

## Investigation of the Death of a Detainee

At the request of the Palestinian Center for Human Rights, HaMoked is investigating the death in prison on 4 October 1998 of Ahmed Asfur. Ahmed, a resident of the Gaza Strip, was imprisoned for illegally entering Israel and was to be deported back to the Gaza Strip. According to the information supplied to the family, Ahmed committed suicide. The Israeli police have concluded their investigation into this death, and in the beginning of 1999 HaMoked obtained this report and is considering continued advocacy.

## Right of the Imprisoned to Speak Privately with his Attorney

Attorney Pelleg Sryck, through the Israeli Bar Association, successfully cancelled the illegal directive, issued by the prison authorities, to obligate attorneys to waive the right of the detainee to speak with his attorney in private.

## Al-Khiam Prison

HaMoked corresponded with the head military attorney to receive permission to visit the Al-Khiam prison in southern Lebanon. HaMoked received a request from the families of four detainees held here to represent them and obtain their release. The military attorney denied the request of HaMoked, with the contention that the Al-Khiam prison is administered by the Southern Lebanese Army (SLA). In March 1999 HaMoked, in cooperation with ACRI, petitioned the Israeli High Court in this matter.

## Prison Visits

Since the beginning of the interim agreement between Israel and the Palestinian Authority, all Palestinian prisoners are held within the boundaries of Israel. This is in contravention to the directives of the Geneva Convention, which forbid the transfer of persons from occupied territories to the territory of the occupying power. In practice, the holding of Palestinian prisoners within Israel deals a serious blow to their rights to family visits, and the rights of family members to visit their loved ones in prison. The current practice permits visits of residents of the Occupied Territories with their first degree family members in Israeli prisons. This is done through limited entry permits into Israel, which can be used solely within the framework of organised transportation of the Red Cross.

The primary difficulty arises when persons wishing to visit imprisoned family members are themselves not permitted to enter Israel. In the past these persons could not receive entry permits under any circumstances. Today, however, HaMoked is successful in obtaining for these numerous person one day permits. One to two months are generally required to arrange for these permits and even when the request is granted, HaMoked must advocate for a similar length of time in order to receive another permit such as this. HaMoked finds this practice unacceptable and is working to formulate a better regulation. It is intolerable that this fundamental right of the prisoner and his family is dependent on repeated bureaucratic procedures and the continuous intervention of a human rights organisation.

The closure is not the sole barrier to the realisation of the right to family visits in prison. The Israeli authorities are forever placing obstacles in this matter. A., currently detained in the Ashkelon prison, was permitted only one visit from his wife and other family members since his detention in September 1997. The difficulty is that A. is a Jordanian citizen, while his family members are residents of the West Bank. The Israeli authorities have difficulties in dealing with the differing legal statuses, and even the order of a military court to permit him family visits did not help. In December 1998 his wife was given a one day permit to visit N., and HaMoked continues to advocate for her permanent permit.

In another case handled by HaMoked, a wife was not permitted to visit her imprisoned husband as the IDF could not verify the couple's marriage of 1986.

In other cases, prevention of prison visits resulted from the prison services' policy of not permitting visits by family members who themselves had been imprisoned in the past.