

EXTERNAL (for general distribution)

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Further information on UA 36/91 (MDE 15/06/91, 1 February 1991) - Administrative Detention

ISRAEL AND THE OCCUPIED TERRITORIES: Dr Sari Nusseibeh

On 3 February 1991 the administrative detention order issued against Dr Sari Nusseibeh was reduced from six to three months. The Israeli authorities took this decision following a recommendation by the reviewing judge on 31 January that they consider a substantial reduction of the period of his detention. The judge, who is empowered by law to confirm, reduce or cancel such detention orders, confirmed the three-month reduction at a hearing before the Jerusalem District Court on 3 February. Dr Nusseibeh has been taken to Ramleh Prison.

Dr Nusseibeh denied again in court on 3 February that there was any basis to the accusations against him and reiterated his belief that the real reasons for his detention were his public standing and his "views in favour of achieving peace with Israel through recognition of the rights of the Palestinian people". He said that he accepted the recommendation of the judge since it was clear to him that neither his lawyer nor himself would be shown the evidence against him and would not therefore be in a position to refute the accusations.

In his judgement, the President of the court said that on 31 January he had reviewed the "summary and conclusions" of the file containing the classified evidence and found that the summary included enough material to justify the detention of Dr Nusseibeh, particularly in a situation of war. Recalling the preventive, not punitive, nature of administrative detention, the judge had then suggested that the authorities reconsider the duration of the detention order before issuing his final ruling. As both parties accepted the three-month reduction, he decided to confirm the order without looking further into the classified evidence or into the authorities' arguments for keeping it secret.

The judge also expressed understanding for the position of Dr Nusseibeh, who was supposed to defend himself against evidence which may not be shown to him. He pointed out that he was not in a position to say whether, if carefully checked, the full evidence against Dr Nusseibeh would be sufficient to justify his detention. He indicated that were it not for the war situation the outcome of the judicial review may have been different.

On the basis of all available evidence, Amnesty International believes that Dr Nusseibeh is being detained for his non-violent political opinions and activities as a leading Palestinian figure. It considers him to be a prisoner of conscience and is calling for his immediate and unconditional release.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern that all available evidence indicates that Dr Nusseibeh is being detained for his non-violent political opinions and activities as a leading Palestinian figure;
- stating that on that basis you believe him to be a prisoner of conscience;
- calling for his immediate and unconditional release.

APPEALS TO:

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and to diplomatic representatives of Israel in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 March 1991.