

Hotline...

Newsletter of Hotline: Center for the Defence of the Individual

2 Abu Obeidah St., Jerusalem, Tel. 02-283555

June, 1990

Hotline

The Hotline (in Hebrew: Ha-Moked) is a Jerusalem civil rights organization founded in July, 1988. The Hotline was founded when it became evident that basic civil rights of Palestinians in the territories were being violated by the Israeli authorities in their attempts to control the uprising (*Intifada*) there.

The Hotline was established under the auspices of Sovlanut ("Tolerance"), a non-political organization that aims to combat violence and promote democratic values in Israel. At the end of 1989, the Hotline became an independent organization with an executive board that is responsible for policy and budget. This board includes representatives of Sovlanut, the Association Civil Rights in Israel (ACRI), the Hotline volunteer staff, and the public.

The aims of the Hotline are two-fold: (1) to assist individuals in their complaints about improper treatment and (2) to influence policy through activities within the Israeli legal sys-

tem. Since its inception, the Hotline has opened over 1,500 files, which fall into four categories: (1) complaints of violence, (2) damage to and theft of property, (3) infringements of civil rights, such as illegal confiscation of ID cards, and (4) location of detainees. The Hotline works closely with ACRI in activities directed toward influencing policy. On the basis of information provided by us, ACRI has brought two successful cases to the Supreme Court in matters relating to the treatment of Palestinians. For one of the cases, we provided statistical evidence of the illegal confiscation of ID cards for a Supreme Court petition which resulted in new regulations limiting the practice.

Point of View

Between one festival and another, the first issue of the Hotline newsletter comes off the press. Normally, the appearance of a new publication is cause for rejoicing. But it is difficult to celebrate this one. To begin with, our very *raison d'être* lies in the existence of an intolerable situation: one of ever-increasing violence; the excessive, disproportionate, and illegal use of force on the part of those charged with upholding the law; and a deepening polarization between Jews and Arabs. In addition, the very weeks when this first issue of our newsletter was being prepared have seen a sharp deterioration of the situation which we are working so hard to overcome.

Yet while we cannot feel particularly festive on this occasion, we have cause for some gratification. We do have some successes to our credit as a result of these two years of the Hotline's existence: success in dealing with numerous individual cases, in relieving many people of at least some part of their suffering, and in placing responsibility for this suffering where it belongs; success in raising the consciousness of the public and the security services regarding this intolerable situation; success in winning a certain amount of co-operation from the various government authorities; success in achieving at least some rapprochement. The tragic dimensions of the situation make gauging these successes difficult, but I do not think it would be far wrong to say that without the work of the Hot-

line, the situation would be even worse.

The Hotline owes its existence to the initiative of the Sovlanut movement and the assistance the latter provided the Hotline in taking its first steps. The success of the Hotline as an autonomous institution has been a direct function of the high degree of dedication shown by its staff and volunteers. We have managed to put together an interfaith, multinational, pluralistic team that strives together for the realization of its aims and provides a model of the kind of co-operation we would like to see on a much wider scale. Without this dedication, which naturally comes at the expense of our various individual pursuits, we would never have achieved what we have.

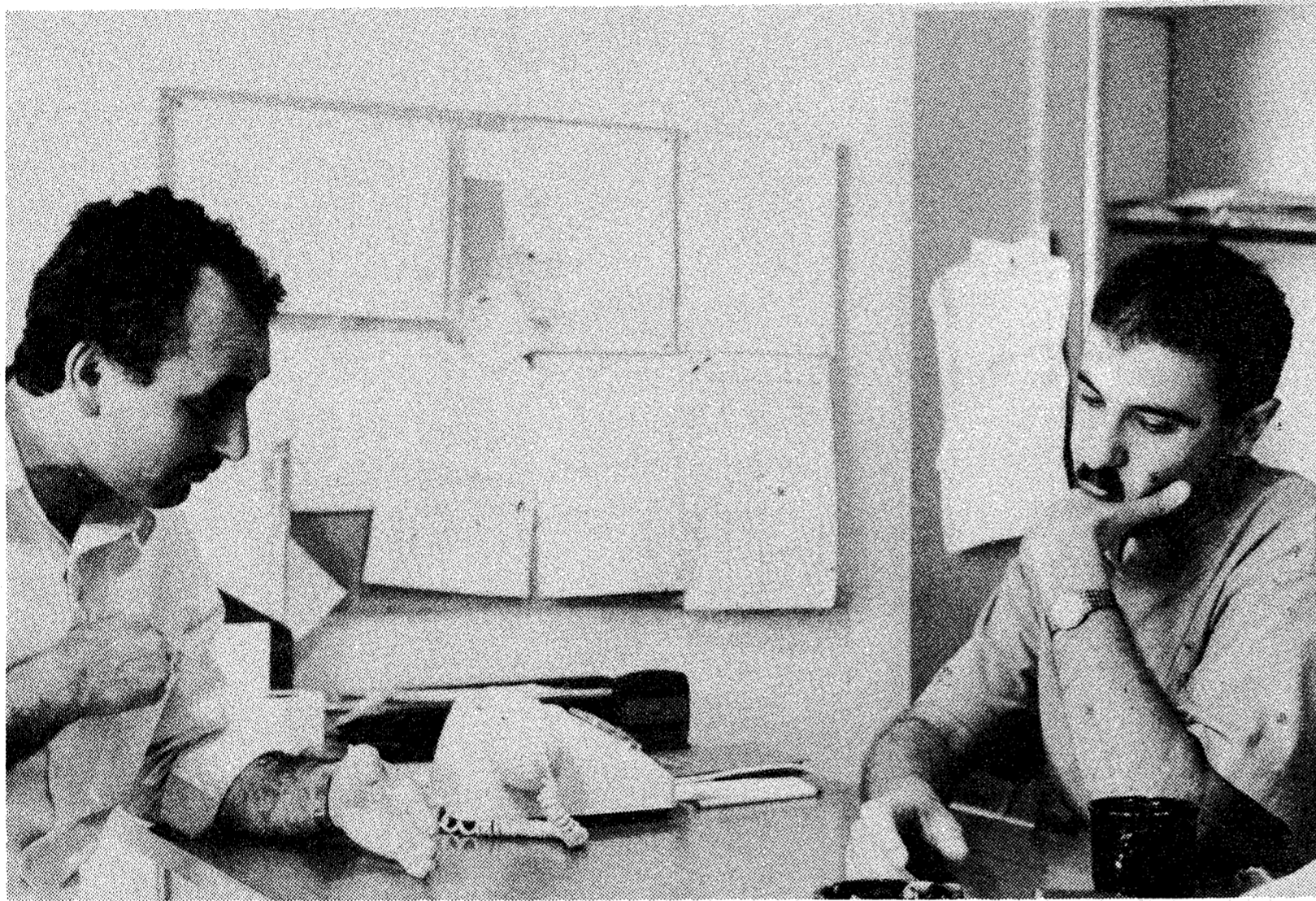
Just as celebrating the appearance of the first issue of this newsletter seems inappropriate, it is perhaps fitting to conclude with the hope that some day soon we will not be needed, that the newsletter's final issue can be published as well.

Lotte Salzberger
Chairperson

The Hotline Makes a Difference

At the end of September, B. K. was beaten by members of the Border Patrol in the Old City of Jerusalem. After he himself had tried unsuccessfully to lodge a complaint with the Border Patrol, the Hotline lodged a complaint for him. In April we received notice from the Border Patrol that the complaint was justified *prima facie* and had been passed on to the Public Prosecutor's office.

In October, I. W., 27, was on his way to see a friend in Shu'afat, an Arab neighborhood in north Jerusalem. The taxi in which he was riding was stopped by three Border Patrol sol-



Ala Khatib and complainant

diers, and the passengers were ordered to get out. Mr. W. was asked whether he had any hashish in his possession, and he answered that he did not. The soldiers stripped him completely and kept him standing in the street, naked. Some five minutes later, another car came by and was stopped, and he was released. Mr. W. brought his story to the Hotline, which then lodged a formal complaint with the Border Patrol Public Complaints Office. A month later, Mr. W. was called in by this office for questioning. After investigating the case, the office ruled that the complaint was justified *prima facie*. It has been passed on to the Public Prosecutor's Office.

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In both these cases, we await word as to how the Public Prosecutor will proceed; however, there is a good chance that prosecution and conviction will result.

At the end of March, the Hotline received a complaint about the conduct of a group of Golani Brigade soldiers stationed in Kabatieh, in the territories. The soldiers were said to have been stopping people in the street, taunting them, and beating them without provocation and without intention to arrest them. In the most serious incident, one of the men beaten required medical treatment and may have sustained irreversible damage to his testicles. We lodged a complaint on this man's behalf with the IDF Legal Advisor for Judea and Samaria.

On April 20 we received a letter from the Legal Advisor stating that the brigade commander had investigated the matter and identified the soldiers involved. They were tried and sentenced to 28 days' imprisonment.

Challenges

One of the main problem areas dealt with by the Hotline is that of the red tape encountered by residents of the territories who wish to go abroad. Obtaining the necessary permit entails, as a rule, an exhausting round of some ten different government offices. The applicant must secure proof that he is not in arrears in the payment of any taxes or fines and that the military authorities do not object to his leaving. This process is extremely time-consuming--it often necessitates being away from work for several days--and involves substantial financial outlays. Nor do this runaround and expense necessarily secure positive results in the form of the necessary permit, which can be denied with no explanation.

As if this were not enough, even people who have secured exit permits can be arbitrarily refused exit by the soldiers on duty at the border-crossing points (at one of the two Jordan River bridges). The Hotline received no fewer than 21 complaints of such treatment in April alone.

One such case, with which we have been dealing for the last six months, is that of M. A., 26, of Salfit, in the territories. In addition to his local identity card, Mr. A. holds a Venezuelan passport. Last October, after filing all the appropriate forms, he received an exit permit. In order to avoid problems on his return from abroad, he then went to the Civil Administration with his passport to obtain a re-entry visa. He was told to come back a few days later. When he came back, he was again refused and told to come back later. When this happened a third time, at the end of November, he gave up and came to the Hotline for assistance.

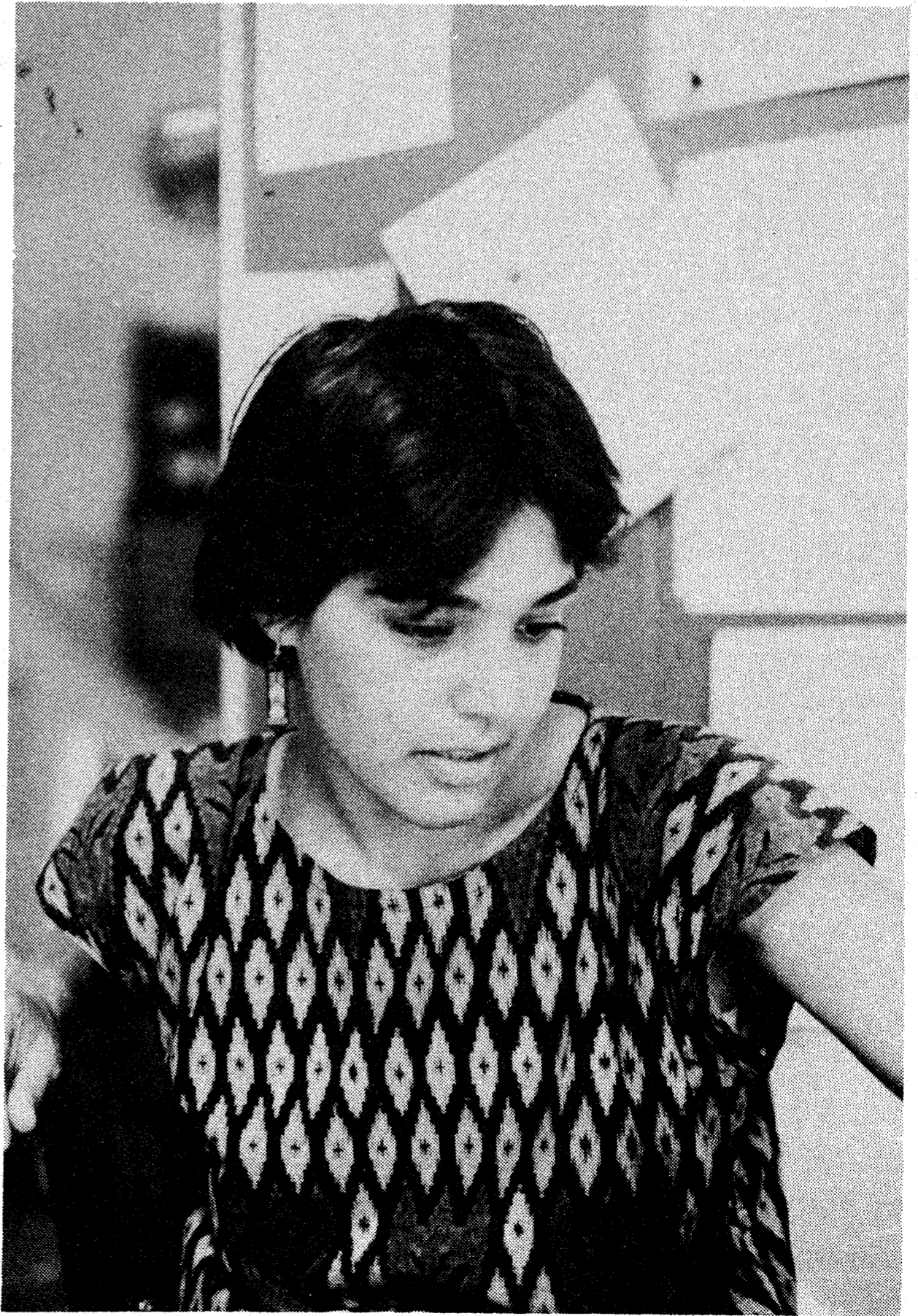
The Hotline wrote on Mr. A.'s behalf to the Legal Advisor's Office in charge of exit permits, asking that the procedure be expedited in his case. At the beginning of February, after sever-

Profile

Aliza Herman is the Hotline's legal advisor. Born in the United States, she came on aliyah with her parents from Chicago when she was twelve years old. After finishing high school in Jerusalem, she did her army service as a teacher in a development town. She completed law school at Tel Aviv University, specializing in civil law. She is married with two young children, 2 and 3 1/2, and like many professional women works hard to maintain a balance between her family life and her professional life.

Aliza joined the Hotline staff in March, 1989. Previously she worked for the Association for Civil Rights in Israel in charge of legal issues in the territories. Aliza spends her mornings at the Hotline going over complaints and deciding how to deal with them. Most of her work is at the individual case level, but when warranted, she works closely with the staff at ACRI in order to effect change at the policy level by bringing petitions before the Supreme Court.

Aliza finds her work at the Hotline challenging and feels she is contributing to the maintenance of democratic values in Israel. She also feels frustrated by the slowness with which the authorities respond to complaints and the legal sanction given to practices which violate civil rights. The separation of families and the destruction of houses are two instances of these violations.



Aliza Herman

al followup letters and phone calls on our part, we received a letter from this official stating that, as Mr. A. had been given an exit permit, there was no reason to deny him a re-entry visa and that he should present this letter to the Civil Administration to obtain one. Mr. A. took the letter to the Civil Administration offices in Tulkarm. There, for three days running, he was simply refused entry to the building by the soldiers standing guard. When he finally got in, he was told he would have to go back to Salfit and apply to the Civil Administration there for a re-entry visa.

Mr. A. came back to the Hotline. Once again we contacted the Legal Advisor's Office by phone, and the official there called the official in charge of the Civil Administration office in Tulkarem to ask that Mr. A. not be required to go to Salfit. This official agreed to receive Mr. A.'s application himself and promised him a reply within ten days' time.

Five weeks later, after another round of rejections, Mr. A. was summoned to the Civil Administration. There he was asked how he came to have a Venezuelan passport. He explained that his mother was a Venezuelan citizen. He was told he would have to obtain proof of this by bringing a photocopy of his mother's passport to court, swearing out an affidavit there to the effect that she was a Venezuelan citizen, and furnishing witnesses to this effect. This he did just a few days ago, and now, in mid-May, seven months after his original application, we are still awaiting the outcome.

Another tack taken by the authorities is to require that residents of the territories who ask to leave agree to remain abroad for extended periods of time, ranging from one to as many as five years. Generally no explanation is offered, nor, apparently, is there any consideration of the ramifications of separating people from their families for so long.

H. B., 24, received a permit to cross into Jordan late last June. When she got to the Allenby Bridge, she was not allowed to go across. She returned to the Civil Administration offices in Hebron, where she had obtained the permit, and was told by the officer in charge that her permit had been revoked. Mrs. B. suffers from heart disease and was planning to receive medical treatment for her condition in Jordan.

On July 10, Mrs. B. came to the Hotline for help. In reply to our petition on her behalf, the Deputy Attorney General stated that she would be allowed to leave on condition that she remain abroad for two years. Mrs. B. is a young woman with two small children. Her whole family is here. The Hotline staffer explained the circumstances to the official and asked that the request be reconsidered, but the reply was negative. Finally, for lack of any alternative, Mrs. B. agreed to the two-year stipulation, and in December she was given a new exit permit.

It should be noted that no charge was ever made against Mrs. B., nor was any other reason given for the restriction placed on her permit. If the authorities had any suspicions about her, she was never given an opportunity to challenge them.

Contacts

It has been crucial for the Hotline to achieve recognition from the Israel Defense Forces (IDF), the police, and the Border Police. This has taken time and effort, but the result is that we now have good working relationships with these bodies. As a result of our ongoing contacts with the IDF, we have been granted permission to receive information directly from the persons in charge of the central computer in which a record of all detainees is kept. This has made it possible to trace the location of detainees much faster than before.

During March, Hotline staff members held two important meetings with representatives of the authorities to discuss ongoing co-operation and general procedures. One such meeting was held with the Chief Public Complaints Officer of the Border Patrol, Deputy Commander Dan Ben-Hayyim. Hotline staffers Tsili Goldenberg, Ala Khatib, and Aliza Herman (profiled elsewhere in this issue) had a cordial and fruitful discussion with Ben-Hayyim and came to agreement with him on a number of matters.

The same staffers also met with Yehudit Karp, Special Advisor to the Attorney General, Colonel Ahaz Ben-Ari, the IDF Legal Advisor for Judea and Samaria, and Superintendent Rina Winkler for the Police. It was agreed that for urgent matters we can directly approach the IDF Legal Advisor of Judea and Samaria. In addition, the Hotline representatives raised a number of ongoing problems to which solutions had not yet been found, such as locating detainees who are held in the regular prison system. The discussion was constructive, and the officials promised to try to help.

A vitally important ramification of these meetings is the implied recognition of the Hotline as a legitimate intermediary between the subject population and the authorities. Among other things, this recognition should make it easier for us to obtain regular progress reports from the authorities on cases we bring to their attention.

Around the Office

The Hotline's office is located in a store front in East Jerusalem, near the American Colony Hotel. The office is open six days a week and staffed by salaried and volunteer workers. The staff is composed of both Jews and Arabs, all Israeli citizens or residents of Israel. The salaried staff consists of a legal advisor, Aliza Herman, and two full-time coordinators, Tsili Goldenberg and Ala Khatib. Tsili and Ala started on a half-time basis, but in March, due to the Hotline's growing case load, their positions were increased to full time. In addition, a new staff member, Farid Bishara, was hired on a one-third-time basis. Most recently, Avigail Haim was hired as a half-time secretary to handle the huge and growing volume of paperwork.

During office hours, people wishing our assistance can walk into our offices and open a file with us. A Palestinian who

wishes to lodge a complaint with the authorities faces considerable difficulties. It may not be clear whether there is any point in submitting a complaint; the complainant may not know Hebrew; he may not know to whom the complaint should be submitted, or what materials should be submitted with it; he may be refused access to the place where the complaint should be submitted; he may be unable to maintain the correspondence involved in submitting a complaint; he may fear retaliation by the authorities if a complaint is submitted; and so on. For these and similar reasons, many complainants submit their complaints through the Hotline rather than directly.

Our policy is to assist anyone who appears to have a credible complaint. It is the task of the authorities to investigate the complaint in full and to take any appropriate action. Our task, after the complaint has been submitted, is to keep track of the case to ensure that this actually happens.

Tax-deductible contributions made in the U.S. should be directed through the New Israel Fund. Donations should be identified as intended for Hotline - *Ha-Moked*, and sent to:
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