

Later that same day HaMoked received an additional letter from an IDF representative, declaring that the authorities had decided to allow Israelis to enter the area based on individual security checks. HaMoked, in response, requested to know from what time entry into the Gaza Strip would be possible and received an answer that a response would be sent later. The following afternoon (the second-day of the three-day festival) HaMoked was notified that all entry into the Gaza Strip was prohibited.

## **Detainee Rights**

### The Tracing of Detainees

Locating detainees during the year 2000 continued to be one of the most valuable services provided by HaMoked to the Palestinian population living in the Occupied Territories. Despite the fact that legislation and a Supreme Court ruling explicitly requires it to do so, Israel persists in refusing to inform the families of detainees about the detention and in withholding information regarding the whereabouts of the detainee. In such circumstances, the families of Palestinian detainees remain dependent on organizations such as HaMoked in order to obtain any relevant details. The locating of several detainees and prisoners everyday has become a regular activity for HaMoked's human rights workers. In response to most of its requests HaMoked receives relatively accurate and timely replies from the IDF. However, in others, HaMoked has encountered cases of inaccurate information, bureaucratic red tape and severe cases of disregard. Examples include incidents where those responsible for locating detainees are suddenly unobtainable. Of even greater concern is the recent phenomenon of disappearing detainees at the Megido prison. The GSS operate an interrogation facility in Megido, where the interrogation of detainees is administered with the use of collaborators. In certain cases where the IDF 'failed' to locate detainees for a number of days, it later became apparent that they had been held in these GSS interrogation areas. Furthermore, the IDF in response to HaMoked's requests conveyed false information with regards to the detainee's presence in the prison. A complaint was submitted to the Chief Prosecutor of the IDF, in response to which HaMoked was informed that an investigation had been carried out and certain lessons had been learnt. The Prosecutor also reported that no evidence had been found to substantiate the claim that information had been withheld intentionally from HaMoked.

After the outbreak of the new Intifada the number of requests HaMoked received to trace missing detainees multiplied. On a number of occasions where the IDF was unable to locate the detainees, HaMoked was required to submit preliminary petitions to the High Court Division of the Justice Department. One particularly severe case was that of the case of A.H., a resident of Hebron, who was seriously injured when explosive material that he was allegedly carrying exploded. The IDF informed HaMoked that A.H. was not in the custody of any of the branches of the Security Services including the GSS. Following various rumors that he was being held at the Socolov Hospital in the city of Ber Sheva, HaMoked contacted the hospital with a detailed request regarding the possible whereabouts of A.H. The authorities however responded that there was no one hospitalized there fitting this description. After turning to the State Prosecutor it was announced that A.H. was at the time being treated at the Socolov Hospital. It later

became clear that the GSS had not only lied to the IDF authorities regarding his whereabouts, but had also issued an order prohibiting him from meeting with a lawyer.

### Administrative Detainees

Although the number of administrative detainees fell during the first half of the year 2000, during the second half the number rose once again following the failure of the Camp David talks and the outbreak of the Al-Aqsa Intifada. Prior to the 28<sup>th</sup> September detainees held consisted of individuals with connections to the Hamas and Islamic Jihad organizations only, this would now change with people affiliated to the Fatah movement and the National Liberation Front also being held under administrative detention orders. The atmosphere of preparation for the “war effort” in Israel was also viewed in the attitude of the military judges, whose attitude towards administrative detainees became more severe. Detention orders are now approved without review and appeals submitted against these orders are rejected. While the presence of an attorney remains a significant means of support for the detainee, it has no influence on the outcome of the judicial proceedings.

Administrative detainees held at the end of 2000 were:

- Chaled Jaradat, 40 years old from Silat al Hartia, administrative detainee since 13.2.1997 (close to four years). An agreement was reached for his release with certain restraints, following the outbreak of confrontations the detention order was extended and approved by a judicial review hearing.
- Khadar Qados, 26 years old from Zawia, detained August 1999. A similar agreement for his release was also deferred due to the confrontations.
- Mahmud Shabeneh.
- Mohamad Abu Tbeh, 20 years old from Jenin, detained since August 2000.
- Mohamad Abu Sef, 36 years old from Ramallah, detained since October 2000.
- Achmad Afane, 30 years old from Abu Dis, detained since October 2000.
- Mohamad Halasi, 28 years old from Sawahra Al Sharkiye, detained since October 2000.
- Atta Abu Halabie, 30 years old from Abu Dis, detained since October 2000.
- Amin Ahmaro, from Hebron, detained since November 2000.
- Saged Mlettat , 30 years old from Beit Fourik, detained since December 2000.
- Achmad Sharabati, 48 years old from Hebron, detained since December 2000.
- Mahmud Al Abnabeh, 25 years old from Yatir, detained since December 2000.
- Omer Barguti, from Kuban, detained since December 2000.

Just prior to the end of the year HaMoked was informed of an additional three individuals who had been placed under administrative detention.

HaMoked, with the aid of Attorney Tamar Pelleg Sryck, continues to represent the vast majority of these detainees in the mandatory judicial reviews following the issuing of a detention order, in the periodical reevaluations and in submitting appeals against judicial decisions during the various proceedings.

During the first half of the year, and after a prolonged struggle, administrative detainees Eiman Daragmeh and Abdallah Al Hativ were finally released after four years and two years respectively under administrative detention. Their release was issued together with