

# URGENT ACTION

## PALESTINIAN PARLIAMENTARIAN SENTENCED

**Palestinian parliamentarian Khalida Jarrar has pleaded guilty to two of 12 charges against her and accepted a 15-month prison sentence, because she does not believe she will receive a fair trial before an Israeli military court.**

Under a plea bargain made with the military prosecution, **Khalida Jarrar** was sentenced on 6 December to 15 months' imprisonment, an additional 10-month prison term suspended for five years, and a fine of US\$2,600. She was convicted of incitement to kidnap Israeli soldiers and membership of a banned organization, the Popular Front for the Liberation of Palestine (PFLP), a political party with an armed wing, while 10 other charges were dropped. According to her lawyers, the prosecution have never provided evidence that Khalida Jarrar is guilty of incitement. At a hearing on 25 August, two witnesses retracted statements incriminating Khalida Jarrar, claiming they had made them during interrogation under "pressure and ill-treatment... including sleep deprivation, being tied in painful stress positions for long hours, being threatened with further torture and with the arrest of family members".

The prosecution had sought relentlessly to keep her in jail. After she was arrested, on 2 April, they put her under administrative detention orders, which allow them to hold people without charge indefinitely, on the basis of secret evidence. After she was charged on 15 April, a military judge granted her bail on the grounds that she was not a security risk if released during the proceedings, but this decision was reversed after the prosecution appealed using secret evidence against her. Her trial was adjourned repeatedly, and the authorities often failed to bring witnesses to court. The journey to court in a prison vehicle was exhausting, taking several hours during which she had no access to a toilet. The prosecution offered to settle, outside trial proceedings, first if she accepted a five-year sentence, and later a three-year sentence. She and her lawyers rejected both these offers. She finally agreed to the plea bargain, believing she would not be given a fair trial and her detention would never end.

### **Please write immediately in Hebrew, English or your own language:**

- Expressing concern that Khalida Jarrar's guilty plea was made because of the flagrantly unfair military proceedings in her case, which admitted coerced testimony which were later recanted;
- Expressing concern that the detention of Khalida Jarrar, the proceedings against her and her sentence appear to be punitive measures used to suppress her right to free and peaceful expression.

### **PLEASE SEND APPEALS BEFORE 19 JANUARY 2016 TO:**

#### Military Judge Advocate General

Brigadier General Danny Efroni  
Hakirya, Tel Aviv, Israel  
Fax: +972 3 569 4526  
Email: avi\_n@idf.gov.il

**Salutation: Dear Judge Advocate General**

#### Commander of the IDF – West Bank

Major-General Roni Numa  
GOC Central Command  
Military Post 01149, Battalion 877  
Israel Defense Forces, Israel  
Fax: +972 2 530 5741, +972 2 530 5724

**Salutation: Dear Major-General Roni Numa**

#### Minister of Defence

Moshe Ya'alon  
Ministry of Defence  
Tel Aviv 61909, Israel  
Email: minister@mod.gov.il  
pnior@mod.gov.il  
Fax: +972 3 691 6940

**Salutation: Dear Minister**

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the seventh update of UA 81/15. Further information:

<https://www.amnesty.org/en/documents/mde15/2350/2015/en/>

**AMNESTY  
INTERNATIONAL**



# URGENT ACTION

## PALESTINIAN PARLIAMENTARIAN SENTENCED

### ADDITIONAL INFORMATION

Khalida Jarrar is an outspoken and active critic of the Israeli occupation of Palestinian territory and has been subjected to decades of harassment and intimidation by the Israeli authorities. The head of the Israeli military's Central Command gave her a six-month "Special Supervision Order" in August 2014, based on unspecified "serious security reasons that necessitate the... order to protect the security of the area", requiring her to leave her home in Ramallah and confining her to Jericho unless she received "special permission" from the military authorities. No further details of the information were made available to let her challenge the decision judicially. She defied the order and moved into the Palestinian Legislative Council compound in Ramallah, where she remained until 16 September, when the order was reduced to one month. In February 2015, she was appointed to the Palestinian Higher National Committee to Follow Up with the International Criminal Court (ICC), formed by President Abbas following Palestine's signature of the Rome Statute of the ICC on 31 December 2014. She is vice-chair of the board of Palestinian human rights organization Addameer (which advocates for the rights of Palestinian prisoners), and was elected to the Palestinian Legislative Council in 2006. She has repeatedly been declared a security risk by the Israeli military, but was not charged with any criminal offence until April 2015. She was arrested by Israeli soldiers at her home in Ramallah, in the occupied West Bank, on 2 April and placed in administrative detention. At a review hearing of her administrative detention order on 15 April, the military prosecution brought 12 charges against her relating to, among other matters, membership of the PFLP and incitement to kidnap Israeli soldiers. The Israeli military said they had testimony from two Palestinian prisoners that they heard Khalida Jarrar advocate the kidnapping of Israeli soldiers, which she denied vehemently.

Khalida Jarrar's much-delayed trial began on 25 August, before a military court. The evidence against her comes from statements made by former and current Palestinian prisoners during interrogations by the Israel Security Agency (ISA). At the hearing on 25 August, the first two witnesses retracted the statements they had made, claiming they had made them under duress. The prosecution argued that the witnesses were lying and the judge ruled that their original statements would not be excluded. According to Addameer, in a hearing on 8 November, the court heard the testimony of two Israeli policemen who had interrogated some of the alleged witnesses while they were detained. The police officers who documented the confessions provided testimony to allow the court to examine the witnesses' claims and the interrogation conditions. The police officers apparently said the torture allegations related to interrogation by the ISA. Although an ISA officer was called to give evidence, he failed to appear several times because he was on leave.

Proceedings in Israeli military courts fall short of international standards for fair trial. The military judiciary is not independent and there are serious doubts about whether military judges are impartial. Judges are appointed by the Regional Commander on the Military Advocate General's recommendation and promoted almost exclusively from the ranks of prosecutors. Once appointed, they have no right of tenure and can be removed by the Regional Commander at any time. Serious doubts have been expressed about their impartiality. Convictions are often primarily based on "confessions" by defendants or statements from witnesses, which are then repudiated as having been coerced. Palestinian prisoners and detainees are routinely tortured or otherwise ill-treated during arrest and interrogation. Defendants regularly resort to plea bargains even when they are innocent because they do not believe they will have a fair trial and feel they have no choice other than to accept a guilty plea which will lead to a reduced sentence. The prosecution have apparently given a commitment not to put Khalida Jarrar in administrative detention when she finishes her sentence but the authorities have violated similar agreements with Palestinian prisoners in the past.

Name: Khalida Jarrar  
Gender m/f: f

Further information on UA: 81/15 Index: MDE 15/3031/2015 Issue Date: 8 December 2015