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ISRAEL AND THE OCCUPIED TERRITORIES: AMNESTY INTERNATIONAL CALLS FOR IMPLEMENTATION OF HUMAN RIGHTS COMMITTEE RECOMMENDATIONS

Amnesty International welcomes the recommendations of the UN Human Rights Committee and calls on the Israeli Government to implement them without delay.

“The Human Rights Committee’s conclusions are a carefully considered and serious criticism of practices carried out by the Israeli authorities in violation of international agreements which it has ratified,” Amnesty International said.

“The organization urges the Israeli Government to consider the recommendations with equal seriousness and to implement them”.

Expressing its deep concern at the continuing state of emergency prevailing since independence, the Committee reminded the Israeli Government that the International Covenant on Civil and Political Rights does not permit derogation from certain basic rights even in times of public emergency.

Israel’s 370-page report to the UN Human Rights Committee totally ignored the Occupied Territories and occupied South Lebanon. The Committee criticized this omission, pointing out “the longstanding presence of Israel in those territories, Israel’s ambiguous attitude to their future status and the exercise of effective jurisdiction by Israeli security forces therein.” It stated that “the Covenant...must be held applicable to the Occupied Territories and those areas of southern Lebanon and West Bekaa where Israel exercises effective control.”

The Committee called on Israel to include “all information relevant to the application of the Covenant in territories which it occupies” in its next report to be submitted by June 2000.

Among the more than 20 specific criticisms and recommendations, the report states that:

-methods used in interrogation techniques constitute a violation of article 7 (which forbids torture or cruel, inhuman or degrading treatment or punishment) and the Committee urges Israel to cease using methods including handcuffing, hooding, shaking and sleep-deprivation;

-the present application of administrative detention is incompatible with articles 7 and 16 (which provides that “everyone has the right of recognition as a person before the law”.) The Committee expressed concern at the detention of Palestinians detained by Israeli military order and at Lebanese prisoners held as “bargaining chips”. The Committee recommended that detention be “brought within the strict requirements of the Covenant and that effective judicial review be made mandatory”;

-given the numbers of Palestinians, including children, killed, the Committee called for rigorous enforcement as to the use of firearms and requested that the next report include “precise

information on the number of deaths, including those caused by rubber bullets, the number of complaints arising from their use and the number of defence and security personnel that have been punished or disciplined as a result”;

-the introduction of the draft law which would deny victims compensation for excesses committed by members of the security forces against Palestinian residents of the Occupied Territories was regretted;

-the demolition of Arab homes as a means of punishment and demolitions, in part or in whole, of “illegally” constructed Arab homes was deplored;

-the Committee recommended that “the rules and procedure relation to permanent residency status [in Jerusalem] be applied without discrimination”;

-while acknowledging security concerns the Committee urged Israel “to respect the freedom of movement provided for under article 12, including the right to return to one’s country”;

“Amnesty International regrets that the Committee has not mentioned the Israeli Government’s failure to grant access to the International Committee of the Red Cross to some prisoners and has not mentioned specifically the prison of Khiam in Israel’s occupied zone of South Lebanon, where detainees have been held for up to 12 years without trial,” Amnesty International said.

“The Committee should ask Israel to submit a supplementary report without delay on the implementation of the Covenant in the Occupied Territories.”

“However, Amnesty International believes that the UN Human Rights Committee’s conclusions make important suggestions which, if implemented, will bring positive changes to the present appalling situation of human rights in Israel and the Occupied Territories.”

Background

The UN Human Rights Committee is a body of 18 experts elected by the States Parties to the International Covenant on Civil and Political Rights (ICCPR) to monitor the way these states implement their obligations set out in the Covenant. Israel ratified the Covenant in 1991. State parties to the ICCPR are requested to submit periodical reports to the Committee every four years. The Committee members act in their personal capacity and do not represent their government. The Human Rights Committee regularly reviews written reports from states on how the Covenant has been implemented by questioning government representatives and issuing written conclusions. During the present session held in Geneva the reports of Israel, Algeria, Italy, Macedonia and Tanzania were examined.

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