

and lost a kidney. He was transferred directly from hospital to interrogation with the GSS. His detention was extended several times; for one week he was prevented from meeting with his attorney, Tamar Pelleg Sryck, and with his family. The GSS also refused to provide his attorney or family with information on his medical condition. On January 31, 2001, following protracted interrogation by the GSS, H.A. was released unconditionally, and without him being indicted. At the time, the IDF Spokesperson justified the shooting on the grounds that the incident involved “an Islamic Jihad activist who came to the place to undertake hostile terrorist action. A force in the field followed the procedure for arresting suspects, and after he failed to stop – he was shot by the force.” There can be no question that this claim is completely without foundation. Apart from H.A.’s version of events, which states that the shooting began without any prior warning (a version supported by the results of a polygraph examination), the search of the car undertaken by the soldiers, and their search of the two injured Palestinians, failed to produce any signs of weapons or any other item suggesting hostile or violent intent.

In March, HaMoked asked the attorney-general of the Central Command to investigate this incident. In April, we were informed that the matter is being examined by the relevant bodies.

## **Conditions of Imprisonment at Ashmoret Prison**

Attorney Pelleg-Sryck of HaMoked was partly successful in her efforts to improve the conditions of four administrative detainees held at this prison. The detainees were taken out of complete isolation and placed in two-man cells. HaMoked is continuing to challenge their detention.

## **Parole Board**

In January, HaMoked represented ten detainees before the parole board, the committee empowered to authorize the release of prisoners who have completed two-thirds of their sentence. Legal representation in these cases is of virtually no use, since the committee refuses to release prisoners without the consent of the GSS or the State Attorney’s Office. Minor prisoners were represented by an attorney on behalf of DCI, with the assistance and guidance of Attorney Pelleg Sryck; the results in these cases were marginally more positive.

## **Right of Prisoners to Meet with an Attorney**

HaMoked processed requests from Palestinian attorneys to receive entry permits to Israel for the purpose of their work. Further problems are expected in this regard. Israel already is imposing restrictions on the right of attorneys from the Occupied Territories to visit prisons by requiring proof in advance that the attorney represents a specific prisoner. HaMoked is among the public petitioners to the High Court challenging these practices.

## **Family Visits for Prisoners**

Since the redeployment of the IDF in the Territories, all Palestinian prisoners have been transferred to prisons inside Israel. Family visits are possible only through special transportation under the auspices of the Red Cross, and with special entry permits to

Israel issued by the IDF. Two types of permit exist: periodic permits enabling participation in all transportation during a period of three months, and one-day permits. The permits are limited to first-degree relatives, and not more than five relatives may hold a permit simultaneously. Many relatives are unable to obtain permits since Israel refuses to allow them to enter, allegedly for security reasons.

In mid-2000, HaMoked achieved some measure of success in this field. Contacts with the State Attorney's Office regarding a group of 12 parents and wives who were refused permission to visit their relatives led to the issuing of a new procedure. The new arrangement insured that all members of the immediate families of prisoners who had not hitherto been permitted to enter would receive one-time visit permits on a regular basis, without security checks between visits. After the outbreak of the Al-Aqsa Intifada, this procedure was nullified.

From the beginning of the year through June, prison visits have been permitted for only three and a half months in the Gaza Strip, and just six weeks in the West Bank. Between October 2000 and January 2001 prison visits were not authorized. Even during the period when prison visits were permitted, the criteria were very strict. At the end of January, for example, it was decided that siblings and children over the age of 16 would not be allowed to visit their relatives in prisons. In mid-February, the Red Cross was forced to suspend visits just one day after it was reactivated. The organization claimed that "the suspension is the result of steps taken by the Israeli authorities, such as closures, blockages, forced detours, and the delaying of the visitors' buses... the steps taken have rendered the program impossible in logistical terms."

In April, the reactivation of prison visits was approved. In addition to parents, wives and sisters, those permitted to visit prisoners include children under the age of 16, and brothers over the age of 35, provided the latter are married. Throughout this period, Palestinians not permitted to enter Israel have been unable to visit prisoners.

## Violence against Palestinians by the Security Forces

Since the outbreak of the Al-Aqsa Intifada, there has been a sharp rise in the number of cases of physical violence and abuse of Palestinian residents of the Occupied Territories by security force personnel. Among other reasons, this increase is due to heightened friction between the residents of the Territories and the security forces, and is reflected both in the number of violent incidents and their severity and character. However, the exacerbation in the situation in the field did not lead to an increase in the number of complaints received by HaMoked – the number of complaints processed during the first six months of 2001 is similar to that received during the same period in 2000. Among other causes, this fact reflects a declining willingness on the part of residents of the Territories to file complaints against the Israeli security forces, due to their lack of confidence in Israeli law enforcement. In addition, the travel restrictions imposed on the residents of the Territories mean that in some cases people wishing to file a complaint may be unable to do so. Moreover, our experience shows that during periods of severe and protracted clashes with the Israeli security forces, with a high number of Palestinian fatalities and injuries each day, the population tends to rally around the common cause, rather than complain about specific or localized instances of violence against a particular person.