



تجمع شباب ضد الاستيطان

Youth Against Settlements

Press Release: 6/11/ 2015

Israeli Secret service is arbitrary detaining and torturing Human Rights defender Mohamod Zoghour

Youth Against Settlements demands the immediate release of Human Rights Defender and YAS Spokesperson Mohammed Zoghour

On Wednesday, 28 October 2015, the Israeli army and secret service arrested Human Rights Defender and YAS spokesperson Mohammed Zoghour from his home at 2am. The arrest comes hours after a nonviolent mass protest in Hebron demanding the handing over of the bodies of martyrs was successfully held without the use of violence by the Palestinian activists. The Israeli army used disproportionate force and violence to repress the protest.

Since his arrest, Mohammed **Zoghour** was moved to the Ashkelon Investigation Center of the secret service. Until the time of writing, he was denied access to his lawyer, no warrant was issued, and no clear information about the reasons for his arrest were communicated. On Thursday, 29 October 2015, the secret service was granted an extension of the interrogation period for 8 days. And on Thursday, 5 November 2015 secret service granted another extension for 8 days.

Youth Against Settlements is deeply concerned about the illegitimate and arbitrary arrest of Mohammed Zoghour, his transfer to the secret service interrogation center in Israel, the denial of contact to his lawyer, and thereby the denial of a fair and legitimate trial. This treatment constitutes a violation of article 9 of the Universal Declaration of Human Rights, article 9 of the International Covenant on Civil and Political Rights (ICCPR), as well as article 49 and 76 of the Fourth Geneva Convention, which prohibits the transfer of prisoners outside of occupied territory.

The arrest of Mohammed Zoghour comes in the midst of a wave of unjustifiable disproportionate repression of Palestinians in the occupied Palestinian territory (oPt). Over the past weeks Israeli forces have arbitrarily arrested thousands of Palestinians for exercising their legitimate right to take part in the popular struggle against the military occupation of the oPt, Israeli provocations at the Al Aqsa Mosque in Jerusalem and settler violence. Israeli forces have further increasingly and systematically targeted human rights defenders, journalists and international observers with the clear aim of deterring them and others from publishing information. Reprisals included arbitrary arrests, house raids, confiscation of video material and intimidations.

Article 9 of the ICCPR holds: Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention (1); anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him, (2) Anyone arrested or detained on a criminal charge shall be brought promptly before a judge.

We therefore call upon the international community to demand from Israel:

- to immediately release Mohammed Zoghour

WWW.HYAS.PS

E-mail: Media.Yas@gmail.com

www.facebook.com/y.a.s.palestaine

Mobile:0599340549





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- to immediately grant Zoghour access to his lawyer
- to communicate the reasons for his arrest
- and to insure a fair and public trial in case charges will be brought forward

Our lawyer Said:

"The Supreme Court rejected the petition against the incommunicado warrant. The warrant itself was extended again, I'm not sure until when but I assume another few days.

Yesterday Mohammed's arrest was extended by 8 more days in the military court in Shikma Detention Center. We have appealed this and a hearing will take place on Sunday afternoon.(8/11/2015)

In the part of yesterday's hearing when Mohammed saw the judge in our absence, he complaint he was being deprived sleep, humiliated in detention and that harsh suspicions are being thrown at him with no grounds. This clearly violates the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Another issue is that even though it might sound like Mohammed has access to courts, this is far from due process. 12 days after his detention we still don't even know what he is even suspected of (except the general "activity against the security of the Area" which is merely a title and not an offense). Mohammed was also not brought to the appeal nor Supreme Court hearing and will probably not be brought to the appeal on Sunday, though he has a right to be present in them and they could be conducted in the same manner as the arrest extensions. He has been denied access to a lawyer from the moment of his arrest and is undergoing a difficult interrogation, completely disconnected from the outside world. We also have no knowledge of whether he was informed of the proceedings conducted on his behalf "

Extrajudicial Executions

Tensions in the oPt have been rising since an arson attack on two Palestinian family houses by Israeli settlers on 31 July 2015 in Duma, when an 18-month old toddler was burnt alive and both parents later succumbed to the severe burns.¹

On 22 September 2015, 18-year old Hadeel al-Hashlamoun was killed by Israeli soldiers in Hebron in what was according to Amnesty International an extrajudicial execution,² an incident whose media coverage by Youth against Settlements received worldwide attention.

Earlier in September, tensions on the Al Aqsa Mosque compound on the Haram Ash-Sharif in occupied East Jerusalem had risen after the Israeli army stormed the Al Aqsa compound and assaulted worshipers with rubber-coated bullets.³ Ever since, protests in solidarity with martyrs, in opposition to the Israeli provocations at Al Aqsa, and in resistance to the Israeli military occupation of Gaza and the West Bank, including East Jerusalem, spread in all regions of the oPt. The protests are an expression of

¹ <http://www.ochaopt.org/poc28july-3august.aspx>

² <https://www.amnesty.org/en/documents/mde15/2529/2015/en/>, <http://www.ochaopt.org/poc8september-14september.aspx>

³ <https://www.maannews.com/Content.aspx?id=767579>



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Palestinians' legitimate right to resist the decade-long Israeli military occupation of the Palestinian territory, and the continuous oppression and violation of human rights of the Palestinian population.

Protesters are met with intentional disproportionate violence by the Israeli army, incited by Israeli politicians and security personnel,⁴ and fueled by the recent relaxation of rules on usage of life ammunition pushed through by Netanyahu in September.⁵ Until the time of writing, lethal force by the Israeli army during protests and violent attacks have led to thousands of Palestinians being injured and arrested, and over 65 Palestinians, including a number of children, being killed since the beginning of October.⁶

Rights groups claim that many of the killings of Palestinians by Israeli soldiers, policemen, and settlers constitute extrajudicial and unlawful executions, as the Palestinians did not pose imminent threat to life at the time of their killing.⁷ Eye witnesses, including YAS activists, have repeatedly witnessed soldiers and settlers placing knives next to bodies of Palestinians in order to claim they had been (planned to be) attacked. In addition, medical assistance has been denied to a majority of the killed Palestinians right after being shot. Furthermore, the Israeli government has imposed measures of collective punishment on the Palestinian population, including house demolitions and closures of whole neighborhoods of East Jerusalem.⁸

Extrajudicial executions and deliberate willful killings, arbitrary arrests, as well as collective punishments are illegal under international law as they constitute grave breaches of the Fourth Geneva Convention amounting to war crimes. Palestinians are resisting the Israeli military occupation of their land in order to claim their human and civil rights, and in an attempt to gain their rights to freedom and dignity.

Therefore, we additionally call upon the international community

- to deploy international protection forces and to use all means in their power to demand from Israel to
- immediately end the disproportionate use of lethal and non-lethal violence and measures collective punishment against the Palestinian population,
- guarantee human rights for Palestinians and to adhere to international law, as well as
- end the Israeli military occupation of the Gaza Strip, and the West Bank, including East Jerusalem

4 http://www.btselem.org/press_releases/20151014_summary_execution_joint_statement

5 <http://www.pmo.gov.il/English/MediaCenter/Spokesman/Pages/spokeJerusalem240915.aspx>,
<http://www.theguardian.com/world/2015/sep/25/israel-live-ammunition-measures>

6 <http://www.ochaopt.org/poc20october-26october-2015.aspx>, <http://www.maannews.com/Content.aspx?id=768545>

7 <https://www.amnesty.org/en/latest/news/2015/10/israeli-forces-must-end-pattern-of-unlawful-killings-in-west-bank/>,
http://m.btselem.org/press_releases/20151013_mounting_violence

8 <http://mfa.gov.il/MFA/PressRoom/2015/Pages/Security-Cabinet-approves-anti-terror-measures-13-Oct-2015.aspx>

