

State of Palestine  
Ministry of Interior  
General Inspector Office

Date 4/23/2019

Dear Brother /Major General / Tawfiq Abu Naem may God safeguard him,  
Deputy Minister of Interior and National Security,  
Peace and God's mercy and blessings be upon you,

**Subject: Meeting Minutes regarding Human Rights Watch's Report**

First, we pray to God the Almighty that you receive our letter in your best health and state,

In reference to the subject above, and based on your instructions to us to respond to Human Rights Watch's report through a **committee** comprising:

1. Jurist Colonel / Khaled Mahmoud Abu Sido	Inspector General's Office	President
2. Colonel / Mohammad Zohdi Abu 'Amsheh	Police Forces	Member
3. Jurist Lieutenant Colonel / Wael Mousa al-Liddawi	Internal Security Forces	Member
4. Lieutenant Colonel / Nouredine Jabr Abu Ne'meh	Inspector General's Office	Member
5. Jurist Major / Omar Khodor Saad	Rehabilitation and Reform	Member
6. Jurist Major / Tareq Adel Khalifeh	Military Justice Authority	Member
7. Major / Mohammad Hisham Abu Safiyyeh	Media Office	Member

**Procedures**

- The report was subject to review and examination.

**Introduction**

**First/**We, at the Ministry of Interior, would like to express our gratitude to and appreciation for your organization, **Human Rights Watch**, for your efforts and keenness to defend human rights and promoting respect for international humanitarian law. We, at the Ministry of Interior and National Security in Gaza, reiterate that we fully welcome your organization, and are fully ready to open all the doors to the Ministry's offices and working locations with no exception. Such an orientation is a principle that guides our work with all local and international rights organizations, which perform regular visits to detention and rehabilitation and reform centers – "prisons" – that fall under the authority of the Ministry.

**Second/** We highly appreciate your keenness on contacting us to inquire about some issues that were mentioned in your report about the status of freedoms in the Gaza Strip, and in this regards, we inform you that we maintain regular contact with human rights organizations in the Gaza Strip, including: The Independent Commission for Human Rights, Palestinian Center for Human Rights, Al Mezan Center [for Human Rights], and the International Committee of the Red Cross, as we mentioned to you earlier, with whom we had signed several memoranda of understanding. We confirm that the Ministry's doors are open to their visits, especially to detention centers and centers of rehabilitation and reform – "prisons". The Ministry also holds regular workshops and meetings with local and international human rights organizations with the aim of promoting freedoms and human

rights in the Gaza Strip and training human resources through the Inspector General's Office at the Ministry of Interior and other authorities and entities within the Ministry.

**After reviewing the letter sent by the organization [HRW], we present the following report that responds to the questions and inquiries in the letter:**

**1. Regarding the inquiries in your report on the detention records and the legal basis for detention and dates of release:**

- We would like to inform you that a record is created for each detainee as soon as he enters a detention center. This record includes personal and legal data, such as: inmate's identification card, a medical examination card, all arrest warrants issued by the public prosecution or courts, indictment list, minutes of the sentencing session, arrest orders issued by the court, release orders issued by the competent authorities, etc., in addition to the maintenance of an electronic archiving system for all previous records (**included are the instructions regarding the contents of detainee records**).

**2. Regarding what was mentioned in your organization's report on "How many arrests have forces within the Interior Ministry, across different agencies, carried out between January 1, 2018 and March 30, 2019":**

- the number of individuals held by the Ministry of Interior at all detention centers and arrest locations during the mentioned period (4,235), including those detained under trial and those sentenced, is distributed as follows:
  - 1- A total of (2,350) at detention centers.
  - 2- A total of (1,885) at rehabilitation and reform centers (prisons).

**N.B.** the numbers indicated for pretrial detention centers or rehabilitation and reform centers, is for people arrested based on a decision by judicial authorities on the basis of various crimes, such as: drugs, murder, financial liability, morality, theft, crimes involving money, assaults, burglary, etc.

**a. How many arrests were triggered by posts on social media?**

- Many individuals were summoned on the basis of social media posts, and upon investigation, a total of (24) individuals among them were charged and referred to competent judicial authorities. The arrests were not made due to issues of freedom of speech and expression, but because of insulting and violating the rights of others. Also, while international covenants confirm the freedom of speech and expression, they provide limitations on such a freedom when it infringes on public order or private property in the State, which was emphasized in Article 19, paragraph 2 of the International Covenant on Civil and Political Rights

– Hence, the freedom of opinion does not imply insulting others, and one's freedom ends upon infringing on the freedom of others. Palestinian law provides for penalties for the crimes of slander, libel, insult, and defamation of others as per the Palestinian Penal Code No. 74 of 1936.

**b) How many arrests took place in the context of the 'We Want to Live' protests?**

- Dozens of rioters who infringed on private and public property during the "We Want to Live" demonstrations were summoned, and most of them were released within a maximum of 48 hours, except for (9) individuals, who were the main instigators of riots, and who were interrogated then released. It should be noted that arrest procedures were in accordance with the law and by competent authorities.

**i. On what basis were protesters held?**

- Protestors took to the streets without an official permit from the Ministry of Interior in Gaza.

- Participators set tires on fire on main roads and blocked the streets, they also attacked public and private property. They attacked shops and broke the glass of several cars and attacked passengers, endangering their lives. For example, the car of former detainee Raed Afeeshah was wrecked while his wife and children were with him in the car during their drive on a main road.
- Among those arrested for instigation, an individual confessed that an amount of USD 200,000 was transferred to those leading the campaign from the intelligence service in Ramallah.
- Investigations by security bodies confirmed the existence of messages and calls from the Ramallah intelligence service inciting acts of riot and chaos to disrupt public order, which confirms that the movement was highly political and aimed at inciting strife and endangering citizens' lives and properties.

**ii. How many of those arrested were journalists?**

- No one has been arrested or summoned due the nature of his work as a journalist, and the citizens who were summoned are not registered or known to us as journalists.

**iii. How many of those arrested worked for human rights organizations?**

- None of the employees of human rights organizations were arrested, and if you have names, we hope you can provide us with such names to take necessary legal procedures.

**iv. What is the number of those “charged with being against the general revolution policy”?**

- In the context of the “We Want to Live” movement, none of the protestors were charged with being against the general revolution policy, because, as mentioned earlier, all those arrested in relation to the demonstrations were released within a maximum of a week.

**c) How many were charged with “harming revolutionary unity” or “misuse of technology”**

- Those charged with “undermining the revolutionary unity” were (15) individuals.
- Those charged with “misuse of technology” were (27) individuals.

**3. How many people does the Interior Ministry currently hold? What is the breakdown of where they are being held?**

The Ministry of Interior detains prisoners at rehabilitation and reform centers – “prisons” – distributed across the governorates of the Gaza Strip, where the total number of prisoners is (1,885), charged with various crimes such as: drugs, murder, financial liability, morality, theft, crimes involving money, assaults, burglary, etc.

**They are distributed as follows:**

- Al-Katibah Reform and Rehabilitation Center in Gaza: 365 inmates
- Ansar “Teebah” Reform and Rehabilitation Center: 376 inmates
- Al-Shimal [North] Reform and Rehabilitation Center: 233 inmates
- Al-Wosta [Middle] Reform and Rehabilitation Center: 282 inmates
- Asda’a Reform and Rehabilitation Center: 201 inmates
- Khan Younes Reform and Rehabilitation Center: 381 inmates
- Women’s Reform and Rehabilitation Center: 47 inmates

**4. How many complaints into alleged arbitrary arrests, mistreatment and torture by security forces in the Gaza Strip have been filed between January 1, 2018 and March 30, 2019?**

- The number of alleged arbitrary detentions and cases of ill-treatment by security forces in the Gaza Strip during the mentioned period is (47) cases of individuals, who filed official complaints at regulatory bodies at the Ministry of Interior and through human rights organizations. These cases were subject of follow up and recommendations.

**5. How many investigations have been opened into alleged arbitrary arrests and torture by the security forces?**

There (8) investigations performed by regulatory bodies on cases of arbitrary detentions and ill-treatment, and we can provide you with the results of the investigations.

**a) What was the outcome of these investigations?**

- A total of (39) complaints were found to be invalid. In contrast, there were (8) valid complaints and investigation committees were established for them.

**b) How many of those investigations led to a finding of wrongdoing on the part of security forces?**

- Through the (eight) committees, it has been confirmed that violations took place on the part of security forces, which were individual violations.

**c) In how many cases has there been a finding that an arrest was arbitrary?**

- The number of cases that were found to be cases of arbitrary detention were (3) cases.

**d) In how many cases has there been a finding that a detainee was mistreated?**

- The number of cases that were found to be cases of ill-treatment of detainees were (4) cases.

**e) In how many cases has there been a finding that a detainee was subjected to torture?**

- The Inspector General Office has cooperated with the International Committee of the Red Cross after issuing a report on this subject, in which there were several cases. A committee was set up specifically to deal with offenders and hold them responsible. Several days ago, a case regarding these violations was referred to the Attorney General to take necessary legal action against the offender.

**6. In how many cases did a member of the security forces receive an administrative sanction for involvement in an arbitrary arrest or in mistreatment or torture of a detainee? Please include a breakdown of the number of each form of administrative sanctions provided**

- There are cases of seven [individuals] involved in arbitrary detention or ill-treatment, who were given administrative sanctions of detention for periods ranging between one week to one month, in addition to being assigned to a different work location so that the offence is not repeated.
- As for involvement in torture, one member of the security forces was referred to the Public Prosecution Office to be held accountable.

**7. In how many cases was a member of the security forces referred for criminal prosecution based on involvement in an arbitrary arrest or in mistreatment or torture of a detainee?**

- There is only one case that was referred to the military court regarding ill-treatment.

**a) What was the outcome of these referrals?**

The case has been accepted as valid by the competent judiciary authority and is being heard.

**b) How many cases were dismissed?**

No cases were dismissed.

**c) How many cases went to trial? Please include a breakdown of the charges faced in each case.**

One case relating to ill-treatment.

**d) How many cases resulted in a conviction?**

The case is still under trial and we can provide you with details.

**e) How many cases remain open?**

Only one case.

**8. Has the Interior Ministry amended its policies and procedures, put in place any mechanisms or taken any concrete steps with regards to detention since October 23, 2018? If so, what exactly?**

The Ministry has taken several measures against torture and ill-treatment, held several workshops and specialized courses, and issued several circulars in this regard. Attached are some examples of these circulars.

**9. Will you fully cooperate with the monitoring of the Sub Committee on the Prevention of the Torture of the Optional Protocol to the Convention Against Torture?**

The Ministry of Interior and National Security is committed to international human rights treaties ratified by Palestine, especially the International Covenant on Civil and Political Rights and the Convention against Torture. The ministry prohibits arbitrary detention and torture. The policy and directives of the Ministry of Interior and National Security's leadership in the Gaza Strip dictate addressing all forms and types of torture, and we strive to overcome all the obstacles that might challenge our work at the Ministry of Interior, as represented by all our regulatory bodies who are working hard to develop human resources and qualify them with the expertise necessary to reduce legal violations.

**10. Are there steps you intend to take to address systematic arbitrary arrests, mistreatment and torture by security forces?**

- First, there is no systematic practice of arbitrary arrests, ill-treatment, or torture at the Ministry of Interior. However, there are individual mistakes that are addressed and those who commit them are held accountable.

- The Ministry of Interior is doing its best to develop human resources that are qualified to enforce the law, through:

1. Holding necessary training courses.

2. Legal accountability in cases of violations.

3. Continuous coordination with human rights and civil society organizations.

4 - Raising social awareness through competent authorities at the Ministry of Interior through: the Inspector General's Office, Inspector General of the Police, Political and Moral guidance, Human Rights Unit, and Public Relations and Information to inform the public of their legal rights and duties and guide the public on how to file a complaint at the competent authorities in any case of injustice or derogation of legally guaranteed rights.

**- We would like to refer to a number of basic principles:**

1. We, at the Ministry of Interior and National Security in the Gaza Strip, confirm that we fully welcome your organization and that we are fully prepared to open all the offices and workplaces of the

Ministry's agencies with no exceptions. This approach is a principle that guides all our work and interactions with all local and international human rights organisations which perform regular visits to detention centers as well as to rehabilitation and reform centers – "prisons" – under the authority of the Ministry of Interior in Gaza.

2. We, at the Ministry of Interior, have the Inspector General's Office that supervises the performance and procedures of the central bodies and departments of the Ministry, including the Internal Security Forces, with inspection visits that include meeting all detainees. We examine detention centers and centers of reform and rehabilitation that fall under the authority of the Ministry of Interior in Gaza.

3. We, at the Inspector General Office, have a specialised unit to receive complaints from citizens and legal bodies and organisations, and we also have offices for the same purpose in all the governorates of the Gaza Strip. We also have in place mechanisms that support us in examining complaints, restoring individuals' rights, and redressing mistakes.

4. We, at the Inspector General Office, have a specialised legal administration that is competent in forming duly required committees for grievances and complaints. The outputs of these committees often involve sanctions against offenders, including detention, suspension, transfer from the workplace, and downgrading of seniority level or even an entire rank. The records of these committees are available for examination by you or any of your representatives.

5. An Ombudsperson and Human Rights Department was established at the Inspector General's Office of the Police Department in Gaza. The Inspector General's Office placed leather banners including the office's addresses, phone numbers, mobile phone numbers and website URL for communication, **with clear messages for citizens that:**

a. The Police is at the service of citizens to guarantee their rights and not to deprive them of their rights.

b. They should not hesitate to file any complaint in case the citizen felt he was subject to any form of wrongdoing, negligence, or assault on the part of police officers.

**Finally:**

- 1. We, at the Ministry of Interior and National Security, confirm that we would welcome your visit, and assure you that the Ministry's offices and headquarters are open for you or your representatives at any time;**
- 2. We also reiterate our continuous openness to and welcoming of human rights organizations and our readiness to open all doors for them, even if the results of their work are sometimes not objective. We refer here to some bodies and institutions that visit detention centers and rehabilitation and reform centers that fall under the authority of the Ministry, including the International Committee of the Red Cross, the United Nations Human Rights Committee, and all human rights institutions, bodies, and centers in the Gaza Strip.**

*Please accept our utmost regards and appreciation,*

Brigadier General / Mohammad Abdullah Lafi

Inspector General at the Ministry of Interior and National Security