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PUBLIC STATEMENT

The United States, Israel and the Palestinian Authority: human rights neglected in theory and practice by all involved in “peacemaking”

The Wye Memorandum signed two months ago today on 23 October 1998 was founded on the sacrifice of human rights in the name of “security”. Far from protecting human rights, its implementation even encouraged human rights violations, Amnesty International said today.

“In the year of the 50th anniversary of the Universal Declaration of Human Rights, it is time to recognise that durable peace can only be built on human rights safeguards,” the organization added. “No matter how many agreements are signed, peace cannot be founded on injustice”.

The Wye Memorandum not only failed to consider human rights concerns as a fundamental part of the agreement; the implementation of its clauses over the past two months has even encouraged the Israeli and Palestinian governments to violate human rights.

“In the run up to the Israeli elections, recently voted by the Knesset, there is a risk that human rights may again be sidelined,” Amnesty International said. The organization is calling on parties involved in the peace process for a new commitment to human rights and for the release of all political detainees held without a fair trial.

In the name of “security” Israel has effectively legalised torture, held people under administrative detention and allowed the security forces to carry out extra-judicial and other unlawful killings with impunity.

To implement the Wye Memorandum Israel has released 250 prisoners. Among them, however, 150 were convicted criminals and only 100 political prisoners, many of whom were approaching the end of their prison terms.

Five Palestinians have been shot dead and more than 250 injured by Israeli forces during demonstrations over the past two weeks for the release of prisoners or against the bombing of Iraq. The demonstrations have involved stone-throwing, but the lives of Israeli security forces have not, apparently, been in danger.

Amnesty International is renewing its call on Israel to release those held under administrative detention without fair trial and to ensure that the use of firearms by its security forces conforms with international standards.

To comply with the security provisions of the Wye Memorandum the Palestinian Authority has increased the numbers of suspected supporters of Islamist groups held without charge or trial.

After suicide bombs wounded Israeli civilians during the week after Wye, around 200 suspected supporters of *Hamas* and Islamic *Jihad* were arrested. With the apparent encouragement of the USA and Israel they were detained, sometimes for weeks, without access to their families or lawyers. None of them was charged or tried. Court judgements providing for the release of detainees are totally ignored by the police.

A Muslim religious leader, Shaykh Hamed Bitawi, arrested in Nablus by Palestinian police the day after the Wye Memorandum for publicly criticising the agreement, was held for nearly two months before being released on Saturday. He said that he had not been charged or even questioned during his detention.

Background

Before the negotiations in Wye opened two months ago, Amnesty International had urged Israel and the Palestinian Authority to include "explicit and detailed provisions to ensure respect for human rights, especially the right to physical integrity, the right to security of the person and the right to receive a fair trial".

By contrast, while emphasizing repeatedly the need for action on "security", the Wye Memorandum contained only a vague reference to the need to respect human rights. The Memorandum required the Palestinian Police to "implement this Memorandum with due regard to internationally accepted norms of human rights and the rule of law." In stark contrast, the agreement was silent about the need for Israel to respect human rights.

The United States has been intimately involved in facilitating negotiations between Israel and the Palestinian Authority. The Wye Memorandum gives the United States a major role in facilitating "security cooperation" through its involvement in a "Tripartite Committee" and other mechanisms.

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