



Inter-Parliamentary Union

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Palestine/Israel

PAL/83 - Aziz Dweik

Decision adopted unanimously by the IPU Governing Council at its 196th session (Hanoi, 1st April 2015)

The Governing Council of the Inter-Parliamentary Union,

Referring to the case of Mr. Aziz Dweik, Speaker of the Palestinian Legislative Council (PLC), and to the decision it adopted at its 195th session (October 2014),

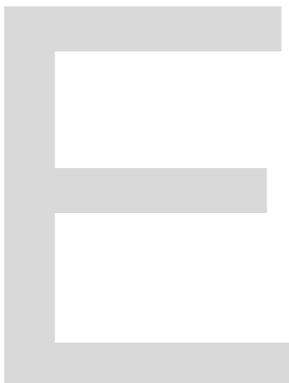
Recalling that Mr. Dweik was elected to the PLC on the Electoral Platform for Change and Reform and arrested during the night of 15 to 16 June 2014, along with and followed by scores of other Palestinian leaders, following the abduction, which Israel blamed on Hamas, of three Israeli teenagers, who were subsequently found killed. According to the complainant, after first being placed in administrative detention, Mr. Dweik is now facing criminal charges,

Recalling that, on 4 September 2014, an indictment was reportedly handed down against a member of the Hebron branch of Hamas, Mr. Hussam Qawasmeh, charging him with helping to plan the abduction of the three Israeli teenagers. The document, as described in Israeli news reports, spells out a detailed account of the crime's planning, execution and aftermath, but does not appear to contain any evidence that the leadership of Hamas – or anyone else outside of Mr. Qawasmeh's family, which reportedly controls the Hebron branch – had any knowledge of the crime before or after its commission,

Recalling that Mr. Dweik was previously arrested during the night of 5 to 6 August 2006 by the Israeli Defence Forces, and later charged with membership of a terrorist organization, namely Hamas, and leadership of that organization through his membership of the PLC and assuming the role of Speaker of the PLC. On 16 December 2008, the judge handed down her verdict, finding him guilty of membership of an unauthorized organization and leadership of that organization through his membership of the PLC and, on account of his poor health, sentenced him to 36 months' imprisonment, which he served until his release on 23 June 2009,

Recalling that since then, Mr. Dweik was re-arrested in 2012 and spent six months in administrative detention in Israel until his release on 19 July 2012,

Recalling that, in the face of escalating violence in the region, the United Nations Human Rights Council convened a special session on 23 July 2014 and adopted a resolution on the question of "Ensuring respect for international law in the Occupied Palestinian Territory, including East Jerusalem", in which it expressed "deep concern at the condition of Palestinian prisoners and detainees in Israeli jails and detention centres, in particular following the arrest by Israel of more than 1,000 Palestinians since 13 June 2014, and calls upon Israel, the occupying power, to immediately release all Palestinian prisoners whose detention is not in accordance with international law, including all children and all members of the Palestinian Legislative Council",



Considering that parliamentary elections were held in Israel on 17 March 2015,

1. *Is profoundly disturbed* at Mr. Dweik's continued detention, which is an affront to the authority of the Palestinian Legislative Council; *fears* that his arrest may not be based on formal charges of any specific criminal activity, but rather on his political affiliation, and that it was therefore carried out for non-judicial purposes;
2. *Recalls* in this regard its long-held view that, with regard to Mr. Dweik's previous arrest, detention and prosecution, they were unrelated to any criminal activity on his part, but were linked to his election on the Change and Reform list in a free and fair election recognized as such by the international community;
3. *Regrets* therefore that no official information from the Israeli authorities has been forthcoming as to whether Mr. Dweik is currently the subject of recognizable charges of criminal activity against him; *remains extremely eager* to receive that information;
4. *Urges* the Israeli authorities, should such charges have been made, to try him in a fair and transparent legal process, guaranteeing the full right of defence, as required under international human rights law and international humanitarian law, or otherwise to release him forthwith; *requests* the Secretary General to look into the possibility of sending a trial observer should Mr. Dweik stand trial;
5. *Reiterates its wish* to receive official information on Mr. Dweik's current conditions of detention, in particular his family visiting rights, along with information on the extent to which he has access to medical care; *remains concerned* in this regard about the reported prison conditions in which Palestinian prisoners are held in Israel;
6. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Invites* the Israeli delegation to the 133rd IPU Assembly (October 2015) to meet with the Committee on that occasion in order to discuss progress in the case at hand;
8. *Requests* the Committee to continue examining this case at its next session and to report back to it.