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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Violations of the International Covenant on Civil and Political Rights by the Palestinian Authority and Hamas

United Nations Watch submits the following report for the Interactive Dialogues with the Special Rapporteurs on freedom of assembly and summary executions. This report documents suppression of basic civil liberties and acts of torture and summary execution by the Palestinian Authority (“PA”) in the West Bank, and by Hamas in Gaza, in grave violation of international law. We call on the Human Rights Council and all United Nations stakeholders to stop ignoring these Palestinian victims of Palestinian violations, and to take immediate action to protect them.

The PA and Hamas systematically repress dissent in violation of the rights of freedom of expression and association guaranteed in Articles 19 and 21 of the International Covenant on Civil and Political Rights (“ICCPR”). They also violate other rights guaranteed in the ICCPR such as the right to life and right to a fair trial. Furthermore, the PA and Hamas employ torture against their political opponents in violation of the Convention Against Torture (“CAT”).

Even the most ardently pro-Palestinian organizations acknowledge that the PA and Hamas commit torture. For example, in October 2018, Human Rights Watch (“HRW”) published a report exposing 86 cases of arbitrary arrests and torture of peaceful dissenters by both the PA and Hamas based on personal interviews with the victims and their families.¹ Similarly, Amnesty International found that in 2019 “Palestinian security forces in the West Bank and Gaza routinely used torture and other ill-treatment with impunity” and noted that there were 143 allegations of torture in the West Bank and 156 in Gaza that year.² A more recent report of 250 arrests between January 2018 and June 2021 found that in every single case the detainees’ legal rights were violated and 61% of the detainees were tortured.³

Torture included beatings, solitary confinement, feet whipping, threats and taunts, and forcing detainees into various painful positions for extended periods. HRW commented that “the habitual, deliberate, widely known use of torture, using similar tactics over years with no action taken by senior officials in either authority to stop these abuses, make these practices systematic.”⁴

One recent detainee describing his ordeal said: “After 48 hours of continuous torture, I lost vision and the ability to distinguish sounds. The smell of blood was unbearable.”⁵ Another described being subjected to reverse hanging: “They tied my hands in the back and threw the rope over the iron door and pulled hard until my body arched forward. The rope was tied to the iron door from behind, and they covered my head with a hood.”⁶

These are not isolated incidents, but part of a pattern and practice of repression that continues today. In a May 2021 crackdown, PA security forces arrested dozens of activists and students considered critical of the PA. Many of the detainees were taken to the infamous Jericho prison known as the “slaughterhouse,” where they were subjected to torture and other forms of abuse. In a clear violation of their rights to freedom of expression and association, they were accused of “stirring up sectarian and racial strife,” understood to mean “insulting the PA.”⁷

The death in PA custody on June 24, 2021 of a prominent PA critic sparked a wave of protests in the West Bank.⁸ The critic was beaten to death by more than 20 PA officers who raided his home to arrest him. The PA police responded to the protests by arresting and beating the protesters, along with journalists, civil society activists and lawyers.⁹ A PA radio journalist who was beaten and detained on July 5th with several other protesters said: “Never in my life have I seen such brutality. The sounds of people screaming inside the police station, to this day I still hear it.”¹⁰

Amnesty International quoted a Palestinian lawyer who attended the July 5th protest. “When they found me,” she said, “I was violently dragged towards the police station by male officers, one of whom was sexually harassing me by grabbing and hitting me on my bottom and chest.”¹¹ She and other witnesses also said that inside the police station, the police officers had beaten the protesters with batons on their heads and bodies. “Now I fully understand how [PA critic] was killed,” said another witness.¹²

Hamas in Gaza also routinely employs torture against its critics and opponents. Gaza peace activist Rami Aman who was held by Hamas for more than six months in 2020, recently

spoke publicly about being tortured by Hamas.¹³ This is nothing new or unusual for Hamas. In March 2019, Hamas harshly cracked down on “we want to live” protesters demonstrating against poor living conditions in Gaza. Hamas “security forces” severely beat protesters with batons and clubs and arrested more than 1,000, including journalists and human rights defenders.¹⁴ Many were subjected to torture.

Palestinians accused of “collaborating” with Israel are also subjected to torture and summary execution by both the PA and Hamas. In June 2018, an Israeli court ordered the PA to pay \$3.5 million in compensation to 51 victims and family members of Palestinians who were arrested and tortured by the PA between 1990 and 2003 for assisting Israeli security forces to prevent terror attacks. Torture included beatings, putting out cigarettes on their bodies, pulling out teeth, forcing them into painful positions and abusing their genitals.¹⁵

Yet the practice continues. In March 2022, a Palestinian-American testified against the PA accusing its agents of torturing her in late 2018 when they arrested her for “collaboration” with Israel. “[The interrogator] also threatened me with rape and started beating me. He said he knows how to beat me without leaving signs on my body. The interrogation and beating lasted all night,” she said.¹⁶

Likewise, Hamas in Gaza is known for torturing and summarily executing suspected “collaborators.” Following its May 2021 military confrontation with Israel, Hamas reportedly arrested 43 Gazans on charges of spying for Israel—so-called collaborators—who will be tried in military court and likely executed.¹⁷ Human rights groups also sharply criticized similar Hamas violations against suspected collaborators arrested during the 2014 Gaza war, including torture, other due process violations and summary executions.¹⁸ After that, in April 2017, Hamas summarily executed by hanging three men convicted of collaborating with Israel.¹⁹ In December 2018, a Hamas “military court” sentenced six Palestinians to death for collaborating with Israel.²⁰ Earlier that year, a Hamas family in Gaza shot to death a family member accused of collaborating with Israel. That man had been held by Hamas for several months without trial before the militant group handed him over to his family. Media reported that Hamas said that it welcomed the “execution of this criminal.”²¹

United Nations Watch is deeply concerned about widespread atrocities committed by the PA and Hamas including arbitrary arrest, torture and summary executions. We call on the Human Rights Council, as well as all relevant UN human rights mandate-holders, to condemn these crimes, to use all available means to ensure that perpetrators are finally held accountable, and to finally put an end to impunity.

1 Two Authorities, One Way, Zero Dissent: Arbitrary Arrest and Torture under the Palestinian Authority and Hamas, HRW (Oct. 23, 2018), <https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under>.

2 2019 Report on Human Rights in Palestine, AMNESTY INTERNATIONAL (2019) <https://www.amnesty.org/en/countries/middle-east-and-north-africa/palestine-state-of/report-palestine-state-of/>.

3 Aziz Nofal, Torture Continues in Palestinian Authority Prisons, ALBAWABA (January 30, 2022), <https://www.albawaba.com/opinion/torture-continues-palestinian-authority-prisons-1464303>.

4 Two Authorities, One Way, Zero Dissent, *supra*, note 1.

5 Torture Continues in Palestinian Authority Prisons, *supra* note 3.

6 *Id.*

7 Lina Alsaafin, Why is the Palestinian Authority arresting West Bank activists? AL JAZEERA (May 28, 2021), <https://www.aljazeera.com/news/2021/5/28/why-is-palestinian-authority-arresting-activists-in-west-bank>.

8 Khaled Abu Toameh, Palestinian Authority facing unprecedented wave of protests, JERUSALEM POST (July 8, 2021), <https://www.jpost.com/middle-east/palestinian-authority-facing-unprecedented-wave-of-protests-673315>; Jack Jeffrey, Imad Isseid, Family: Palestinian Authority covering up critic’s death, ASSOCIATED PRESS (July 17, 2021), <https://apnews.com/article/middle-east-5787544397ee67fa5ba9b97a59de5927>.

9 Palestinian security forces escalate brutal campaign of repression, AMNESTY (July 7, 2021), <https://www.amnesty.org/en/latest/news/2021/07/palestinian-security-forces-escalate-brutal-campaign-of-repression/>.

10 PA crackdown shakes Palestinians but fails to halt protests, ARAB WEEKLY (July 17, 2021), <https://the arabweekly.com/pa-crackdown-shakes-palestinians-fails-halt-protests>.

11 Palestinian security forces escalate brutal campaign of repression, supra note 9.

12 Id.

13 Fares Akram, Gaza man: After lengthy torture, Hamas forced me to divorce, AP (April 1, 2021), <https://apnews.com/article/israel-middle-east-coronavirus-pandemic-marriage-gaza-strip-1836eabe150e816658907967835f029a>.

14 Omar Shakir, Another Brutal Crackdown by Hamas in Gaza, HRW (March 20, 2019), <https://www.hrw.org/news/2019/03/20/another-brutal-crackdown-hamas-gaza>.

15 PA ordered to pay \$3.5 million in compensation to tortured ‘collaborator’ prisoners, TIMES OF ISRAEL (June 29, 2018), <https://www.timesofisrael.com/pa-ordered-to-pay-3-5-million-compensation-to-tortured-collaborator-prisoners/>.

16 Khaled Abu Toameh, Palestinian woman recounts torture, abuse in ‘Jericho Slaughterhouse,’ JERUSALEM POST (March 12, 2022), <https://www.jpost.com/middle-east/article-701067>.

17 Hamas to try collaborators in military courts, AL-MONITOR (May 27, 2021), <https://www.al-monitor.com/originals/2021/05/hamas-try-collaborators-military-courts-claiming-legality>.

18 Hamas tortured and killed Palestinian ‘collaborators’ during Gaza conflict – new report, AMNESTY (May 27, 2015), <https://www.amnesty.org.uk/press-releases/hamas-tortured-and-killed-palestinian-collaborators-during-gaza-conflict-new-report>.

19 Palestine: Hamas executes three civilians tried in Gaza military courts, AMNESTY (April 6, 2017), <https://www.amnesty.org/en/latest/news/2017/04/palestine-hamas-executes-three-civilians-tried-in-gaza-military-courts/>.

20 Hamas court sentences six to death for ‘collaborating’ with Israel, ARAB NEWS (December 3, 2018), <https://www.arabnews.com/node/1414851/middle-east>.

21 AFP, Gaza family kills member who allegedly acted as Israeli informant, GUARDIAN (Jan. 19, 2018), <https://www.theguardian.com/world/2018/jan/19/gaza-family-kills-member-who-acted-as-israeli-informant>.