to the balcony to see what was going on. He saw militants deployed around our house. A few minutes later, we heard their voices in our house yard. My husband then realized that they wanted to kidnap or shoot him, as he is known of his affiliation to Fatah movement. My husband asked me and his mother to scream in order for neighbors to intervene. His mother, Hajji Raya, and his daughter from his ex-wife, 15-year-old Maysa, moved downstairs before me as I went to put on my scarf, while my husband stayed upstairs. Soon after, I heard an explosion inside the house. I went to the stairs and there, I found Hajji Raya on the ground bleeding. I did not notice the girl near her. I screamed and asked for help. I looked back seeing the girl bleeding in agony. My husband came and called an ambulance. The woman and the girl were dead when they were evacuated to the hospital."

## **Destruction and Arsons of Houses**

In addition to the damages incurred to a number of houses and apartment buildings, PCHR has documented arson attacks on houses belonging to members of the two movements by their rivals. Eyewitnesses have pointed out that scores of militants burnt or blew up houses, terrifying innocent civilians, especially women and children. Some non-targeted neighboring houses were also damaged. In one case, militants believed to be from Fatah movement stormed a house,

insulted its residents, attacked an old man and then burnt the house. In another case, militants believed to be from Hamas attacked a house in Khan Yunis with bullets and bombs and then burnt it. They even prevented fire fighters from extinguishing fire. In a third case, militants believed to be from the 'Izziddin al-Qassam Brigades of Hamas detonated bombs in a house in Bani Suhaila village, east of Kahn Yunis, destroying it. In another case, militants believed to be from Hamas detonated bombs in two houses in Rafah and destroyed them.

## Affidavits

- 'Abeer Sa'id al-Wakeel, 38
- University Lecturer
- Tal al-Hawa, Gaza City

••••• "At approximately 00:00 on Wednesday, 13 June 2007, militants knocked our door. They wanted to take position on the roof of our 5-storey building. We first refused out of concerns that our lives could be endangered. However, when they threatened to destroy the building if we did not allow them to get onto the roof, we accepted. They stayed on the roof over the night. In the morning, as they were leaving, they fired at water tanks. Later, the militants came back to the building again and stayed on the roof for approximately two hours. At approximately 13:45, many militants, including masked ones, stormed the building. No men were then in the house, excluding my uncle, 75-year-old Kamel Ramadan al-Wakeel, who was beaten by the militants. They ordered us to leave the house. When I asked them why, they insulted me and fired into the air. We were extremely terrified. We all moved down without wearing appropriate clothes. We went down to the first floor. They held us in one room. We were 18 persons, including 3 children. Girls were crying. Militants said to them: 'Crying? Let Hamas save you.' The militants continued to say bad words to us. Soon after, other militants came into the building and ordered us to get out of it. As soon as we got out of the building, they burnt it. We were not able to do anything, so we went to a relative's house."

- Ayman 'Abdul Fattah Killab, 28
- Member of National Security Forces
- Jourat al-'Aqqad, Khan Yunis

••••• "At approximately 14:00 on Thursday, 14 June 2007, I was at home with my wife and child. We heard sounds of shelling in the area and then at our house. Soon after, the house was hit by shells. I was sitting in the hall when the attack started. I tried to move to my room, but an RBJ projectile was fired at me. I escaped towards the stairs. Soon after, a Hamas militant opened the door and threw hand grenades inside the house. My wife begged them to stop, but one of them said: 'This is why we are fighting you.' He then held a praying carpet and burnt it. He started to burn the furniture. They held us on the stairs. When the house was totally burnt, they requested me to go to extinguish fire. At least 100 masked militants were besieging the area. They prevented fire fighters from reaching my house. My house was away from any armed clashes."

- Dr. Mousa 'Olayan Abu Sa'ada, 52
- Former Mayor of Bani Suhaila and Director General of the Legal Unit at the Ministry of Civil
- Affairs

●●●●● "At approximately 12:00 on Thursday, 14 June 2007, I received a phone call from a relative who informed me that he heard communications among members of the 'Izziddin al-Qassam Brigades {of Hamas} that they would destroy my house. I made contacts with Hamas members of the Palestinian Legislative Council to prevent the destruction of my house. They informed me that a member of Islamic Jihad intervened with the field leadership of the 'Izziddin al-Qassam Brigades. He made efforts to prevent the destruction of the house, but he failed. The mediator asked me to talk with one of the field leaders of the 'Izziddin al-Qassam Brigades, and I did. The leader told me that there was a decision to destroy the house. Soon after, many militants started to move towards my house. I got out of the house leaving my family inside. According to my wife, the militants broke into the house opening fire. She begged them not to destroy the house, but they detonated bombs inside the 270-square-meter, 3-storey house. The basement and the first floor of the house were destroyed. The militants also seized my private car. They then stormed my father's house, where 24 people live, and detonated explosives inside it. The house and a number of shops under it were heavily damaged."

- 'Abdul Qader Abu Sa'ada, 45
- Bani Suhaila
- Khan Yunis

●●●●● "At approximately 12:30 on Thursday, 14 June 2007, I was in my two-storey house, which includes 3 flats. I live in one flat, my father lives in another one and my brother lives in the third one. I was surprised by many militants around the house calling on me to open the door. I opened the door, and they were firing into the air. They broke into the house and my children started to cry. I begged him to allow me to clam down my children. They then ordered me, my wife and our children to get out. One of them told me to go towards the east, and I went to an alley. They followed me saying: 'Abdul Qader! Wait.' One of them caught my shirt. My wife asked them: 'Where?' They replied: 'We want him for 5 minutes.' They handcuffed and blindfolded me. They put me in a jeep. I heard one of them saying: 'Take the explosives out.' Soon after, they transported me to an unknown place, which I learnt later that it was a site of 'Izziddin al-Qassam Brigades, located nearly one kilometer away from my house. They took me out of the jeep. They said to me: 'You are so cruel because you killed Ayman al-Najjar.' I replied: 'I do not know what you are talking about.' They violently beat me and poured water on my back and chest. In the afternoon, I heard one of them saying: 'Take them.' He meant me and my cousin, 20-year-old 'Olayan Abu Sa'ada, who was also kidnapped. They dumped us onto al-Rabai'a road. People found us and evacuated us to the hospital. I received medical treatment for 3 days as I lost consciousness. When I woke up, I learnt that my house was destroyed."

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- Yousef Mahmoud Abu Sharbin, 46
- Tal al-Sultan
- Rafah

● ● ● ● ● “At approximately 18:00 on Saturday, 9 June 2007, militants from Hamas besieged my house and a neighboring house belonging to Ahmed Suleiman ‘Aashour, as members of our families are known of their affiliation to Fatah movement. Armed clashes erupted in the area and continued for several hours. During the clashes, a Hamas militant was able to enter the two houses, which we had already left, and detonated explosives inside them. The two houses were destroyed. At least 60 people used to live in the two houses. A number of other houses in the area were also damaged.”

- Khalil Khaled Hasan al-Qassas, 23
- Sheikh Nasser
- Khan Yunis

● ● ● ● ● “At approximately 14:30 on Wednesday, 13 June 2007, I was in our 4-storey house, where 56 people live. I heard sounds of shooting near the house. A number of shells also hit the upper floor, damaging it. Children were extremely terrified. The attack apparently targeted my brother Hasan, 40, a leader of the al-Aqsa Martyrs Brigades and an officer of the Preventive Security Service, who had been receiving medical treatment in Egypt for 5 months. Nearly 10 minutes later, the militants broke into the house opening fire. I asked them what they wanted. They told me that they wanted to search the house. They searched the house and insulted us. They then left the house. Later, masked militants from Hamas came to our house again. My cousin, 17-year-old Fatema ‘Olayan al-Qassas, and other women had already come to the house to prevent its destruction. The women gathered around the house. When the militants arrived, mt cousin begged them not to shoot and other women described them as killers. The militants fired a number of gunshots into the air. My cousin was seriously wounded by shrapnel from gunshots to the head. Her father caught one of the militants and asked him why he shot his daughter. The militant fired at the father’s knee and all militants then left the area. My cousin and her father were evacuated to the hospital. My cousin was taken to the intensive care unit.<sup>36</sup> Ten minutes later, the militants came back again and demanded me to bring the keys of my brother’s jeep. We did not find the key, so they fired at the windows of the jeep and seized it.”

- Amal ‘Omar Abu Kmail (Matar), 30
- Tal al-Hawa
- Gaza City

● ● ● ● ● “At approximately 15:30 on Wednesday, 13 June 2007, we heard sounds of intense shooting near our 5-storey house. A number of gunshots hit the windows. We all moved down to the first floor. One of my relatives got out of the house looking for her son. She found many militants besieging the house. She asked them: ‘Where is my son?’ One of them replied: ‘Your son will be executed.’ They ordered us to get out of the house. We were 28, including 15 children. As we were getting out of the house, the militants beat

men. They ordered us to stop opposite to the house. Children were so scared. When we were out, I noticed that my 4-year-old child was not there. I started to cry: 'My son...my son.' My sister told me that she would look for him inside the house. When she entered the house, militants had already started to burn the first floor. When she attempted to extinguish fire with a blanket, one of the militants caught her from her neck and hit her. Fire broke out in the house, while we were begging the militants not to burn it. They also burnt an internet coffee shop located on the first floor of the house."

- Sameer As'ad Bassal, 51
- Trader
- Tal al-Hawa, Gaza City

- "At approximately 15:00 on 13 June 2007, I was in my house together with my wife, 5 children and 5 grandchildren when a number of militants stormed the house. They ordered us to vacate the house in 5 minutes. We were not able to vacate any of our belongings. We got out of the house and went to my brother's house. Soon, I heard news that the second and third floors of my house (4 flats) were burnt. My sons are members of security services, and I first thought that the militants wanted to search for weapons, but they burnt the house. I went back to the house at approximately 20:30 to find that US\$ 50,000 and some jewelry were stolen... I believe that the militants who stormed the house are from Hamas as my sons are members of Fatah movement and security services."

In her testimony to PCHR about the arson attack on a supermarket belonging to Fu'ad Khader al-Zibda in the west of Gaza City, Inshirah Saleem Abu Seedu, 57, stated:

- "At approximately 06:00 on Tuesday, 12 June 2007, I heard sounds of intense shooting. I looked through the window. I saw a number of masked militants opening fire at the doors of al-Zibda's supermarket. They then tied the doors to a jeep and drove the jeep forward, so the doors were broken. The militants then entered the supermarket and robbed some goods. They also took many goods out and throw them into the streets. Later, they threw two hand grenades inside the supermarket. Fire broke out. A resident of the area intervened to stop throwing hand grenades as there is a bakery near the supermarket, which has many gas canisters that might cause fire to break out in the whole building. The militants responded positively and ceased fire. We phoned civil defense crews, but they were not able to reach the area for several hours. When they came, the supermarket had been totally burnt."

## Attacks against Hospitals and Medical and Civil Defense Crews

Hospitals and medical and civil defense crews were not immune from attacks by both parties of the conflict during the latest round of fighting. Instead of making efforts to facilitate the work of medical crews to be able to provide medical care to the wounded and patients, militants deliberately obstructed the movement of medical crews, thus causing more suffering to Palestinian civilians. Hospitals were also used in combat actions, and were even targeted by both parties of the conflict. In one of such attacks, militants broke into a hospital searching for people who were wounded in the fighting, and armed clashes erupted inside the hospital, during which a number of people were killed and some others, including medical crews, were wounded. As a result of such attacks, a number of hospitals were damaged and patients and medical crews were extremely terrified. Additionally, many people were not able to reach hospitals waiting for an end for the fighting. Militants also obstructed the movement of medical and civil defense crews, and even opened fire to prevent them from reaching affected areas.

### Attacks against Hospitals

This section of the report highlights serious attacks on hospitals during the latest fighting.<sup>37</sup>

The most serious of these attacks affected Beit Hanoun and Kamal Edwan hospitals in the northern Gaza Strip. According to PCHR's investigations and eyewitnesses' testimonies, on Monday afternoon, 11 June 2007, armed clashes erupted between militants from the al-Masri clan and those from the Executive Force in the market near Beit Hanoun Hospital. Bassel Daoud Jaber al-Kafarna, 23, a member of the Executive Force, was killed in the clashes. The armed clashes extended to the hospital as a number of militants from the al-Masri clan hid inside it. Members of the Executive Force broke into the hospital and an exchange of fire erupted between the two sides inside the hospital. Chaos spread over the hospital and patients were forced to escape from the hospital. Later, the Executive Force seized control over the hospital and transformed it into a paramilitary site. During the raid on the hospital, 3 members of the al-Masri clan were killed: 'Eid Mahmoud al-Masri, 51; his son Ibrahim 'Eid al-Masri, 21; and his nephew Faraj Fdel al-Masri, 22. A number of people were also wounded.

In his testimony to PCHR, a patient who was receiving medical treatment at the hospital, stated:<sup>38</sup>

- "At approximately 15:15 on Monday, 11 June 2007, militants broke into the upper floor of the hospital opening fire. I was lying on bed. The militants were from the al-Masri clan and were searching for members of Hamas and the Executive Force. They ordered us to move out towards the hall. Although I was in a bad condition, I stepped down. Members of the Executive Force who were inside the hospital requested me to leave the hospital immediately, even though I was in a bad condition."

In another testimony, a paramedic at Beit Hanoun Hospital stated: <sup>39</sup>

●●●●● “At approximately 15:30 on Monday, 11 June 2007, while I was on duty, a number of wounded militants from the al-Masri clan were brought into the reception department. While medical crews were providing the wounded persons with medical treatment, the department was fired at intensely. Chaos spread over the department. As I was helping a number of patients to get upstairs, I saw a number of militants who were terrifying patients. I moved down to the reception department. There, I saw member of the Executive Force opening fire and damaging the equipment. They then broke into the operations room and prevented medical crews from providing medical treatment to one of the wounded. Medical crews escaped to the upper floor.”

In a third testimony, a doctor working at the hospital stated: <sup>40</sup>

●●●●● “At approximately 15:45 on Monday, 11 June 2007, while we were treating one of the wounded, chaos ensued inside the reception department when militants from the Executive Force broke into the department and detonated sound bombs. I moved towards one of the militants and attempted to prevent him from entering the department. He pushed me down and fired a bullet that hit my left foot. Soon after, I saw members of the Executive Force damaging the equipment.”

In another incident, at approximately 21:00 on Thursday, 14 June 2007, many militants broke into the reception department at Kamal Edwan Hospital in Beit Lahia. They attacked medical crews and all people who were in the department. They then shot dead Ramadan Sa’id Ghaben, 21, a member of the Preventive Security Service, who was receiving medical treatment. The militants also damaged the department heavily and terrified medical crews and patients. Details of Ghaben’s execution are highlighted above in this report. <sup>41</sup>

In his testimony to PCHR on this attack, a doctor working at Kamal Edwan Hospital stated:

●●●●● “... At approximately 21:00 on Thursday, 14 June 2007, at least 15 militants wearing black clothes broke into the hospital and opened fire outside the reception department. They held me and another doctor in a room. We have to lie on the ground due to the intense shooting. I heard cries of women relating to Ghaben. The chaos continued for nearly 10 minutes, during which time patients escaped from the hospital. When the shooting stopped, we got out of the room. We noticed smoke in the reception department and militants had already left. The department was heavily damaged, so we closed it in protest to the attack.”

At approximately 08:00 on Monday, 11 June 2007, medical crews at Martyr Mohammed Yousef al-Najjar Hospital in Rafah suspended work at the hospital for two hours, during which time they closed the road in front of the hospital. They protested the deployment of dozens of members of the Executive Force inside the hospital, which motivated armed clashes between them and militants from Fatah movement inside and around the hospital. The medical crews complaint about the lack of security while working at the hospital during the clashes.

At approximately 23:45 on Monday, 11 June 2007, a member of the Muhsen clan opened fire inside the reception department at Shifa Hospital, in protest to the killing of a woman and a child relating to him inside their house, in the context of the clashes between Fatah and Hamas movements.<sup>42</sup> As a result, 'Abdul Raziq 'Ali Madi, 40, was seriously wounded by a gunshot to the head. He died from his wound on 24 June 2007.

On Tuesday and Wednesday, 12 and 13 June 2007, the vicinity of Shifa Hospital in Gaza City witnessed armed clashes between Fatah and Hamas movements, and medical crews were not able to reach the hospital. The limited number of doctors and paramedics who were able to reach the hospital were not able to treat the high number of casualties, and many casualties could not be brought into the hospital.

On Wednesday and Thursday, 13 and 14 June 2007, members of the Preventive Security Service took position atop of al-Quds Hospital of Palestine Red Crescent Society in Tal al-Hawa neighborhood in the south of Gaza City, thus endangering the lives of medical crews and armed clashes erupted between those members and those of Hamas. On Thursday, after Hamas militants took over the headquarters of the Preventive Security Service near the hospital, militants broke into the hospital and damaged its contents. The hospital was also robbed by people.

## Attacks against Ambulances and Medical Crews

In the same context, ambulances and medical crews that made efforts to save lives of the wounded were attacked or obstructed by militants from both parties of the conflict. Ambulances were prevented from attending the wounded in areas of clashes and were stopped and searched by militants who erected checkpoints in streets.

During armed clashes in Rafah, especially on Thursday, 7 June 2007, and Saturday, 9 June 2007, ambulances and medical crews faced extreme difficulties in attending the wounded due to the fierce fighting between Fatah and Hamas movements. Militants from both parties of the conflict stopped and searched ambulances looking for wounded rival persons.

In his testimony to PCHR, a paramedic from Palestine Red Crescent Society in Rafah stated:<sup>43</sup>

••••• "On Thursday morning, 7 June 2007, I was a member of an ambulance crew that traveled to Tal al-Sultan neighborhood in the west of Rafah to evacuate people who were wounded during armed clashes between Fatah and Hamas movements in the area. We were not able to enter the neighborhood due to the fierce fighting. Later, we were able to evacuate 4 civilians who were wounded. We faced extreme difficulties in taking them to Martyr Mohammed Yousef al-Najjar Hospital due to the presence of checkpoints erected by militants, who were searching ambulances. So, to avoid passing through checkpoints, we resorted to alternative branch and dirt roads."

In another testimony, another paramedic from Palestine Red Crescent Society in Rafah stated:<sup>44</sup>

"At approximately 03:00 on Thursday, 7 June 2007, we traveled in an ambulance to Tal al-Sultan

neighborhood when you received phone calls informing that a number of people were wounded during armed clashes between Fatah and Hamas movements. We arrived at the entrance of the neighborhood near a police station. There, we evacuated a masked militant who was wounded. A number of other militants were accompanying him. They attempted to get into the ambulance to accompany their colleague. We refused, but they threatened us with guns and got into the ambulance.”

In Gaza City and the northern Gaza Strip, militants erected checkpoints on the main roads. They stopped and searched ambulances. In a number of cases, militants humiliated and terrified paramedics.

In his testimony to PCHR, a paramedic from al-‘Awda Hospital in the northern Gaza Strip stated:<sup>45</sup>

••••• “On Monday evening, 11 June 2007, I was called for work by the administration of al-‘Awda Hospital. I transported a wounded person from the hospital to Shifa Hospital in Gaza City. On our way to Shifa Hospital, we were stopped in al-Jalaa’ Street by militants from the ‘Izziddin al-Qassam {of Hamas} who had erected a checkpoint in the area. They pointed their guns at us and searched the ambulance. When we arrived at the reception department at Shifa Hospital, a number of members of the Executive Force gathered around the ambulance and interrogated the wounded person. On our way back to al-‘Awda Hospital, we were stopped at 5 checkpoints erected by militants from the ‘Izziddin al-Qassam Brigades. At approximately 23:00 on Tuesday, 12 June 2007, I traveled in an ambulance to Jablaya medical center and evacuated a wounded person. We moved together with 3 other ambulances. In al-Jalaa’ Street, militants from the ‘Izziddin al-Qassam Brigades stopped us. They besieged the ambulances and opened fire into the air. They searched the ambulance that I was driving and beat the wounded persons. They then allowed us to travel to Shifa Hospital.”

In another testimony, another paramedic from Palestine Red Crescent Society stated: <sup>46</sup>

••••• “At approximately 17:00 on Monday, 11 June 2007, we received a phone call, in which we were informed that a number of people were wounded in the quarter of the Baker clan in al-Shati refugee camp, west of Gaza City. We contacted the ICRC to coordinate our access to the area. We could not wait for the coordination as we received many calls that there were people whose lives were in danger. So, we traveled in two ambulances to the Baker quarter. When we got close to the area, masked militants who had erected a checkpoint on the road opened fire at the ambulances and ordered us to leave the area. We again called the ICRC and informed about what happened with us. At approximately 21:30, the ICRC informed us that our access to the area was coordinated. We traveled to the area and evacuated a number of wounded persons and corpses. On our way back, militants stopped the ambulances and ordered us to get out of them. They searched the ambulances and took all wounded persons, but left the corpses inside. They then ordered us to drive the ambulances out of the area.”

In a third testimony, a third paramedic from the Ministry of Health stated: <sup>47</sup>

..... “At approximately 21:00 on Tuesday, 12 June 2007, I arrived in an ambulance at Shifa Hospital in Gaza City bringing a wounded person from Kamal Edwan Hospital in Beit Lahia. I parked the ambulance at the entrance of the reception department. Soon after, a masked militant requested me to accompany him to drive the ambulance away from the entrance. When we got close to the ambulance, he ordered me to get into it and accompany him to bring some wounded person. I refused to allow him to accompany me in the ambulance, so he wanted the keys. I first refused, but when he threatened me with his gun, I gave him the keys. A number of masked persons got into the ambulance and traveled in it to an unknown destination. I informed the ambulance and emergency department about what happened. Five days later, the ambulance was retrieved, but some of its equipment was lost.”

In his testimony to PCHR, a paramedic from the al-‘Awda Hospital, who was wounded by militants, stated: <sup>48</sup>

..... “At approximately 21:30 on Tuesday, 12 June 2007, I was traveling in an ambulance from al-Quds Hospital in Gaza City towards al-‘Awda Hospital in Jabalya refugee camp, after we had evacuated a wounded person. In the meantime, we received a phone call from the al-‘Awda Hospital requesting us to bring a doctor from his house in al-Zaytoun neighborhood in Gaza City. On our way to the doctor’s house, at least 12 militants stopped us at a checkpoint in ‘Asqoula area. They pointed their guns at us and ordered us to get out of the ambulance although the ambulance was clearly marked and we were in uniform. They forced us to lie on the ground. A militant put his foot on my head and my neck to force me to lie. Two other militants opened fire near us. I could feel gunshots passing near my head. I was hit by shrapnel to my right hand. I cried from pain. One of the militants caught me from my clothes and pushed me into the ambulance. The militants then thoroughly searched the ambulance.”

In another testimony to PCHR, an ambulance driver from Palestine Red Crescent Society stated:<sup>49</sup>

..... “At approximately 01:30 on Wednesday, 13 June 2007, while I was evacuating a woman in labor from ‘Anan area in the west of Jabalya to al-Sahaba Childbirth Center, we were stopped at several checkpoints erected by militants from the ‘Izziddin al-Qassam Brigades {of Hamas}. At each time they stopped us, they searched the ambulance.”

## Attacks against Civil Defense Crews

Civil defense crews faced difficulties in attending places that were burnt in areas of clashes due to restrictions imposed on their movement by militants, who even fired at these crews in some cases.

In his testimony to PCHR, a member of the civil defense in Rafah stated: <sup>50</sup>

- “At approximately 10:30 on Saturday, 9 June 2007, the civil defense station in Rafah received several phone calls informing that fire broke out in a house belonging to ‘Abdul Mon’em ‘Obaid in Rafah refugee camp. Three of my colleagues and I traveled in a fire engine to the area. We were accompanied by an ambulance. We were not able to reach the affected house due to the fierce fighting that was ongoing. I saw a child who was wounded. The ambulance that was accompanying us evacuated him to the hospital. On the way to the hospital, the ambulance was fired at by unknown people. So, we traveled back to the station. When we arrived there, we received more phone calls demanding us to go to the affected house to extinguish fire. We traveled towards the house again. This time, no militants were in the area. When we reached the house, we noticed that the first floor had been already burnt. While we were extinguishing fire, we heard sounds of shooting around us, and a number of gunshots hit doors of a number of houses in the area. However, we continued our work until we were able to put the fire off.”

In another testimony, a driver of a fire engine stated: <sup>51</sup>

- “At approximately 12:30 on Tuesday, 12 June 2007, we received a phone call, in which we were informed that fire broke out in a building in Baker quarter {in the west of Gaza City}. We moved towards the area. On our way, masked militants stopped us at a checkpoint in Jamal Abdul Nasser Street. They ordered us to get out of the fire engine and forced us to stand with our hands up and our faces to the wall. They searched the fire engine. They asked us about our destination and we answered them. They then allowed us to go. When we got close to Shifa Hospital, a number of masked militants intercepted us and fired into the air. We informed them that we were on our way to extinguish fire that broke out in a building in Baker quarter, which was endangering the lives of people in the area. Nevertheless, they continued to fire into the air and forced us to travel back to our station. We attempted to reach the area through branch roads, but militant deployed in the whole area prevented us from reaching the building, so we were forced to travel back to our station without doing our job.”

In another testimony, the same driver stated:

- “On Wednesday afternoon, 13 June 2007, we received a phone call from the Wakeel family, in which we were informed that fire broke out in their house in Tal al-Hawa neighborhood in the south of Gaza City. We immediately moved towards the house. When we got close to the headquarters of the Preventive Security Service, militants positioned in the area fired at us and ordered us to travel back or our lives would be endangered. We traveled back to our station. A number of civilians came to the station and facilitated our access to the house. When we were extinguishing fire, we were fired at, so we forced to stop our work and hide behind walls. We were trapped as such for 3 hours. Whenever we attempted to leave the area, the shooting increased. The fire engine was hit by many gunshots.”

## Endangering the Lives of Civilians in Streets and Houses

During the conflict between Fatah and Hamas movements, both movements demonstrated blatant disregard for the safety of civilians. A number of civilians were killed or wounded when they were coincidentally present in areas of clashes, including in streets, houses and institutions.

In the latest round of fighting, the two parties of the conflict used various kinds of weaponry in densely populated areas and streets in disregard for the lives of civilians. Most armed clashes erupted near security headquarters and sites located in residential areas, which posed dangers to Palestinian civilians and their property. Militants also used some houses as bases to attacks targets of their rivals. They even attacked a number of houses, claiming that other militants were hiding in them. Militants also exchanged fire in streets and alleys, which endangered the lives of passing civilians. Additionally, a number of civilians were killed or wounded when they were inside houses or in streets, far away from areas of clashes. A number of civilians were also killed when militants attacked houses and apartment buildings.

### Victims at Homes

A number of civilians were killed inside their houses as armed clashes took place near those houses. For instance, Wa'el Mohammed al-Sa'di, 39, was killed while he was in the balcony of his house in al-Sabra neighborhood, south of Gaza City, when armed clashes erupted in the vicinity of al-Saraya security compound. In her testimony to PCHR, the victim's wife, 35-year-old Amal Yasser Nasser, started:

••••• "Sporadic fighting had erupted between members of Fatah movement and those of Hamas in the vicinity of al-Saraya security compound since Monday, 11 June 2007. On Thursday, 14 June 2007, the fighting escalated. At approximately 19:30, my husband went to the balcony to talk with our neighbors who were in their balconies or in the street. I could hear sounds of intense shooting, but the fighting was away, so I did not attempt to prevent him from going to the balcony. A few minutes later, our neighbors knocked our door. When I opened the door, they told me that my husband was wounded. I went to the balcony, where I found my husband bleeding as he was hit by a gunshot to the chest. The neighbors evacuated him to the hospital, but he died from his wound."

In another crime, 14-year-old Alaa' Hamdi Farawana was killed and her mother was wounded while they were inside their house in Khan Yunis as bloody armed clashes erupted between militants from Fatah and Hamas movements. In her testimony to PCHR, the child's mother, 35-year-old Sabreen Fat'hi Yousef Farawana, stated:

••••• "Our flat is located on the 3rd floor of an apartment building belonging to my family in the Sea Street in the center of Khan Yunis. At approximately 11:30 on Wednesday, 13 June 2007, while my daughter Alaa' was taking dishes to the kitchen after we had finished our breakfast, she was hit by a gunshot to the head coming through the western

balcony. I attempted to help her, but I was wounded by a gunshot to the chest. We could hear sounds of shooting in the street in the context of clashes between Fatah and Hamas movements. The neighbors came immediately and evacuated us to the hospital. There, I was informed that my daughter died.”

In another crime, 3 children were wounded, when a home-made rocket hit the backyard of their house during armed clashes between Fatah and Hamas movements in Deir al-Balah town in the central Gaza Strip. In his testimony to PCHR, Haitham Mousa Duhaish al-Zrai’ei, 16, stated:

●●●● “At approximately 10:30 on Tuesday, 12 June 2007, my bother Mohammed, 8, my sisters Samia and Ghadeer, 12 and 18 respectively, and I were in the backyard of our house, when we heard a heavy explosion near us. I was extremely scared as I saw my bother and sisters lying on the ground and crying that they were attacked by an aircraft. I could see that they were bleeding. I rushed into the house and called an ambulance. Our neighbors came and took my brother and sisters into the house. Mohammed was hit by shrapnel to the right leg; Samia was wounded by shrapnel to the right side; and Ghadeer was wounded by shrapnel to the left side. An ambulance soon arrived and evacuated them to al-Aqsa Martyrs Hospital in Deir al-Balah. They received medical treatment and left the hospital in two hours. According to police officers who arrived at the scene, the explosion resulted from a home-made rocket.”

In another attack, a Palestinian civilian was wounded when he was inside the house of a PCHR’s staff member, Reem Khalil al-Souri, 28, near al-Quds Hospital in Tal al-Hawa neighborhood in the southwest of Gaza City. In her testimony to PCHR, al-Souri stated:

●●●● “At approximately 15:30 on Wednesday, 13 June 2007, many militants deployed inside the headquarters of the Preventive Security Service, and some of them took position on the second and third roof of the building of Palestine Red Crescent Society opposite to our building, where I live on the first floor. An intense exchange of fire erupted between militants of Fatah movement and those of Hamas. We also heard sounds of explosions. On the following day morning, the fighting escalated and consequently, we were not able to move inside the house. We were 3 families comprised of 14 individuals, including 5 children. We all stayed in the southern part of the house, which was the most secure. Later, gunshots hit the house. We could hear glass of windows being broken and voices of militants. As a result of the gunfire, electricity was cut off. A few hours later, the fighting further escalated and we realized that armed clashes were taking place near our building. Militants from Hamas were deployed near our building and neighboring buildings, firing at members of the Preventive Security Forces positioned atop of al-Quds Hospital. At approximately 09:20, Sameer Ibrahim al-Jilda, 48, was wounded by a gunshot to the left leg inside our house. We called a doctor and woman who has some experience in first medical aid, who live in our buildings, and they offered him first medical aid. We called for ambulances, but ambulances were not able to reach the area. We told one of the militants that we needed an ambulance to evacuate the wounded man, but he told us to offer him first medical aid. The situation became more dangerous, and the part of the house in which we were sheltering was no longer safe. The fighting continued until

● ● ● **Black Pages in the Absence of Justice**

12:30. It ended with Hamas' takeover of the headquarters of the Preventive Security Service. We then evacuated the wounded man in a civilian car to the Arab National Hospital in the east of Gaza City."

In another attack, a 1.5-year-old child and her aunt were wounded while they were inside their house in Sheikh Radwan neighborhood in the northwest of Gaza City. In her testimony to PCHR, Yusra Shihada Miqdad, 47, stated:

..... "At approximately 18:00 on Wednesday, 13 June 2007, my grandchild, 1.5-year-old Shahd Tamer Miqdada, was crying when she was in my flat. I attempted to clam her down, but my attempt failed. I took her to her parents' flat on the fourth floor of the building. I took her into her parents' room. I left her, but she continued to cry. I though she fell down from the bed as her head was bleeding. There were armed clashes in the area. I carried the child and called my husband and sons. We evacuated her to Shifa Hospital in Gaza City. She was wounded by a gunshot to the head. She received medical treatment for several days. At approximately 09:00 on 14 June 2007, my daughter, 22-year-old Nidaa' Ahmed Miqdad, stepped up to the fourth floor of the building to bring some stuffs. When she was there, I heard sounds of shooting, so I was worried thinking that the house was being deliberately fired at. I stepped up to the fourth floor. I found that my daughter was wounded to the back. She was crying. We evacuated her to the hospital. Her wound was light."

## **Victims in Streets**

A number of civilian bystanders, including two UNRWA staff members,<sup>52</sup> were killed or wounded when armed clashes erupted between militants from Fatah and Hamas movements in streets.

In one of these cases, a woman was killed in Khan Yunis when militants fired at a number of civilians who were protesting an attempt by those militants to destroy a relative's house. In his testimony to PCHR, 'Aadel al-Qassas, 56, from Sheikh Nasser neighborhood in Khan Yunis, the victim's father-in-law, stated:

..... "At approximately 15:00 on Wednesday, 13 June 2007, I was in my house. I noticed the movement of people outside the house and no shooting was heard. I got out of the house together with my daughter-in-law, 22-year-old Suzan Hussein al-Qassas, to go my nephew's house. When we were on their way to the house, militants in the area fired at us and at people in the street. We ran and attempted to hide in an alley, but my daughter-in-law fell on her face. I thought she fell because of running. I took a shelter as the shooting continued. I noticed then that she was bleeding from the chest. I was not able to reach her for 5 minutes. I and other people were able then to reach her. We evacuated her in a civilian car to Nasser Hospital in Khan Yunis, but she died from her wound."

In another attack, Taher 'Abdul Karim al-Yazji, 35, was killed by a gunshot in Gaza City when a militant fired into the air celebrating the execution of a Fatah militant. In his testimony to PCHR, the vicytim's brother, 30-year-old Ayman, stated:

- “At approximately 19:30 on Thursday, 14 June 2007, I was sitting with my brother Taher, my uncle and his son in front of a supermarket belonging to my uncle in al-Nafaq Street near our house. We were waiting for the azan to go to pray in the mosque and then go back homes as the situation in the Gaza Strip was so tense. In the meantime, the al-Aqsa Radio of Hamas was reporting that it would make a surprise that would please all people. A few minutes later, the radio reported that Sameeh al-Madhoun, a Fatah activist, was killed.<sup>53</sup> Hearing the news, masked militants, known as members of the Executive Force, got out of the nearby al-Ghufran Mosque. One of the militants fired 3 gunshots into the air. Two gunshots went into the air, whereas the third one killed my brother in the chest.”

In a third attack, a child and a young man were killed in the center of al-Shati refugee camp, west of Gaza City, when a shell hit them. In her testimony to PCHR in the presence of her father, Kholoud Ahmed ‘Ali ‘Abu ‘Ouda, 12, the child’s sister, stated:

- “On Thursday, 14 June, I went out together with my brother, 10-year-old Mousa, to buy some of our house’s needs from a neighboring grocery shop in the camp. Our father allowed us to go out as the armed clashes in the area notably decreased. We went to the shop, but did not find our needs. So, we went to another shop in the area. In the meantime, a jeep of the Executive Force passed near us. A shell fell onto the area. The jeep moved fast into a branch road and the shell fell onto the roadside. My brother was instantly killed. One of our neighbors, 20-year-old Ra’ed Mohammed Abu ‘Obaid, was also killed. Many other people were wounded, including me as I was hit by shrapnel to the abdomen and the limbs. I was admitted into the hospital for two weeks.”

In another attack, a student was killed when she was on her way back home by bus after she had attended the exams of the General Secondary Certificate in Gaza City. In his testimony to PCHR, Ramzi Taqfiq al-Hallis, 22, from al-Sabra neighborhood in Gaza City, the bus driver who transported the victim, stated:

- “At approximately 09:15 on Thursday, 14 June 2007, I transported ‘A’esha al-Shawa, 18, from her house in al-Sabra neighborhood to Ahmed Shawqi School in al-Remal neighborhood to attend the exams of the General Secondary Certificate. At approximately 11:30, I went to her school to take her back home after she had finished her exam. The way towards school was so dangerous because of the intense shooting. I stopped the bus at the entrance of the school. Students started to get into the bus and they asked me to travel fast, but I told them that I should travel slowly to make militants notice that they are students and consequently stop shooting. We arrived at al-Lud Street near Abu al-Kas Supermarket, and as there were militants in the area, I moved towards a branch road. I was traveling slowly and the students were talking about the deteriorating security situation and how they would complete their exams. ‘A’esha said to me: ‘If the situation remained as such, I would not attend the exams on Saturday.’ Soon after, we were surprised by intense shooting at us from the back. I moved towards another branch road to avoid the shooting. ‘A’esha was wounded, but we thought that she broke down and fainted because of fear. I traveled fast to my office without taking any of the students

to their homes. When we arrived there, all students got out, excluding 'A'esha. My uncle attempted to awake her up, but she did not wake up. She was not bleeding. We took her to the General Service Hospital. She was still alive. There, they decided to transfer her to Shifa Hospital, but she died on the way to the hospital.

In another attack, a militant shot dead 'Abdul Fattah Hussein Abu Ghali, 32, from Khan Yunis refugee camp, during the funeral procession of a victim of armed clashes in Khan Yunis. PCHR has obtained 3 affidavits indicating that a militant from the 'Izziddin al-Qassam Brigades of Hamas fired at Abu Ghali. In his testimony to PCHR, the victim's brother, 32-year-old Mohammed, stated:

••••• "At approximately 10:45 on Wednesday, 13 June 2007, I was in my house in the Sea Street in Khan Yunis refugee camp. I heard sounds of shooting outside the house. I got out of the house to check what was going on. When I got out of the house, I saw 5 militants from the 'Izziddin al-Qassam Brigades {of Hamas} on the other side of the road nearly 20 meters away from me. They were firing at alleys as young men and children were describing them as killers and Shiites. Some gunshots hit neighboring houses. I shouted on them: 'Why are you shooting? There are no militants.' One of the militants fired 2 bullets at me, but they hit the wall. My brother Taha who had just got out of the house told me to let them and move away. I went to al-Ladadwa Street, nearly 40 meters away from our house. There, I saw at least 100 young men and children and I stood with them. Nearly half an hour before the noon prayer, I saw a funeral coming from the opposite side. I learnt from young men that it was for Munther Killab who was killed by the 'Izziddin al-Qassam Brigades in a site of the National Security Forces in Jabalya. As soon as the funeral arrived at the Sea Street, the militants who were positioned opposite to our house opened fire at the participants. The funeral stopped and a number of participants hid in alleys. Two participants, Sheikh Ibrahim al-Ashqar and Mr. Younis Killab went to the militants and talked with them. The funeral procession was then resumed and I joined the mourners. We took the body to Bilal Mosque, nearly 60 meters away from our house. I then moved back towards our house. When I became 10 meters away from the house, I saw my brother Taha waving to the militants and shouting on them: 'At whom are you firing and why?' My other brother 'Abdul Fattah was behind Taha. He was going to the mosque. He told Taha to stop shouting on the militants and go back home. Suddenly, I heard the sound of a gunshot. I saw my brother 'Abdul Fattah falling onto the ground. He was bleeding from the head and I saw parts of his brain on the ground. Taha hugged him and cried: 'Abu Hussein died.' I went to the militants and shouted on the one who was pointing his gun at my brother: 'Why did you kill my brother? I know you.' The militants then withdrew from the area. People in the area took 'Abdul Fattah in a civilian car to Nasser Hospital. I followed them, and there, I learnt that my brother died. When I arrived at the reception department, masked militants from the Executive Force attempted to prevent me from entering the department. I debated with them saying: 'My brother is dead inside and I want to see him.' One of the militants replied: 'If you do not like that, I will make you die like him.' He pointed his gun at me and wanted to pull the trigger, but I caught the gun and took the bullet pocket. My brother, Mahmoud, 31, who was accompanying me, attempted to stop them. One of the militants fired at him. He was

wounded by a gunshot to the leg. I then escaped from the area. They followed and fired at me outside the hospital, and I was still carrying the bullet pocket with me. I was able to go back home. I learnt that my brother Mahmoud was wounded by a gunshot to the left leg. We buried my brother 'Abdul Fattah in the afternoon."

## Attacks against Peaceful Demonstrations

As the fighting between the two movements escalated to an unprecedented level, Palestinian civilians organized peaceful demonstration to call on the two movements to stop the fighting. However, such demonstrations were not immune to attacks, and a number of casualties were reported when militants fired at demonstrations or when demonstrations came under crossfire in the armed clashes. According to information available to PCHR, militants from both sides demonstrated disregard for the lives of unarmed civilian demonstrators. According to a number of demonstrators, militants fired at them directly to stop and disperse them.

According to PCHR's documentation, 4 civilians, including a woman, were killed, and at least 20 others were wounded when peaceful demonstrations were organized to stop the armed clashes were fired at.

At approximately 21:30 on Monday, 11 June 2007, following the killing of Jamal Abu al-Jedian, Secretary of Fatah movement in the northern Gaza Strip, in front of Kamal Edwan Hospital in Beit Lahia, a number of Palestinian civilians organized a peaceful demonstration calling for an end for internal fighting. A number of demonstrators carried Anu al-Jedian's body. As the demonstration moved in the streets of Jabalya refugee camp, militants fired at the demonstrators wounding 13.

At approximately 11:00 on Wednesday, 13 June 2007, a peaceful demonstration was organized in Gaza City in protest to the fighting between Fatah and Hamas movement and in an attempt to stop the fighting. Public figures and Major General Burhan Hammad, Head of the Egyptian Security Delegation to the Gaza Strip called for the demonstration on local television channels and radio stations. At least 1,000 persons participated in the demonstration, which started from al-Shojaeya neighborhood in the east of Gaza City and moved towards the west of the city. When the demonstration arrived at al-'Abbas intersection and al-Mis'hal Cultural Center in the west of Gaza City, the demonstrators were fired at. As a result, 3 demonstrators were killed: Shadi Tayseer al-'Ejla, 21; Mohammed Mahmoud 'Adas, 19; and Taghreed Salah al-'Eila, 31. In addition, 5 demonstrators were wounded.

In his testimony to PCHR, a demonstrator who was wounded stated: <sup>54</sup>

••••• "At approximately 10:00 on Wednesday, 13 June 2007, my brother and I went to al-Shojayea neighborhood to participate in the demonstration, which started at 11:00. At least 1000 persons participated in the demonstration. When we arrived at al-'Abbas intersection, we were fired at. The number of participants decreased, but we continued to move forward to show our determination to stop the fighting. When we arrived near al-Mis'hal Cultural Center, militants positioned atop of high buildings fired at us. A number of demonstrators were killed. I was wounded by a gunshot to the chest, and my brother was wounded by a gunshot to the right leg."

In his testimony to PCHR, another demonstrator who was wounded stated: <sup>55</sup>

- “At approximately 11:00 on Wednesday, 13 June 2007, a peaceful demonstration was organized near the police station in al-Shojaeya neighborhood in the east of Gaza City. The number of demonstrators was initially 1,000, but it increased until we arrived near the Palestinian Legislative Council. Members of the National Security Forces attempted to prevent us from reaching al-‘Abbas intersection, but we insisted to reach it. When we arrived there, an exchange of fire erupted between the two sides. We saw members of the National Security Forces exchanging fire with militants positioned in al-Ghefari apartment building to the west. The demonstration dispersed and we had shelters behind walls. When the exchange of fire stopped, we gathered again. When we were sitting near al-Mis’hal Cultural Center, I saw one of the demonstrators, Mohammed ‘Adas, being shot dead to the head. The demonstration dispersed in the area. In order for us to be able to go homes, we had to go back and cross the intersection. We took the risk and attempted to cross the intersection. We were fired at, so we had to lie on the ground. Two of us were wounded. Shadi al-‘Ejla attempted to pull one of them, but he was wounded by a gunshot to the head. I attempted to pull the other person who was wounded, but I felt that something penetrated my back and I saw my chest bleeding. Soon after, Taghreed al-‘Eila attempted to pull al-‘Ejla, but she was shot.”

At the same time, at least 300 Palestinian civilians participated in a demonstration called for by nationalist and Islamic factions protesting the internal fighting. The demonstrators moved towards the areas of armed clashes, but the exchange of fire did not stop. As a result of the exchange of fire, two demonstrators were wounded, while others were fired at when they attempted to offer first medical aid to a member of the National Security Forces, who was wounded in the clashes near the building of the Municipality of Khan Yunis.

In his testimony, ‘Abdul Halim Abu Samara, Public Relations Officer at PCHR’s office in Khan Yunis, stated:

- “At approximately 11:00 on Wednesday, 13 June 2007, I went to the Great Mosque in the center of Khan Yunis to participate in a demonstration called for by the nationalist and Islamic factions and NGOs in protest to internal fighting. At approximately 11:30, the demonstration, in which nearly 300 people were participating, moved towards the Sea Street. Masked militants fired at the demonstrators in an attempt to prevent them from moving forward, but the attempt failed and the demonstration moved forward. The demonstrators then moved towards Jalal Street to the east. When the demonstrators walked nearly 50 meters, militants positioned near al-Farra tower building fired at them to prevent them from reaching the compound of security services, where armed clashes were taking place. The demonstrators moved forward, but militants threw a home-made hand grenade at them. It exploded nearly 20 meters away from the demonstrators. When the demonstrators got close to the compound of security services, they were fired at from all directions. When the demonstrators attempted to get closer to the compound, militants fired at them, wounding two. In the meantime, I saw a member of the National Security Forces at the entrance of the building of the Municipality of Khan Yunis waving

• • • Black Pages in the Absence of Justice

to the demonstrators and crying for help. A number of demonstrators moved towards him and were able to evacuate him in a civilian car to Nasser Hospital. The demonstrators remained in the area for nearly 45 minutes, during which time the exchange of fire never stopped.”

At approximately 14:20 on Friday, 15 June 2007, unknown militants fired at a demonstration organized by Hamas in al-Boreij refugee camp in the central Gaza Strip in protest to the declaration of a state of emergency by President Mahmoud Abbas. As a result of the gunfire, Ahmed Ibrahim al-Sous, 25, a member of the Military Police, was killed, when he was near his house. In addition, 2 demonstrators were wounded: Ahmed Mohammed ‘Eissa, 55, wounded by a gunshot to the left leg; and Mansour Mustafa Mansour, 19, wounded by a gunshot to the back.

In his testimony to PCHR, Mansour Mansour, who was wounded, stated:

••••• “At approximately 14:00 on Friday, 15 June 2007, a demonstration organized by Hamas in al-Boreij refugee camp in protest to decisions taken by President Abu Mazen following Hamas’ takeover of sites and headquarters of Palestinian security services. When the demonstration was in Bloc 9 near al-Nour Mosque, it was fired at from neighboring houses and streets. I was wounded by a gunshot to the back. Later, I learnt that Ahmed Ibrahim al-Sous was killed.”

## **Destruction, Seizure and Robbery of Governmental and Non-Governmental Institutions**

PCHR has documented dozens of attacks by militants against governmental and non-governmental institutions, including destruction, robbery and seizure. Some private properties, including houses, were also attacked, robbed and destroyed.

### **Destruction of Public Institutions**

A number of public institutions, especially headquarters and sites of security services were attacked by militants throughout the Gaza Strip. Those attacks coincided with a decision taken by Hamas to show down the conflict. Members of Hamas, including armed ones, broke into a number of public institutions and extensively destroyed them following Hamas' takeover of the Gaza Strip. They attacked the house of Palestinian President Mahmoud Abbas, that of the late Palestinian President Yasser Arafat and the presidential compound.

#### **• Destruction of Security Sites in Rafah**

At approximately 14:00 on Thursday, 14 June 2007, dozens of militants from the Executive Force and the 'Izziddin al-Qassam Brigades of Hamas attacked the headquarters of security services in Rafah: Military Intelligence; Force 17; the General Intelligence; and the Preventive Security Service. Following fierce armed clashes, which wounded 29 persons, mostly civilians, Hamas militants took over the headquarters and confiscated all weapons and equipment. Hundreds of people rushed into the headquarters and stole the furniture. Later, Hamas militants brought bulldozers and demolished the headquarters. They also detonated explosives in the headquarters of the Preventive Security Service and destroyed it. As a result, Saber Mohammed al-Sidoudi, 14, was seriously wounded when a wall of the headquarters of the Preventive Security Service fell onto him. He was pronounced dead in the evening.

#### **• Destruction of the Headquarters of the Preventive Security Service in Khan Yunis**

In Khan Yunis, a number of public institutions and security sites and headquarters were attacked and their contents were confiscated by militants from Hamas, including the headquarters of Force 17, Naval Police, the General Intelligence and the Military Intelligence. At approximately 15:00 on Thursday, 14 June 2007, dozens of militants from Hamas attacked the compound of security services in the center of Khan Yunis. They blew up the headquarters of the Preventive Security Service, apparently through explosives planted in an underground tunnel. The headquarters was destroyed and a number of security men were killed. Later, the 'Izziddin al-Qassam Brigades of Hamas took over the headquarters and bodies of security men were found.

Robbing the Headquarters of the Preventive Security Service and Burning the Headquarters of the General Intelligence in Gaza City

On Thursday evening, 14 June 2007, the 'Izziddin al-Qassam Brigades of Hamas seized control over the headquarters of the General Intelligence and the Preventive Security Service in Gaza City. Television footages showed some militants atop of the two buildings, while other militants were seen confiscating some of the contents of the headquarters of the Preventive Security Service. Other television footages showed the headquarters of the General Intelligence Service burning. People also entered the building and robbed its contents.

## ● **Destruction of the Headquarters of National Security Forces in Gaza**

At approximately 18:00 on Thursday, 14 June 2007, after the 'Izziddin al-Qassam Brigades of Hamas had taken over the headquarters of the General Intelligence and the Preventive Security Service in Gaza City, members of the National Security Forces positioned in the main headquarter of the forces in the west of Gaza City, known as al-'Abbas, detonated explosives inside the building and destroyed it. As a result, the second floor of al-'Abbas police station was burnt.

Additionally, dozens of public institutions throughout the Gaza Strip were attacked and robbed, including schools, colleges, post offices, police stations, clinics, and offices of ministries and governorates.

Robbing the Presidential Compound and the Houses of Late President Yasser Arafat and President Mahmoud Abbas

Following Hamas militants' takeover of the headquarters of the General Intelligence and the Preventive Security Service, they were able to enter the presidential compound (al-Muntada), when members of the Presidential Security Forces surrendered. The al-Aqsa Television of Hamas showed footages of people robbing the presidential compound and the neighboring Zahrat al-Mada'en resort. Hamas militants also stormed the house of the late Palestinian President Yasser Arafat and that of President Mahmoud Abbas in the west of Gaza City. Some people accompanied the militants and stole some contents of the two houses. The al-Aqsa Television showed footages of militants and people inside the two houses.

## **Attacks against Offices of Fatah Movement and Affiliated NGOs and Media Institutions**

The two parties of the conflict attacked a number of NGOs. PCHR had repeatedly called for neutralizing NGOs, including media organizations, from the conflict. In addition, offices of Fatah movement throughout the Gaza Strip were attacked, and many Fatah-affiliated NGOs, including media organizations, were stormed, destroyed, seized or transformed into security sites by militants and civilians believed to be affiliated to Hamas. Such attacks escalated following Hamas' takeover of the Gaza Strip.

### ● **Attacks against NGOs**

PCHR has documented dozens of attacks against NOGs in the Gaza Strip, mostly affiliated to Fatah movement.

## Seizure of the Office of Baitona for Community Development

On Wednesday evening, 13 June 2007, Hamas militants stormed and seized the office of Baitona for Community Development in al-Twam Street in the northern Gaza Strip town of Jabalya. In his testimony to PCHR, Hussein Abu Mansour, secretary of the association, stated:

..... “I was informed about the attack by a neighbor who phoned me, so I phoned other members of the board. A staff member went to the office to negotiate that group that had seized it. He agreed with them to give them the keys provided that they drive away people who came to rob the office. I then contacted leaders of Hamas and the ‘Izziddin al-Qassam Brigades to resume our work on Friday, 16 June 2007. However, when we went to the office, we were surprised by many militants inside the office, including a number of military commanders, who prevented staff members from entering the office. We made several contacts again, and we were promised to resume our work on 18 June. We went to the office on that day and resumed our work, but 4 militants remained guarding the office.”

### ● **Seizure of the Headquarters of the Palestine General Federation of Trade Unions**

Also on Wednesday evening, militants from the Executive Force and the ‘Izziddin al-Qassam Brigades of Hamas stormed the headquarters of the Palestine General Federation of Trade Unions (PGFTU) in al-Saftawi neighborhood in the north of Gaza City and seized control over it. The 5-storey building includes offices of the PGFTU and Palestine workers radio station. The first and fifth floors of the building, where the radio station is based, were damaged during the raid. The Executive Force has continued to control the building, receiving clients in it.

### ● **Seizure of the Office of Life and Hope Association**

Also on Wednesday evening, the office of Life and Hope Association, which provides social services, was also stormed and seized.

### ● **Seizure of Offices of the Youth Forum for Culture and Arts**

At approximately 19:00 on Thursday, 14 June 2007, militants from Hamas stormed and seized the offices of the Youth Forum for Culture and Arts in Jabalya. They raised Hamas’ flag over the office. They robbed and damaged the contents of the office. Yusri Darwish, director of the forum stated to PCHR:

..... “When I was informed about the attack, I made several contacts with leaders of Hamas and the ‘Izziddin al-Qassam Brigades in the northern Gaza Strip in an attempt to evacuate the office. On 12 June 2007, they evacuated the building and I noticed the damage, so I ordered its reparation. The same office had been attacked twice; on 20 February and on 11 June 2007.”

## ● **Burning the Office of Sharek Youth Forum**

At approximately 02:00 on Tuesday, 12 June 2007, militants stormed and burnt the office of Sharek Youth Forum in Khan Yunis. In his testimony to PCHR, Yousef 'Atwa Abu 'Amra, coordinator of the forum in the southern Gaza Strip, stated:

••••• "Before burning the office, the militants stole 8 computers sets and other equipment. When fire engines arrived at the area to extinguish fire, the militants fired at them. The forum is a youth association that provides services and organizes activities for the youth and children."

## ● **Storming and Damaging the Office of Union of Engineering Professions**

On Wednesday, 13 June 2007, masked militants stormed and damaged the office of Union of Engineering Professions in Khan Yunis

## ● **Storming the Office of the National Association of Social Union**

On Friday, 15 June 2007, militants from Hamas stormed the office of the National Association of Social Union in Khan Yunis refugee camp. They confiscated a computer set and damaged other equipment.

## ● **Seizure of the Office of Tal al-Sultan Neighborhood Committee**

On Thursday evening, 14 June 2007, masked militants, believed to be from Hamas, stormed the office of Tal al-Sultan Neighborhood Committee in Rafah. They confiscated a computer set, files and electrical appliances. At approximately 12:00 on Friday 2007, the militants came back to the office and confiscated what remained. The raid apparently was motivated by the conflict between Hamas and Fatah movement, as the honor chairman of the committee is Majed Abu Shammala, a Fatah-affiliated Member of the Palestinian Legislative Council. The militants transformed the office into a center for memorization of the Qura'an.

## ● **Storming and Damaging the Office of the Union of Women for Social Work**

On Friday afternoon, 15 June 2007, the office of the Union of Women for Social Work in Rafah was stormed and its contents were robbed. In her testimony to PCHR, Ruqaya Sa'id al-Jamal, coordinator of the union in Rafah, stated:

••••• "At approximately 14:00 on Friday, 15 June 2007, I went to the office of the union in Abu Baker al-Siddiq Street in Rafah, when I learnt that militants stormed our office and the neighboring office of MP Majed Abu Shammala. My colleagues were waiting for me. We found that doors and windows were destroyed, and a computer set, a printer, a photocopier, a television set, a video recorder and satellite receiver, a fax machine,

compact disks and files were confiscated. The owner of the building told us that the militants who stormed the office were escorted by members of the Executive Force. Following the attack, we contacted representatives of the national and Islamic factions in Rafah to retrieve the robbed property. On Tuesday, 18 June 2007, two persons arrived at the office and introduced themselves as members of the 'Izziddin al-Qassam Brigades and claimed that neither the 'Izziddin al-Qassam Brigades nor the Executive Force stole the union's property, and that the property was stolen by ordinary people. They also pledged to bring the stolen property back as soon as possible."

### ● **Storming and Robbing the Office of al-Wissam Association for the Wounded**

At approximately 20:00 on Sunday, 17 June 2007, the office of al-Wissam Association for the Wounded in Zo'rob building in Rafah was stormed and robbed.

In Gaza City, a number of NGOs were also attacked by militants and others.

### ● **Shelling the Building of the Rose Nunnery**

On 14 June 2007, the building of the Rose Nunnery near the headquarters of the Preventive Security Service in Tal al-Hawa neighborhood in the south of Gaza City was hit by 3 shells. A shell hit the school, another one hit the kindergarten and the third one hit the hostel on nuns.

### ● **Storming and Robbing the Headquarters of Prisoners and Released Prisoners Association (Hussam)**

Also on 14 June 2007, a number of masked militants stormed the headquarters of Prisoners and Released Prisoners Association (Hussam) near al-Saraya security compound in the center of Gaza City. They confiscated computer sets and documents. Soon after, a number of civilian persons stormed the headquarters and stole the furniture and electrical appliances.

### ● **Seizure of al-Ahly Sports Club**

Also on 14 June 2007, the executive force stormed al-Ahly Sports Club in Sheikh Radwan neighborhood in the north of Gaza City and transformed it into a security site.

### ● **Seizure of al-Shati Cultural Center**

On the same day, the Executive Force stormed al-Shati Cultural Center in al-Shati refugee camp, west of Gaza City, and transformed it into a security site.

### ● **Attacks against Media Institutions**

A number of media institutions known of connections to the two parties of the conflict were attacked by militants. Such attacks included storming and robbing media offices and closing and

damaging television and radio stations.

In this context, militants believed to be affiliated to Hamas stormed several media institutions linked with Fatah movement. They destroyed or robbed the equipment of those institutions

### ● **Burning a Transmission Station of Palestine Television in Gaza**

On Monday morning, 11 June 2007, militants stormed and burnt a transmission station of Palestine Television in Abu Rahma building in 'Omar al-Mukhtar Street in Gaza City.

### ● **Robbing Watanona Media Center in Jabalya**

On Wednesday, 13 June 2007, a number of militants stormed and robbed Watanona Media Center belonging to Fatah movement, which is located opposite to Jabalya police station in Jabalya refugee camp in the northern Gaza Strip.

### ● **Destruction of the Contents of the Headquarters of al-Horriya Radio Station**

On Thursday, 14 June 2007, a number of militants stormed the headquarters of al-Horriya radio station, linked with Fatah movement, in al-Shoqouq building in Gaza City. They burnt the equipment. The radio station had already stopped broadcasting and its staff members had escaped before the attack as Hamas had seized control over the area. At the same time, al-Sabab radio station, also linked with Fatah movement, which is located in Palestine tower building, stopped broadcasting.

### ● **Storming and Robbing the headquarters of Palestine Television – News department in Gaza**

On 14 June 2007, a number of militants stormed the headquarters of Palestine Television – news department – in Tal al-Hawa neighborhood in the south of Gaza City. They stole the equipment and broke windows.

### ● **Storming and Robbing the Headquarters of Palestine Media Group in Gaza**

On 14 June 2007, a number of militants stormed the headquarters of Palestine Media Group, which is linked with Fatah movement and the owner of a news web site (Palmedia) and al-Shabab radio station. They stole the equipment and burnt the furniture. Consequently, the web site stopped.

### ● **Storming and Robbing the Headquarters of the Palestinian Journalists Syndicate**

On Friday, 15 June 2007, a number of militants stormed the headquarters of the Palestinian

Journalists Syndicate in al-Wihda Street in Gaza City. They stole all electrical appliances and the furniture.

### ● **Storming Offices of Fursan al-Irada (Knights of Will) Radio in Deir al-Balah**

On 15 June, militants from the 'Izziddin al-Qassam Brigades of Hamas stormed the office of Fursan al-Irada (Knights of Will) Radio in the central Gaza Strip town of Deir al-Balah, and ordered the sound engineers to play a cassette of songs appraising Hamas. He refused and the staff of the radio left the office. The militants played the songs live without permission and then left the office.

In his testimony to PCHR, a staff member of the radio stated: <sup>56</sup>

●●●●● "At approximately 11:00 on Friday, 15 June 2007, I was in the office of Fursan al-Irada Radio, which is located on the 3rd floor of the headquarters of the Association for Rehabilitation of Disabled Persons in Deir al-Balah refugee camp, together with 3 colleagues. We heard sounds of steps on the stairs. We opened the door of the office, but did not find anyone there. Soon after, I heard the sounds again, so I looked again at the stairs. I saw an armed person. I asked him: 'Who are you?' He replied: 'I am a member of the 'Izziddin al-Qassam Brigades.' I told him that our office and its staff are neutral and are not linked to any party. He said: 'We want to secure a demonstration of Hamas, which will be organized after the Friday Prayer.' I asked him to allow us to move up to the upper floor to ensure the safety of the equipment of the theater. My colleagues and I went up the upper floor. There, I saw 9 masked militants standing near windows overlooking the street. I asked them to allow me to call the chairman of the association, Khaled Abu Shu'aib. I phoned him and one of the militants talked to him and informed him that they would stay in the building to secure the demonstration. My colleagues and I went down to the office of the radio. Approximately two hours later, one of the militants came to us holding a flash memory disk. He said to us: 'I want to play these songs live,' but we refused. A debate ensued between us and we were forced to leave the building. We phoned the chairman of the association and told him about what happened. He said to us: 'Go back home.' At approximately 09:30 on the following day, the chairman of the association phoned me and requested me to go to work as the militants left the building. During their stay in the building, the militants played songs of Hamas until 21:00."

### ● **Robbing the Headquarters of al-Sha'ab Radio Station**

On Sunday, 17 June 2007, a number of militants stormed the headquarters of al-Sha'ab radio station of the Popular Front for the Liberation of Palestine in al-Basha tower building in Jamal 'Abdul Nasser Street in Gaza City. They stole the equipment and furniture. It is worth noting that al-Sha'ab radio station stopped broadcasting two weeks earlier due to a technical failure.

## ● Attacks on Private Property

PCHR has documented a number of attacks against private property, especially houses, including storming, robbing and destroying property. Some of those attacks were carried out by Hamas militants, while others were carried out by some people who stormed and robbed houses of leaders of Fatah movement.

### ● Storming Hanadi Apartment Building in Gaza City

During the fighting, a number of militants from Fatah movement took position atop of Hanadi apartment building in al-Rasheed Street in the west of Gaza City, and from there, they opened fire at al-Ghefari apartment building where Hamas militants were positioned. The 13-storey apartment building includes flats, offices of some security officers and leaders of Fatah movement, and offices of a number of international agencies, including the office of UNRWA Commissioner-General Karen Abu Zayed. When the fighting ended on 14 June 2007, the Fatah militants were able to flee from the building. At approximately 06:00 on Friday, 15 June 2007, a unit of the Executive Force arrived at the building and deactivated bombs planted by Fatah militants around it. Later, a number of Hamas militants arrived at the building and confiscated a number of cars belonging to Maher Miqdad, Spokesman of Fatah movement, a car belonging to Rasheed Abu Shibak, Commander of Internal Security, and two cars belonging to Palestine Company for Services and Development. They then stormed and searched flats. They confiscated contents of flats belonging to leaders of Fatah movement and security officials. On the first floor, Hamas militants searched offices of Agricultural Development Company, offices of Hanadi Company, where they damaged doors and furniture, and a flat of the bodyguards of Sameer al-Masharawi, a leader of Fatah movement, from which they confiscated computer sets and electrical appliances and destroyed the furniture. On the second floor, they searched the flats of Mahassen Abu Ramadan, Hafez al-Saqqqa and Bill Nasser, a manager at UNDP, but did not damage them. On the third floor, they raided and searched the office of the municipalities fund. On the fifth floor, they raided and searched the headquarters of the union of municipalities. They also broke into a flat belonging to Sameer al-Masharawi and confiscated computer sets and electrical appliances. On the sixth floor, they raided the office of Palestinian Media Center – Alternative Thinking Group, a private office belonging to Jamal Zaqqout, Secretary of the Political Committee at the Palestinian National Council. They confiscated computer sets and furniture. The militants also raided and searched the flat of ‘Omran Hajjaj, Manager of Beach Hotel. On the seventh floor, they raided and searched the flat of Abu Tariq Dahlan, and confiscated some documents. On the eighth floor, the militants raided and searched the flat of Rasheed Abu Shibak, Commander of Internal Security, and two flats of his bodyguards. They damaged the furniture and confiscated weapons and electrical appliances. The militants also raided and searched the office of Palestinian Investment Fund. On the tenth floor, the militants raided and searched a flat belonging to Sameer al-Masharawi’s brother and damaged the furniture. On the 11th floor, the militants raided and searched a flat belonging to Sameer al-Masharawi and damaged the furniture. On the same floor, they entered the flat of Karen Abu Zayed, UNRWA Commissioner-General, as the door had been open since the preceding night. On the 12th floor, the Hamas militants raided and searched the flat of Sami Abu Samhadana, Commander of Special Security, and confiscated some of its

contents. On the same floor, they raided and searched a flat belonging to Brigadier Manar Shihada of the Palestinian National Security Forces and confiscated weapons and documents. On the 13th floor, the militants raided offices of the Palestinian Company for Economic Development, confiscated computer sets and damaged the furniture.

### ● **Robbery of Mohammed Dahlan's House**

At approximately 21:00 on Thursday, 14 June 2007, militants from Hamas broke into the house of Mohammed Dahlan, National Security Advisor of the Palestinian President. They broke doors and confiscated computer sets. They left the doors open. Later, many people broke into the house and stole all of its contents.

Conclusion and Recommendations

## Conclusion

1. The internal fighting between Fatah and Hamas movements has peaked with the latest round of fighting, which has ended with Hamas' takeover of the Gaza Strip as its military wing, the 'Izziddin al-Qassam Brigades, has seized control over security headquarters and sites.
2. This report has pointed out serious violations of the provisions of international law concerning internal armed conflicts, including violations of the right to life and physical integrity perpetrated by the two movements. These violations included extra-judicial and willful killings; disregard for the lives of Palestinian civilians; abduction and torture of persons; attacks against civilian facilities, including houses and apartment buildings; shooting at peaceful demonstrations; attacks against hospitals and medical and civil defense crews; seizure, robbery and destruction of public and private institutions.
3. These crimes were an extension to similar crimes committed by the two sides in all rounds of fighting over 15 months. The two sides perpetrated grave breaches of the provisions of international law concerning internal armed conflicts, including extra-judicial and willful killings and shooting at combatants and civilians after capturing them.
4. The internal fighting over the past 15 months is an integral part of the state of lawlessness and security chaos that have plagued the Occupied Palestinian Territory, taking the lives of hundreds of Palestinians, as the Attorney-General and law enforcement bodies have failed to take legal action against the perpetrators of such crimes.
5. The Palestinian National Authority has never established any inquiry commissions to investigate rounds of fighting and take legal actions against those who committed crimes. PCHR has always called for establishing inquiry commissions to investigate all crimes and take legal actions against those who committed crimes, but these calls have not been taken into consideration by the Palestinian National Authority.
6. Instead, truces have been concluded between Fatah and Hamas movements, under which abductees from the two movements were released, while criminals and murderers have remained free enjoying impunity and cover by their political leadership.
7. The failure to take legal action and against criminals has served as a major factor in the outbreak of armed clashes, which often take the form of clan conflicts whose roots have been armed clashes between the two movements.

## Recommendations

- PCHR reiterates its calls for establishing a national inquiry commission that has wide judicial authorities and formed of independent figures and legal experts to investigate the latest round and previous rounds of fighting over the past 15 months.
- Such national inquiry commission can never succeed in its job without the approval of the two parties of the conflict to politically uncover people who are suspected of committing crimes in all rounds of fighting and to facilitate access to victims and eyewitnesses.
- PCHR calls upon Fatah and Hamas movements to declare their acceptance of the establishment of a national inquiry commission and the results of its investigations.
- Legal action must be taken against all those who were responsible for committing crimes.

## Annexes

### Annex (1)

#### Palestinians Killed in the Latest Round of Fighting in the Gaza Strip

No.	Name	Sex	Age	Job	Date of Injury	Date of Death
1.	Wa'el Mahmoud Wahba	M	26	Driver	7 June	7 June
2.	Ahmed Fu'ad Abu Harb	M	27	Member of the Executive Force	9 June	9 June
3.	Ayman Ahmed Abu Shabab	M	25	Special Security Bureau (Fatah)	9 June	9 June
4.	Mohammed Salama al-Swaiki	M	27	Member of Force 17	10 June	10 June
5.	Hussam Mohammed Abu Qainas	M	35	Tile worker	10 June	10 June
6.	Mohammed 'Aadel al-Rafati	M	36	Imam of a mosque	10 June	10 June
7.	Ibrahim 'Eid Mahmoud al-Masri	M	21		11 June	11 June
8.	Faraj Fadel al-Masri	M	22		11 June	11 June
9.	Jamal 'Abed Rabbu Abu al-Jedian	M	50	Secretary of Fatah movement in the northern Gaza Strip	11 June	11 June
10.	Bassel Daoud al-Kafarna	M	23	Member of the Executive Force	11 June	11 June
11.	Mohammed Ibrahim Mehjez	M	24	Member of the Executive Force	11 June	11 June
12.	Yasser 'Adoub Baker	M	25	Member of the General Intelligence Service	11 June	11 June
13.	Mohammed Na'im al-Dahdouh	M	30	Member of Hamas	11 June	11 June
14.	Mazen Sa'di 'Ajjour	M	37	Member of Hamas	11 June	11 June
15.	Majed 'Abed Rabbu Mahmoud Abu al-Jedian	M	38	Member of Fatah movement	11 June	11 June
16.	Mousa Mohammed Abu Zaina	M	49	Civilian	11 June	11 June
17.	Saddam Mohammed Baker	M	21	Civilian	11 June	11 June
18.	'Eid Mahmoud Mohammed al-Masri	M	51	Civilian	11 June	11 June
19.	Maisaa' Hasan Muhsen	F	15	Civilians	11 June	11 June
20.	Dalal Mahmoud Muhsen	F	19	Civilian	11 June	11 June
21.	Raya Ahmed Muhsen	F	75	Civilian	11 June	11 June

22.	Falah 'Awad Khalafallah	M	21	Member of National Security Forces	12 June	12 June
23.	'Alaa' al-Din Mohammed al-Za'noun	M	23	Member of National Security Forces	12 June	12 June
24.	Mohammed Rezeq Safi	M	35	Member of National Security Forces	12 June	12 June
25.	Eyad Mahmoud al-Kafarna	M	34	Member of National Security Forces	12 June	12 June
26.	Ahmed 'Abdullah al-Far	M	33	Members of the National Security Forces	12 June	12 June
27.	Muhtadi 'Ali I-Jadba	M	38	Members of the National Security Forces	12 June	12 June
28.	Rami Zuhair al-Razayna	M	22	Members of the National Security Forces	12 June	12 June
29.	Munther Shaker Killan	M	38	Members of the National Security Forces	12 June	12 June
30.	Jaber Hashem Abu al-Jedian	M	23	Members of the National Security Forces	12 June	12 June
31.	Ahmed Rezeq 'Aashour	M	24	Members of the National Security Forces	12 June	12 June
32.	Jameel Ibrahim Mahmoud al-Zainati	M	52	Members of the National Security Forces	12 June	12 June
33.	Ja'far Mustafa al-Shaf'ei	M	30	Members of the National Security Forces	12 June	12 June
34.	Yousef Sameer Mahdi	M	26	Members of the National Security Forces	12 June	12 June
35.	Waleed Nemer Qannita	M	25	Members of the National Security Forces	12 June	12 June
36.	Ayman Tafesh	M	25	Member of the Military Intelligence	12 June	12 June
37.	Motee' Fu'ad Dawas	M	22	Member of Naval Police	12 June	12 June
38.	Mazen Saleem al-'Aaidi	M	22	Member of Naval Police	12 June	12 June
39.	Mohammed Bahjat Ham-mad	M	22	Member of the Executive Force	12 June	12 June

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40.	Eihab Sa'id Nassar	M	19	Member of the Executive Force	12 June	12 June
41.	Isma'il Ahmed Hasan Wadi	M	20	Member of the Executive Force	12 June	12 June
42.	Zakria Sha'ban Sabbah	M	20	Member of the Executive Force	12 June	12 June
43.	'Alaa' Ibrahim Wafi	M	30	Member of Fatah Executive Unit	12 June	12 June
44.	Mohammed 'Awni al-Muqayad	M	24	Member of Hamas	12 June	12 June
45.	'Abdullah Sameer Miqdad	M	25	Member of Hamas	12 June	12 June
46.	Mohammed 'Ali al-Hissi	M	27	Member of Hamas	12 June	12 June
47.	Bilal Yousef Shamiya	M	25	Member of Hamas	12 June	12 June
48.	'Emad Jamal Abu Qadous	M	27	Member of Hamas	12 June	12 June
49.	Ahmed 'Arafat	M	27	Member of Fatah movement	12 June	12 June
50.	Jamal 'Ali Msabbbeh	M	23	Member of Fatah movement	12 June	12 June
51.	'Alaa' Abu Sharifa	M	30	Member of Fatah movement	12 June	12 June
52.	Shawqi Rafeeq Sa'ad	M	23	Member of Fatah movement	12 June	12 June
53.	Harbi Salem al-Ras	M	22	Member of Fatah movement	12 June	12 June
54.	Ahmed Marwan al-Habeel	M	22	Member of Fatah movement	12 June	12 June
55.	Hamed Abu Hashem	M	22	Member of Fatah movement	12 June	12 June
56.	'Amru Nabhan al-Rantissi	M	21	Member of Fatah movement	12 June	12 June
57.	Hasan Ahmed al-Lahham	M	27	Civilian	11 June	12 June
58.	Einas 'Ali 'Ouda	F	28	Civilian	12 June	12 June
59.	Hasan Mohammed Da'as	M	35	Nurse – National Security Forces	12 June	12 June
60.	Mohammed Hamdan 'Afana	M	30	Member of Presidential Security Forces	13 June	13 June
61.	Hani Zayed al-Reqeb	M	27	Member of National Security Forces	13 June	13 June
62.	Saber Jawdat Zaki Barbakh	M	22	Member of National Security Forces	13 June	13 June
63.	Hani Hussein Abu Shamla	M	29	Member of National Security Forces	13 June	13 June

64.	Jamal Mohammed al-Jbour	M	30	Member of National Security Forces	13 June	13 June
65.	'Abdul Rahman Yousef al-Shami	M	25	Member of Preventive Security Service	13 June	13 June
66.	Adham Ayman al-Ghalban	M	20	Member of Preventive Security Service	13 June	13 June
67.	Hamed Ahmed al-'Aqqad	M	26	Member of Preventive Security Service	13 June	13 June
68.	Hussam 'Abdul Qader 'Aashour	M	22	Member of Preventive Security Service	13 June	13 June
69.	Mohammed Ahmed al-Najjar	M	30	Member of Hamas	13 June	13 June
70.	As'ad Kamel Khalil Abu Jazar	M	26	Member of Hamas	13 June	13 June
71.	Hamada No'man Baker	M	22	Member of Fatah movement	13 June	13 June
72.	Mohammed Isma'il al-Aswad	M	22	Civilian	13 June	13 June
73.	Mohammed Firas al-Astal	M	18	Civilian	13 June	13 June
74.	Fadel Khader Jarbou'	M	12	Civilian	13 June	13 June
75.	Mahmoud Khaled al-Agha	M	33	Civilian	13 June	13 June
76.	'Abdul Fattah Hussein Abu Ghali	M	39	Civilian	13 June	13 June
77.	Wa'el Hamdan 'Afana	M	35	Civilian	13 June	13 June
78.	Mohammed Jamal Abu Ras	M	21	Civilian	13 June	13 June
79.	Shadi Tayseer al-'Ejla	M	21	Civilian	13 June	13 June
80.	Mohammed Mahmoud 'Adas	M	19	Civilian	13 June	13 June
81.	Suzan Hussein al-Qassas	F	23	Civilian	13 June	13 June
82.	Hiba Subhi Baker	F	30	Civilian	13 June	13 June
83.	Taghreed Salah Abu Ghali al-'Eila	F	31	Civilian	13 June	13 June
84.	Jihane Nayef Baker	F	28	Civilian	13 June	13 June
85.	Alaa' Hamdi Farawana	F	15	Civilian	13 June	13 June

86.	Hamada Sameer Baker	M	18	Fatah militant	13 June	13 June
87.	Mohammed Suleiman Baker	M	28	Fatah militant	13 June	13 June
88.	Mansour 'Omar Baker	M	47	Fatah militant	13 June	13 June
89.	Mahmoud Daoud Mohammed Miqdad	M	42	Member of the General Intelligence Service	14 June	14 June
90.	'Abdul Qader Jibril Dara-beih	M	20	Member of the Presidential Security Forces	14 June	14 June
91.	Sami 'Omran	M	42	Member of National Security Forces	14 June	14 June
92.	Nash'at Mohammed Yahia	M	33	Member of National Security Forces	14 June	14 June
93.	Shadi Kayed Abu Nadia	M		Member of National Security Forces	14 June	14 June
94.	Sa'id al-Qassas	M		Member of National Security Forces	14 June	14 June
95.	Isma'il Mohammed Ahmed al-Za'anin	M	29	Member of National Security Forces	14 June	14 June
96.	'Antar 'Omar al-Bayoumi	M	27	Member of National Security Forces	14 June	14 June
97.	Fadi al-'Akka	M		Member of National Security Forces	14 June	14 June
98.	Yousef Mohammed Mahmoud Mesmeh	M	27	Member of Preventive Security Service	14 June	14 June
99.	Jaber Mohammed Shaheen	M	30	Member of Preventive Security Service	14 June	14 June
100.	'Aadel Saleem Shurrab	M	28	Member of Preventive Security Service	14 June	14 June
101.	Hasan Ahmed Zaqqout	M	27	Member of Preventive Security Service	14 June	14 June
102.	Mohammed Ibrahim Mohammed Abu Suleiman	M	20	Member of Preventive Security Service	14 June	14 June
103.	Ayman Shihada Abu Daqqa	M	38	Member of Preventive Security Service	14 June	14 June
104.	'Abdul Wahab 'Omar 'Abdul Wahab al-Najjar	M	33	Member of Preventive Security Service	14 June	14 June

105.	Eyad Ahmed 'Aashour	M	30	Member of Preventive Security Service	14 June	14 June
106.	Hussein Ibrahim al-Bayouk	M	24	Member of Preventive Security Service	14 June	14 June
107.	Mustafa Mohammed Abu 'Oukal	M	21	Member of Preventive Security Service	14 June	14 June
108.	'Abdul Hadi 'Abdul Qader Hamad	M	45	Member of Preventive Security Service	14 June	14 June
109.	Fadi Fat'hi Mohammed Ekhrwat	M	21	Member of Preventive Security Service	14 June	14 June
110.	Saleem Khudair	M	25	Member of Preventive Security Service	14 June	14 June
111.	Mohammed Harb Abu Khousa	M	32	Member of Preventive Security Service	14 June	14 June
112.	Hani Mohammed al-Nahhal	M	22	Member of Preventive Security Service	14 June	14 June
113.	Wassim Mohammed 'Arafat	M	22	Member of Preventive Security Service	14 June	14 June
114.	Hammouda Hasan Madhi	M	46	Member of Preventive Security Service	14 June	14 June
115.	'Essam 'Abdul 'Aziz Ekhrwat	M	30	Member of Preventive Security Service	14 June	14 June
116.	Mohammed 'Awni al-Sarafandi	M	25	Member of Preventive Security Service	14 June	14 June
117.	Fayez Nafez al-Je'el	M	25	Member of Preventive Security Service	14 June	14 June
118.	'Abdul Rahman Fayez Mohsen	M	24	Member of Preventive Security Service	14 June	14 June
119.	Ahmed Fat'hi Abu Tair	M	24	Member of Preventive Security Service	14 June	14 June

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120.	Mohammed 'Awni al-Thalathini	M	23	Member of Preventive Security Service	14 June	14 June
121.	Mohammed Haroun al-Khouli	M	23	Member of Hamas	14 June	14 June
122.	Zaid Mahmoud al-Barad'ei	M	21	Member of Hamas	14 June	14 June
123.	Ahmed Talal Bassal	M	25	Member of Hamas	14 June	14 June
124.	Ahmed 'Ata Juha	M	22	Member of Hamas	14 June	14 June
125.	Ramadan Sa'id Ghaben	M	20	Member of Fatah movement	14 June	14 June
126.	Kamal Sa'id 'Afana	M	18	Member of Fatah movement	12 June	14 June
127.	Ibrahim Sa'id Khader	M	31	Member of Fatah movement	14 June	14 June
128.	'Aamer Hasan Muhanna	M	33	Member of Fatah movement	14 June	14 June
129.	Nasser 'Abdul Rahman Abu Shawar	M	55	Colonel – National Security Forces	14 June	14 June
130.	'Awadh Mohammed al-Jouju	M	24	Member of the 'Izziddin al-Qassam Brigades	14 June	14 June
131.	Hasan Khalil Abu 'Ouda	M	22	Member of the 'Izziddin al-Qassam Brigades	14 June	14 June
132.	Jamal 'Abdul Rahman Abu Swaireh	M	23	Member of the 'Izziddin al-Qassam Brigades	14 June	14 June
133.	Sameeh Ibrahim al-Madhoun	M	30	Members of al-Aqsa Martyrs Brigades	14 June	14 June
134.	Hmaid Mohammed Hmaid	M	17	Civilian	14 June	14 June
135.	Ra'ed Mohammed Abu 'Obaid	M	20	Civilian	14 June	14 June
136.	Mousa Ahmed Abu 'Ouda	M	10	Civilian	14 June	14 June
137.	Taher 'Abdul Karim al-Yazeji	M	35	Civilian	14 June	14 June
138.	Wa'el Mohammed al-Sa'di	M	39	Civilian	14 June	14 June
139.	Mohammed Hamada al-Najjar	M	33	Civilian	14 June	14 June
140.	Ahmed Mahmoud 'Abdul Rahman	M	49	Civilian	14 June	14 June

141.	Saber Mohammed al-Se-doudi	M	14	Civilian	14 June	14 June
142.	Nermine Rabee' al-Bayouk	F	22	Civilian	14 June	14 June
143.	'Aa'esha Maher al-Shawa	F	17	Civilian	14 June	14 June
144.	Ahmed Faye'q 'Ayad	M	25	Member of the General Intelligence Service	14 June	14 June
145.	Khaled Sameer al-Halabi	M	26	Member of the General Intelligence Service	14 June	14 June
146.	Ibrahim Mohammed Abu Nar	M	29	Members of Hamas	12 June	15 June
147.	Adham Nafez al-'Abeet	M	20	Member of the Presidential Security Forces	15 June	15 June
148.	Maher al-Bournu	M	26	Member of the Presidential Security Forces	15 June	15 June
149.	Salama Zaki Hamad Bar-bakh	M	33	Member of Pre-ventive Security Service	15 June	15 June
150.	Ahmed Ibrahim al-Sous	M	25	Member of Naval Police	15 June	15 June
151.	Mohammed Nayef Abu Hassoun	M	22	Member of 'Iz-ziddin al-Qassam Brigades	14 June	15 June
152.	Muhannad Sami Qdaih	M	13	Civilian	15 June	15 June
153.	Hussam Hussein al-Najjar	M	25	Civilian	11 June	15 June
154.	Tamer 'Awadh Abu Ghali	M	15	Civilian	15 June	15 June
155.	Mustafa Is'haq Quddass	M	23	Bodyguard of Sa-meeh al-Madhoun	15 June	15 June
156.	Fayez Khader Abu Shabab	M	24	Civilian	16 June	16 June
157.	'Omran Sa'id al-Jarba	M	23	Member of Pre-ventive Security Service	14 June	18 June
158.	'Abdul Raziq 'Ali Madi	M	40		11 June	24 June
159.	'Abdul Majeed Hammad Abu Lehya	M	39	Member of Pre-ventive Security Service	11 June	4 July

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160.	Khaled Tawfiq Selmi	M	24	Member of the Presidential Security Forces	14 June	21 July
161.	Fawzi Khalil Radwan	M	49	Civilian	13 June	21 June



## Annex (2)

### **PCHR's Position towards the Current Crisis in the Gaza Strip and the Palestinian National Authority: No Alternative to Political Dialogue**

The Gaza Strip has recently witnessed unprecedented bloody fighting between Hamas and Fatah movement, which has peaked with Hamas' decision to show down the conflict militarily and the takeover of all Palestinian security headquarters and sites and the seizure of complete control over the Gaza Strip by its military wing – Izziddin al-Qassam Brigades. This fighting has taken the lives of 146 Palestinians (36 of them are civilians), including 5 children and 8 women, and has wounded at least 700 others.

According to PCHR's documentation and observations, the latest armed conflict between the two movements has been accompanied by grave breaches of the provisions of international law related to internal armed conflicts, especially the common article 3 of the Geneva Conventions of 1949. According to this article, each party to an armed conflict not of an international character is bound, as a minimum, to treat persons taking no active part in the hostilities, including members of armed forces who have laid down their arms, humanely. It also prohibits "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; taking of hostages; outrages upon personal dignity, in particular humiliating and degrading treatment; and the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court." It further calls for treating the wounded and patients humanely.

In violations of these international standards, the bloody fighting was accompanied by many cases of willful killings and extra-judicial executions, and firing at combatants after capturing them. According to eyewitnesses, a number of the wounded were killed inside hospitals, and mutual kidnappings and torture of persons affiliated, or suspected to be, to a party of the conflict, were reported. Unarmed civilians were also the victim of fighting between the two parties, although they were often committed to their homes. Additionally, the status of civilian places, including houses and tower apartment buildings, which were used in the fighting between the two parties, were not respected. As a consequence, the suffering of civilians doubled, especially as they were forcibly placed in combat areas. Many casualties were reported among civilians, including women and children. Additionally, the access of medical crews and fire fighters to combat areas to evacuate the wounded and extinguish fire was severely restricted (see PCHR's press releases during and the after the fighting).

As Hamas has taken over security headquarters and sites and has seized complete control over the Gaza Strip, Palestinian President Mahoud Abbas issued 3 decrees on Thursday evening, 14 June, dismissing Prime Minister Ismail Haniya; declaring a state of emergency in all Palestinian National Authority (PNA) controlled areas; and forming a government to enforce the state of emergency. On 17 June, President Abbas issued another two decrees, one suspending the enforcement of articles 65, 66 and 67 of the Basic Law (the temporary constitution of the PNA), and the other one outlawing the Executive Force (formed by the Ministry of Interior in 2006) and

Hamas' militias "because of their insurrection against the Palestinian legitimacy and its institutions..."

In response, Israel has closed all border crossings with the Gaza Strip, halting all commercial transactions of the strip. Subsequently, Palestinian civilians have rushed to shops, bakeries and fuel stations to buy their basic needs, in the wake of expectations of a possible humanitarian crisis in the Gaza Strip. Rafah International Crossing Point between the Gaza Strip and Egypt, which is the sole outlet for the Gaza Strip to the outside world that has been partially operated for nearly one year due to Israeli measures, has been also closed.

Parallel to the incidents in Gaza, supporters of Fatah movement in the West Bank have carried out a series of retaliatory attacks against members, supporters and institutions of Hamas. Such attacks have targeted health and cultural associations, charities, press offices, television and radio stations, sports clubs and some local councils, which have been run by Hamas following local elections. According to PCHR's documentation, at least 50 public and private institutions have been attacked; 3 persons, including a child, have been killed; and at least 60 persons have been kidnapped since Wednesday, 13 June 2007.

In light of these accelerating developments in the Occupied Palestinian Territory (OPT), especially in the Gaza Strip, PCHR stresses the following:

- 1) PCHR condemns using military means to show down the conflict between Hamas and Fatah movements, particularly the decision to show down the conflict militarily and the takeover of Palestinian security headquarters and sites in the Gaza Strip by the Izziddin al-Qassam Brigades. Although PCHR is aware of the legitimacy of the government and its right to fully have its constitutional powers, and conscious of the security problems that preceded and the urgent need to reform the security establishment, there is no justification for the employment of Izziddin al-Qassam Brigades in the military showdown and takeover of the security establishment as this does not serve in any means the calls for reforming the security establishment.
- 2) Steps taken by President Mahmoud Abbas in response violate the Basic Law and undermines it in a manner that is not less dangerous than what is happening in Gaza, especially as:
  - A. The President has the right to declare a state of emergency and to dissolve the government in accordance with Chapter 7 of the Basic Law, but according to the Law, the dissolved government shall serve as an acting government until the formation of a new government that must be approved by the Palestinian Legislative Council (PLC).
  - B. The Basic Law does not give the President any authority, even during a state of emergency, to suspend the enforcement of any provision of this Law concerning the PLC's authority to grant confidence to the government, and he does not have the authority to dissolve or interrupt the work of the PLC during the period of emergency (article 113). This Law is superior to all laws, from which all powers, including those of the President and Prime Minister, are derived, and it must not be undermined or suspended in all circumstances.
- 3) Steps taken by the President are likely to complicate the crisis rather than solving it. They will even lead to further isolation of the Gaza Strip and take its 1.5-million population to the unknown, subjecting them to international sanctions. There are also concerns of a de facto

political situation, in which the Gaza Strip may be cut from the rest of the OPT.

- 4) The current crisis in the PNA is a political rather than a constitutional or legal one. So, there is no alternative to dialogue based on real partnership, respect for the results of the legislative elections that were held in January 2006, and putting the interests of the Palestinian people above all narrow factional interests of the conflicting parties.
- 5) In the context of this aspired dialogue, it is important to stress the need to reconstruct the Palestinian security establishment on professional and national foundations, to ensure its independence and not to push it into any hideous factional conflicts to be able to carry out its constitutional duties to defend the homeland, serve the people, protect the society, and ensure security and public order.
- 6) The only party that benefits from the continuation of the current crisis is Israel and its occupation forces, which continue to create new facts on the ground, especially in the West Bank, through the construction of the Annexation Wall and settlements to undermine any possibility of establishing a viable, independent Palestinian state within the OPT.
- 7) The humanitarian situation in the Gaza Strip, which has been deteriorating due to the Israeli siege and the suspension of international aid to the PNA, will further deteriorate with the closure of all border crossings and the halting of all economic transactions.
- 8) The current Palestinian crisis is a new Nakba (in reference to the dispersion of the Palestinian people in 1948) that would grow if not immediately stopped, in light of expectations of more economic and social strangleholds and concerns of massive immigration from the Gaza Strip. So, all Palestinian political factions and civil society groups must bear the historical responsibility to end this crisis and prevent this new Nakba, which have been made by us on the 59th anniversary of the Palestinian Nakba of 1948.
- 9) The international community and Arab States are invited to take immediate steps to prevent the catastrophe through pressurizing for holding a political dialogue between Hamas and Fatah movement, as well as all other political factions, to end this crisis which threatens the PNA and the whole Palestinian people.



- <sup>1</sup> See PCHR's press releases during and after the latest round of fighting.
- <sup>2</sup> ICRC, Commentary on Additional Protocols of 1977 to the Geneva Conventions of 1949, Martinus Nijofh Publishers, Geneva, 1987, P. 1319-1320.
- <sup>3</sup> For more details, see press releases and field updates issued by PCHR at that time.
- <sup>4</sup> See PCHR's press release on 23 April 2006.
- <sup>5</sup> See PCHR's field update on 24 April 2006 on security chaos and misuse of weapons.
- <sup>6</sup> See PCHR's field update on 8 May 2006 on security chaos and misuse of weapons.
- <sup>7</sup> See PCHR's press release on 5 June 2006.
- <sup>8</sup> The clashes extended to the West Bank. Dozens of members of the al-Aqsa Martyrs Brigades gathered in the center of Ramallah at approximately 18:00 to protest the incidents in Gaza. They fired heavily in the air. They then stormed the Palestinian cabinet building. They set fire to the Palestinian cabinet archives on the third floor of the building. In addition, they destroyed windows. At around the same time, dozens of members of the al-Aqsa Martyrs Brigades stormed the nearby building of the Palestinian Legislative Council (PLC). They fired at the windows and threw stones at the building before storming it. They set fire to the southeastern section of the ground floor and threw computers out of the windows. An hour later, militants from the al-Aqsa Martyrs Brigades stormed the offices of the Hamas-affiliated "Change and Reform" parliamentary bloc in Ramallah. They abducted PLC member Khalil al-Reb'ei, covering his face and driving off in a car. He was released less than an hour later. At approximately 23:30, unknown militants set fire to the PLC offices in Salfit. The building was destroyed completely.
- <sup>9</sup> For more details, see PCHR's "Reprisals against Civilians: Report on Israeli Occupation Forces (IOF) violations against Palestinian civilians in the Gaza Strip for the period from the Palestinian paramilitary operation on 25 June 2006 till 31 July 2006."
- <sup>10</sup> See PCHR's press release on 2 October 2006.
- <sup>11</sup> See PCHR's press release on 3 October 2006.
- <sup>12</sup> See PCHR's press release on 19 December 2006.
- <sup>13</sup> Clashes in the Gaza Strip had their echo in the West Bank. At approximately 15:30 on 26 January, an armed group of the al-Aqsa Martyrs Brigades (the armed wing of Fatah movement), kidnapped 7 children and their teacher of al-Qastal Scout in Balata refugee camp, east of Nablus, when they were in Kufor Qallil village, southeast of the city. Members of the al-Aqsa Martyrs Brigades declared in a media release that the abducted persons were members of the Executive Force and threatened to kill them if the siege imposed on Mansour Shalayel's house in the Gaza Strip was not lifted. The abducted persons were released on the following day morning. At approximately 22:30 on the same day, a number of masked militants stormed a house belonging to 'Aamer 'Omar Sha'bello, 24, in al-Dahia area in Nablus. They asked him about his brother, who studies abroad. They then kidnapped him.

- <sup>14</sup> See PCHR's press release on 4 February 2007.
- <sup>15</sup> See PCHR's press release on 25 March 2007.
- <sup>16</sup> For more details, see PCHR's press release on 20 May 2007.
- <sup>17</sup> See PCHR's press release on 10 June 2007.
- <sup>18</sup> PCHR keeps the eyewitness' name.
- <sup>19</sup> PCHR keeps the eyewitness' name.
- <sup>20</sup> For more details, see Eyad Sammour's affidavit, P.46.
- <sup>21</sup> For more details, see Ussama Hamdan's affidavit, P.50.
- <sup>22</sup> PCHR keeps the eyewitness' name.
- <sup>23</sup> PCHR keeps the eyewitness' name.
- <sup>24</sup> PCHR keeps the eyewitness' name.
- <sup>25</sup> PCHR keeps the eyewitness' name.
- <sup>26</sup> PCHR keeps the eyewitness' name.
- <sup>27</sup> See more details above in the section on extra-judicial and willful killing.
- <sup>28</sup> PCHR keeps the eyewitness' name.
- <sup>29</sup> PCHR keeps the eyewitness' name.
- <sup>30</sup> In the majority of cases, militants forcibly broke into those buildings without being permitted by their owners.
- <sup>31</sup> Cases of killings will be detailed in subsequent sections.
- <sup>32</sup> PCHR obtained testimonies indicating that militants used Palestinian civilians as human shields during the fighting. A resident of Cairo apartment building stated to PCHR that "militants from the 'Izziddin al-Qassam Brigades used civilian persons as human shields while entering the building, to prevent members of the Presidential Security Forces from firing at them." In another case, militants affiliated to Fatah movement tied civilian persons to the front and back of a jeep to be able to leave an area, which was besieged by militants from the 'Izziddin al-Qassam Brigades of Hamas. In his testimony to PCHR, one of these civilians, Dr. Maher 'Ajjour, stated that "at approximately 17:00 on Wednesday, 13 June 2007, a number of members of the Baker clan decided to leave their area of residence as militants from the 'Izziddin al-Qassam Brigades of Hamas were preparing to storm the area, so they brought a jeep and tied 7 hostages on its body to be human shields."
- <sup>33</sup> PCHR keeps the eyewitness' name.
- <sup>34</sup> PCHR keeps the eyewitness' name.
- <sup>35</sup> In initial press releases, PCHR pointed out that during the armed clashes between the Baker clan and Hamas militants, a shell hit a house belonging to the Muhsen clan, killing 3 women.
- <sup>36</sup> The affidavit was taken on 2 July 2007.
- <sup>37</sup> One of the most serious of these attacks was the execution of Ramadan Ghaben, 21, when he was receiving medical treatment at Kamal 'Edwan Hospital in Beit Lahia, see Pp.41-42.

<sup>38</sup> PCHR keeps the eyewitness' name.

<sup>39</sup> PCHR keeps the eyewitness' name.

<sup>40</sup> PCHR keeps the eyewitness' name.

<sup>41</sup> See Pp.41-42.

<sup>42</sup> For more details about the killing of the woman and the child, see the section on endangering the lives of civilians below.

<sup>43</sup> PCHR keeps the eyewitness' name.

<sup>44</sup> PCHR keeps the eyewitness' name.

<sup>45</sup> PCHR keeps the eyewitness' name.

<sup>46</sup> PCHR keeps the eyewitness' name.

<sup>47</sup> PCHR keeps the eyewitness' name.

<sup>48</sup> PCHR keeps the eyewitness' name.

<sup>49</sup> PCHR keeps the eyewitness' name.

<sup>50</sup> PCHR keeps the eyewitness' name.

<sup>51</sup> PCHR keeps the driver's name.

<sup>52</sup> On 11 June 2007, Hasan Ahmed al-Lahham, 27, an UNRWA staff member from al-Shati refugee camp, was wounded during armed clashes between Fatah and Hamas movements. He died from his wound on the following day.

<sup>53</sup> See the section on extra-judicial and willful killings above.

<sup>54</sup> PCHR keeps the eyewitness' name.

<sup>55</sup> PCHR keeps the eyewitness' name.

<sup>56</sup> PCHR keeps the eyewitness' name.

