

URGENT ACTION

PALESTINIAN ACADEMIC'S DETENTION EXTENDED

Palestinian academic Ahmad Qatamesh received a new six-month administrative detention order on 2 September. The military judicial review of the order has been postponed; he remains in detention and cannot appeal until the review takes place.

Ahmad Qatamesh, who has been detained since 21 April, was given another six-month administrative detention order on 2 September, the day that his original administrative detention order was due to expire. The new order was signed by the Israel Defense Forces (IDF) Military Commander in the West Bank. He was informed of the new order in his prison cell in Ofer detention centre while a copy was faxed to his lawyer.

Administrative detention orders are subject to review by a military judge within eight days; the judge can cancel or reduce the time period of the order, but usually confirms it. In Ahmad Qatamesh's case, the review scheduled for 5 September was postponed by the judge upon the request of the military prosecution. The judge did not set a revised date for the review hearing, but Ahmad Qatamesh's lawyer expects it to take place by the end of September. His lawyer cannot appeal the new order until the military judge concludes the judicial review.

Ahmad Qatamesh's case has been beset by delays and irregularities since his arrest on 21 April. The review hearing for his previous six-month detention order, scheduled for 12 May, was adjourned until 15 May because a representative of the Israel Security Agency failed to attend to present the secret evidence which they claim justifies his detention. On 19 May the military judge issued a decision confirming the order but reducing it from six to four months. As mentioned, there are now delays with the judicial review of his new six-month order.

Amnesty International is concerned that he may be detained solely for the peaceful expression of his political views, in which case the organization would consider him a prisoner of conscience. According to his wife and his lawyer, he has been interrogated for no more than a total of 10 minutes since his arrest on 21 April.

PLEASE WRITE IMMEDIATELY IN HEBREW OR YOUR OWN LANGUAGE:

- Expressing concern that Ahmad Qatamesh may be a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression, in which case he should be released immediately and unconditionally;
- Urging the authorities otherwise to release Ahmad Qatamesh without delay unless he is to be charged with a recognizably criminal offence and promptly tried in accordance with internationally accepted standards for fair trial;
- Calling on the authorities to end the use of administrative detention.

PLEASE SEND APPEALS BEFORE 21 OCTOBER 2011 TO:

Military Judge Advocate General

Major General Avihai Mandelblit

6 David Elazar Street

Hakiryia, Tel Aviv, Israel

Fax: +972 3 569 4526

Email: avimn@idf.gov.il

**Salutation: Dear Judge Advocate
General**

Commander of the IDF – West Bank

Major-General Avi Mizrahi

GOC Central Command

Military Post 01149

Battalion 877

Israel Defense Forces, Israel

Fax: +972 2 530 5741 / +972 2 530
5724

**Salutation: Major-General Avi
Mizrahi**

Deputy Prime Minister and Minister of Defence

Ehud Barak

Ministry of Defence

37 Kaplan Street, Hakiryia

Tel Aviv 61909, Israel

Fax: +972 3 696 2757

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Please check with your section office if sending appeals after the above date. This is the 2nd update of UA 127/11. Further information:

<http://www.amnesty.org/en/library/info/MDE15/024/2011/en>, <http://www.amnesty.org/en/library/info/MDE15/026/2011/en>

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ADDITIONAL INFORMATION

Ahmad Qatamesh is an academic and writer who has previously criticized both the Israeli authorities and the Palestinian Authority. Arrested by the IDF in 1992, he was held for over a year before being placed under administrative detention after a judge had ordered his release on bail. He reported that he was tortured during his interrogation, and he later documented his experiences in a publication called *I shall not wear your tarboosh* (fez]. His administrative detention order was renewed repeatedly until he was eventually released on 15 April 1998. During these years, Amnesty International members campaigned against his continued detention without charges.

There are numerous concerns about the procedures followed in Ahmad Qatamesh's most recent arrest and detention. He was arrested on 21 April at 2am at the house where he was staying in al-Bireh, in Ramallah. The security forces had first gone to his family's home to arrest him and, when they did not find him there, broke down the door of the neighbour's house to search for him. According to his daughter, they then ordered her at gunpoint to telephone him. His wife told Amnesty International that Ahmad Qatamesh gave the security forces directions to reach the house where he was staying so they could arrest him. She said that during the arrest, the security forces made no attempt to search the contents of either their home or the house where they arrested him.

Before he was handed a six-month administrative detention order on 3 May, a military court official told Ahmad Qatamesh's lawyer that he would be released at 5pm that day, and a prison officer gave him the same message. The order of 3 May seemed to have been produced for another detainee, since Ahmad Qatamesh's name was written over correction fluid. The order was for an "extension" of administrative detention even though this was Ahmad Qatamesh's first administrative detention order since the 1990s. His lawyer was subsequently informed that the Israel Security Agency (ISA) requested his detention based on undisclosed "evidence" relating to allegations that he is active in the Popular Front for the Liberation of Palestine (PFLP), which he has consistently denied. As in all administrative detention cases, neither Ahmad Qatamesh nor his lawyer have been allowed to examine or challenge this "evidence".

On 19 May, the military judge confirmed the detention order but reduced it to four months. She acknowledged that the original order of 3 May had contained factual errors and had been produced for another detainee and adapted for use in Ahmad Qatamesh's case. Nonetheless, she concluded that the ISA's secret evidence against him justified his detention for security reasons.

Administrative detention is an Israeli procedure under which detainees are held without charge or trial for periods of up to six months which are renewable indefinitely. No criminal charges are filed against administrative detainees and there is no intention of bringing them to trial. Detainees are held on the basis of "secret evidence" which the Israeli military authorities claim cannot be revealed for security reasons. Hence the "secret evidence" on which the military authorities base their decision to issue an administrative detention order is not made available to detainees or their lawyers, and detainees cannot challenge the reasons for their detention. The Israeli authorities have used administrative detention against thousands of Palestinians over several decades, but the number of administrative detainees has decreased over the last three years. In July 2011, 243 Palestinians were being held as administrative detainees, according to Israel Prison Service statistics.

The PFLP is a left-wing Palestinian political party which also has an armed wing. While Ahmad Qatamesh was a political and intellectual supporter of the PFLP in the 1990s, he says he has not been involved with them for 13 years. To Amnesty International's knowledge, he has never been involved with PFLP-affiliated armed groups or advocated violence.

Name: Ahmad Qatamesh

Gender m/f: male

Further information on UA: 127/11 Index: MDE 15/031/2011 Issue Date: 9 September 2011