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# *amnesty international*

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## **ISRAEL AND THE OCCUPIED TERRITORIES**

**@Walid Zaqut - prisoner of conscience**

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Walid Zaqut (ID number 911222875) from Jabalya in the Gaza Strip was arrested on 16 June 1992. He was issued with a four-month administrative detention order and was taken to the Ketziot detention centre in southern Israel where the majority of administrative detainees are held. He is accused of being an activist in the Democratic Front for the Liberation of Palestine (DFLP).

Walid Zaqut is 31 years' old and is married with one child. He studied sociology at Bir Zeit University on the West Bank. At the beginning of 1992 he was appointed as a member of the advisory committee to the Palestinian delegation to the fourth round of the Middle East peace negotiations. The Israeli authorities permitted him to travel to Amman in February 1992 in this context.

Walid Zaqut has appealed against his administrative detention order. The appeal is scheduled to be heard on 30 July 1992.

Walid Zaqut has given his lawyer the following statement:

"At the beginning of the peace talks I was in prison. My opinion was that to participate in the peace conference was the reasonable step for us to take. I think peace is not less important for Israelis than it is for us the Palestinians. Peace will put an end to violence, suffering and bloodshed on both sides."

In his statement he said that he had publicised his opinions in newspapers and had taken part in the peace process. He also described his participation in two public meetings in the Gaza Strip. At one of these meetings, held in Shajaiyyah in Gaza City in May 1992, he said that he had clearly expressed his opposition to the killings of Palestinians by Palestinians.

Walid Zaqt then continued:

"I also met people from the civil administration who spoke to me about the peace process and its chances to succeed. I said that I am sure that peace is important for both Israelis and Palestinians and that we are negotiating because of its importance for us. I also spoke about the economic situation and the conditions of the workers. Since my release all my activity was political, open and supportive of the peace process. I have never practiced violence nor called upon others to use it. I have never been told by the civil administration or anybody else that my activities were illegal or undesirable."

Walid Zaqt has reportedly been taken ill during his current detention. He apparently has health problems, which may be the result of his previous periods of imprisonment.

#### Previous arrests

Walid Zaqt has been imprisoned on a number of occasions in the past. In 1983 he spent five months under interrogation but was released without charge. On 23 February 1984 he was issued with a six-month town arrest (restriction) order which confined him to Gaza City by day and to his home at night. The order was renewed on expiry for a further six months.

In 1987, Walid Zaqt was imprisoned for eight months, on charges reportedly relating to membership of the DFLP. He was sentenced again in 1989 to 30 months actual imprisonment under a plea-bargain arrangement whereby he pleaded guilty to membership of an unlawful organization (the DFLP); to holding office in an unlawful organization (the "popular committee", in the Gaza Strip), and to incitement through his approval of the contents of intifada leaflets produced by the United National Leadership of the intifada in his capacity as a delegate of the DFLP. He was released from prison on 25 December 1991.

#### Amnesty International's concerns

Amnesty International acknowledges that various Palestinian groupings including the DFLP do advocate violence against Israel and have carried out acts of violence. However it does not consider that membership of or association with the PLO or one of its factions is in itself conclusive evidence that a certain individual has used or advocated violence. In determining whether an individual is a prisoner of conscience, Amnesty International looks into whether the individual personally used or advocated violence in the circumstances

relating to his or her arrest. In other words, it examines any specific opinions or acts attributed to the person in question beyond mere membership of the organization.

Amnesty International notes in this case that in connection with his current arrest the Israeli authorities have not provided any evidence to Walid Zaqut or his lawyer about the activities he is alleged to have carried out on behalf of the DFLP. The organization notes his statement that he has never practised violence, nor called upon others to use it, as well as his participation in the peace process.

On the basis of the available evidence, Amnesty International believes that Walid Zaqut is a prisoner of conscience, held only for his non-violent political opinions or activities. He should be released immediately and unconditionally.

### **Administrative detention in Israel and the Occupied Territories**

Since the end of 1991, in the Occupied Territories (except for East Jerusalem), administrative detention orders can be issued by military commanders for a period of up to six months, after which they may be indefinitely renewed for further periods of up to six months. Detainees have no access to any judicial review until they lodge an appeal and the appeal hearing begins, this often takes place several weeks or sometimes months after arrest. Even then, detainees and their lawyers are provided with insufficient information about the ground for arrest to enable them to effectively challenge the detention order. The grounds for detention are generally formulated in a very broad manner and appeals against administrative detention orders are in the majority of cases rejected.

Amnesty International opposes the detention without a fair trial within a reasonable time of all political prisoners, including administrative detainees. It believes that the practice of administrative detention in Israel and the Occupied Territories violates fundamental human rights. It should not be used as a substitute for, and a means of avoiding the safeguards of, a criminal justice system.

Amnesty International is urging that all administrative detainees held on account of their non-violent political opinions or activities, like Walid Zaqut, be released immediately and unconditionally, and that the others be released unless they are to be given a fair and prompt trial.

<b>KEYWORDS:</b> PRISONERS OF CONSCIENCE / PEACE ACTIVISTS / REARREST / ILL-HEALTH / POLITICAL VIOLENCE / ADMINISTRATIVE DETENTION /
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