

# URGENT ACTION

## DETENTION ORDER CONFIRMED

**A military judge confirmed a four-month administrative detention order for Palestinian academic Ahmad Qatamesh on 19 May. The decision was made following a closed hearing; neither Ahmad Qatamesh nor his lawyer is permitted to see the “evidence” against him. The order expires on 2 September 2011 but can be renewed indefinitely.**

Ahmad Qatamesh was given a six-month administrative detention order on 3 May signed by the Israel Defense Forces (IDF) Military Commander in the West Bank. The Israel Security Agency (ISA) requested his detention based on undisclosed “evidence” relating to allegations that he is active in the Popular Front for the Liberation of Palestine (PFLP), which he has consistently denied.

Administrative detention orders are subject to review by a military judge within eight days. In Ahmad Qatamesh’s case, the judge did not issue her decision to confirm the order until 19 May when she reduced the length from six to four months. She acknowledged that the original order of 3 May had contained factual errors and had been produced for another detainee and adapted for use in Ahmad Qatamesh’s case. Nonetheless, she concluded that the ISA’s secret evidence against him justified his detention for security reasons. His lawyer will appeal against the order, but has almost no chance of launching an effective challenge as he is not permitted to view the secret “evidence” against Ahmad Qatamesh issued by the ISA.

Ahmad Qatamesh’s case has been beset by delays: the ISA failed to attend the review hearing set for 12 May, at which they were due to disclose to her the secret file of information intended to justify his detention; and this was then adjourned until 15 May, with the judge issuing her decision only four days later.

Amnesty International is concerned that he may be detained solely because of his peaceful expression of his political views, in which case the organization would consider him a prisoner of conscience. Despite being held for 12 days before his current administrative detention order was issued, he has been interrogated for no more than a total of 10 minutes since his arrest.

### PLEASE WRITE IMMEDIATELY IN HEBREW OR YOUR OWN LANGUAGE:

- expressing concern that Ahmad Qatamesh may be a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression, in which case he should be released immediately and unconditionally;
- urging the authorities otherwise to release Ahmad Qatamesh without delay unless he is to be charged with a recognizably criminal offence and promptly tried in accordance with internationally accepted standards for fair trial;
- calling on the authorities to put an end to the use of administrative detention.

### PLEASE SEND APPEALS BEFORE 13 JULY 2011 TO:

#### Commander of the IDF – West Bank

Major-General Avi Mizrahi

GOC Central Command

Military Post 01149

Battalion 877

Israeli Defence Forces, Israel

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**Salutation: Major-General Avi**

**Mizrahi**

#### Deputy Prime Minister and Minister of

Defence

Ehud Barak

Ministry of Defence

37 Kaplan Street, Hakiryia

Tel Aviv 61909, Israel

**Fax: +972 3 691 6940 / 696 2757**

**Salutation: Dear Minister**

#### Attorney General

Yehuda Weinstein

Ministry of Justice

29 Salah al-Din Street

Jerusalem 91010

Israel

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**+972 2 627 4481**

**Salutation: Dear Attorney-General**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA 127/11. Further information: <http://www.amnesty.org/en/library/info/MDE15/024/2011/en>

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### ADDITIONAL INFORMATION

Ahmad Qatamesh is an academic and writer who has previously criticized both the Israeli authorities and the Palestinian Authority. Arrested by the IDF in 1992 he was held for a year before being placed under administrative detention after a judge had ordered his release on bail. He was eventually released on 15 April 1998.

There are numerous concerns about the procedures followed in Ahmad Qatamesh's arrest and detention. He was arrested on 21 April at 2am at the house where he was staying in al-Bireh, in Ramallah. The security forces had first gone to his family's home to arrest him. When they did not find him there they broke down the door of the neighbour's house to search for him. According to his daughter, they then ordered her at gunpoint to telephone him. His wife told Amnesty International that Ahmad Qatamesh gave the security forces directions to reach the house where he was staying so they could arrest him. She said that during the arrest, the security forces made no attempt to search the contents of either their home or the house where they arrested him.

Before he was handed an administrative detention order on 3 May, a military court official told Ahmad Qatamesh's lawyer that he would be released at 5pm that day, and a prison officer gave him the same message. The order of 3 May seemed to have been produced for another detainee, since Ahmad Qatamesh's name was written over correction fluid. The order was for an "extension" of administrative detention even though this was Ahmad Qatamesh's first administrative detention order since the 1990s. The order also stated that he was an activist in Hamas, an organization with very different political views from those of the PFLP.

Ahmad Qatamesh was arrested by the IDF in 1992, and said he was tortured. He documented his experiences in a publication called *I shall not wear your tarboosh* [fez]. Over a year later he was placed under administrative detention. Amnesty International members campaigned against his administrative detention.

Administrative detention is an Israeli procedure under which detainees are held without charge or trial for periods of up to six months which are renewable indefinitely. No criminal charges are filed against administrative detainees and there is no intention of bringing them to trial. Detainees are held on the basis of "secret evidence" which the Israeli military authorities claim cannot be revealed for security reasons. Hence the "secret evidence" on which the military authorities base their decision to issue an administrative detention order is not made available to detainees or their lawyers, and detainees cannot challenge the reasons for their detention.

The Israeli authorities have used administrative detention against thousands of Palestinians over several decades, but the number of administrative detainees has decreased over the last three years. In March 2011, 217 Palestinians were being held as administrative detainees, according to Israel Prison Service statistics.

The PFLP is a left-wing Palestinian political party which also has an armed wing. While Ahmad Qatamesh was a political and intellectual supporter of the PFLP in the 1990s, he says he has not been involved with them for 13 years. To Amnesty International's knowledge, he has never been involved with PFLP-affiliated armed groups or advocated violence.

Further information on UA: 127/11 Index: MDE 15/026/2011 Issue Date: 01 June 2011

