

EXTERNAL

AI Index: MDE 15/67/91
Distrib: PG/SC

Date: 16 December 1991

MEDICAL CONCERN

**@Dr Rabah Hasan 'Abd al-'Aziz Mohanna
ISRAEL AND THE OCCUPIED TERRITORIES**

Dr Rabah Hasan 'Abd al-'Aziz Mohanna is a senior doctor from Gaza City in the Gaza Strip. He was arrested on 29 October 1991 on the eve of the Middle East Peace Conference in Madrid about which he had publicly expressed reservations. Dr Rabah Mohanna is currently held in the Ketziot detention centre in southern Israel. He is aged 42 and is Vice-President of the Arab Medical Association in Gaza. The President of the Medical Association was one of the Palestinian delegates to the Madrid Peace Conference.

Dr Rabah Mohanna graduated in medicine from al-Azhar University in Cairo in 1973 and studied further in Egypt and Scotland. He returned to the Gaza Strip to work in al-Shifa Hospital in Gaza and was in charge of the diabetes program in the Gaza Strip. He is married with five children.

At approximately 10pm on 28 October 1991 Dr Mohanna received a phone call from the military headquarters in Gaza City requesting that he report there the following day. At 10am on 29 October Dr Mohanna went to the military headquarters where he had a brief meeting with the authorities before being arrested and taken to Gaza Central Prison. He was later transferred to the Beach Detention Centre where he was allowed to make a brief telephone call to his family to inform them of his detention.

Dr Mohanna's lawyer contacted the legal adviser of the Gaza Strip later that day seeking permission to visit his client and information on the legal basis for his detention. His request for a visit was refused. On 30 October he was informed that Dr Mohanna had been issued with a six-month administrative detention order. The reason given for his detention was apparently that Dr Mohanna was alleged to be prominent in the Popular Front for the Liberation of Palestine (PFLP) in Gaza.

Dr Mohanna has apparently said that he believes his arrest and detention to be the result of his reservations about the Madrid Peace Conference which he had publicly expressed on a number of occasions. He has appealed against his detention order, but no date for his appeal hearing has been set as yet.

Dr Rabah Mohanna was transferred to Ketziot detention centre in early November. He is reported to suffer from chronic calculous cholecystitis (gall stones with inflammation), a duodenal ulcer and chronic bronchitis, for which he should be receiving medical care. No information is currently available on his present state of health.

Administrative detention in Israel and the Occupied Territories

In Israel and the Occupied Territories, administrative detention orders may be issued by the Minister of Defence or a military commander if they believe the detention of any individual to be warranted by reasons of security. In the Occupied Territories (with the exception of East Jerusalem), it is military commanders who issue such detention orders and detainees have no access to a judge until they have appealed against their detention and the appeal hearing begins. This appeal is heard by a military court judge and the hearing takes place several weeks, sometimes months, after arrest. Even then, in almost every case, detainees and their lawyers are provided with insufficient information about the grounds for arrest to enable them to effectively challenge the detention order.

In the Occupied Territories (except East Jerusalem) administrative detention orders can be issued for a maximum period of 12 months, and may thereafter be renewed indefinitely for further periods of up to 12 months. Since the outbreak of the Palestinian uprising in December 1987, more than 15,000 Palestinians have spent some time in administrative detention.

Amnesty International opposes the detention without a fair trial of all political prisoners, including administrative detainees. It believes that the practice of administrative detention in Israel and the Occupied Territories violates fundamental human rights. Administrative detention can and has been used by the Israeli authorities to detain prisoners of conscience, held for their non-violent exercise of the right to freedom of expression and association. This is facilitated by the broad formulation of the grounds for detention.

In Dr Mohanna's case, Amnesty International does not have sufficient information to determine whether his publicly expressed reservations about the Madrid Peace Conference were the sole reason for his detention. If indeed they were, he would be considered a prisoner of conscience who should be immediately and unconditionally released. Amnesty International believes that unless Dr Mohanna is to be charged with a recognizably criminal offence and given a fair and prompt trial, he should be released from detention.

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To: Medical professionals
From: Medical Office / Research Department - Middle East
Date: 16 December 1991

MEDICAL LETTER WRITING ACTION

**Dr Rabah Hasan 'Abd al-'Aziz Mohanna
ISRAEL AND THE OCCUPIED TERRITORIES**

Keywords

Theme: administrative detention

Profession/association: doctor/Arab Medical Association in Gaza

Summary

Dr Rabah Hasan 'Abd al-'Aziz Mohanna, from the Gaza Strip, was arrested on 29 October 1991 on the eve of the Madrid Peace Conference. A six-month administrative detention order was served against him and it is believed that the reason for his arrest may have been his publicly-expressed reservations about the Peace Conference. No date has yet been set for his appeal. Dr Mohanna is Vice-President of the Arab Medical Association in Gaza.

Recommended Actions

Letters are requested from medical professionals to the addresses given below:

- expressing concern at the arrest of Dr Rabah Hasan 'Abd al-'Aziz Mohanna in Gaza on 29 October 1991¹ and at the administrative detention order which has been served against him
- stating that it appears that he may have been arrested solely for having publicly expressed reservations about the Madrid Peace Conference and urging that, if this is the case, he be immediately and unconditionally released
- noting that Dr Mohanna may require medical care for the health problems he suffers and seeking assurances that he has access to adequate medical attention while he remains in the Ketziot detention centre

¹(You should give Dr Mohanna's full name, identity number [927726125], occupation and place of residence [Rimal, Gaza City].)

- seeking clarification of the reason for his arrest and urging that, unless he is to be promptly tried and charged with a recognizably criminal offence, he be released from custody.

Addresses

Yitzhak Shamir
Prime Minister
Office of the Prime Minister
3 Kaplan Street
Hakiryia
Jerusalem 91919
Israel

Moshe Arens
Minister of Defence
7 "A" Street
Hakiryia
Tel Aviv 67659
Israel

Commander Ze'ev Shaltiel
Warden
Ketziot Detention Centre
Quseima
Israel

Copies should be sent to:

Judge Yosef Harish
Attorney General
PO Box 1087
Jerusalem
Israel

Copies may also be sent to any of the following addresses, marked 'for information only'

The Arab Medical Association in Gaza
PO Box 1048
Gaza
via Israel

The Association of Israeli-Palestinian Physicians for Human Rights
PO Box 10235
Tel Aviv 61101
Israel

The Director
al-Shifa Hospital
Gaza
via Israel

Gaza Community Mental Health Programme
PO Box 1049
Gaza
via Israel