



# INTER-PARLIAMENTARY UNION

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## **CASE No. PAL/05 - AHMAD SA'ADAT - PALESTINE / ISRAEL**

### ***Resolution adopted unanimously by the IPU Governing Council at its 184<sup>th</sup> session (Addis Ababa, 10 April 2009)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the case of Mr. Ahmad Sa'adat, elected in January 2006 to the Palestinian Legislative Council, as outlined in the report of the Committee on the Human Rights of Parliamentarians (CL/184/12(b)-R.1), and to the resolution adopted at its 183<sup>rd</sup> session (October 2008),

*Referring also* to the study produced by the Israeli non-governmental organization *Yesh Din* (Volunteers for Human Rights) on the implementation of due process rights in Israeli military courts in the West Bank, entitled "Backyard Proceedings", which reveals the absence of due process rights in those courts, and to the study of B'Tselem - the Israeli Information Center for Human Rights in the Occupied Territories - entitled "Barred from Contact" on violations of the right to visit Palestinians held in Israeli prisons, published in September 2006,

*Taking into account* the information gathered by the Committee's secretary during a fact-finding mission to Ramallah,

*Recalling* that on 14 March 2006, Mr. Sa'adat, whom the Israeli authorities had accused of involvement in the October 2001 murder of Mr. R. Zeevi, the Israeli Minister of Tourism, was abducted by the Israeli Defence Forces from Jericho jail and transferred to Hadarim in Israel together with four other prisoners suspected of involvement in the murder; that the Israeli authorities concluded one month later that he had not been involved in the killing and charged the other four suspects with the murder; that subsequently 19 other charges were brought against Mr. Sa'adat, all of which arise from his leadership of the Popular Front for the Liberation of Palestine (PFLP), ranked as a terrorist organization by Israel, and none of which allege direct involvement in crimes of violence, although seven (covering the period from 1995 to the day of his arrest) allege preparatory or secondary involvement in such acts,

*Considering* that Mr. Sa'adat refused to recognize the jurisdiction of the court, and consequently he and his lawyer remained silent throughout the proceedings; only in the hearing held after his conviction, but before the handing down of the sentence, did he offer a political rather than legal defence, in which he denounced, inter alia, the occupation as a war crime; during the proceedings, the court heard 37 prosecution witnesses, all fellow prisoners, but, according to Mr. Sa'adat's lawyer, was unable to produce any proof of his direct or indirect involvement in or personally sharing responsibility for any violence, *noting* that on 25 December 2008, Mr. Sa'adat was sentenced to 30 years' imprisonment,

*Noting* that Mr. Sa'adat was held in Hadarim prison and transferred in mid-March to Ashkelon prison; that solitary confinement has been imposed on him until June 2009; before the isolation, his youngest son and his wife were able to visit him; Mr. Sa'adat suffers from cervical problems, high blood pressure and asthma and has reportedly not been examined by a medical doctor; he sometimes has breathing difficulties and the family is therefore very concerned, since he is now in isolation and no help can be had in any emergency; *noting further* that at the beginning of his detention the Israeli authorities refused to let his wife visit him; for the first seven months, Mr. Sa'adat received no family visit; his children with Palestinian ID cards have not been allowed to visit their father since his arrest for unknown reasons; Mrs. Sa'adat has now been authorized to visit her husband twice a month; the first time in March, she was unable to visit him because she was in hospital and, when she last tried to visit him, she was unable to do so because he had been transferred to Ashkelon jail, where he is in solitary confinement; the prison authorities removed his television set and imposed other restrictions, in line with a decision they have reportedly taken to punish prisoners for the failure of the negotiations regarding the release of Gilad Shalit, the Israeli soldier captured in June 2006 during a cross-border attack on Israeli military installations,

1. *Reaffirms its conviction* that Mr. Sa'adat's abduction and transfer to Israel was related not to the murder charge but rather to his political activities as PFLP General Secretary and that the proceedings against him were therefore based on extra-legal considerations;
2. *Fears* that the imposition of the extremely harsh sentence on him is further evidence of the political motives for his arrest and prosecution as the leader of a political party; therefore *calls on* Israel to release him;
3. *Wishes* to receive a copy of the judgment handed down on Mr. Sa'adat;
4. *Is alarmed* at the imposition of solitary confinement on Mr. Sa'adat and *wishes to* ascertain on what grounds that decision was taken;
5. Recalls that, in conformity with the United Nations Standard Minimum Rules for the Treatment of Prisoners, no prisoner shall be punished except in accordance with the terms of a law or regulation and that, in its Article 7, the Basic Principles for the Treatment of Prisoners recommends the abolition of solitary confinement;
6. *Calls on* Israel to respect these principles and rules;
7. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 121<sup>st</sup> Assembly of the IPU (October 2009).