



## **Palestine: Researched and compiled by the Refugee Documentation Centre of Ireland on 19 October 2009**

### **Current situation regarding the fate of Palestinian collaborators with the Israeli army.**

Section 1.A of an April 2009 *International Crisis Group* report under the heading 'WAR IN GAZA: the War's Toll', states:

"A senior Hamas security official said that at the meeting commanders discussed killing some alleged collaborators to deter others. Approximately 1,200 Fatah men – including a member of Fatah's Higher Leadership Council in Gaza – were put under house arrest, purportedly to stop them passing information to Israel on the whereabouts of Hamas leaders and fighters; others were imprisoned in apartments, and Hamas executed those considered "most dangerous". Commenting on Hamas's practice, a politically independent Palestinian said that while killing collaborators during wartime was tantamount to "self-defence", some militants seized the opportunity for brutal scoresettling." (International Crisis Group (23 April 2009) *Gaza's Unfinished Business, Middle East Report No.85*, p.4)

Footnote 40 on the same page of this report elaborates further:

"A Hamas security official gave the example of somebody caught "red-handed" on the phone reporting the location of a secret wartime meeting of government ministers. The Qassam Brigades killed the alleged collaborator, then called the family to explain the circumstances. "The family will not do anything in response and wants to keep the affair quiet. It is a social embarrassment for them: they would be shunned, the sons would not be able to find work, and the daughters would not be able to marry". Crisis Group interview, Qassam leader, Gaza City, February 2009. The PA's quasi-official Independent Commission for Human Rights put the number of alleged collaborators executed at 22. List provided to Crisis Group. Most though not all were killed by masked and unidentified assailants. Fatah published a list of 181 names of people it claims were killed (eleven), shot in the arms or legs (58) and had their legs broken (112). Maan, 2 February 2009. Amnesty International (10 February 2009) published its own study, which put the number killed at "at least two dozen", with "scores" more purposefully disabled. A Hamas spokesman denied the extrajudicial executions, though he admitted to beatings in the case of Fatah members who dispensed candy at the beginning of the fighting and when Interior Minister Siyam – a leading figure in the 2007 takeover and known for brutally repressing Fatah members – was killed. Al-Hayat, 26 January 2009. Hamas leader Mahmoud al-Zahar, however, admitted to the worst of the violations: "We were in a war situation in which the collaborators escaped from the prisons after Israel destroyed them in order to work against Palestinians. When ministries and courts are absent, the execution of a judgment is permitted in the field, and there were

situations in which this happened. But we do not engage in these activities in peacetime". Al-Akhbar, 21 February 2009." (ibid)

The Summary of a *Human Rights Watch* report states:

"The majority of Palestinians executed by other Palestinians during Israel's military operations were men accused of collaboration with Israel. Along with others, they had escaped from Gaza's main prison compound after Israel bombed the facility on December 28. In addition to the 32 killings mentioned above, the relatives of one suspected collaborator shot him to death 'to restore the family's honor' while Hamas forces failed to intervene." (Human Rights Watch (20 April 2009) *Under Cover of War – Hamas Political Violence in Gaza*, p.1)

In a section titled "Executions of Suspected Collaborators" this report continues:

"Approximately 800 convicted prisoners and persons were being held in pre-trial detention in the central prison in Gaza City when Israeli air strikes began on December 27, 2008, according to the ICHR, which had visited the facility earlier that month. Hamas authorities released about 580 of the prisoners after the bombings started, but kept in custody roughly 115 alleged collaborators with Israel, about 70 Fatah supporters held on various charges, and some persons convicted of criminal offenses who had been sentenced to death. Some of the remaining detainees escaped the following day when Israel bombed the prison, but were subsequently tracked down and killed by masked gunmen. The ICHR documented 20 cases of escaped prisoners being shot and killed by masked gunmen from December 28 to January 31; at least 12 of the victims had been detained in the prison for allegedly 'collaborating with the enemy.' Seventeen of the 29 people killed by gunmen that the Palestinian Center for Human Rights (PCHR) reported from December 28 to February 27 were prisoners and detainees who had fled the prison compound after Israel's attack, including 13 men sentenced to death for collaboration with Israel, three convicted of common crimes, and one man awaiting trial." (ibid, pp.11-12)

In a section titled "Political Prisoners and Detainees" the *United States Department of State* country report on the Occupied Palestinian Territories states:

"Hamas executed, kneecapped, or arrested an unknown number of Palestinians in Gaza, including supporters of Fatah, in late December. Hamas claimed those arrested and killed were collaborating with Israel." (United States Department of State (Bureau of Democracy, Human Rights, and Labor) (25 February 2009) *2008 Human Rights Report: Israel and the occupied territories*)

A February 2009 *Amnesty International* report states:

"Since the end of December 2008, during and after the Israeli military offensive which killed some 1,300 Palestinians, most of them civilians, Hamas forces and

militias in the Gaza Strip have engaged in a campaign of abductions, deliberate and unlawful killings, torture and death threats against those they accuse of 'collaborating' with Israel, as well as opponents and critics. At least two dozen men have been shot dead by Hamas gunmen in this period. Scores of others have been shot in the legs, kneecapped or inflicted with other injuries intended to cause permanent disability, subjected to severe beatings which have caused multiple fractures and other injuries, or otherwise tortured or ill-treated." (Amnesty International (10 February 2009) *Palestinian Authority: Hamas' deadly campaign in the shadow of the war in Gaza* AI Index: MDE 21/001/2009)

An *Al Jazeera* report from February 2009, states:

"Separately on Sunday, the Gaza-based Palestinian Center for Human Rights called for an investigation into the death of a man beaten in the custody of security forces loyal to the Hamas movement. Jamil Shakoura died in a Gaza hospital after receiving a number wounds to his head while detained, the group said. He was not believed to be affiliated to any political group and it was not clear why the security forces were investigating him." (Al Jazeera (8 February 2009) *Activists seek 'Gaza abuses' probe*)

A January 2009 news article from *The Guardian* states:

"The Israeli newspaper Ha'aretz reported yesterday that several Palestinian agents working in Gaza for the Israeli security services during the war had been killed, and cited one source as saying that agents were 'intercepted' by Hamas because their intelligence had been used 'carelessly' by the military." (The Guardian (30 January 2009) *Dozens believed dead in reprisal attacks as Hamas retakes control* McCarthy, Rory)

A news article from *The New York Times* describes the treatment of alleged collaborators as follows:

"Mr. Hajoj, like five others killed at the hospital this way in 24 hours, was accused of collaboration with Israel. He had been in the central prison awaiting trial by Hamas judges; when Israel destroyed the prison on Sunday he and the others were transferred to the hospital. But their trials were short-circuited. A crowd at the hospital showed no mercy after the shooting, which was widely observed. A man in his 30s mocked a woman expressing horror at the scene. 'This horrified you?' he shouted. 'A collaborator that caused the death of many innocent and resistance fighters?' Sobhia Jomaa, a lawyer with the Palestinian Independent Commission for Citizens' Rights, said 115 accused collaborators were in the central prison. None had been executed by Hamas since it took office and their cases were monitored closely. 'The prison provided the sole protection to all of them,' she said. 'But once it was bombed, many wanted to take revenge.'" (The New York Times (30 December 2008) *No Early End Seen to 'All-Out War' on Hamas in Gaza* Bronner, Ethan and El-Khodary, Taghreed)

A June 2008 news article from *The Guardian* reports:

“Samir was caught in 1994, the year that Yasser Arafat returned to Gaza in the wake of the Oslo peace accords. A friend and distant relative had given up Samir's name during a brutal interrogation. Samir had spent years giving the Israelis whatever information he could find about the armed groups and their planned attacks, work he kept secret even from his wife. But Palestinian collaborators risk death if they are caught by their own people. Samir was lucky: he was held in jail for four years, tortured and then forced to give up his savings, sell his land and his wife's jewellery to buy his way out of jail.” (The Guardian (13 June 2008) *A secret fresh start: former Palestinian collaborators forge new life in Israel* McCarthy, Rory)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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