

TACKLING THE CULTURE OF IMPUNITY: PALESTINIAN PRISONERS IN ISRAELI JAILS

Prison and detention continue to be a central feature of Palestinian life under Israeli occupation. Since 1967 more than 600,000 Palestinians have been detained or imprisoned by Israel's military and security forces. Despite the token 159 prisoners released in December 2004, approximately 8,000 Palestinians are being held by the Israeli army and police - including over 100 women and 400 children. Thousands of others have been detained and released since the beginning of the current Intifada in September 2000. Conditions for Palestinian prisoners, in contrast to those for Jewish Israeli prisoners, are poor. According to human rights groups, Israel has systematically tortured or ill-treated approximately 80% of all Palestinian detainees. Human rights organisations have reported on the widespread use of torture, abuse, violence, and unlawful periods of solitary confinement and administrative detention.

At a recent talk in the House of Commons in London, Jaber Wishah, Deputy Director, Palestinian Centre for Human Rights in Gaza, spoke about his experience as a prisoner for 14 years: "I spent 5,261 days in jail, 5,261 nights in jail, but most importantly 5,621 days away from my family. That's 14.5 years of my life, 4.5 of them in dual solitary confinement. When I was arrested I was married with two young daughters. I still remember the night when Israeli soldiers burst into my home in the middle of the night. Before I was dragged away, I insisted upon kissing my youngest daughter goodbye. Her smell stayed with me, I remembered it in prison and even, under the perfume she wears today, when I hug her now it is that same smell that I sense. Normally when we think of torture we imagine brute physical force being applied to naked flesh, but I will tell you something which happened to me: Having been deprived of sleep for 2-3 days, a tin bucket was placed on my head. I was made to stand still. My interrogator then turned on a shower tap above my head, and the water dripped down slowly. I was left by my interrogator and watched by a guard for several hours. You feel like you are losing your mind. After several hours he mocked me: was I 'having fun'? enjoying 'being clean for once'? In such circumstances, whilst others are having similar things done to them in nearby rooms, the stress becomes unbearable. Many crack and begin hallucinating".

Of particular concern are reports of extreme abuse inside "Facility 1391", a secret detention centre in northern Israel. Following legal battles demanding that 'missing' Palestinians be produced in court, the Israeli government admitted for the first time to the existence of the secret prison they had previously denied, and to which, the International Committee of the Red Cross (ICRC),

lawyers and members of the Israeli Parliament have been refused access.

Palestinian parliamentarians Hussam Khader and Marwan Barghouti are also being held in prison in Israel. The International Parliamentary Union (IPU), Amnesty International and the World Organisation Against Torture (OMCT), have expressed concerns about the breach of international law by the State of Israel in the cases of both men, and that both have been subjected to torture and inhuman treatment. The IPU - an international organization of 130 national parliaments worldwide, including Israel's Knesset - concluded that "the numerous breaches of international law ... make it impossible to conclude that Mr. Barghouti was given a fair trial". Hussam Khader's trial has been postponed ten times during 2 years of illegal detention, and his next court hearing is in March 2005.

The British Government's failure to act is a breach of its legal obligations. The UK is a signatory to the Fourth Geneva Convention (1949), incorporated into domestic law in 1957. Under Article 1, contracting states have a collective responsibility to "respect and to ensure respect for the Conventions in all circumstances." Thus, the UK is under legal obligation to ensure that Israel complies with the Conventions and, where necessary, takes action to prosecute those responsible for grave breaches of the Convention in the OPT and in Israel.

A new campaign has been launched in the UK in December 2004, co-ordinated by the Labour Middle East Council, the Parliamentary Human Rights Group and the Committee in Solidarity with Palestinian Parliamentarian Hussam Khader/Al-Awda to highlight the systematic use of imprisonment, torture and ill-treatment of Palestinians in Israeli jails as an integral part of maintaining the Israeli occupation. The campaign seeks to form an effective body of parliamentarians, lawyers and legal experts, to persuade the UK and other Governments of their obligations in ensuring that international human rights law be respected, including by the State of Israel. ■

FOR MORE INFORMATION ON PALESTINIAN PRISONERS, SEE:

Marwan Barghouti: www.freebarghouti.org

Hussam Khader: www.hussamkhader.org

Amnesty International:

<http://web.amnesty.org/report2003/isr-summary-eng>

Mandela Institute for Human Rights -

<http://www.mandela-palestine.org/>

Public Committee Against Torture in Israel -

<http://www.stoptorture.org.il/>

