

AI INDEX: MDE 15/08/96

EMBARGOED UNTIL 5 FEBRUARY 1996

**SUMMARY OF AMNESTY INTERNATIONAL'S CONCERNS AND
RECOMMENDATIONS IN ISRAEL AND THE OCCUPIED TERRITORIES INCLUDING
AREAS UNDER THE JURISDICTION OF THE PALESTINIAN AUTHORITY**

During Amnesty International's visit to Israel and the Occupied Territories and the Palestinian Authority (4-11 February 1996), the organization will be raising with political authorities concerns about human rights violations and recommendations for improving the human rights situation in Israel, Gaza and the West Bank.

The following summary highlights human rights violations committed since 4 May 1994, when the Israeli government and the Palestine Liberation Organization (PLO) signed the Agreement on the Gaza Strip and the Jericho Area. It also reviews the key recommendations Amnesty International will be making during its visit.

1. Human Rights Violations

Israel and the Occupied Territories

In the areas of Israel and the Occupied Territories under direct Israeli rule, many of the human rights violations that occurred before the signing of the agreement have continued in its wake -- mass arrests, lengthy administrative detention, possible unlawful killings and torture and ill-treatment.

Since 4 May 1994, Israeli forces have arrested more than 6,000 Palestinians, including prisoners of conscience and possible prisoners of conscience, often in mass round-ups following suicide bombings and other attacks on Israeli targets. Among those arrested have been suspected activists in Islamist organizations, who have been detained for up to 30 days without being allowed to see lawyers and for up to 140 days cut off from their families.

Many of those arrested and held in incommunicado detention for long periods have been tortured and ill-treated. Secret internal guidelines for interrogation allow Israeli officials to apply "a moderate measure of physical pressure". Since October 1994, after a suicide bombing in the heart of Tel Aviv which 23 civilians killed, the General Security Service (GSS) has been allowed to use increased physical pressure. In April 1995 a detainee died after violent shaking, yet the Ministerial Committee overseeing the GSS has allowed violent shaking to continue. In January this year, even the Supreme Court rule that physical pressure could be used on detainees. And now the Knesset is to debate two bills -- the Prohibition of Torture Law and the GSS law which may actually legalize torture.

Palestinians held for interrogation are commonly hooded and subjected to prolonged sleep deprivation usually while shackled in painful positions. Many allege that they were beaten. Of the more than 7,000 Palestinians tried and convicted in military trials since 1994, many were convicted solely on the basis of confession or testimonies from fellow-detainees apparently obtained under duress.

More than 150 Palestinians have been killed by members of the Israeli security forces since May 1994, many in circumstances suggesting they were victims of extrajudicial executions or other unlawful killings. They include people killed by Israeli undercover units, people killed during riots or demonstrations and those who failed to stop at roadblocks.

Many Lebanese detainees who are being held in Israel under administrative detention have been held beyond the expiry of their sentence or have never have a fair trial. More than 200 detainees being held in Khiam detention centre in South Lebanon appear to have no legal status.

The Palestinian Authority

Waves of arbitrary detentions suspected opponents of the peace process, including Islamists, have taken place in the Gaza Strip since May 1994. In response to specific attacks on Israelis in Israel and the Occupied Territories, Palestinian Authority forces have arrested scores and sometimes hundreds of Islamists and other suspected opponents of the peace agreement and journalists critical of the Palestinian Authority. They included prisoners of conscience and possible prisoners of conscience.

Most of those arrested in 1994 were released after a few days, but in 1995 many of those arrested were held without charge or trial for months. The majority of arrests were carried out without warrants, detainees were not brought before a magistrate and they were frequently denied access to lawyers and family.

Reports of torture or ill-treatment began to emerge soon after the establishment of the Palestinian Authority, most involving detainees accused of “collaboration” with Israel or of criminal offences. People have also suffered extrajudicial punishment, like kneecapping. Human rights defenders and journalists have also been arrested. Six detainees have died in custody in circumstances which suggest that torture or ill-treatment caused or contributed to their deaths.

The State Security Court in Gaza, established by the Palestinian Authority, began trying cases in April 1995. Those tried were accused of training suicide bombers and gunrunning, but also included a journalist accused of writing a seditious article and merchants selling goods beyond the sell-by date. The trials were grossly unfair, with defendants having no advance notice of their trial. They were represented only by court appointed lawyers, reportedly employed by the security services. Trials were held in secret and often lasted only minutes; sentences ranged up to 25 years’ imprisonment.

2. Amnesty International's Main Recommendations

Israel and the Occupied Territories

1. Ban the use of torture against all detainees, review the secret guidelines to ensure that they and all laws and practices conform with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Any use of "physical pressure" during interrogation, and any other method aimed at forcing confessions, must be absolutely prohibited.
2. End extrajudicial executions, revise the "open fire" guidelines to ensure that unlawful killings cease, and prosecute those who commit such killings.
3. End administrative detention which denies individuals of the right to a fair trials
4. Ensure that all trials are carried out according to international fair trial standards ratified by Israel.
5. Free or bring to fair trial Lebanese prisoners in detention in Israel and Khiam prison.
6. Free Mordechai Vanunu in redress for the human rights violations he has suffered.
7. Ratify the first and second Protocols to the International Covenant on Civil and Political Rights and remove reservations to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Palestinian Authority

1. End torture and ill-treatment and prosecute those responsible for meting out such treatment.
2. End arbitrary political arrests, ensure that all arrests are carried out according to the law, and immediately release all prisoners of conscience.
3. Halt unfair trials before the State Security Courts and provide new, fair trials for those already convicted.
4. Abolish the death penalty and commute the death sentence already imposed.

ENDS\