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Palestinian Authority: Silencing dissent

In the past six years the Palestinian Authority (PA) has detained dozens of persons for peacefully exercising their rights to freedom of expression, says Amnesty International in a new report released today.

"Human rights defenders, journalists, religious figures, writers, government officials, trade unionists and academics have all been detained as prisoners of conscience", the human rights organization said. "They are almost invariably detained outside the law and often held incommunicado".

Reasons are rarely given for the arrests. But issues that frequently are followed by arrest include criticism of the PA, in particular discussion of alleged corruption, human rights abuses or the peace talks with Israel.

"Often critics of the PA have been invited by one of the Palestinian security services for a short meeting over 'a cup of coffee', only to emerge from detention days, weeks or even months later", said the human rights organization. At least 13 such prisoners of conscience have been held since the start of this year.

There are a number of laws, including laws inherited from the British Mandate and the 1995 Press and Publications Law which could be used to authorize the detention of persons who have simply used their right to freedom of expression. Despite such laws, one of the hallmarks of human rights violations by the PA, including infringements of the right to freedom of expression, is that such violations usually occur outside any legal framework altogether.

Sabri Abu Diab, a preacher from Silwan. East Jerusalem, was arrested by the Palestinian general intelligence on 7 November, two days after he had criticised the Israeli-Palestinian peace process in a sermon in a Ra's al-'Amud mosque. He was never interrogated or shown a warrant but he was told that his detention had been ordered by President Arafat and that only he could order his release. After 21 days he was asked to sign an undertaking not to speak against the PA; he refused but was nevertheless released the same day.

Eight of the signatories of a petition signed by 20 prominent Palestinians which severely criticised the PA were detained by Palestinian security services shortly after it was made public on 27 November 1999.

Six of the detained were released after a month, while the other two, Dr Ahmad Shakr Dudin and Dr 'Abd al-Sattar Qasem, remained in detention until January 2000. Dr 'Abd al-Sattar Qasem was rearrested in February, again without any legal process. In July the Palestinian High Court of Justice ordered his release, but he was only freed on 28 July.

'Abd al-Fattah Ghanem, a presidential adviser on refugees, was summoned on 20 June 2000 by the Palestinian police and arrested. A Palestinian police officer told his family that he had been arrested on orders from the President. He was held in incommunicado detention until 27 July, when his family was allowed to visit him. Two months later he was still denied access to his lawyers and further family visits had been refused. No reason was given for his arrest but his family believed that he was held because of his statements to newspapers regarding the failure to find a just settlement to the Palestinian refugee issue.

The PA has also closed down newspapers, research centres, news agencies, and television and radio stations for making critical remarks about the PA.

Beatings have also been used by the security forces as a means to put pressure on journalists going about their duties. In August 1998, members of the Palestinian police severely beat Munir Abu Rizq, the chief editor of the daily al-Hayat al-Jadida after he tried to enter the headquarters of the Palestinian police in Gaza City to cover a session of the special military court which was trying three Palestinians, two of whom were sentenced to death and immediately executed for murder.

Even public figures have not been safe. On 16 December 1999, General Intelligence officers physically attacked a member of the Palestinian Legislative Council, 'Abd al-Jawad Saleh, while he was peacefully demonstrating against the detention of eight Petition 20 signatories.

The Palestinian draft Basic Law, which was ratified by the PLC and ensures the right to liberty and security of the person and the right to freedom of expression, has never been ratified by the President.

"Freedom to express and report dissenting opinions is not only a fundamental human right, it is a prerequisite for the exercise of other rights", said Amnesty International.

"We are calling on the PA to ensure that no one is detained or subjected to harassment for the non-violent expression of their beliefs. Freedom of expression is a cornerstone of public accountability".

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