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ISRAEL AND THE OCCUPIED TERRITORIES: MASS ARRESTS AND POLICE BRUTALITY

INTRODUCTION

Since 29 September 2000, hundreds of people, most of them Palestinians, have been arrested in Israel and in East Jerusalem in connection with demonstrations and disturbances. The arrests still continue. Over 400 people, including at least 30 children, were believed to be held in detention on 30 October; the courts have refused bail to many detainees, in particular Palestinians.

Amnesty International is extremely concerned by reports that some detainees, including children, were beaten or otherwise ill-treated during arrest and sometimes in detention. Ill-treatment of detainees appears to be widespread by the Israel Police and the Border Police and to be fostered by a culture of impunity. Amnesty International is also concerned by reports that at least 10 Palestinians have been denied access to lawyers for periods of up to one week, in breach of international human rights standards.

Since 29 September more than 170 people, the vast majority of them Palestinians, have been killed in Israel and the Occupied Territories. Most were killed by Israeli security forces. In addition, Jews have been attacked and killed by Palestinians and Palestinians have been attacked and killed by Jews. In response to concern at repeated reports of Israeli security forces using excessive lethal force in the policing of demonstrations by Palestinians, Amnesty International sent a delegation to Israel and the Occupied Territories on 4 October to investigate the use of force by Israeli security forces in the light of international standards on the use of force and firearms by law enforcement officials. On 19 October 2000 Amnesty International issued a report *Israel and the Occupied Territories: Excessive use of lethal force* (MDE 15/41/00); the report examines killings of Palestinians caused by the excessive use of force by Israeli security forces.¹ On 21 October Amnesty International sent a second delegation to the area; one area of its work was to gather information about arrests and detentions which had occurred since 29 September. This report focuses on arrests and detentions within Israel and East Jerusalem. The Israeli army and the Border Police have also carried out arrests in the rest of the West Bank and in the Gaza Strip since 29

¹ Amnesty International's news releases and reports are available in English at <http://www.amnesty.org> and in Arabic at <http://www.amnesty-arabic.org/index.htm>.

September on a smaller scale and some detainees have reportedly been subjected to torture or ill-treatment.

ARRESTS IN ISRAEL

Background to the arrests

On 29 September 2000 the police opened fire on Palestinians at the al-Aqsa mosque compound in East Jerusalem. Four Palestinians were killed and over 200 injured. About 70 police officers were reportedly also injured. These events were followed by clashes in the Occupied Territories

82 per cent of Israeli citizens are Jewish and 18 per cent are Palestinians. Following its occupation of the West Bank and Gaza Strip in 1967, Israel annexed East Jerusalem; the Israeli government gave the Palestinians in East Jerusalem permanent residency status. A small number of Palestinians who had this residency status have become Israeli citizens.

resulting in the death of dozens more Palestinians and injury to hundreds of others. In the days following 29 September Palestinian citizens of Israel, who constitute about 18 per cent of Israel's population, organized demonstrations in towns and villages all over Israel to protest the behaviour of the Israeli security forces in the Occupied Territories, particularly in Jerusalem. In certain locations in Israel, these demonstrations developed into violent clashes between protestors and the security forces. In a number of towns and villages the security forces opened fire on demonstrators, using rubber bullets and even live ammunition. At least 11 Palestinian citizens of Israel were killed by the security forces and hundreds of others were injured, many as a result of excessive use of force.

On 7 October Palestinians attacked Joseph's Tomb, a site which is holy to Jews and Muslims, in Nablus in the Occupied Territories. Earlier that day the Israel Defence Forces (IDF) had vacated the site, in which Israeli settlers had established a synagogue and a Jewish religious school. Following the attack, Jews participated in anti-Palestinian riots in various parts of Israel, including Nazareth, Tiberias, Tel Aviv/Jaffa, Haifa, Lod, Ramleh, Ashdod and Ashkelon.

Hundreds of people have been arrested since 28 September, about two-thirds of them Palestinian citizens of Israel and one-third of them Jewish citizens. Most of those arrested have been accused of throwing stones, assaulting police officers, damaging property or public order offences such as participating in an unlawful assembly or rioting.

By 13 October the demonstrations and riots had ended, but arrests of Palestinians continued in the Galilee, the Triangle and in the Negev, areas in Israel where the majority of

Palestinians live. Many Palestinians have been arrested in the middle of the night at their homes; others have been arrested at checkpoints. The Israeli Police have asked three private hospitals in Nazareth to provide information on the identities of people whom they treated for injuries sustained during the demonstrations.

Refusal of bail

Prosecutors working for the Office of the State Attorney have requested in many cases that the courts order that defendants, including children, arrested in connection with rioting following 29 September, be detained in custody until the end of criminal proceedings rather than being released on bail, in order to calm the situation. The Attorney General, Elyakim Rubenstein, confirmed this policy on 30 October and is reported to have stated: "We will study the situation on the ground in the near future and on a routine basis. The data that we have so far does not indicate that the time is ripe to change our policy."² He emphasized that the policy also applied to Jews who had participated in riots.

International human rights standards, in particular Article 9(3) of the International Covenant on Civil and Political Rights, emphasize that people awaiting trial should not, as a general rule, be held in custody. International standards relating to the detention of children are founded on the principle that, in most cases, the best interests of children are protected by not separating them from their family. Article 37(b) of the Convention on the Rights of Child, to which Israel is a state party, states: "Arrest, detention or imprisonment of a child should only be used as a measure of last resort, must be in conformity with the law, and for the shortest appropriate time."

In a series of appeal decisions from 8 October 2000 the Supreme Court has repeatedly ordered detention without bail of detainees arrested in connection with the events, including a Palestinian child aged 15 and a Jewish child aged 16. For example, on 8 October Judge Kheshin considered an appeal by the state attorney's office against the granting of bail to Muhammad Mahmoud Hamid, a Nazareth resident. Muhammad Hamid had been charged with participating in an unlawful assembly and rioting. The judge upheld the appeal and refused bail stating:

"Youngsters in Israel, youngsters and adults, must know that a person who throws stones at a police officer who comes to enforce order at the scene of a riot, shows himself to be dangerous to human safety and to public safety, and being dangerous, he can be expected to be detained in order to protect those values of order without which we cannot maintain a proper society. Indeed, a person who deliberately raises a stone against a person whom

² Dan Izenberg, "Rubinstein: rioters should be remanded until trial," *The Jerusalem Post*, 31 October 2000.

society sends to enforce law and order cannot be prevented by an alternative to detention from once again committing the act he committed.”

According to lawyers representing detainees, the lower courts – the magistrates courts and the district courts – have tended to follow Supreme Court decisions ordering that those arrested should be held in detention until the end of criminal proceedings and to refuse bail without considering the individual circumstances of each case, in particular whether there is any alternative to holding the detainee in custody.

Despite the Attorney General’s statement that the same policy of seeking remand in custody was being applied to Jews as well as to Palestinians, a far higher proportion of Palestinians have been ordered detained until the end of the trial than Jews. As of 30 October, according to figures provided by the Ministry of Justice and the Police, about 1,000 Israeli citizens had been arrested since 28 September. About 66 per cent (660) were Palestinians and 34 per cent (340) were Jews. Eighty-nine per cent of those detained until the end of the trial were Palestinians (including Palestinians from the Occupied Territories arrested in Israel) and 11 per cent were Jews.

Denial of access to a lawyer

Amnesty International has received reports that at least 10 Palestinians detained in connection with the demonstrations and disturbances have been prohibited any access to lawyers for periods of up to one week. Under section 35 of the Criminal Procedure (Powers of Enforcement - Arrest) Law of 1996, a meeting between detainees and their lawyers can be prohibited for up to 21 days from arrest. Such restrictions contravene international human rights standards, including Principle 7 of the Basic Principles on the Role of Lawyers, which states: “Governments shall further ensure that all persons arrested or detained, with or without criminal charge, shall have prompt access to a lawyer, and in any case not later than forty-eight hours from the time of arrest or detention.” Isolation of detainees from the outside world appears to be a tactic used by the Israeli authorities, in particular Israel’s internal security agency, the General Security Service (GSS), to place psychological pressure on detainees in order to secure a confession or useful information.

During a visit to Kufar Kana on 27 October Amnesty International delegates learnt of four detainees, Mahmoud ‘Awawdeh, arrested on 23 October, ‘Abd al-Ra’uf ‘Aqayleh, arrested on 23 October and released on 26 October, and Faruq Khalil Hamza and Kamal Farid Hamdan, both arrested on 26 October, who had been prohibited from meeting with their lawyers while they were being interrogated by the GSS. Mahmoud ‘Awawdeh saw a lawyer for the first time on the morning of 27 October, on the fifth day of detention. Faruq Khalil Hamza and Kamal Farid Hamdan saw a lawyer for the first time on 30 October, the fifth day of detention. Amnesty International later learnt of another Palestinian from Kufar

Kana, Fares 'Awawdeh, arrested on 2 November, who was denied access to his lawyer until 7 November, his sixth day of detention.

Police brutality

Amnesty International has received many reports that Israeli police and border police have physically assaulted Palestinians, including children, as they were being arrested and as they were being transported to police stations. It has also received reports of beatings in detention. Detainees have also been beaten in custody. Amnesty International delegates interviewed several persons who were beaten or otherwise ill treated in custody. Israel is a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The convention requires Israel to prevent acts of torture or ill-treatment, to investigate allegations of such conduct and to bring to justice persons suspected of perpetrating such acts.

Under Israeli law, arrested persons must be brought to court within 24 hours of their arrest. Several lawyers told Amnesty International delegates that they informed judges that their clients had been beaten in custody and sometimes judges listened to testimony from the detainee himself. In some cases judges ordered that the detainee be examined by a police doctor. Some lawyers requested judges to allow the detainee to be examined by an independent doctor but their requests were refused. Amnesty International is concerned that police doctors are not sufficiently independent from the police to be able to carry out effective investigations of allegations of torture or ill-treatment.

Arrests of children

Israeli law and regulations provide for the special treatment of juvenile offenders, i.e. children under the age of 18. Police Standing Order 14.01.05 sets down the following procedures:

- In general children are to be brought by their parent or guardian for investigation to a police station;
- Questioning of children must generally be done during the day;
- With certain exceptions, the questioning of a child is carried out by a specially-trained police youth officer;
- Children are not to be handcuffed except in extraordinary circumstances, such as if the child is known to be violent, has attempted to abscond from lawful custody in the past, or there are reasonable grounds to believe that the child will tamper with evidence.

Reports indicate that the police have not followed their own procedures when arresting and detaining Palestinian children. As a matter of routine, the police have arrested children rather than inviting them for investigation to police stations with their parents. Children have often been arrested late at night or early in the morning and interrogated soon after they reached the police station. Children have been handcuffed following arrest and during interrogation. Children have been reportedly beaten by police officers. Lawyers informed Amnesty International that in many cases children had been interrogated by ordinary interrogators or by a combination of ordinary interrogators and a special youth investigator. A great deal of psychological pressure had been placed on some children – they had been shouted at, insulted and threatened during interrogation. Such conduct contravenes international standards, including Principle 21 of the Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment and Article 40(2)(iv) of the Convention on the Rights of the Child, which prohibit taking undue advantage of the situation of detained persons for the purpose of compelling them to confess, incriminate themselves or provide information against other people. The police's behaviour in such cases also contravenes Article 37(c) of the Convention on the Rights of the Child which states: "Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age..."

Lack of effective investigations

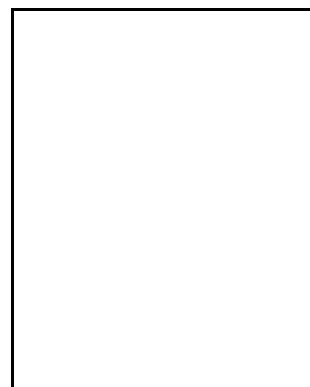
The Department for the Investigation of Police Misconduct has responsibility for investigating allegations of criminal conduct, including ill-treatment, by the Israel Police and the Border Police. On 30 October, the Attorney General reportedly stated that only one complaint had been lodged against the police to the department and that all other investigations of police misconduct had been initiated by the department itself. Lawyers interviewed by Amnesty International expressed a lack of confidence in the department's investigations, in particular as it is mainly staffed by persons seconded from the police. In 1998, the Association for Civil Rights in Israel (ACRI) noted:

*"More than 80% of investigations of complaints relating to police violence are closed for various reasons – an extremely high proportion. It must be asked whether this phenomenon is due to spurious complaints, objective difficulties in investigation lack of personnel or, perhaps, more fundamental problems in the functioning of the investigators and the policy of the PID [Department for the Investigation of Police Misconduct]."*³

³ Association for Civil Rights In Israel, "Comments on the Combined Initial and First Periodic Reports Concerning the Implementation of the International Covenant on Civil and Political Rights", July 1998, pages 37-38.

Given the fact that it is staffed mainly from persons seconded from the police, the Department for the Investigation of Police Misconduct appears to lack the independence and impartiality required under international human rights standards, including Articles 12 and 13 of the Convention against Torture, for carrying out investigations of torture or ill-treatment. In its report, ACRI also noted that, in an increasing number of cases, persons who had complained to the department about police brutality and whose case had been closed, had been charged with assaulting police officers.

On 21 October the Israeli government ordered the establishment of an *ad hoc* fact-finding committee to examine "clashes a number of weeks ago with security forces in which Israeli citizens, Arabs and Jews, were involved". The government was criticized by many Israeli non-governmental organizations and lawyers, as well as Amnesty International, for not establishing a judicial commission of inquiry regulated by the Law on Commissions of Inquiry of 1968; such a commission has greater independence as its members are appointed by the President of the Supreme Court, rather than the government, and it has powers to compel witnesses to testify and to grant immunity from prosecution in relation to statements given to those who testify before it. Apparently in response to public pressure, on 8 November, the Israeli government replaced the fact-finding committee with a commission of inquiry established under the 1968 law. According to media reports, the Office of the Prime Minister announced that the commission's mandate "was to investigate the clashes with security forces...in which Jewish and Arab Israeli citizens were killed and wounded." It is not clear whether the commission of inquiry's mandate extends to examining acts of torture or ill-treatment carried out by security forces in Israel.



Bakr Sa'id © Private

Case studies

Arrests in Kufar Kana

Amnesty International delegates visited the Palestinian village of Kufar Kana in the Galilee on 27 October. Six different families described the intimidating tactics used by the Israeli police, including the Special Patrol Unit, and Border Police whilst conducting arrests during the previous week. They reported that all the arrests took place in the early hours of the morning. Armed police, sometimes including officers masked with balaclavas, surrounded the targeted house. They entered the house with guns drawn. They normally searched the house, often damaging property in the process. In two cases reported to Amnesty International, the police used dogs for the searches. These methods terrified families, particularly young children.

The police came to arrest Bakr Sa'id, a 15 year old, at 2am in the morning on 24 October. The police had just arrested his cousin, Muhammad Jamil Sa'id, aged 17, from another house in the village. About a dozen armed officers surrounded the house. The police knocked and kicked at the door. The family refused to open the door until the police showed them an arrest order issued by a magistrates court. As soon as the family opened the door, four police officers with machine guns drawn entered the house. Bakr Sa'id's mother, Nadia Sa'id, gathered some of her children into one room as she was afraid that the police might open fire. The police asked for Bakr Sa'id. His father told them that he was sleeping. The four armed police officers accompanied the father into the room where Bakr Sa'id was sleeping. The police arrested him; they gave his family a telephone number and told them that they should call later to find out where Bakr Sa'id was being held. The police called later to say that they intended to bring the boy to court the following day. Three interrogators in civilian clothes reportedly interrogated Bakr Sa'id for several hours in the early hours of the morning, shouting at him and threatening him. Another detainee, Muhammad <Abbas, who was arrested from Kufar Kana the same morning could hear the police officers shouting. Bakr Sa'id was brought to court later the same day. His father went to the magistrates court to see his son, but was not allowed to talk to him. Muhammad Abbas saw him in court; he said that when he tried to communicate with Bakr Sa'id, a police officer slapped the boy. On 2 November a magistrates court agreed to Bakr Sa'id and Muhammad Sa'id's release on bail. The Office of the State Attorney appealed against the decision to the District Court the following day. The District Court refused the appeal and the two boys were released on 3 November.

The police came to arrest 'Abd al-Ra'uf 'Aqayleh, a construction worker, aged 32, at about 2am on 23 October. The first that his mother, Amneh 'Aqayleh, knew of the presence of police officers was a banging on her window. She asked who was there and heard a voice say: "Police." Four armed police officers rushed through the door. They arrested 'Abd al-Ra'uf 'Aqayleh and searched the house. The next day Amneh 'Aqayleh went to the Moscobiyeh detention centre in Nazareth to take cigarettes and clothes for her son. She was told to go to the court, but could not find him there. In fact, 'Abd al-Ra'uf 'Aqayleh was held incommunicado until his release on 26 October. Shortly after his arrest he was taken to Kishon detention centre where was interrogated, apparently by the GSS. On the first day of his detention he was interrogated continuously for about nine hours. Interrogators reportedly beat him on the final day and banged his head against the wall. When he was released from Kishon detention centre on 26 October, the police refused to give him permission to call his family. He walked down to the main road, where he fainted.

Arrests in Majd al-Kroum

An Amnesty International delegate also visited the village of Majd al-Kroum on 27 October. The police had arrested seven residents, including children, of the Palestinian village of Majd al-Kroum in the Galilee and two of them remained in detention. Two of those arrested reported being beaten by police.

On 23 October Khatib 'Ali, aged 18, was on his way home to Majd al-Kroum from high school with two other students. According to Khatib 'Ali's account, as they were getting on the bus, the driver racially abused Khatib 'Ali and accused him of throwing stones at his bus in the past. Khatib 'Ali said that an older Jewish woman told the driver to stop abusing him.

The driver refused to drop the three students off in Majd al-Kroum; he drove them instead to the police station in Karmiel and reportedly told the police there that Khatib 'Ali had been making insulting statements about Jews and had stoned his bus. The police took Khatib 'Ali to a room and started interrogating him about what he had said to the driver. He denied making any statements insulting to Jews and said that the driver had insulted Arabs; he also denied throwing stones at the bus. One officer said: "You could get 26 years in prison for what you have said and done." Khatib 'Ali said that he was kicked and punched as he was being interrogated. He was then handcuffed to the bars of a window in a cell. He received no medical attention for the injuries caused by the beating apart from an ice pack to put on his face. The following day he was brought before the Acre magistrates court with the two other students. His lawyer informed the judge that Khatib 'Ali had been beaten by the police. The judge recommended that he be examined by a police doctor within a reasonable time and extended his detention for two days. Khatib 'Ali was held until 26 October, when he was released on bail. An Amnesty International delegate interviewed Khatib 'Ali on 27 October, the day after he was released. The area around his right eye was bruised and an area behind his right ear was both bruised and swollen.



Khatib 'Ali © AI

Arrests in Sha'b on 2 October

Amnesty International also interviewed Qadr al-Wa'el, aged 20, in Majd al-Kroum. The Border Police arrested him in his village of Sha'b, also in the Galilee, at about 10pm on 2 October with five of his friends, following a demonstration in the village earlier that day. Qadr al-Wa'el said that two police officers beat him with the butts of their rifles while he was being transferred to Misgav police station. He said that two police officers also beat him in the police station. Five other police officers, who were either in or near the cell, reportedly witnessed the beating. Qadr al-Wa'el showed Amnesty International's delegate bruises on his lower legs which stretched down to his ankles. Qadr al-Wa'el limped very slowly and said that he was still in pain. He informed the judge at his remand hearing in court that he had been beaten by police officers. After being transferred to three other lock-ups, he was released on bail on 27 October.

Arrests in Haifa on 2 October

According to reports received by Amnesty International, at about 5pm on 2 October the police arrested nine people, as protestors blocked a road and demonstrated peacefully in the Wadi Nisnas neighbourhood in downtown Haifa. As the police arrested the nine, they beat them. Following the arrests and beatings, some of the demonstrators began to throw stones at the police. The police reacted by firing rubber-coated metal bullets at the legs of the demonstrators.

Lawyers who attempted to see the detainees were reportedly refused access by the police. Six were released soon after their arrest; the other three were held in custody until midnight; despite their requests they were refused medical treatment for their injuries. The police finally allowed a lawyer to see the detainees at about 10pm. When she entered, the three men were sitting handcuffed to a bench. It was apparent to the lawyer that the three detainees needed urgent medical attention; she asked the officer in charge why they had not been taken to hospital. He said: "I don't have the staff to do this." According to the lawyer, in another room a group of police officers were watching a sports match on television. The three detainees were finally released at about midnight after they signed undertakings not to throw stones and not to enter Wadi Nisnas for four days.

Yoav Bar, a computer programmer, was one of the demonstrators arrested by police in Wadi Nisnas on 2 October. He described how immediately after his arrest he was dragged by the legs for more than 50 meters by two police officers with his back sliding along the street, while other police officers beat him with batons. He was put in a police car where he was beaten by the driver before being transferred to another police vehicle. Yoav Bar said that he told the police that he thought his hand was broken; the police refused to give him any medical treatment. According to Yoram Bar Haim, another detainee, one officer reportedly said: "It's a shame they didn't break your head." He was released about midnight. Yoav Bar sought medical treatment following his release in Rambam Hospital in Haifa. His left hand was broken in three places; two of his ribs were broken; and two of his front teeth were broken. His back was also injured as a result of being dragged along the street.

Yoram Bar Haim was also arrested. According to his account, he approached police officers as he saw Yoav Bar being ill-treated by police. A police officer attempted to hit him with his baton and another jumped on his back so that Yoram Bar Haim fell to the ground on his face. He was dragged along the ground while police officers hit him with batons and kicked him all over his body. The police put him in a police car with his head hanging out of the window. As the car reversed, a police officer hit him on the head with a baton. The car stopped and officers pulled him out of the vehicle, picked him up to a height of about one meter and dropped him on the ground on his back. Yoram Bar Haim was then transferred to the police station, where he was held until about midnight. Yoram Bar Haim said he suffered a great deal of pain in his left foot and his ribs as a result of being beaten.

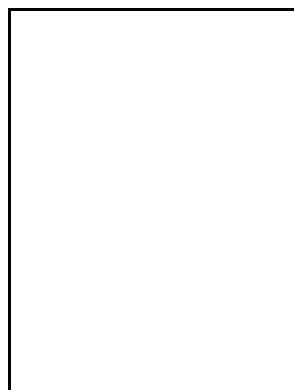
ARRESTS IN EAST JERUSALEM

Since 29 September hundreds of Palestinian residents of East Jerusalem have been arrested by the Israel Police and the Border Police. Some have been arrested during demonstrations, others during night raids on their homes. As of 9 November the arrests continue. Most of the Palestinians arrested have been accused of committing public order offences, damaging property or stonethrowing. At least 200 Palestinians from East Jerusalem were believed to be in detention on 7 November. Jewish Israelis living in Jerusalem have also been arrested, mostly for their alleged involvement in stonethrowing incidents and attacks on Palestinian property; a small number are still in custody.

Detainees in Jerusalem have faced the same difficulties in obtaining bail as has been the case inside Israel.⁴ Amnesty International has received many reports of police brutality directed against Palestinians, including children, either during arrest or in custody in East Jerusalem. The Israeli organization B'Tselem documented two cases in which police beat Palestinians on 29 September in the vicinity of the al-Aqsa mosque compound.⁵ On 14 October CNN broadcast footage of three police undercover agents (*must'arabin*) arresting three stonethrowing



Iyad Qaymeri © AI



Usama Ahmad Abu Zayneh © AI

Palestinians in Jerusalem the previous day.⁶ The video shows a police officer apparently punching a Palestinian in the head five times while holding him in a headlock. Another police officer is shown putting his foot on the back of another immobile Palestinian while putting a mask on his head.

Case studies

Arrests in Shu'fat neighbourhood, on 1 October

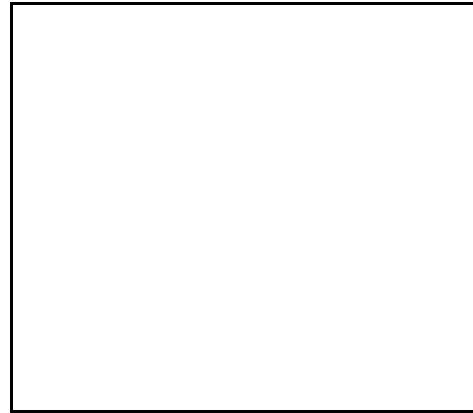
Iyad Qaymeri, aged 17, and Usama Ahmad Abu Zayneh, aged 19, and two other Palestinians were arrested in Shu'fat in East

⁴ Israeli law is applied in East Jerusalem. Israel annexed East Jerusalem in 1967 shortly after it occupied the West Bank and Gaza Strip during the 1967 War with Egypt, Syria and Jordan. The international community does not recognize Israel's claim to sovereignty over East Jerusalem and continues to regard it as occupied territory.

⁵ B'Tselem, "Events on the Temple Mount – September 29,2000: Interim Report".

⁶ [Http://www.cnn.com/2000/WORLD/meast/10/14/mideast.beating/](http://www.cnn.com/2000/WORLD/meast/10/14/mideast.beating/)

Jerusalem, at about 9.30pm on 1 October 2000. Iyad Qaymeri and Usama Abu Zayneh were amongst a group of about 30 young men and boys out on the street outside their homes; some were throwing stones at passing vehicles. A bus containing soldiers in civilian clothes was passing; the bus stopped and a group of soldiers descended and started chasing the Palestinians. It is reported that five soldiers set upon Iyad Qaymeri, pushing him to the ground and kicking him on his body and in his face on the street. As they attacked him they yelled insults. The beating lasted about five minutes. Soldiers also reportedly beat Usama Ahmad Abu Zayneh with a



Ahmad Fu'ad al-Shawish © AI

baton, particularly on his face, his left side and on his legs; as a result his right leg swelled up. Iyad Qaymeri and Usama Ahmad Abu Zayneh and the two other Palestinians were put on the bus and forced to lie on the floor; their hands were shackled behind their back. The soldiers took them to what appeared to be a military camp where they remained for about two hours. They were hooded and forced to lie on the ground. From time to time someone would come and kick them or hit them. The four Palestinians were then taken to the Moscobiyyeh detention centre. Iyad Qaymeri and Usama Ahmad Abu Zayneh were both interrogated separately for about an hour by the police as to whether they had been involved in stonethrowing. They stated that each time they were asked a question, the interrogator would slap them on the face. The handcuffs were finally removed after the interrogation, in the early morning. By that time their arms felt very painful. Iyad Qaymeri and Usama Ahmad Abu Zayneh were detained until 5 October. The night before his release, about 20 police officers entered the section where Iyad Qaymeri and about 30 other Palestinian detainees under the age of 18 were held and randomly beat them up with their batons whilst yelling insults at them.

Arrests in Lion's Gate neighbourhood, Old City, on 16 October

In the early hours of the morning on 16 October, plainclothes police officers and Border Police arrested a group of Palestinians living in Lion's Gate neighbourhood in East Jerusalem in the Old City. They were all taken for interrogation at the Jaffa Gate police station in the Old City before being transferred to the Moscobiyyeh detention centre. The police and Border Police reportedly physically assaulted several of these detainees following their arrest and later in detention.

Ahmad Fu'ad al-Shawish, aged 23, Murad 'Azmi al-Bakri, aged 19, and 'Imad al-Shalouhi, aged 31, were arrested on the street near their homes between 1am and 2am by a group of about ten armed police agents, including officers in civilian clothes and Border Police. They were taken down to an area near the Western Wall where the police were holding young Palestinians whom they had arrested in the Old City. Later, Ahmad's brothers arrived, Jamal Fu'ad al-Shawish and 'Ali Fu'ad al-Shawish; a group of about 25 agents had crowded into the

tiny courtyard of the al-Shawish family's home at about 3am and arrested them. 'Imad's brother, Samir al-Shalouhi was also brought to the Western Wall, after being arrested at his home by a joint force of about 10 agents, backed up by 12 further agents waiting outside. At the Western Wall Plaza an agent in civilian clothes and a border guard approached Ahmad al-Shawish and asked him to stand up. One of them grabbed Ahmad al-Shawish's face with both hands and squeezed it. The two agents started punching and kicking him in the face and on his legs. Ahmad al-Shawish had previously sustained multiple fractures in his leg and the beating therefore was extremely painful. Police officers also physically attacked Samir al-Shalouhi, particularly in the face and on the eye.

The police transferred the detainees to Jaffa Gate Police Station. They were all interrogated separately and were accused of being involved in stonethrowing incidents; some were also accused of setting light to the police station in Lion's Gate on 6 October. Ahmad Fu'ad al-Shawish, Jamal Fu'ad al-Shawish and Murad 'Azmi al-Bakri were asked to sign a statement saying that they had not been beaten during detention. They said that after they had signed the statement police officers in civilian clothes assaulted them. Ahmad al-Shawish was punched hard in the face; three agents in civilian clothes punched Jamal Fu'ad al-Shawish in various parts of his body; three agents punched Murad al-Bakri in the face.

Later that day the six detainees were taken to the magistrates court. Their detention was extended until 20 October. All six detainees continued to be held in the Moscobiyeh detention centre. On the first morning after his arrest, Ahmad al-Shawish had a headache. At about 1.30 am he banged on the door and asked the guards to bring him aspirin. A guard came and told him to bring his blanket. He was put in an isolation cell two meters' square for about seven hours. The cell was extremely dirty and contained a toilet. Light was provided by an electric light. There was no bed. 'Imad al-Shalouhi remembers being put in a similar isolation cell three or four times during the four days he spent in detention centre for periods of about five hours because he asked the police to bring him various things, like water and soap.

All six detainees were released on bail at about 8pm on the evening of 20 October after an agreement was reached between their lawyers and the State Attorney's Office. Bail was subject to conditions, including a requirement of seven days' house arrest.

CONCLUSIONS AND RECOMMENDATIONS

Out of at least 1,000 people, mostly Palestinians, arrested since 29 September, dozens have reported that they were subjected to physical violence and psychological pressure after arrest by Israeli police officers and Border Police. Israel's own standards for protection of children under arrest and detention were frequently breached.

Amnesty International calls for reports of beatings and other ill-treatment by the Israeli Police and Border Police to be thoroughly investigated and for those who are suspected of carrying out such human rights abuses to be brought to justice. Only so will the culture of violence against Palestinians, whether citizens of Israel or not, which has been encouraged by impunity, be ended.

Amnesty International makes the following recommendations:

- The Israel Police and the Border Police should immediately cease the use of torture or ill-treatment, whether physical or psychological, of any detainee in their custody. The Israeli authorities should make clear that torture or ill-treatment of any person will not be tolerated.
- Israel should bring to justice in accordance with international human rights standards any person against whom there is evidence that he or she carried out acts of torture or ill-treatment.
- Israel should comply with its obligations under Article 37(a) and (c) of the Convention on the Rights of Child by refraining from arrest, detention or imprisonment of children except as a measure of last resort and for the shortest appropriate time. It must ensure that any child deprived of his or her liberty is treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age.
- Israel should ensure that all detainees have access to relatives and lawyers without delay after arrest and regularly thereafter.
- Israel should ensure that allegations of torture or ill-treatment or other human rights abuses are promptly, impartially and effectively investigated by a body independent of the alleged perpetrators. The methods and findings of such investigations should be made public.
- Israel should ensure that any person who complains about human rights abuses is protected from ill-treatment or intimidation as a consequence of his or her complaint or any evidence given.
- The Commission of Inquiry established by the Israeli government on 8 November to investigate clashes with security forces in which Palestinian and Jewish Israeli citizens were killed and wounded should adhere to international standards for thorough, effective and independent investigations. It should investigate incidents of torture or ill-treatment by the security forces and denial of access to lawyers.

- Israel should make reparation, including payment of compensation, to the victims of torture or ill-treatment and other human rights abuses.
- Israel should ensure that any person who is brought to justice in connection with the demonstrations and disturbances occurring since 29 September 2000 receives a fair trial, consistent with international human rights standards.