

PALESTINIAN AUTHORITY

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President: Yasser 'Arafat

Death penalty: retentionist

More than 360 people, including prisoners of conscience, were arrested for political reasons during 2000; most had been released by the end of the year. Torture and ill-treatment were widespread. At least 300 people arrested in previous years were held without charge or trial, including people suspected of "collaborating" with the Israeli authorities and suspected members of Islamist opposition groups. Large numbers of Islamists, some of whom had been held without charge since 1996, were released in September and October. State Security Courts continued to sentence political detainees after unfair trials. Three people were sentenced to death. The Palestinian Authority (PA) failed to bring those responsible for human rights abuses to justice.

Background

Peace negotiations between Israel and the Palestine Liberation Organization (PLO) continued until October. The Camp David summit, involving President Yasser 'Arafat, Israeli Prime Minister Ehud Barak and US President Bill Clinton ended in July without a peace agreement having been achieved. Negotiations between Israel and the PLO broke down following the outbreak in September of a new uprising or *Intifada*, but resumed in December (see also Israel and the Occupied Territories entry).

The Intifada

In September, the killing of five Palestinians in Jerusalem by Israeli security forces sparked demonstrations involving thousands of Palestinians in the Occupied Territories. Demonstrations were continuing on a daily basis at the end of the year. Stones and petrol bombs were thrown at Israeli soldiers during demonstrations and on a number of occasions armed Palestinians, including members of the PA security forces, fired on Israeli soldiers. The Israeli security forces responded to demonstrators by opening fire, using rubber-coated metal bullets and live ammunition. The Israel Defence Forces (IDF) also used attack helicopters to fire on demonstrators. Between 29 September and the end of the year, at least 300 Palestinians were killed by Israeli security forces, most as a result of the excessive use of lethal force.

Armed Palestinians, including members of the *tanzimat* — a paramilitary group linked to *Fatah*, the predominant political group in the PA — carried out attacks on Israeli soldiers and civilians in the Occupied Territories. Palestinian armed groups carried out bomb attacks, killing Israeli soldiers and at least six civilians in Israel and the Occupied Territories. The

IDF used heavy weaponry, including tanks and attack helicopters, to shell randomly Palestinian areas from where armed Palestinians had opened fire. They also used heavy weaponry to conduct punitive raids against PA facilities, in response to killings of Israelis.

☞ In October, a crowd of Palestinians tortured and killed two Israeli soldiers, Yosef Avrahami and Vadim Nourezit, who were in the custody of the Palestinian police. President Yasser 'Arafat announced that an inquiry would be conducted into the killings; no inquiry had apparently been started by the end of the year.

☞ In November, two Israeli civilians were killed in a bomb attack near the Kufar Darom settlement in the Gaza Strip. Nine others, including five children, were injured, some severely. The IDF responded by bombarding PA security installations and *Fatah* offices in the Gaza Strip. A Palestinian police officer was killed and at least 30 Palestinians were reportedly injured.

Torture/ill-treatment

Torture and ill-treatment by various Palestinian security forces were widespread. One man died in custody in circumstances suggesting that torture or ill-treatment may have caused or hastened his death. Prolonged incommunicado detention in the period immediately after arrest facilitated torture. The PA failed to investigate complaints of torture and bring those responsible to justice.

☞ Khaled al-Bahhar, aged 35, died in Preventive Security Service (PSS) custody, in June. An autopsy report indicated that he had died of asphyxiation, but no investigation was apparently conducted into the death.

☞ In February, the General Intelligence and PSS arrested more than 30 students and one employee of Birzeit University, following a campus demonstration in which students threw stones and earth at visiting French Prime Minister Lionel Jospin. In the first 24 hours following arrest, some students held by the PSS were reportedly beaten, hooded and forced to stand for periods of up to 12 hours. Five students held by the General Intelligence were reportedly beaten and insulted after their arrest. One student alleged that a General Intelligence officer pulled down his trousers and threatened to rape him. Both security forces denied these allegations. By March all the students had been released without charge.

Arrests

At least 360 people were arrested for political reasons. They included critics of the PA leadership, and supporters of Islamist opposition groups such as *Hamas*, *Islamic Jihad* and *Hizb al-Khalas*.

☞ In July the PSS arrested at least 12 Islamists, including Nayef Hamadneh, Iyad Hamadneh, Hani Rawabjeh, 'Ala Shuli, Fallah Taher Nada, 'Ala Rimawi, Maher 'Awdeh and Wajih Ahmad 'Arman. They were held incommunicado for periods of up to six weeks; some were reportedly tortured.

Prisoners of conscience

At least 25 prisoners of conscience were detained including journalists, political activists, religious figures, an academic and a trade unionist. Most were detained for expressing or reporting criticism of PA policies. Most were released without charge after a few days, but some were held for longer periods. The Palestinian security service also ordered temporary closures of television and radio stations, including *Sawt al-Hub wa al-Salam*, *al-Manara*, *al-Mahed*, *al-Watan* and *al-Nasr*.

☞ Dr Ahmad Shahrudin and Dr 'Abd al-Sattar Qasem, detained in 1999 without charge for signing a petition which severely criticized the PA, were released in January. The police rearrested Dr 'Abd al-Sattar Qasem in February, apparently in connection with his signing of the petition. On 6 July the Palestinian High Court of Justice ordered his release as he was being held without charge; despite the court order, he was not released until 28 July.

☞ 'Abd al-Fattah Ghanem, a presidential adviser on refugees, was arrested in June by the Palestinian police. A Palestinian police officer told his family that he had been arrested on orders from the President. He was held in incommunicado detention for over a month. The PA gave no reason for his arrest, but his family believed that he was held because of his statements to newspapers criticizing the peace negotiations with Israel. He was released in September without charge.

Unfair trials

State Security Courts, whose procedures were grossly unfair, sentenced at least 20 political prisoners to prison terms.

☞ In August Mahmud Abu Hanud, a member of *Izz al-Din al-Qassam*, the armed wing of *Hamas*, turned himself over to the PA, after being wounded in a gun battle between Israeli soldiers and *Izz al-Din al-Qassam* members. In September the Higher State Security Court sentenced Mahmud Abu Hanud to two concurrent sentences of 12 years' and 10 years' imprisonment after an unfair trial, for training military groups, equipping them with weapons and forming an illegal organization. The PA reportedly refused to allow Mahmud Abu Hanud's lawyers to meet him while he was held in pre-trial detention and informed one of his lawyers only minutes in advance that his trial would take place. The court refused his lawyer's request for an adjournment. Mahmud Abu Hanud was not entitled to appeal to a higher court against the sentence.

Long-term political prisoners

At the beginning of the year an estimated 300 people detained for prolonged periods without charge or trial continued to be held. They included security detainees suspected of "collaborating" with Israel and political detainees belonging to Islamist groups opposed to the peace process. A further 22 detainees from Islamist and leftist groups continued to serve prison sentences imposed after unfair trials before state security and military courts. Palestinian human rights organizations continued to bring cases on behalf of those

detained without trial before the Palestinian High Court of Justice. The Court ordered the release of 18 detainees, but the PA failed to implement these court orders in the vast majority of cases. In September and October, the PA released about 80 members of *Hamas* and Islamic *Jihad*. However, their legal status remained unclear; many reported that they had been released for extended "home visits".

☞ In April the High Court of Justice ordered the release of Muhammad al-Natsheh, a 42-year-old teacher and *Hamas* activist, who had been detained by the PSS since October 1998. However, he had not been released by the end of 2000.

☞ The Military Intelligence continued to hold Faruq Abu Husan, a postal worker, without charge or trial. He had been arrested in 1994 and reportedly interrogated about writing a letter to Egyptian President Anwar Sadat following the 1979 Camp David agreements.

Death penalty

The Higher State Security Court sentenced three people to death following unfair trials; no one was executed.

☞ In September Muhammad Da'ud Khawajeh, aged 19, was sentenced to death for murder following an unfair trial. He was tried and sentenced in a single day, two days after his arrest, and was not entitled to appeal to a higher court against the decision.

Human rights defenders

In May the Acting Council of the Palestinian Bar Association informed at least eight human rights lawyers that they had been removed from the Bar Association's register of practising lawyers. The Council apparently based its action on Article 7 of the Palestinian Bar Association Law which prohibits lawyers from combining the practice of law with the holding of public or private employment, whether for salary or reward. The Palestinian High Court issued an interim order suspending the decision later in May; legal proceedings had not been concluded by the end of 2000.

AI country reports and visits

Report

- Palestinian Authority: Silencing dissent (AI Index: MDE 21/016/2000)

Visits

AI delegates visited areas under the jurisdiction of the Palestinian Authority in April, October and November.