

EXTERNAL (for general distribution)

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Further information on EXTRA 108/92 (MDE 15/32/92, 21 December 1992) and follow-ups MDE 15/33/92 of 23 December 1992 and MDE 15/01/93 of 13 January 1993 - Deportation/Fear for safety

ISRAEL/SOUTH LEBANON:Over 400 Palestinians

On 28 January 1993 the Israeli High Court of Justice declared invalid the government's decision of 16 December 1992 which amended military regulations to allow deportations on security grounds for up to two years and with the right of appeal afforded only after the deportation is carried out. However, the Court also ruled that the individual deportation orders of over 400 Palestinians issued subsequently were not invalid, but said that appeal hearings must take place in the presence of any deportee who appealed. It indicated that, in order to ensure the presence of deportees, the appeal hearings may take place anywhere where the Israeli authorities could guarantee the safety and proper conduct of the proceedings.

Of the 415 Palestinians deported from the Occupied Territories on 17 December 1992, 396 remain in their makeshift camp in harsh conditions in south Lebanon.

Of the remaining 19, one was returned on 9 January and 13 on 24 January after Israel said it had deported them "by mistake" (two others also deported "by mistake" reportedly refused to go back). Most of these 14 went back to face charges or continue serving prison terms. Five others have been moved to hospitals in south Lebanon because of their medical situation.

The International Committee of the Red Cross protested against the deportation orders on 17 December 1992, stating that deportations are a grave breach of the Fourth Geneva Convention, which prohibits them regardless of their motive.

The United Nations' Security Council in its Resolution 799 of 18 December 1992 strongly condemned the deportations and demanded that Israel ensure the safe and immediate return of all those deported.

Amnesty International renews its appeals for the remaining 396 deportees to be returned without delay. Those suspected of an offence should be charged and given a prompt and fair trial. Otherwise they should be allowed to return freely to their homes in the Occupied Territories. At the same time, Israel and the South Lebanon Army must ensure their safety, and the Lebanese authorities should assist any deportee who seeks protection.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters in English or your own language:

- welcoming the return of 13 other deportees;

- calling on the Israeli authorities to allow the return of all the deportees, saying that those suspected of offences should be tried, otherwise they should be allowed to return freely to their homes.

- urging both the Israeli authorities and the South Lebanon Army to ensure the deportees' safety.

APPEALS TO:

1) Mr Yitzhak Rabin
Prime Minister and Minister of Defence
Office of the Prime Minister
3 Kaplan Street
Jerusalem 91919
State of Israel
Telegrams: Prime Minister Rabin, Jerusalem, Israel
Telexes: 25279 mpres il
Faxes: + 972 2 664 838

Salutation: Dear Prime Minister

2) Lieutenant-General Ehud Barak
Chief of Staff
c/o Ministry of Defence
7 "A" Street
Hakiryia
Tel Aviv 67659
State of Israel
Telegrams: Chief of Staff Barak, Tel Aviv, Israel
Telexes: 371434 mod il
Faxes: + 972 3 217915

Salutation: Dear Lieutenant-General Barak

3) Major-General Yitzhak Mordechai
Military Commander for the Northern Command
c/o Ministry of Defence
7 "A" Street
Hakiryia
Tel Aviv 64734
State of Israel
Telegrams: Major-General Mordechai, Ministry of Defence,
Tel Aviv, Israel
Telexes: 371434 mod il
Faxes: + 972 3 217915

Salutation: Dear Major-General Mordechai

COPIES OF YOUR APPEALS TO:

Judge Yosef Harish
Attorney General
PO Box 1087
Jerusalem
Faxes: + 972 2 869473

and to diplomatic representatives of ISRAEL accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 February 1993.