

ISRAEL AND THE OCCUPIED TERRITORIES

STATE OF ISRAEL

Head of state: Moshe Katzav (replaced Ezer Weizman in July)

Head of government: Ehud Barak

Official languages: Hebrew, Arabic

Death penalty: abolitionist for ordinary crimes

2000 treaty ratifications/signatures: Rome Statute of the International Criminal Court

More than 300 Palestinians were killed by the Israeli security forces; most were unlawfully killed during the new *Intifada* (uprising). More than 2,500 Palestinians and Israelis were arrested for political reasons. Scores of detainees were ill-treated. At least 25 Palestinians were held in administrative detention during 2000. All Lebanese nationals held in the Khiam detention centre in southern Lebanon under Israeli occupation were released. Hundreds of Palestinians from the Occupied Territories were tried before military courts in trials whose procedures fell short of international standards. Houses in the Occupied Territories continued to be demolished as a result of a discriminatory policy which denied most Palestinians building permits.

Background

The military conflict in Lebanon between the Israel Defence Forces (IDF) and its proxy militia the South Lebanon Army (SLA) on the one hand and *Hizbullah* on the other continued until May when Israel withdrew its forces from south Lebanon.

Palestinians in the Occupied Territories continued to be almost invariably barred from travel to Jerusalem or elsewhere outside area A, which was under security and civil control of the Palestinian Authority (PA), and Area B, which was under security control of Israel and civil control of the PA. During periods of tension Israeli barriers were consistently erected separating Area C from Areas A and B and also between Area A and Area B.

Negotiations between Israel and the Palestine Liberation Organization (PLO) resumed in July at Camp David in the USA, broke down in October following the outbreak of the *Intifada* and resumed in December (see also Palestinian Authority entry).

The Intifada

On 29 September Israeli police using excessive force killed five Palestinians and injured more than 200 others at the al-Aqsa Mosque precinct in Jerusalem. The shooting sparked daily demonstrations and riots in Israel and the Occupied Territories which were continuing at the end of the year.

Israeli security services killed at least 300 and wounded more than 10,000 Palestinians. The majority of those killed and wounded were demonstrators throwing stones or using slings; at least 100 of those killed were children under 18. The Israeli police, border police, special patrol force and IDF used excessive lethal force, firing rubber-coated metal bullets and live ammunition including high-velocity bullets at demonstrators. Some Palestinians were deliberately targeted and extrajudicially executed. The Israeli airforce and the navy used heavy weaponry, including helicopter gunships, tanks and naval vessels, to shell randomly Palestinian areas from where armed Palestinians had opened fire. They also used heavy weaponry to conduct punitive raids against PA facilities.

Armed Palestinians, including members of the *tanzimat*—Palestinian paramilitary groups linked to *Fatah*, the predominant group in the PLO—carried out attacks on Israeli soldiers and civilians in the Occupied Territories. A number of gunbattles took place between the IDF and Palestinian security services or paramilitary groups. Palestinian armed opposition groups such as Islamic *Jihad* also placed bombs which killed six Israeli civilians. Israeli settlers were reported to have killed six Palestinian civilians.

☞ Eleven-year-old Sami Abu Jassar was shot dead during a stone-throwing demonstration in Rafah, Gaza Strip, in October by Israeli soldiers who were based in a blockhouse 100 metres away and who were not in danger at the time.

☞ Hussein 'Abayat, a local leader of the *tanzimat*, was extrajudicially executed in Beit Sahur in the West Bank by a shell launched from an Israeli helicopter gunship which killed two women standing near his van and injured nine others. An IDF spokesperson admitted that Hussein 'Abayat had been targeted, allegedly because he was going to launch an attack on Gilo settlement.

☞ Two Israeli civilians were killed in a bomb attack near Jerusalem's Mahan Yehuda market on 2 November. Islamic *Jihad* claimed responsibility for the attack.

At a summit in Sharm al-Shaikh in October, Israel and the PA agreed that a fact-finding commission should study the causes of the violence and report back to the US government. The commission started work in November. At a special session in October the UN Commission on Human Rights set up a Commission of Inquiry into the violations of human rights in Israel and the Occupied Territories. In November the Israeli government set up a judicial Commission of Inquiry to investigate "clashes with the security forces in which Arab and Jewish Israeli citizens were killed and wounded".

Arrests

More than 2,000 people, the vast majority Palestinians, were arrested during the year, mostly on charges involving political violence. At least 900 Palestinians from Israel or East Jerusalem and 300 Jewish citizens of Israel were arrested during the *Intifada* and charged with offences such as stone-throwing; many were minors. Arrests were often carried out at night by large numbers of armed security force personnel. Some of those arrested reported that they were beaten or kicked immediately after arrest.

Following a Supreme Court decision in October, bail was consistently refused to those arrested; in November the decision was modified allowing some detainees to be released on bail.

Scores of Palestinians from East Jerusalem with residency rights in Israel arrested after 29 September were charged under Military Order 378, previously only applied to Palestinians living in the West Bank and Gaza Strip.

Scores of Palestinians from the West Bank and Gaza were arrested during the year at Israeli blockades. At least 600 Palestinians were arrested during the last three months of the year from Areas B and C and held in prolonged incommunicado detention for days or weeks before being charged under Emergency Regulations dating from the British mandate or Israeli Military Orders.

Administrative detention

The number of Palestinian administrative detainees, which had decreased to four by September, rose to 12 by the end of the year. They were held without charge or trial or any right to full appeal.

In April the High Court of Justice ruled that the state could not hold a suspect in administrative detention unless the detainee personally posed a security threat. Appeals against the ruling were rejected and 13 Lebanese nationals who had been held for up to 12 years as bargaining chips without charge or trial or after the expiry of their sentences were released. All were returned to Lebanon.

A draft law allowing the detention without trial of "illegal combatants" passed its first reading in the *Knesset* (parliament) in July, but had not become law by the end of 2000.

☞ Two Lebanese nationals, Shaikh 'Abd al-Rahman 'Ubayd and Mustafa al-Dirani, continued to be held incommunicado in a secret place of detention as hostages. The High Court of Justice dismissed an appeal against their continued administrative detention in September.

Torture/ill-treatment

Draft bills submitted to the *Knesset* by individual members which would allow the General Security Service (GSS) to use "special means" to interrogate detainees were dropped in February.

Palestinian detainees under interrogation were frequently held incommunicado for up to 20 days, and some for as long as 90 days. Many detainees reported that they were beaten immediately after arrest by members of the security forces who almost invariably benefited from impunity.

☞ Nidal Daghlas was arrested during an unsuccessful attempt by Israeli undercover units to capture Mahmud Abu Hanud (see Palestinian Authority entry). He stated that he was tortured for four hours in the village by members of the IDF and the GSS before being taken to Petah Tikvah police station. He said that officers stuffed his mouth with stones, poured water over his face, kicked him in the genitals and smashed his head into a steering wheel. He was held incommunicado for 14 days before being allowed access to a lawyer.

☞ Qadr al-Wa'el from Sha'b, Galilee, stated that police officers beat him with the butts of their rifles while he was being transferred to Misgav police station after his arrest in October and that two police officers also beat him in the police station. Five other police officers, who were either in or near the cell, reportedly witnessed the beating. In court he informed a judge that he had been beaten and was later released on bail.

Unfair trials

Hundreds of Palestinians were tried by military courts in trials which did not meet international standards for fair trials.

Conscientious objectors

At least five conscientious objectors who refused to perform military service or to serve in the Occupied Territories were sentenced to terms of imprisonment. They were prisoners of conscience.

Political prisoners

Israel continued to detain 1,600 Palestinians from the Occupied Territories and 29 Palestinians from Israel sentenced in previous years by military courts for offences such as attacks on Israelis. About 120 were released during the year. A number of foreign nationals including 16 Lebanese and four Jordanian nationals sentenced by military courts in previous years continued to be held. Some had reportedly been tortured and received unfair trials.

Mordechai Vanunu continued to serve an 18-year sentence for revealing information about Israel's nuclear weapons capability imposed in a secret trial in 1987.

South Lebanon

At least nine Lebanese, one Syrian and two Palestinian civilians were killed, most as a result of deliberate or indiscriminate attacks on civilians by Israeli forces. Before Israel's withdrawal from south Lebanon in May, *Hizbullah* launched rocket attacks against civilian areas in northern Israel.

Prior to the Israeli withdrawal, Lebanese nationals continued to be detained outside any legal framework in Khiam detention centre where conditions were cruel, inhuman and degrading and torture was systematic. After the Israeli withdrawal, residents of Khiam village stormed the detention centre and released all remaining 144 detainees.

☞ Sulayman Ramadan was arrested in September 1985. One of his legs was amputated as a result of lack of medical care after his arrest. During his interrogation he was beaten and given electric shocks. He was detained without charge or trial until his release in May 2000.

In October *Hizbullah* announced the capture of three Israeli soldiers and one Israeli businessman and said that they would be exchanged for Lebanese and other Arab prisoners held in Israel. None had had access to the International Committee of the Red Cross (ICRC) by the end of the year.

During the Israeli withdrawal about 6,000 Lebanese nationals, including about 2,000 former members of the SLA and their relatives, fled to Israel where they were given the right to reside and work.

House demolitions

At least eight houses in the West Bank and 23 houses in East Jerusalem were demolished because their owners had failed to obtain building permits from the Israeli authorities. In a discriminatory policy apparently aimed at stopping Palestinians building in East Jerusalem or in areas of the West Bank under Israeli control, building permits were consistently refused to Palestinians.

Human rights abuses against trafficked women

Women trafficked from the countries of the former Soviet Union to work in the sex industry in Israel continued to be subjected to human rights abuses such as violent assaults and enslavement. The *Knesset* established a special committee to investigate the situation of trafficked women. In July the *Knesset* passed an amendment to the Penal Code, making the buying and selling of human beings for the purposes of prostitution a criminal offence punishable by up to 16 years' imprisonment.

United Nations

AI made oral statements at the UN Commission on Human Rights in March, calling on the Israeli government to end torture in Khiam, and during the Fifth Special Session of the UN Commission on Human Rights in October calling on the Israeli government to end excessive use of lethal force.

AI country reports and visits

Reports

- Israel: Human rights abuses of women trafficked from countries of the former Soviet Union into Israel's sex industry (AI Index: MDE 15/017/2000)
- Israel/Lebanon: Attacks on Lebanese civilians in south Lebanon by Israeli forces (AI Index: MDE 02/006/2000)
- Israel and the Occupied Territories: Excessive use of lethal force (AI Index: MDE 15/041/2000)
- Israel and the Occupied Territories: Mass arrests and police brutality (AI Index: MDE 15/058/2000)

Visits

AI delegates visited Israel and the Occupied Territories in April, October and November and met IDF and other officials.