

HUMAN RIGHTS WATCH



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April 4, 2019

Major General Tawfiq abu Naem
Deputy Minister of Interior and National Security
Gaza City, Palestine

Dear Major General Tawfiq Abu Naem,

I write to request your assistance in obtaining information pertaining to arrests carried out by Hamas authorities in the Gaza Strip and treatment of detainees in custody. This request is a follow-up to our correspondence over the last year, which were reflected in a report we issued in October 2018.

We intend to issue a publication later this month highlighting developments on these issues over the last year and will reflect in it any pertinent information you provide us by **Thursday, April 18**.

After a two-year investigation and a study of 86 cases, our October 2018 report found that the Palestinian Authority (PA) in the West Bank and Hamas authorities in Gaza have carried out scores of arbitrary arrests of journalists, demonstrators, student activists, and social media activists in recent years and routinely mistreat and torture those in their custody. We further concluded that these abuses contravene the legal obligations imposed through the state of Palestine's accession to major human rights treaties since 2014, but that effective impunity for serious abuses is the norm.

We would greatly appreciate answers to the following questions:

1. Do you maintain a record of every detention, from the moment of arrest, including the legal basis for detention, to the date of release?

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2. How many arrests have forces within the Interior Ministry, across different agencies, carried out between January 1, 2018 and March 30, 2019?
 - a. How many arrests were triggered by posts on social media?
 - b. How many arrests took place in the context of the “We Want to Live” protests?
 - i. On what basis were protesters held?
 - ii. How many of those arrested were journalists?
 - iii. How many of those arrested worked for human rights organizations?
 - iv. How many were charged with “opposing the revolution?”
 - c. How many were charged with “harming revolutionary unity” or “misuse of technology?”
3. How many people does the Interior Ministry currently hold? What is the breakdown of where they are being held?
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?
5. How many investigations have been opened into alleged arbitrary arrests and torture by the security forces?
 - a. What was the outcome of these investigations?
 - b. How many of those investigations led to a finding of wrongdoing on the part of security forces?
 - c. In how many cases has there been a finding that an arrest was arbitrary?
 - d. In how many cases has there been a finding that a detainee was mistreated?
 - e. In how many cases has there been a finding that a detainee was subjected to torture?
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.
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?
 - a. What was the outcome of these referrals?

- b. How many cases were dismissed?
 - c. How many cases went to trial? Please include a breakdown of the charges faced in each case.
 - d. How many cases resulted in a conviction?
 - e. How many cases remain open?
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?
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?
10. Are there steps you intend to take to address systematic arbitrary arrests, mistreatment, and torture by security forces?

We would greatly appreciate it if you could send your response by Thursday, April 18 to my email address: [\[REDACTED\]](#)

Regards,



Omar Shakir
Israel and Palestine Director
Middle East and North Africa
Human Rights Watch

