

Fourth Report
1/7/2009-31/12/2009
Biannual Report on the
Situation of Tolerance in the
Territories of the Palestinian Authority

Ramallah Center for Human Rights Studies (RCHRS) issued the fourth annual report on the state of tolerance in the Palestinian Territories which contains three sections: The first is a theoretical introduction on the concepts and domains of tolerance, the second cites realities and figures on the state of tolerance in the areas of the Palestinian Territories, and the third draws results and makes recommendations.

The report says that there are several internal factors that have a huge negative impact on the retreat of tolerance within the Palestinian society. These factors include the political division, the inciting media discourse, the rejection of the religious, political and cultural "other" which is on the increase, the cases of killing and belligerence that are being "marketed" religiously, socially and politically, and the intensive employment of religion by different parties in their discourse in an attempt to buttress their point of view by placing it within the category of the sacred that no one can dispute or debate.

In the domain of religious tolerance, the report cites a group of incidents and statements made by religious figures inciting violence against the different "other" trying to impose a religious prototype on the society. The report also says that the religious discourse in the Palestinian society is handled in different forms; some of these forms still focus on a mono and fragmentary reading that feeds hatred and grudge and that offers unrealistic, unjust and inhuman visions in treating certain incidents. This religious discourse holds a negative perspective towards the society since this society, in different aspects, disagrees with it. The society, therefore, as this religious discourse sees it, is astray and needs to be righted and redirected towards the true path of righteousness. Within the period that the report covers, no aggressions were reported against individuals, institutions, public or private properties on religious grounds with the exception of one incident in which some aggression was committed against two Christian graveyards in the village of Jeffna near Ramallah.

Within the context of religion, the Palestinian Islamist movements continued to employ the inciting religious discourse as a tool to achieve their political, social, cultural and other objectives. They were also able to drag the components of the Palestinian political system with its secular and leftist movements to adopt, if only partially, their discourse and its terminology. They also succeeded in fixing their religious vocabulary in the Lexicon of the political Palestinian movements that do not adopt Islam in the ideology of their party.

As for political tolerance, the report says that despite of the existence of constitutional texts which in its totality push towards political tolerance, the cited language of discourse, during the period of the report does not represent any kind of political tolerance. The two main movements, Fateh and Hamas, continue to exchange accusations. Fateh calls the government in Gaza the "resigned" government, and labels Hamas with adjectives such as the "coup government", the "gangs", the "militia coup", the "benighted". On the other side, the resigned government in Gaza uses adjectives when referring to the government in Ramallah such as the "illegitimate government", "Dayton's gangs", the "conspirators" and the "collaborators"

Among the features of political intolerance is the violation of the right to peaceful gathering which increased remarkably during the period that the report covers. The West Bank witnessed 8 cases of prevention of or aggression against peaceful gathering and the Gaza Strip witnessed 10 cases. As for aggression against and violation of the right of forming unions, societies, and networks, the report cites 4 cases in the West Bank and 14 in the Gaza Strip. Aggression against freedom of expression continued; the two newspapers, *Al-Ayyam* and *Al-Haya*, are still censored in the Gaza Strip as well as the forms of media that the resigned government in Gaza considers affiliated with Fateh or with the Palestinian Authority in Ramallah. On the other side, the two newspapers *Falastine* and *Al-Risala* are censored in the West Bank. Further the report cites 8 cases of aggression against journalists, media institutions, and printing houses in the Gaza Strip; 13 cases are cited in the West Bank.

As for the violation of the right of free movement, the suffering of Palestinian citizens continued in the Gaza Strip due to the imposed blockade and the closing of the crossings by the Israeli Occupation. The internal hindrances exemplified in the inability of inhabitants of Gaza to obtain passports from the Ministry of Interior in Ramallah also continued. In some cases, some security bodies that belong to the resigned government confiscated the travel documents of some citizens or prevented them from leaving the Strip. About 120 cases of travel prevention are cited in addition to preventing tens of the members of the Fateh Convention from leaving the Strip to the West Bank. One case is cited in the West Bank when a

force of the security apparatuses prevented six citizens, PLC members of the Change and Reform Bloc, from entering the city of Qalqilia.

As for arrests and aggression against people on the background of their political affiliation during the period which the report covers, 1879 cases of political arrest are cited with the different political apparatuses in the West Bank and the Gaza Strip; 1246 cases are cited in the West Bank and 633 are cited in the Gaza Strip. The report here, however, notes that the cases of arrest on charges of political affiliation in the Gaza Strip cannot be accurately documented for reasons related to the fact that some of the places used for detention or arrest are not declared as official and well-known jails. In the same context the report cites a group of assaults that took place on the background of political affiliation some of which resulted in death; two of these cases are in the West Bank, and 7 in the Gaza Strip. The report also cites 298 cases of torture during arrest or detention by the security apparatuses in the West Bank and the Gaza Strip; 166 in the West Bank and 132 in the Gaza Strip.

In the domain of social tolerance, the report cites 10 cases of killing committed on the background of what is called "family honor" feuds; 4 are cited in the West Bank and 6 in the Gaza Strip. The report also records 155 cases of death as a result of quarrels and cases of revenge; 100 in the Gaza Strip and 55 in the West Bank.

In the domain of legal tolerance, the report says that the Palestinian legislations generally preserve the international accords of human rights. There are, however, legal texts in the Palestinian statute that contradict to a great extent the international accords especially those related to capital punishment which is still enacted in the areas of the Palestinian Authority. The principles of tolerance do not condone encountering crime with crime under the guise of the law. The call to cancel capital punishment does not by any means mean practicing tolerance towards criminals who are charged with serious crimes. The report cites 16 capital punishment verdicts issued by Palestinian courts; three in the West Bank and 13 in the Gaza Strip.

Regarding the execution of court verdicts, the report says that some of the security apparatuses in the West Bank still refrain from executing several verdicts issued by Palestinian courts including those issued by the Supreme Court especially verdicts related to those detained on charges related to political affiliations and particularly persons who are detained by the head of the Military Judiciary Committee.

Recommendations

During the 12 months period of this report the various regions of the Palestinian Authority witnessed several aspects of intolerance, on the level of state institutions, and society. This phenomenon necessitates warning against its dangers, and proposing recommendations for fighting it and suppressing any attempts to widen its scope.

Based on the results of this report and its cumulative experience in working on tolerance, the Ramallah Center for Human Rights calls for the following:

1. To start immediate serious action to root out all aspects of violence and intolerance on both the official and popular levels, and this necessitates fighting the reasons that produced these phenomena, be they political, economic, social, or cultural.
2. Since the essence of tolerance is built on the principle of the right to be different, therefore it is necessary to emphasize this right and respect its implementation.
3. Achieving tolerance requires enlarging the margins of public freedoms, chief of which is the right to freedom of belief, whether religious or other, and the freedom of opinion and expressing it, and the right to organize unions, peaceful gathering, and political pluralism. Therefore it is necessary to translate all this on the legal and legislative levels, and the level of implementing the legal and legislative instruments.
4. These demands cannot be achieved without revising the socialization processes and adopting programs that develop the culture of tolerance first inside the family and second in the school and university.
5. It is not possible to achieve the previous recommendation without emphasizing the importance of developing the culture of tolerance in pupils, and improving the school curricula and ways of teaching in a way congruent with achieving these aims.
6. The partisan education and indoctrination, and the prevailing political discourse are among the reasons that contributed chiefly in generating the present aspects of political intolerance. It is essential to eradicate all forms of partisan fanaticism, and incitement against the politically different in order to widen the spheres of tolerance.
7. The programs aiming at disseminating the culture of tolerance must be fair to women and must abolish all forms of discrimination against them, first because this is their inalienable right, and second because this will enable them to disseminate this culture and inculcate it to their children.
8. There must be an end to using the religious discourse against the culture and values of tolerance, through incitement against the politically, religiously, or culturally different.

9. Orienting the different media and making the most out of them to develop a public opinion that opposes all forms of extremist trends.

10. Disseminating the language of dialogue and acceptance of difference; increasing the interest of civil society organizations in generalizing the culture and values of tolerance; fighting all aspects of fanaticism, prejudice and discrimination; criticizing the performance of authorities in order to protect human rights.