



# INTER-PARLIAMENTARY UNION

CHEMIN DU POMMIER 5  
1218 LE GRAND-SACONNEX / GENEVA (SWITZERLAND)

## **CASE N° PAL/05 - AHMAD SA'ADAT - PALESTINE/ISRAEL**

***Resolution adopted unanimously by the IPU Governing Council at its 180<sup>th</sup> session  
(Nusa Dua, Bali, 4 May 2007)***

The Governing Council of the Inter-Parliamentary Union,

*Having before it* the case of Mr. Ahmad Sa'adat, elected in January 2006 to the Palestinian Legislative Council, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians following the Procedure for the treatment by the Inter-Parliamentary Union of communications concerning violations of the human rights of members of parliament,

*Taking note* of the report of the Committee on the Human Rights of Parliamentarians, which contains a detailed outline of the case (CL/180/12(b)-R.1),

*Referring* to the expert report of Mr. Simon Foreman on the trial of Mr. Marwan Barghouti, which contains a detailed chapter on the legality of the transfer of Palestinian citizens to Israeli territory,

*Considering* the following evidence on file as provided by the sources:

- Mr. Sa'adat, General Secretary of the Popular Front for the Liberation of Palestine (PFLP), was arrested on 15 January 2002 by the Palestinian General Intelligence Service and later transferred to President Arafat's compound in connection with the killing of Mr. Zeevi, for which the PFLP had claimed responsibility. However, he was not formally charged. On 29 March 2002, the Israeli Defence Forces attacked the compound and put it under siege for one month to obtain the delivery to them of Mr. Sa'adat and five others accused of Mr. Zeevi's killing. The siege was lifted on 1 May 2002 in a deal (the Ramallah Agreement) under which the six Palestinians detained in the compound were taken to a Jericho prison, where they remained in detention under the monitoring of United Kingdom and United States observers.
  - Upon a petition for Mr. Sa'adat's release, the Palestinian High Court of Justice requested the Palestinian General Intelligence Service to bring evidence against him, and ordered his release as the Service failed to do so. On 4 June 2002, however, the Palestinian Cabinet decided that he should not be released owing to Israeli threats to assassinate him.
  - Between December 2005 and March 2006, the British authorities repeatedly told the Palestinian Authority that the situation in which the independent monitors were working in the Jericho jail failed to respect the Ramallah Agreement and that they would be withdrawn if the situation was not remedied. Early in the morning of 14 March 2006, they were indeed withdrawn. According to the source, Israeli Defence Forces arrived at the jail 20 minutes later and proceeded to abduct Mr. Sa'adat and other inmates. Mr. Sa'adat was transferred to an Israeli jail.
  - In late April 2006, the Israeli authorities dropped the charge against Mr. Sa'adat of involvement in Mr. Zeevi's murder after the Attorney General decided that there was insufficient evidence to try him for the murder; however, 19 other charges of security-related offences have been brought against Mr. Sa'adat, who will reportedly be tried in a West Bank military court; to date, this has reportedly not been the case and indeed no charges are said to be currently pending against Mr. Sa'adat,
1. *Deeply regrets* that, despite several requests by the Committee, the Israeli parliamentary authorities have provided no information on Mr. Sa'adat's situation;

2. *Strongly believes* that Mr. Sa'adat's abduction and transfer to Israel was not related to the murder charge, but rather to Mr. Sa'adat's political activities as PFLP General Secretary, since he was abducted and detained by the Israeli authorities on a charge of murder that was dropped, soon after his transfer, for want of evidence; *points out* in this respect that Mr Sa'adat has been sought by the Israeli authorities ever since Mr. Zeevi's murder in January 2002 and that consequently they have had more than four years to prepare the case and gather all the necessary evidence;
3. *Affirms* that Mr. Sa'adat's abduction from a Palestinian prison and his transfer to Israeli territory was in breach of the Fourth Geneva Convention and the Oslo Accords and that he should therefore be transferred forthwith to Palestinian territory;
4. *Is alarmed* at reports that he is still being held, although no other valid charges have been laid against him; *affirms* that, if found to be true, this situation would constitute a clear violation of Mr. Sa'adat's right to liberty which the Israeli authorities, as a party to the International Convention on Civil and Political Rights (ICCPR), are bound to respect, and that under Article 9, paragraph 5, any person arbitrarily detained has an enforceable right to compensation;
5. *Urges* the Israeli authorities either to release Mr. Sa'adat forthwith or to charge him immediately with a recognizable criminal offence and try him without delay before an independent tribunal fully in compliance with the fair trial guarantees which Israel, as a party to the ICCPR, is bound to respect;
6. *Wishes to ascertain* Mr. Sa'adat's conditions of detention, in particular the access he has to his lawyer, family and friends, and to medical treatment;
7. *Expresses the desire* that the Committee will be able to visit Mr. Sa'adat, *requests* the Secretary General to take the necessary steps to this end, and *hopes* that the Speaker of the Knesset will give favourable consideration to this request;
8. *Requests* the Secretary General to inform the Israeli authorities accordingly and to seek the requested information from them;
9. *Requests* the Committee to continue examining this case and report to it at its next session, to be held on the occasion of the 117th Assembly (October 2007).