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NEWS SERVICE ITEMS: EXTERNAL - ISRAEL AND OCCUPIED TERRITORIES

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

UK - 9 February - SEE NEWS SERVICE 170

Kuwait - 24 February - SEE NEWS SERVICE 170

TARGETED AND LIMITED NEWS RELEASES

Zaire - 2 February - SEE NEWS SERVICE 170

FORTHCOMING NEWS INITIATIVES

Women - 8 March - SEE NEWS SERVICE 161

Saudi Arabia - 31 March more details to follow

Colombia - 16 March - SEE NEWS SERVICE 123 + UAs AMR 23/56+57/93

South Africa - 23 March - SEE NEWS SERVICE 05/94

News Service 21/94

**AI INDEX: MDE 15/WU 03/1994
2 February 1994**

**UN Commission on Human Rights
50th Session
Agenda Item 4**

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ISRAEL AND OCCUPIED TERRITORIES: ORAL STATEMENT BY AMNESTY INTERNATIONAL

Chairperson,

Since the last session of this Commission, the Israeli Government and the Palestine Liberation Organization (PLO) have signed a Declaration of Principles as a first step towards a peace settlement. Regrettably, however, this document contains no reference to human rights. In practice, serious violations and abuses continue to occur.

Amnesty International wishes to draw attention particularly to the detention or imprisonment of some 10,000 Palestinians, the situation in south Lebanon and the killings of Palestinian and Israeli civilians.

Today some 10,000 Palestinians arrested on security grounds remain held by the Israeli authorities. They include up to 140 who are held in administrative detention, without charge or trial. Amnesty International urges the Israeli Government to undertake a prompt review of their situation.

Specifically, we call for the immediate and unconditional release of those who are held solely for membership of Palestinian organizations, raising the Palestinian flag, or other non-violent political offences.

All administrative detainees accused of violence should receive a fair and prompt trial or be released. Despite existing legal safeguards such practice has inevitably led to serious violations of human rights and should be abandoned.

Political prisoners convicted of violent offences after unfair procedures should be retried fairly or be released. This should include, for example, all those convicted by military courts before the right of appeal was introduced in the Occupied Territories in 1989.

Chairperson,

As in previous years, over 200 detainees are held at any one time in the Khiam detention centre in an area of south Lebanon controlled by Israel and the South Lebanon Army (SLA). Many are believed to have been tortured during interrogation. About 30 men and women were released from Khiam last year, but those remaining are held outside any legal framework and without access to relatives or humanitarian organizations such as the International Committee of the Red Cross.

In Israel, at least 20 Lebanese nationals taken prisoner in Lebanon between 1986 and 1989 are still held. The legal status of their continued detention is unclear. Among them is Shaikh 'Abd al-Karim 'Ubayd, a Shi'a Muslim leader abducted in Lebanon in 1989, and six

other Lebanese Shi'a who had been taken prisoner in Lebanon by the Lebanese Forces militia in 1987 and secretly transferred to Israel in 1990. They are held in an undisclosed detention centre. We have serious concerns about the health of at least one of them, Ghassan al-Dirani.

All indications are that the sole purpose for the continued detention of some or all of these people is to exchange them for the freedom of, or for information about, four missing Israeli soldiers and several SLA members. If this is the case, then they are hostages and should be released immediately and unconditionally.

Equally, if any of the missing Israeli soldiers and SLA members are being held solely to obtain the release of detainees from Israel or Khiam, then they are also hostages and should be released immediately and unconditionally. Last year the PLO produced part of the identification tag of Zachary Baumel, one of the Israeli soldiers missing since 1982, but his fate and that of the others remain unknown.

Amnesty International believes that the basic human rights of any Lebanese, Israeli or any other who is known to be detained or is still unaccounted for, must not be used as bargaining chips. The fate and legal situation of these people have remained unclear for far too long. Their rights should be fully restored regardless of any negotiation taking place in the region.

Chairperson,

During 1993, about 150 Palestinians were shot dead by Israeli forces. Some were killed during clashes with the army or border police, or during operations ostensibly aimed at arresting them. Others were killed while apparently not involved in any violent activity and may have been victims of extrajudicial executions or other unjustifiable killings. They have included children and young people.

In some such killings, particularly those of children, the Israeli authorities expressed regret. This, however, is not enough: the official guidelines for opening fire may allow excessive use of lethal force; investigations often seem to fall below relevant international standards; prosecutions, in the rare instances in which they take place, result in punishments which appear not to be commensurate with the gravity of the offence.

We call on the Israeli authorities to redress this record. Human rights violations should be prevented. When they occur, they should be promptly, thoroughly and impartially investigated. Those responsible should be brought to justice and the victims or their families should receive proper compensation.

In this context, we hope that the Israeli authorities will state unequivocally that, in the performance of their duties in the Occupied Territories, they consider themselves bound by the United Nations Code of Conduct for Law Enforcement Officials and all other relevant international standards.

Chairperson,

During 1993 Palestinian armed groups committed grave human rights abuses in the Occupied Territories, including torture and deliberate and arbitrary killings. Since October several people were shot in the legs by alleged members of *Fatah*, apparently as punishment for acts such as burglary. Over 30 Israeli civilians were deliberately killed in attacks for which responsibility was claimed by the Islamic Resistance Movement (*Hamas*), the Islamic Jihad, the Popular Front for the Liberation of Palestine and the Democratic Front for the Liberation of Palestine. *Hamas* took responsibility for the killing of two Israeli soldiers after they had been taken prisoner. Members of Palestinian groups also killed over 100 Palestinians, many branded as "collaborators" with the Israeli authorities. Some may have been killed for their political activities.

Amnesty International calls on all Palestinian groups, whether they support or oppose the current peace negotiations, not to commit human rights abuses and to respect at all times basic principles of humanitarian law. This is all the more important as Palestinians are soon expected to take on law enforcement duties in the Occupied Territories.

In this context, we welcome the undertaking that Chairman Yasser Arafat gave to Amnesty International last October when he stated that the PLO is committed to respect all internationally recognized human rights standards and to incorporate them into Palestinian legislation and police training.

Chairperson,

Last year this Commission appointed a Special Rapporteur on the human rights situation in the Palestinian Occupied Territories. We believe that his work would benefit greatly from a review of all other existing United Nations (UN) bodies with human rights mandates relating to the Occupied Territories, so as to increase the coordination, efficiency and effectiveness of UN action in this area.

In this context attention should be given to the human rights monitoring function currently performed by the Research Officers and the Refugee Affairs Officers of the United Nations Relief and Works Agency. As a first step, their reports should be made public. In addition, human rights on-site monitoring in the Occupied Territories should be further developed, with monitors reporting directly to the relevant UN human rights mechanisms and with a mandate expanded to cover the actions of all officials with law enforcement duties.

The international community retains great potential to assist all parties involved in the Arab/Israeli conflict in ensuring that human rights are fully respected during the search for a just peace, and will ultimately constitute the cornerstone of peace. Amnesty International hopes that such potential will be fully exploited in the coming difficult months.

Thank you.