

AMNESTY INTERNATIONAL PUBLIC STATEMENT



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Israel/Occupied Palestinian Territories – Israel: release Palestinian prisoner of conscience and end the arbitrary detention of hundreds of other Palestinians

On 21 April 2013, Palestinian Ahmed Qatamesh marked his second year in Israeli detention, without ever having been charged with a recognizable criminal offence or brought to trial. Amnesty International is calling for his immediate and unconditional release as it believes he is a prisoner of conscience, detained solely for the peaceful expression of his non-violent political beliefs.

He is one of some 160 Palestinians currently held by Israel under administrative detention orders¹ which allow for indefinite detention, on the basis of secret evidence which the military prosecution withholds from the detainee and his or her lawyer, thus denying detainees the basic right to defend themselves. Amnesty International is once again urging the Israeli government to stop the use of administrative detention and release all administrative detainees unless they are promptly charged with internationally recognizable criminal offences and tried in accordance with international fair trial standards.

Ahmad Qatamesh is an academic, a public speaker and a writer on political and cultural affairs who has called for a one state solution to the Israeli-Palestinian conflict. There is no apparent reason to hold him. Amnesty International believes he is being held to suppress his views and to deter political activities by other Palestinian left-wing activists.

His current administrative detention expires on 28 April but could be renewed an indefinite number of times. An appeal against the current order was dismissed by a military court following a hearing on 13 February. His lawyer appealed the refusal to the Israel High Court of Justice but this was also rejected in April. No reason for refusal was given in either appeal.

His ordeal began on 21 April 2011 when he was arrested from his brother's house in Ramallah by Israeli security forces, at 2.00 am. When they did not find him at his family's home, they broke down the neighbour's searching for him. His daughter said they ordered her at gunpoint to telephone him. He apparently gave the officers directions to his brother's house. At no point did they attempt to search contents of either house.

Since then he has been questioned for a mere 10 minutes, by the Israel Security Agency (ISA). They claim that he is a member of the political wing of the Popular Front for the Liberation of Palestine (PFLP) and poses a security threat. He says he has not been involved with PFLP for 14 years though in the 1990s he was a political and intellectual supporter. In June 2011 during an appeal against his detention before the military court he asked to be "give[n] ... any information" they had against him. He said, "I am under arrest now and don't know why ... I do not pose a security risk. Do you think I am your enemy? What do you care if I think one democratic state is the solution? Would you like me to present you with a 100 Israelis that support this idea?"

His wife told Amnesty International that it would be easier for the family if her husband had been sentenced to three years' imprisonment. The nature of administrative detention means

¹ [According to Israeli NGO B'tselem there were 164 administrative detainees held by end of March 2013](#)

that detainees and their families live in a constant state of uncertainty: as each order expires their hopes for release are frequently dashed as they are handed a fresh order.

In addition to being held without charge, Ahmad Qatamash, like other Palestinian detainees and prisoners, is subject to other punitive measures. For example, only his daughter is able to visit him regularly - relatives who are residents of the occupied West Bank experience immense obstacles in obtaining visiting permits to see their family members in detention. In early 2013 he was transferred from Ofer prison in the occupied West Bank to Ramon prison in southern Israel. His daughter spent about 13 hours getting to and from Ramon prison on 22 April 2013 in order to spend just 45 minutes with him. His wife told Amnesty International that he was transferred after protests broke out in prisons and detention centres in Israel when a 30-year-old Palestinian detainee - Arafat Jaradat - died in custody in suspicious circumstances in Megiddo prison on 23 February 2013.² Furthermore, Ahmad Qatamesh's detention in Israel violates the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which stipulates that detainees from the population of an occupied territory must be detained within that territory.

Ahmad Qatamesh is now 62 years old and his health is deteriorating – he is suffering from undiagnosed ailments causing nausea and faintness, according to his wife. His request to see an independent doctor has not been allowed by the prison authorities though the UN Standard Minimum Rules for the Treatment of Prisoners state that untried prisoners should within reason be allowed a visit and treatment by their own doctor while the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment say that detainees “have the right to request or petition a judicial or other authority for a second medical examination or opinion.”

Background

Ahmad Qatamesh was arrested by the IDF in 1992. Over a year later he was placed under administrative detention, after a judge had ordered his release on bail and was eventually released in April 1998. After his release, he wrote about his experiences, including torture or other ill-treatment he said he was subjected to, in a book entitled “I shall not wear your tarboosh [fez]” .

Since 2012, hundreds of Palestinian administrative detainees as well as sentenced prisoners have held prolonged hunger-strikes, in protest at detention without charge and other punitive measures taken by the authorities against them including solitary confinement, denial of family visits and access to independent physicians. At the same time, Palestinians have held regular protests in the West Bank calling for the release of Palestinian detainees and prisoners and an improvement in their conditions.

[A mass hunger strike of around 2,000 Palestinian prisoners and detainees](#) protesting poor prison conditions, solitary confinement, denial of family visits and administrative detention ended on 14 May 2012 following an Egyptian-brokered deal with the Israeli authorities. Although some Palestinian administrative detainees were eventually released, others were not.

[Samer al-Barq](#), 38 began a fourth hunger strike in February 2013 but remains in administrative detention despite the authorities' assurances they would release him to Egypt, from where he could travel to Pakistan to join his wife. During one hunger strike he was shackled to a hospital bed periodically, and told lawyers that he was beaten and verbally abused by prison guards. He has consistently been denied access to independent doctors and specialist medical care appropriate for his condition.

² Statements made to Amnesty International by Arafat Jaradat's family and lawyer, lawyers who saw him in the military court before his death, and the report of the Palestinian forensic specialist present at his autopsy all raise serious concerns that his death may have been due to torture or other ill-treatment in Israeli custody.

Prisoner [Samer Issawi](#) has been held by the Israeli authorities since 7 July 2012 who allege – without specifying how – that he broke the conditions on which he was released from prison as part of a prisoner exchange in October 2011. He was serving a 30-year prison sentence for possession of weapons and forming military groups in Jerusalem. He went on hunger strike on 1 August 2012 in protest at an Israeli military committee's refusal to explain to him or his lawyer the reasons why he remains held; he has been repeatedly denied medical care appropriate for hunger strikers at an advanced stage of their strike. Media reports say that he has ended his hunger strike following an agreement with the authorities signed on 23 April 2013 that he would be released on 23 December 2013.

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