

**PUBLIC**

**AI Index: MDE 21/026/2007**

**14 November 2007**

**UA 305/07      Unlawful Killing/ Fear for safety/ Arbitrary detention/ Fear of ill-treatment**

**PALESTINIAN  
AUTHORITY      Civilian population of the Gaza Strip**

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The unwarranted use of lethal force by police under the control of the Hamas de-facto administration in the Gaza Strip on 12 November resulted in the unlawful killing of at least six demonstrators and bystanders, including a child and an elderly man, and the injury of scores of others, including several children. The detention of a large number of political opponents by the same forces raises grave concern that there may be a renewed escalation of political violence that further threatens the safety of the civilian population.

On 12 November, Hamas police forces responded with live fire to stone throwing from supporters of Palestinian Authority (PA) President Mahmoud Abbas's Fatah party who held a mass rally in Gaza City to commemorate the third anniversary of the death of former Palestinian President and Fatah leader Yasser Arafat. Uniformed police and plain-clothes gunmen were seen beating protestors and firing in the air and at the crowd. Some demonstrators were seen throwing stones at the police, but the overwhelming majority did not use violence. Allegations made by Hamas officials that Fatah gunmen fired at the police could not be confirmed and the use of lethal force by the Hamas police was excessive and unwarranted.

A general strike has now been declared in Gaza in protest at the killings and detention of protestors. There are growing fears that further demonstrations could again be met with excessive force and result in more fatalities, casualties, and arbitrary detentions, and that those detained are at risk of torture and other ill-treatment.

The arbitrary detention of demonstrators, political opponents and Hamas critics is part of a pattern which has become increasingly entrenched over recent months in the Gaza Strip. Detainees are routinely subjected to severe beatings, torture and other ill-treatment.

#### **BACKGROUND INFORMATION**

The incident on 12 November was the most serious since Hamas established a de-facto administration by force in the Gaza Strip last June. Armed clashes between Hamas forces and gunmen from other political factions, as well as killings and other attacks against civilians by unidentified gunmen, have increased in the past three months. At the same time, Hamas forces have also often attacked Fatah activists and demonstrators, as well as journalists reporting such incidents.

Tensions between Fatah and Hamas increased steadily after January 2006, when Hamas won a majority in the parliamentary election, defeating Fatah, the party which had ruled the PA since its establishment more than a decade earlier. Armed confrontations between rival Fatah and Hamas security forces and their proxy militias increased as repeated attempts to form a coalition government of national unity failed. Political tensions were compounded by increasing levels of poverty and despair among Gaza's 1.5 million inhabitants and the situation was exacerbated by the economic sanctions imposed on the Hamas government by Israel and the international community. After a marked increase in violence at the beginning of 2007, Fatah and Hamas formed a government of national unity with other parties and independent figures in March 2007. At this time the Fatah-Hamas power struggle spilled over once again into armed confrontations. In June, Hamas eventually wrested control of all the Fatah-dominated PA security force's installations and other institutions in Gaza. The move was followed by the imposition of an unprecedented Israeli blockade and international sanctions that have resulted in a humanitarian crisis and unprecedented levels of hardship for the 1.5 million Palestinians who live in Gaza.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- condemning the unlawful killing of six demonstrators and bystanders including a child and an elderly man, and the injury of scores of others, including several children, on 12 November;
- condemning the use of excessive force, including the use of unwarranted lethal force, by the police and Hamas-affiliated gunmen against the protesters;
- expressing grave concern at the arbitrary detention of scores of demonstrators and Hamas opponents and critics;
- calling on the Hamas leadership in Gaza to take immediate steps to ensure that its forces and gunmen put an end to the use of lethal force against demonstrators and to other attacks against protesters and critics;
- calling on the Hamas leadership in Gaza to urgently investigate these incidents and immediately remove from duty those responsible and hold them to account for the killing, injury and other attacks on the demonstrators;
- calling on the Hamas leadership in Gaza to immediately release all those arbitrarily detained in this and other incidents and to ensure that those detained are not subjected to torture or other ill-treatment.

**APPEALS TO:**

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Hamas leadership in Gaza  
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**Salutation: Dear Mr Haniyeh**

Dr Mahmoud Khaled Zahar  
Hamas leadership in Gaza

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**Salutation: Dear Dr Zahar**

Mr Sa'id Muhammad Sha'aban Siyam  
Hamas leadership in Gaza

**Fax: +972 (or 970) 8 288 1994**

**Salutation: Dear Mr Siyam**

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 26 December 2007.