



Palestinian journalists caught in the Gaza crossfire

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Journalists working in the Palestinian territories are exposed to two different kinds of threats, one from the Israeli army, which has been responsible for many acts of violence against the press since 2000, and more recently from the various Palestinian factions that do not hesitate to target media that criticise them. The Gaza Strip has become the scene of especially violent inter-Palestinian clashes this year. The tension between Hamas, the ruling Islamic party that won the elections at the start of the year, and Fatah, President Mahmoud Abbas' party, has resulted in a political stalemate that has paralysed Palestinian institutions.

The split within the government has inevitably had repercussions on the street. Some Palestinian factions have been clashing regularly since the start of the second Intifada in 2000. Criminal gangs and militias affiliated to the leading Palestinian families have also been involved in this fratricidal violence. But the intensified rivalry between the two main political groupings has taken the internal armed struggle to a new, unprecedented level.

A Reporters Without Borders delegation visited the Gaza Strip and Israel from 4 to 7 December with the aim of learning more about the plight of journalists, who have inevitably been affected by the increased violence. The organisation met the

president of the Palestinian Authority, Mahmoud Abbas, who reiterated a commitment to respect the work of the media. Reporters Without Borders also met leaders of the factions represented in the Gaza Strip, namely Islamic Jihad, Fatah, the Democratic Front for the Liberation of Palestine (DFLP), the Popular Front for the Liberation of Palestine (PFLP) and Hamas. It also met with Palestinian journalists working for both public and privately-owned media.

The problem of journalists getting killed or wounded in the Palestinian territories by the Israel Defence Forces (IDF) was raised at a meeting with Israeli army representatives. Reporters Without Borders reiterated its request to the Israeli authorities for public enquiries to be carried out in order to establish the circumstances of these incidents.

All representatives of the Palestinian factions and Israeli army voice a desire to respect press freedom and the work of journalists, but the figures are alarming. This year alone, the Israeli army attacked or threatened 16 journalists and wrecked the premises of three news media, while Palestinian militants caused damage to seven news media by setting them on fire or smashing equipment, and attacked at least four journalists. Six foreign journalists have also been kidnapped by Palestinians in the Gaza Strip.

Media personnel at the centre of a fratricidal struggle

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The increase in tension between Palestinian factions and the failure to form a national unity government have increased the difficulties for journalists, especially in the Gaza Strip. Media personnel are less likely to be targeted in the West Bank, where the security situation is more stable and the Palestinian Authority has more control of its security forces. Often attacked for working for partisan media, journalists pay dearly for the political divisions, especially the relentless battle being waged between Fatah and Hamas.

Foreign journalists become bargaining chips

Ten foreign journalists have been kidnapped in the Palestinian territories since 14 August 2005. Two Belgian journalists were also the target of an abortive kidnap attempt in the south of the Gaza Strip. Most of the abducted journalists were freed after a few hours or days, and were generally treated well. Only two US journalists working for the *Fox News* TV network, Steve Centanni and Olaf Wiig, were held for a longer period – two weeks. Nine days after their abduction on 14 August 2006 in Gaza City, responsibility was claimed by the “Holy Jihad Brigades,” which demanded the release of all Muslims held by the United States within 72 hours. The modus operandi of their kidnappers suggested the Palestinian Territories were going the way of Iraq.

Many observers were of the view that the *Fox News* journalists were held for a much longer time because they were Americans. But unlike what happens in Iraq, all the journalists kidnapped in Gaza have been freed safe and sound. And, according to several Palestinian political leaders, these kidnappings were not politically motivated. Driven by desperation, the abductors reportedly do this to make their grievances heard. Seeking work or more pay, they use journalists as bargaining chips.

Dr. Khalil Al-Haya, the head of the Hamas parliamentary group, thinks kidnappers fall into three categories. Firstly, he says, there are those who are motivated by personal interests including the desire to get a job. Other kidnappings are organi-

sed by politically-motivated groups that want “even more chaos in Gaza.” Finally, some groups are trying to imitate what is happening in Iraq. Whatever the motives, such practices are tantamount to terrorism and are firmly condemned by Hamas, Al-Haya said. In fact, most Palestinian organisations and factions have condemned kidnapping.

All political leaders agree that the Palestinian cause is hurt by the kidnappings of foreign citizens (the staff of humanitarian organisations have also been abducted in the Gaza Strip). Nonetheless, even if they render a disservice to Palestinian interests, no measures have been implemented to bring them to a halt. Furthermore, it seems that the identity of the kidnappers is known in almost all of the cases. But each case is generally considered closed as soon as the journalists have been handed over safe and sound to their embassies. In the very few cases in which a judicial investigation has been initiated, it has never been pursued.

Fatah spokesman Tawfiq Abu Khoussa said: “Even if those responsible are identified, there is no judicial institution worthy of the name capable of trying those who are guilty, nor is there any institution capable of implementing a judicial decision.” Fathi Tobail, the head of the Palestinian Authority’s International Press Centre, shares this view. He said investigations cannot be completed because of the instability in the Palestinian territories and the fact that the security have become much less effective since the start of the Intifada. “Some people have been summoned by the police in these investigations, but they did not bother to show up and just vanished into thin air,” Tobail said.



Emilio Morenatti

This was the case with the kidnappers of Spanish photographer Emilio Morenatti of the US news agency, the *Associated Press*, who was abducted in Gaza City on 24 October. A group of about 30 unemployed people organised his kidnapping in order

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to demand jobs from the Palestinian Authority. None of them was arrested or prosecuted. The safety of the foreign and local journalists is at risk because of the arming of the population since the start of the second Intifada, especially in Gaza, the increasing number of security services¹ linked to Fatah or Hamas, and the emergence of criminal gangs whose affiliation is not always clear.

Increase in physical attacks on journalists and news media

Before the second Intifada, Palestinian journalists were already harassed by the Palestinian Authority, which strictly controlled the press and did not hesitate to close down news media or arrest journalists considered to be overly critical of Yasser Arafat's policies. Today, there are more press freedom predators and more threats to journalists in the Palestinian territories. Journalists who criticise a politician, faction or security official often get threatening phone calls. More seriously, the premises of three news media were attacked and ransacked in the space of six months in the Palestinian Territories. *Al Aamal*, a radio station owned by a Fatah-affiliated trade union, was attacked on 12 October, for example. After tossing a grenade into the entrance, gunmen made all the journalists leave and set fire to the five-storey building. Several sources said Hamas was behind the attack.



AFP PHOTO

Didier François - 12/06

President Abbas' 16 December announcement of early presidential and legislative elections has triggered a further surge in violence between Fatah supporters and the armed wing of Hamas, which is opposed to the elec-

tions. This had an immediate impact on the journalists who came to cover this. Didier François, the French daily *Libération's* correspondent in Israel and the Palestinian territories, was shot in the leg in clashes in Gaza City on 17 December

between Hamas' armed wing, the Ezzedine al-Qassam Brigades and Fatah militants. Interior ministry officials also threatened the French TV station *France 2's* cameraman before destroying his footage of the clashes.

Saleh Zidane, a member of the DFLP bureau in Gaza, attributes the prevailing instability to the lack of unity at the head of the government. "This chaos puts journalists in danger," he said. "We have issued many calls for a better understanding between the Palestinian factions and for the militias to be disarmed."

But some violence against the media has no apparent political motivation, as in the case of an armed attack on the PFLP-affiliated radio station *Sawt al Shaab* in the central Gaza City neighbourhood of Al Sabra on 1 November, in which around 10 gunmen smashed computer equipment, torched the station's only transmitter and fired on employees. "Some people came and set fire to our radio station," said Rabah H. Mohanna, an PFLP leader. "At first we thought it was either Hamas or Fatah, but after carrying out our own investigation we concluded that it was the work of three individuals who wanted to get the attention of the security services in the hope of obtaining a job." The radio filed a complaint and the three accused arsonists were charged, but they are out on bail pending trial.

The various factions generally accused the two main Palestinian parties, Fatah and Hamas, of being the main enemies of the press in the Palestinian territories, while Fatah and Hamas tend to blame each other.

War between public and privately-owned media

Public media journalists are more likely to be the victims of violence. The Palestinian public television and its radio wing were always regarded as Yasser Arafat's mouthpieces. And these media still continue above all to serve Fatah's interests. As a result, many factions complain of having limited access to the public media. Furthermore, while the president of the

¹ There are seven official security services in the Palestinian territories. Four of them report directly to President Mahmoud Abbas, while the other three are under Hamas control. In 2002, Reporters Without Borders classified the Palestinian security services as press freedom predators.

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Palestinian Authority traditionally delegated control of the public media to the government, President Abbas reassumed control of the Palestinian radio and TV broadcaster just before the most recent legislative elections.



The *Palestine Broadcasting Corporation (PBC)* and the state news agency *WAFA* now therefore now come under the direct supervision of the president's office. Even *WAFA* president Mohammed Shrafi acknowledges that his agency's main role is to carry official statements. "But we also criticise the Palestinian Authority," he added. "We work above all for the Palestinian people."

The closer ties to the president's office sometimes have negative consequences for public media employees. Several *WAFA* journalists were threatened in September, for example, when gunmen burst into the agency's bureau in Khan Younes, attacked a journalist and ransacked the premises. Before leaving, they wrote on a wall: "The news agency should belong to everyone and not just one camp." Shrafi says they were trying to send a message. The same day, *WAFA* and public television journalists were attacked while covering a Hamas march and their equipment was damaged. Some *WAFA* journalists said they have received letters with bullets inside them.

Shrafi said it was hard to confront these threats. "We used to file a complaint with the interior ministry but we now have the feeling there has never been the least desire on the ministry's part to find out what happened, so we decided not to file any more complaints and to stick to our writing."

The *PBC*'s journalists have come to the same conclusion. *PBC* director general Mohammed el-Dawodi thinks the broadcaster belongs to the Palestinian people even if, administratively, it has been placed under President Abbas'

control. "But as the president's office used public television as a propaganda tool and for promoting its policies in the past, it is still today regarded as Fatah television," Dawodi said. As a result, the *PBC*'s journalists are especially exposed. In July, for example, several *PBC* cameramen were attacked by Hamas members after the station carried a report implicating Hamas in the murder of the Jordanian embassy's chauffeur. Its Khan Younes bureau was also attacked.

Palestinian press – diverse but partisan

Most of the Palestinian media emerged after the Palestinian Authority was established in 1994. Nowadays there are about 50 radio stations, 20 local TV stations and 30 newspapers. *Al Ayyam* and *Al Hayat al Jadida* (which are printed in the West Bank city of Ramallah) and *Al Quds* (printed in East Jerusalem) are the three leading daily newspapers. The first two have print runs of 10,000. The third has a print run of 50,000. They all have an online version. Despite the emergence of pan-Arab satellite TV stations and the fact that *Al-Jazeera* is now widely watched in Palestinian homes, radio continues to be an important medium in the Palestinian territories. As well as quickly broadcasting breaking news about the security situation and alerts about Israeli offensives, radio stations enable Palestinian families in different parts of the territories to keep in touch by means of messages. Most media are state-owned or are financed by political or religious groups.

Journalists often find themselves the targets of direct criticism by politicians. The latest example was in October, when Prime Minister Ismael Haniyeh, speaking at Gaza's Yarmouk football stadium, accused public media journalists of waging a smear campaign against his party, Hamas. This accusation was repeated in sermons delivered in mosques which, according to a PFLP leader, serve as Hamas mouthpieces. The prime minister's allegations were condemned by the journalists' union and by public media executives.

In Dawodi's view, the attacks on the *PBC* provide Hamas with an additional argument for having its own satellite TV station, which it expects to

launch in 2007. "We have not cut off contact with Hamas' leaders," he said "They have come to the PBC to express their views and even to criticise the PBC. These days, they tend to be the ones

who boycott our studios and our journalists." He added that the PBC's journalists have on several occasions been refused permission to cover events organised by the Hamas government.

Hamas plan to launch satellite TV in 2007



Taking the Hezbollah TV station *Al-Manar* in Lebanon as its model, Hamas launched its own local TV station, *Al-Aqsa TV*, at the end of 2005 to confront "the control of Palestinian terrestrial and satellite television by certain groups and political parties." It currently employs around 40 people and broadcasts around the clock. Hamas is now preparing to begin broadcasting on the Arabsat and Nilesat satellites in 2007 to reach more viewers.

One of the station's executives, Fathi Ahmad Mohammed Hamad, said there was a high probability that it could be the target of an Israeli air strike. "Our radio station was already hit in 2003, our TV station's studios in Beit Hanoun were targeted in 2005 and our equipment was damaged," he told Reporters Without Borders. "We had to change location five times because our neighbours were getting scared and asked us to move." Asked if *Al-Aqsa TV* could broadcast antisemitic programmes as *Al-Manar* has done, he replied that it would "broadcast programmes that serve the Palestinian cause and do not obey any western criteria." The station's business headquarters is in the Qatari capital of Doha but its editorial staff is based in Gaza City. A new bureau will soon open in Ramallah.

² Launched in 2003, *Al-Aqsa* is the official Hamas radio station. Hamas also has an Arabic-language daily, *Al-Rissalah*, and several websites.

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Israeli army responsibility

Aside from the growing violence due to internal rivalries, media personnel in the Palestinian territories also get killed or injured by Israeli gunfire and are handicapped by the restrictions which the Israeli authorities place on their movements. Since the start of the second Intifada on 29 September 2000, at least five journalists have been killed and 62 have been wounded by Israeli gunfire. Reporters Without Borders has also registered more than 25 attacks on media personnel and at least 18 attacks on media premises and broadcasting equipment. In August 2001, after examining 45 cases of journalists who had sustained gunshot wounds in the Occupied Territories, Reporters Without Borders proposed a series of measures designed to reduce the risks for journalists³. The Israeli army adopted several of them but this did not eliminate the problem.

Journalists shot by the IDF

While the number of journalists wounded or killed by Israeli gunfire has fallen (17 wounded and none killed in 2006), concerns remain about journalists covering clashes between the Israeli

military and Palestinian militants. Reporters Without Borders expressed these concerns at a meeting with the Maj. Avital Leibovich, the head of the foreign press section in the office of the IDF spokesperson. "The investigations have not resulted in charges because the evidence proved insufficient for prosecuting any particular officer," she said.

One of the cases raised by Reporters Without Borders was that of 34-year-old British journalist James Miller, who was killed by a shot fired by an Israeli soldier in the Gaza Strip on 2 May 2003. The Israeli army dismissed the case but a British court concluded in April of this year that Miller was "deliberately" killed by an Israeli soldier. Miller, who was wearing a bullet-proof vest with the letters "TV" marked very large on it, was hit by a bullet fired from an assault rifle of the M16 type. However, Leibovich said the bullet retrieved from Miller's body was too damaged to be able to irrefutably link it to the firearm of the soldier who was alleged to have fired it.

"He acknowledged that he opened fire and thereby violated the rules of engagement," she said. "He was tried by court martial and found not guilty. In what was a very unusual move, IDF

³ Download the report "45 cases of journalists wounded by gunfire in the Occupied Territories" (108kb) in .pdf (Acrobat) format.

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prosecutors appealed against this verdict, but the appeal was thrown out. James Miller may



James Miller

have been killed by an Israeli shot but we are not sure.” Leibovich added that an appeal to the Israeli supreme court was still possible.

Reporters Without Borders was told by Israeli officers that the fall in the number of incidents involving journalists was due above all to information programmes and training seminars for soldiers and their superiors aimed at alerting them to “the importance of journalists’ work and the conduct to be followed when they are present in the field.” Army spokespeople also mentioned the implementation of many of the measures recommended by Reporters Without Borders in 2001, including the creation of an army hotline that is staffed 24 hours a day⁴. In crisis situations, media personnel can also receive alerts by e-mail or SMS on their mobile phones. Meetings are also regularly held between the military and the Foreign Press Association in Jerusalem.

Despite the significant drop in the number of incidents, Reporters Without Borders has registered 17 cases of journalists being wounded by Israeli gunfire since the start of the year. They include the case of *Dubai TV* cameraman Sabbah Hmaida, who was injured on 27 August while in a vehicle with press markings on the side and roof. He was with Fadel Shana of *Reuters* covering an Israeli army incursion into the Gaza Strip that had begun the previous evening. Two rockets struck the vehicle, injuring Hmaida in the leg. Since then he has had to use a walking stick and his hearing is impaired.



Sabbah Hmaida - 12/06

“I was in the *Reuters* jeep with one of their journalists,” Hmaida told Reporters Without Borders. “We went to cover an Israeli army

attack near Gaza City. We pulled over to the side of the road because there was still shooting. We were very careful. I sat in the car with my camera resting on my upper body. We were listening to what was happening on the radio. An Israeli reconnaissance plane passed over us. A few moments later, a rocket landed between my legs. The shrapnel hit me in the legs and arms. Fortunately, my life was saved by the camera I was holding against my body. I was not allowed to receive treatment in Israel, so I had to be taken to Jordan to be treated.”

When asked about this attack, Maj. Leibovich and Israeli army deputy spokesperson Col. Shlomi Am-Shalom said the vehicle’s movements seemed suspicious: “They advanced, they stopped, they advanced again and then they stopped. They even got out to talk to someone. The soldiers found this behaviour suspect and asked for the help of an air unit to fire on the road. It was 1 a.m. and it was impossible to see from the plane that it was a press vehicle. We took photos in the same conditions a week later to prove that the ‘TV’ markings were not visible at night time and we showed the pictures to *Reuters*. The *Dubai TV* journalist was anyway not authorised to be in this vehicle.” After promising to give Reporters Without Borders copies of the pictures, they said a few days later that the photos could no longer be found.

The Reporters Without Borders delegation met with another journalist who was wounded by Israeli gunfire in the Gaza Strip this year. It was photographer Hamid Al Khur of the Turkey-based news agency *Ihlas*, who was hit by three Israeli bullets while filming clashes between Palestinian militants and Israeli troops at Beith Lahiya in the north of the Gaza Strip on 7 July. Although wearing a bullet-proof vest, he was hit first in the chest, and then twice in the right arm. He was taken to Kamal Adwan hospital and then to a hospital in Jerusalem the next day. He underwent an operation in Israel before being flown to Turkey for a second operation.



Hamid Al Khur - 12/06

⁴ Army hotline: 03 60 80 245

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"I was covering an Israeli incursion into the north of the Gaza Strip that day," he told Reporters Without Borders. "I was photographing an explosion resulting from the bombardment of a house. When I tried to get closer, Israeli soldiers fired at me to dissuade me. I was just 500 metres from the soldiers and I was wearing my press vest. After being hit three times in the side, I lay on the ground, pretending to be dead so that they would stop firing."

The office of the IDF spokesperson told Reporters Without Borders that at the time of the incident "major clashes were taking place between Palestinian snipers and Israeli soldiers in the area where the cameraman said he was wounded." The IDF said its investigation was hampered by the absence of any response to a request to his news agency for information about the incident (detailed account, photos of the injury and hospitalisation form). The office of the spokesperson added: "We go to great lengths to avoid injuring either civilians or journalists who are in the field. We regularly ask them to refrain from going to the scene of clashes. Those who decide to go all the same must be aware of the danger they are running. If their lives are not threatened, our soldiers are given instructions not to fire on terrorists when that could put civilians in danger."

Special status of Palestinian journalists

As well as the threat of violence that all journalists working in the Gaza Strip face, there are difficulties that only affect Palestinian journalists. They are subject to draconian restrictions on their movements. Journalists living and working in the Gaza Strip are not allowed to go to the West Bank, and vice versa. Maj. Leibovich said: "Palestinian journalists are above all Palestinians, even if they enjoy a special status." The security situation is cited to justify this discrimination. "We cannot rule out the possibility of journalists being used to carry out bombings," she said.

These restrictions affect Palestinian journalists living in Israel as well as those living in the Palestinian territories. To give just one example among many, Awad Awad, a Palestinian photographer working for *Agence France-Presse* in Jerusalem, was not allowed to enter the Gaza Strip on 15 December. More disturbing was an IDF raid on the home of *Reuters* journalist Yousri Al-Jamal in the West Bank city of Hebron on 9 December. The soldiers said they were looking for firearms and "illegal substances."

Conclusions and recommendations

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Media personnel no longer feel safe in the Gaza Strip, not only because they fear being shot by the Israeli army but also, and perhaps above all, because they fear being caught in the tit-for-tat violence between the various Palestinian factions. The deteriorating political situation and fratricidal power struggle between the two main Palestinian parties has turned the Gaza Strip into a powder keg. Both Hamas and Fatah have been involved in attacks on news media and journalists. It is vital that all Palestinian factions should meet and issue a **joint statement calling for both local and foreign journalists to be respected**. But this statement will only have any effect when the Palestinian Authority decides to apply the law by **bringing those responsible for crimes against journalists to justice**. Prosecuting those who kidnap or attack journalists is the sine qua non for guaranteeing the safety of the press in the Palestinian territories.

The professionalisation of the media and the **opening-up of the state-owned media** – the news agency *Wafa* and the radio and TV broadcaster *PBC* – to all Palestinians regardless of their political affiliation are also essential conditions for improving press freedom. The **creation of a regulatory body** would also help control the excesses of media used as propaganda outlets by certain factions. The professionalisation of the media would also help to combat the stigmatisation of journalists, who are often branded as “traitors to the

nation” as soon as they try to stand back and distance themselves from the political parties.

At the same time, Reporters Without Borders calls on the Israeli authorities and especially the army high command to **systematically investigate all incidents** involving journalists and to **publish the findings of these investigations**. Thought should be given to creating **a distinctive sign for identifying journalists**, in order to reduce the number of these incidents and increase the protection of journalists working in dangerous area.

Reporters Without Borders is normally against the use of any distinctive sign that could mark journalists out as targets. Identifying oneself as a journalist in Iraq or Afghanistan significantly increases the risks to which one is exposed. But in some cases it could provide additional protection in the Palestinian Territories where journalists face a regular and professional army. Reporters Without Borders therefore proposes to rapidly bring together Palestinian and Israeli journalists, politicians from both camps and Israeli military officials to discuss this question and find a solution that would reduce the risks to which journalists working in the Palestinian territories are exposed.

Finally, Reporters Without Borders calls on Israel to **facilitate the movements of Palestinian journalists abroad and throughout the Palestinian territories**, especially between the Gaza Strip and the West Bank.