

URGENT ACTION

ACTIVIST JAILED FOR PEACEFULLY DEMONSTRATING
Palestinian activist Bassem Tamimi was sentenced to jail for four months on 6 November for his involvement in non-violent demonstrations against Israeli settlements. He is a prisoner of conscience. Two Palestinian demonstrators, including Bassem Tamimi's brother-in-law, were killed by Israeli security forces during demonstrations on 17 and 19 November against Israel's attacks on Gaza in its recent "Operation Pillar of Defense"

An Israeli military court sentenced **Bassem Tamimi** to four months in prison and fined him 5,000 Israeli shekels (about US\$1,280) on 6 November 2012, for his part in a demonstration on 24 October 2012. As part of a plea bargain, the military judge also imposed a three-month suspended sentence that will remain active for three years. Bassem Tamimi felt compelled to make a plea bargain because he was breaching "Military order 101" – which unlawfully restricts the rights to freedom of expression and assembly - by demonstrating peacefully.

Bassem Tamimi was charged by Ofer Military Court with "interference with the work of a police officer" and "participation in an unlicensed demonstration". A charge of "assaulting a police officer" was dropped, after the military prosecution acknowledged he did not use or advocate violence at the demonstration, based on video evidence. A charge of "activity against the public order" was also dropped, although he still faces a 17-month suspended sentence on this charge from a trial that concluded in May 2012. Bassem Tamimi has been persecuted for his organization of peaceful protests against Israel's illegal settlements in his village of al-Nabi Saleh in the Occupied West Bank, over the last three years, as have other residents and members of his family.

Bassem Tamimi's brother in law, **Rushdi Tamimi**, 31, was wounded when Israeli soldiers fired live ammunition at demonstrators in al-Nabi Saleh on 17 November 2012; he died in the Ramallah hospital on 19 November. Palestinians across the West Bank protested against Israel's military operation "Pillar of Defense" against the occupied Gaza strip aimed at halting rocket attacks into Israel by Palestinian armed groups in Gaza. **Hamdi Fallah**, 22, was killed on 19 November when Israeli soldiers fired live ammunition at protestors in Hebron.

Please write immediately in Hebrew, English or your own language:

- Expressing concern that Bassem Tamimi is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression, and calling for his immediate and unconditional release;
- Calling for the right to freedom of expression and assembly to be protected in the Occupied Palestinian Territories by rescinding "Military Order 101" which unlawfully restricts these rights;
- Urging the Israeli authorities to carry out prompt and independent investigations into the killing of Rushdi Tamimi and Hamdi Fallah in the West Bank

PLEASE SEND APPEALS BEFORE 9 JANUARY 2013 TO:

President of the State of Israel

Shimon Peres
 The Office of the President
 3 Hanassi Street
 Jerusalem 92188, Israel
 Fax: +972 2 561 1033; +972 2 566 4838
 Email: public@president.gov.il;
 president@president.gov.il;
Salutation: Your Honour

Deputy Prime Minister and Minister of Defence

Ehud Barak
 Ministry of Defence
 37 Kaplan Street, Hakiryia
 Tel Aviv 61909, Israel
 Fax: + 972 3 69 16940; +972 3 691 7915
Salutation: Dear Minister

And copies to:

Minister of Public Security
 Yitzhak Aharonovitch
 Ministry of Public Security
 Kiryat Hamemshala
 Jerusalem 91181, Israel
 Fax: +972 2 584 7872
 Email: sar@mops.gov.il
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
 INTERNATIONAL**



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ADDITIONAL INFORMATION

Bassem Tamimi, aged 44, is married with four young children. He has repeatedly affirmed non-violent principles in his defence of villagers against the construction of settlements on occupied territories which violates international law. A military court had previously sentenced Bassem Tamimi in May 2012 to 13 months in prison, which he had at the time already served in detention, for his role in organizing regular non-violent protests against Israeli settlements in the West Bank. The military court also ruled for a 17 month suspended sentence. During his detention, Amnesty International considered him to be a prisoner of conscience, and called for his immediate and unconditional release. Amnesty International has previously documented the torture of Bassem Tamimi by Israeli security authorities in 1993. After his arrest on 9 November 1993 interrogators shook him so violently that he suffered a subdural haematoma, leaving him in a coma for six days, during which time he underwent life-saving surgery. He was subsequently released without charge on 6 December 1993.

Palestinians in the Occupied Palestinian Territories have long faced severe restrictions on their freedom of expression and assembly from the Israeli military. Israeli military law imposed in the occupied West Bank places sweeping and arbitrary restrictions on freedom of expression and assembly, making any unauthorized peaceful protests by Palestinians a criminal offence. "Military Order 101" requires permission from an Israeli military commander for all gatherings of 10 or more people "for a political purpose or a matter that could be interpreted as political" and carries a maximum 10-year sentence if violated.

The Israeli army has also repeatedly used excessive force against Palestinian demonstrators in the West Bank protesting the expansion of settlements and the building of the fence/wall on Palestinian lands. Israeli forces regularly cause injury to protesters in villages such as Bil'in, Ni'lin, al-Nabi Saleh, and Kafr Qaddoum. Protestor Mustafa Tamimi was hit in the face by a tear gas canister fired at close range from an Israeli military jeep in al-Nabi Saleh on 9 December 2011 and died the next day in hospital.

Al-Nabi Saleh has been a focus of demonstrations against land appropriation for settlements. The village lands, including a water source, have been taken over by the neighbouring Israeli settlement of Halamish. All Israeli settlements in the occupied West Bank, including East Jerusalem, are illegal under international law, and Israel's policy of settling its civilians on occupied land is considered a war crime according to the statute of the International Criminal Court. Israel has established some 150 settlements in the West Bank. On the same day that Bassem Tamimi was sentenced for protesting against settlements, Israel announced new tenders for the construction of 1,213 homes in settlements in occupied East Jerusalem.

During the Israeli military operation "Pillar of Defense" 14 – 21 November, thousands of Palestinian demonstrators took to the streets across the West Bank to protest Israel's military attack on the Gaza strip. Around 160 Palestinians including around 103 civilians were killed during the eight-day operation; six Israelis, including four civilians were killed as a result of rocket attacks fired by Palestinian armed groups in Gaza. The Israeli security forces met the demonstrators with apparent excessive force, killing two protestors and injuring dozens more. On 17 November Rushdi Tamimi, 31, a father of one, was shot in the lower back with live ammunition in al-Nabi Saleh. A video shows him surrounded by Israeli soldiers, who delayed his family from taking him to an ambulance. He died from the wounds in the Ramallah hospital on 19 November. On 19 November 2012, Israeli security forces killed Hamdi Fallah, 22, in Halhul, north of Hebron. According to the Israeli human rights organization B'tselem, Hamdi Fallah received four live bullets to the chest, arm and leg.

News story and video: <http://www.amnesty.org/en/news/palestinian-activist-jailed-west-bank-protest-must-be-freed-2012-11-07>

Name: Bassem Tamimi, Rushdi Tamimi, Hamdi Fallah

Gender m/f: m

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