

Public Statement

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Israel/Occupied Territories/Palestinian Authority "DEVELOPING A HUMAN RIGHTS AGENDA FOR PEACE"

Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

[Preamble of the Universal Declaration of Human Rights]

Amnesty International calls unreservedly for the full enjoyment of the human rights in the Universal Declaration of Human Rights for all people.

A major flaw of the process which began with the Oslo Agreement of 1993 was that peace was not founded on ensuring respect and protection for human rights.

The past months have shown more clearly than ever that if human rights are sacrificed in the search for peace and security there will be no peace and no security. Even if the human rights agenda is not the only answer, it must be part of the solution.

Many of the abuses of human rights which have taken place over the past years have even been carried out in the name of Apeace@. But the suppression of human rights has also been a catalyst in encouraging and facilitating human rights abuses by those who oppose the peace process. The failure to uphold people=s basic rights feeds hatred and perpetuates abuses. All those in a position of authority must recognize that the right to life, physical and mental integrity, freedom from arbitrary detention, freedom of movement, freedom of expression and freedom from fear and want are the inalienable rights of both

Israelis and Palestinians. The human rights of one individual can not be founded on the loss of rights of another individual.

Amnesty International underlined the need to base peace on the human rights enshrined in UN human rights standards during visits to Israel and the Palestine Liberation Organization in Tunis immediately after the Oslo Agreement of September 1993. Since then, Amnesty International has continued to deliver this message.

Now the organization is calling again for human rights to be put at the heart of the agenda for peace. We call for the human rights agenda to form the basis of discussions within Israeli and Palestinian civil society so that the Israeli and Palestinian people themselves accept and define the human rights principles on which peace must be founded. The rights outlined below are among those enshrined in the Universal Declaration of Human Rights. **This list of rights is based on Amnesty International's specific human rights mandate; the list is neither definitive nor final: others will have their own list.** But what is important is that universal human rights standards should be the benchmark of a peace which reflects respect for human rights, mutual respect, and the dignity and worth of each person.

These are some of the fundamental human rights whose respect and protection must be enshrined in any future agreement.

1. Everybody has the right to life, liberty and security of person. Extrajudicial executions, suicide bombings or other attacks against civilians, excessive lethal force and targeting of residential areas have violated the right to life of hundreds. The life of each individual must be protected. The authorities must prohibit unlawful killings. Opposition groups must equally not carry out unlawful killings. Every killing must be investigated and the perpetrators of any unlawful killing should be brought to justice in fair trials. The Palestinian Authority should abolish the death penalty.

2. No one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Torture and police brutality has been frequent both in

Israel and under the jurisdiction of the Palestinian Authority. Torture, brutality by the security forces, and all other cruel treatment or punishment should be eradicated; any cases of torture or ill-treatment should be immediately independently and thoroughly investigated and the perpetrators brought to justice in fair trials. Incommunicado detention should be ended and all detainees should have prompt access to lawyers and family.

3. No one should be subjected to arbitrary arrest and detention. In Israel detainees have been held without charge or fair trial in administrative detention; under the Palestinian Authority hundreds have been held without charge or trial even after the Palestinian High Court of Justice has ordered their release. Such arbitrary detention has often been carried out in the name of the fight against Aterrorism@. All political prisoners held without charge or trial should be tried in fair trials or immediately released.

4. Everyone has the right to a fair trial. In Israel the trials of Palestinians in military courts have diminished defendants= rights to fair trials. Under the Palestinian Authority the State Security Court hands down sentences in summary trials in flagrant violation of fair trial rights. Palestinian military courts have also held unfair trials. Laws and practice in Israel, the Occupied Territories and the Palestinian Authority must ensure respect for the right to fair trial as enshrined in international human rights standards.

5. All persons are free and equal in dignity and rights. There should be no distinction or discrimination against anyone on the grounds of ethnic origin, religion, sex or other status in the enjoyment of human rights and freedoms. Discriminatory laws and practices should be abolished including those which have caused the destruction of Palestinian houses and property.

6. Everyone has the right to freedom of movement. The past seven years have witnessed profound and flagrant denials of the right to freedom of movement. The closures are a grave human rights violation targeted against Palestinians in the Occupied Territories. The occupied territories have become a land of barriers between town and town and between village and village. Palestinian towns and villages have been cut off from the outside world for days and often weeks; trenches have been dug round Jericho and Ramallah. The great majority of the

inhabitants of Gaza have been enclosed for years as though in a prison and Palestinians from the Occupied Territories are unable to enter Jerusalem without a permit. Even those seeking medical treatment have frequently been barred entry. The Israeli Government denies entry to Gaza to its own citizens. These barriers to free movement should now be removed.

7. Everyone has the right to return to his or her country. The right to return is an individual human right which cannot be given away as a political concession. Palestinians in exile should be given the choice to exercise such a right and return to Israel, the West Bank or Gaza Strip as appropriate. Palestinians should also be allowed to choose other durable solutions, such as integration in their host country or resettlement in a third country. Those who choose not to return are entitled to compensation. Those returning should also receive compensation for lost property. The same rights relating to return and compensation should also be given to Israelis who fled or were forced out of Arab and other countries.

8. Everyone has the right to freedom of thought, opinion and expression. Under the Palestinian Authority critics of the authority or the peace process have been harassed, arrested and imprisoned, often without charge or trial. The Israeli authorities have restricted the movement of human rights activists and journalists have been shot at. Peaceful expression of ideas and opinions which does not constitute advocacy of violence, hatred, slander or libel should be guaranteed and any person detained solely for the expression of conscientiously held beliefs should be released immediately and unconditionally.

9. Women have the right to full equality. The freedom of women is limited by discriminatory codes and practice. Equality of women should be enshrined in law and practice.

10. There should be no impunity for human rights abuses. Allegations of human rights abuses should be promptly, impartially and thoroughly investigated and perpetrators brought to justice in fair proceedings.

All human rights are interdependent and indivisible and universal. In accordance with its mandate, Amnesty International takes action against some of the gravest violations by governments of peoples civil and political rights. Amnesty

International also promotes the observance of all human rights enshrined in the Universal Declaration of Human Rights and other international standards, including economic, social and cultural rights.

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