

American Victims of Israeli Human Rights Abuses

By Albert Mokhiber

Israeli violations of human rights have long been documented in the international legal community. Historically, the United States Government has been reluctant to fully recognize the problem or take any concrete action.

Inaction by the United States may be changing, albeit slowly, as evidenced by the most recent State Department country report on human rights abuses. For the first time since the annual report initially appeared 14 years ago, a more accurate, honest description of the human rights abuses by Israel has been offered.

Abuses are not only suffered by Palestinians from the Israeli Occupied Territories of the West Bank and Gaza. They are now being experienced by American citizens and permanent residents with increased frequency. Due to the longevity of the occupation, in its twenty-third year, Palestinians forced into Diaspora have become naturalized Americans. Thousands of younger Palestinians, born in the United States, are either children of Palestinians from pre-1948 Palestinian borders or territories subsequently occupied in 1967.

Whether naturalized or native born, the new Palestinian-Americans have faced tremendous obstacles in

returning to their ancestral homeland and in gaining entry to the territories. Most, if not all, are treated with disdain by the Israeli Government, which considers them generic Arabs, neither Americans nor Palestinians. In effect, they have no rights or protections which the occupiers recognize or respect.

The problem of Israeli mistreatment of Arab-Americans, already considerable, is growing proportionately to the Palestinian uprising or "intifada." Enforcement of existing

American law, on the books for years, has yet to be fully applied in cases involving Israel. It has become increasingly difficult for the Congress and Administration to cite "domestic political pressure" (common euphemism for the pro-Israel lobby) and "foreign policy considerations" as viable excuses for ignoring Israeli violations of human rights now that many victims are fellow American citizens.

Against this backdrop is the reality that Arab-Americans are growing



Nawal Hamad, right, and her children were detained and denied entry to the West Bank in 1987. [Credit: Craig Herndon, *The Washington Post*]

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About This Issue

Every U.S. passport advises the bearer that he or she should keep in touch with the nearest American consular office when traveling in disturbed areas. Protection of our rights, is, indeed, one of our Government's most serious responsibilities.

An alarming number of Americans visiting Israel and Palestine have had to contact our consulate precisely because their rights have been violated. They have been shamefully harassed, illegally arrested, even tortured. When these Americans return home, many contact the Washington, DC-based American-Arab Anti-Discrimination Committee, where Albert Mokhiber, ADC's Legal Department director, takes their affidavits.

Last August we asked Attorney Mokhiber to document just how Israel treats Americans whose U.S. passports in theory should offer more in the way of protection or security. At the time, he was assisting the

family of Amjad Jibril, a 14-year-old American from Denver, who had been taken into custody by the Israeli army and later found by a shepherd in a pool of blood on a Palestinian hillside, his teeth broken, burn marks on his hands and torso, and a fatal bullet wound in his chest.

Our Book Review selection is *Palestine and Israel: The Uprising and Beyond* by British Middle East specialist David McDowell. It is reviewed on page 13 by Muhammad Hallaj, editor of *Palestine Perspectives*. AMEU's full catalog of books, videocassettes and posters is found on pages 14-16.

The Notice Section on page 12 considers former Congressman Paul Findley's new organization, the Council for the National Interest.

John F. Mahoney,
Executive Director

both in numbers and in political sophistication. As a result, they are beginning to take fuller advantage of the protections afforded them under American law by calling upon the appropriate branches of U.S. Government for assistance when faced with violations by Israel. One of the most powerful legal tools available to American citizens is the 1951 U.S.-Israel Treaty on Friendship, Commerce and Navigation. This bilateral agreement is recognized as one of the most advanced treaties of its type.

Article II of the accord includes provisions which protect the rights of each country's nationals to: free travel and residence of choice; liberty of conscience; religious freedom; and

communication via mail and other public sources.

Under Article III, safeguards are afforded against "unlawful molestation of every kind," as well as various due process protections if arrested, including: the right to contact the nearest diplomatic representative; reasonable and humane treatment; formal and immediate list of accusations; prompt trial; and, right to competent legal counsel.

Typically, when a crisis arises, Arab-Americans will contact several sources for assistance. Calls are routinely made to the American-Arab Anti-Discrimination Committee (ADC), due to its historic involvement in human rights work and a large membership and staff in the

occupied territories. Next to be contacted are appropriate sections of the State Department which deal with matters such as citizens emergency, human rights, consular affairs and more specifically the desk offices for Israel and the Palestinians. Calls are then made to the victims' Congressional representatives as well as the subcommittees which have jurisdiction over the Middle East and human rights.

If additional organizational sup-

port and networking is necessary, the International Red Cross or Red Crescent is summoned as well as Amnesty International and the Palestine Human Rights Campaign. Depending on the victim and the nature of the problem (e.g., labor activist, journalist), appropriate special interest groups are sought out.

Outlined next is a representative sampling of cases reported by Americans involving Israeli violations of their human rights.

Denials of Entry

Unlike the Jewish-American population, entitled to open-ended entry and residence in both Israel and the territories, Arab-Americans are routinely denied entry or offered extremely short and restricted stays.

In many cases, Arab-Americans have reported to the State Department and ADC that when finally allowed to enter Israel, their stay is predicated on the posting of a bond, ranging from \$2,000 to \$10,000 cash. Responding to complaints from Arab-Americans about this policy in the past, U.S. Consulate spokesperson Ted Cubbison stated, "What the Israelis are doing is discriminating against U.S. citizens based solely on ethnic origin."

The standard Israeli response to this charge cites the "legitimate national security of Israel and the need to prevent Arabs from settling in the area illegally."

Recently, the Israeli Government has instituted a politically repressive policy that selectively requires Arab-Americans to obtain entry visas prior to their arrival, a requirement non-Arab-Americans do not have. Advance notice, however, is not afforded. Arab-Americans are usually told by the Israeli Embassy in Washington that they are not required to have entry visas as American citizens, only to chance a denial of entry at the airport in Tel Aviv after having spent

considerable time and money to reach that point.

Typically an unwanted Arab-American will be detained at the port of entry, placed under armed guard and deported on the next available flight. Such cases continue to be reported to ADC by targeted travelers, since 1987. In the majority of cases, the U.S. Government, even when interested, has been unable to overturn Israeli decisions to exclude or deport American citizens.

One of the more widely publicized cases of exclusion occurred in the summer of 1987 and involved Nawal Hamad and her family. Nawal, a native of Palestine, was taking her four American-born children for the first time to the West Bank to visit relatives over the summer vacation. When the family arrived in Tel Aviv, they were summarily denied entry, had their U.S. passports confiscated and were detained without charge.

The Israelis had no evidence or reasonable basis to bar the Hamad family from entry. None had any criminal records or posed any "threat to the State."

According to the Israelis, the nine suitcases carried by the family were sufficient evidence that the Hamads intended to permanently immigrate to the occupied territories. Mrs. Hamad tried to explain to the Israeli officials that she held a senior man-

agement position with a major bank in Virginia and her children were all serious students in the States. Furthermore, the family had plans to attend a wedding in Jordan.

The Hamads nevertheless were placed under armed guard for more than 12 hours in a cold, filthy detention facility at the Ben Gurion Airport and deported the next morning.

Nawal asked to call the U.S. Consul and explain that an American family was being denied not only entry but also basic rights. This was denied her.

When the Hamads returned home, their case was brought to the attention of the ADC. A subsequent meeting with the Israel Desk of the State Department prompted the request to apply pressure on the Israelis to immediately cease and desist from further discrimination and harassment of Arab-Americans.

The U.S. Embassy in Tel Aviv and Consulate in Jerusalem had already independently informed Washington of the problem, citing several other cases not made public due to the Privacy Act, which precludes publication of information about individuals without their express written consent.

A terse statement was issued by the U.S. Consulate, according to *The Washington Post*, which quoted an American official as saying, "We have made it clear to the Israelis that we are against anything that in our view discriminates on the basis of race, religion or national origin."

As ADC pursued these cases of Israeli discrimination against Arab-Americans, the media began offering more exposure of the blatant abuses. Other victims came forward and reported similar experiences. Included in these reports were many affidavits of African-Americans active in the Black Hebrew movement. Charging the Israelis with pure racism, the Black Hebrews contended that their denials of entry and deportations from Israel were due solely to their pigmentation.

Unlike Arab-Americans, many of whom were born in Palestine, the Black Hebrews argued that, as Jews, they were entitled under the 1952

Israeli Law of Return, or *Aliya*, to enter and remain permanently in Israel, a right guaranteed to the balance of world Jewry. Instead, the Black Hebrews found they were not welcome. The few Black Hebrews who were able to enter Israel complained that they were discriminated against by their coreligionists much like the Black Jews or Falashas of Ethiopia had been.

In challenging the Israeli actions of selectively denying certain Americans entry into that country, particular reference was made to the 1951 U.S.-Israel Treaty on Friendship, Commerce and Navigation, which binds the two signatories to respect the rights of each other's nationals, including free passage and equal protection under law.

Siding with its aggrieved nationals, the State Department took the ADC complaints and forced the Israelis to begin affording basic protections to all American travelers. This was accomplished when the State Department threatened to issue a travel advisory warning American tourists about the difficulties they might experience in visiting Israel.

Realizing the economic and political significance that travel advisories carry, the Israelis agreed to afford any American denied entry the right to be informed of the exact reason for the denial; the right to call and receive visits from the U.S. Consul; the right to call family members or legal counsel; the right to be treated courteously; and, to have these rights presented in writing in English.

In order to accurately monitor Israeli compliance, the State Department drafted a complaint form (see next column) which was made available to all citizens who had grievances against Israel for any breaches.

By the time the agreement was reached, summer was coming to an end. Thus, it was difficult to determine if the decrease in complaints from Americans was due to Israeli adherence to the new protections or the simple decline in visitors during the off-season.

Since the 1987 agreement, complaints about denials continue to be reported on a regular basis, peaking



United States Department of State

Washington, D.C. 20520

INSTRUCTIONS

This questionnaire has been sent to you to elicit facts about the immigration screening procedures you experienced recently at a port of entry into Israel, the West Bank or Gaza. Complete all questions to the best of your knowledge. **PLEASE PRINT ALL ANSWERS.** Upon completion of the questionnaire, please return it in the enclosed envelope. You will be contacted by the Citizens Emergency Center if additional information/clarification of facts is needed. If deemed appropriate, this questionnaire will be sent to the American Embassy in Tel Aviv so that it may be brought to the attention of Government of Israel authorities for review. You will be notified by the Department of State on further action taken on your complaint.

NAME _____

PERMANENT ADDRESS _____

TELEPHONE NUMBER (Day time) (_____) _____

DATE AND PLACE OF BIRTH _____

YOUR PASSPORT NUMBER _____

NAME OF DEPENDENT(S) ACCOMPANYING YOU _____

DATE AND PLACE OF BIRTH, AND PASSPORT NUMBER(S) OF
ACCOMPANYING DEPENDENT(S) _____

DATE OF ARRIVAL IN ISRAEL _____

PLACE OF ARRIVAL IN ISRAEL _____

in the summer seasons and other holiday periods. According to State Department officials, by the time enough information is collected to warrant discussion, the flow of travel

diminishes again, leaving the U.S. unable to accurately gauge the effectiveness of their efforts at curbing the Israeli breaches.

In the meantime, politically moti-

vated denials of entry to Arab-American activists have not been curtailed. In fact, ADC President Abdeen Jabara, a Lebanese-American and native of Michigan, was detained by Israeli authorities in December 1988 while on a business trip to the ADC office in Jerusalem.

High-level meetings between the State Department, U.S. Embassy and the Israeli Ministries of Foreign Affairs and Interior were unsuccessful in overturning the exclusion decision. The Israelis would not offer a public explanation for the denial, but State Department officials later revealed that it was due to Jabara's activism, and, in particular, a recent ADC petition to the United States Trade Representative charging Israel with violations of international labor norms.

Despite the fact that Americans do not need visas to enter Israel, Jabara was informed that if he were ever to enter again, he would first need a visa from the Israeli Embassy in Washington.

Since Jabara's denial of entry and exclusion, other ADC members and former staff have been either denied entry or subjected to grueling, lengthy interrogation by the Israelis.

One staff member, Ghada Mansur, travelled to the West Bank as a tourist in December 1989 to spend Christmas and New Year's with relatives in Ramallah, where she was born. Although she left Palestine in 1965 for the United States, where she has since lived as a citizen, Mansur was subjected to mistreatment from the moment she arrived.

After deplaning, she and other Arab-Americans on the flight were ushered into an interrogation cell dubbed the "Arab Room." After several hours, an exhausted Mansur was allowed to enter the country and proceed to the National Palace Hotel in Jerusalem.

On Christmas night, Mansur and the other Arab-Americans at the hotel were awakened after midnight by Israeli soldiers banging at their doors. The soldiers demanded to search only the rooms of the Arab-Americans. Realizing that such a search was illegal even by Israeli standards, Mansur united the group and boldly refused

the soldiers' demands. The soldiers finally backed down.

A few days later some of the Arab-American tourists gathered in the hotel lobby and began singing Arabic songs. Shortly thereafter, approximately 100 Israeli soldiers appeared at the hotel and without notice fired tear gas on the group *inside* the hotel. More than 150 people suffered injury from inhalation of the toxic tear gas fumes, which according to the American manufacturer should not be used indoors.

Denials of entry are not always politically motivated, as is reflected in the recent case of Huda Musa Ali. A native of El-Bireh, Palestine, Mrs. Ali moved to the United States in 1956 with her husband Husam, then an officer of the United States Air Force, now retired.

Mrs. Ali had attempted to visit the West Bank twice in 1989 and was denied on both occasions without the opportunity to contact a lawyer, the U.S. Consul or her family, who were waiting for her at the airport. Instead, she was detained by armed Israeli guards and sent back home on the next available flight.

In her first attempt on New Year's Day 1989, Mrs. Ali had come to tend to her ailing 91-year-old mother-in-law. Mrs. Ali was informed that if she returned with a round trip ticket, which had a fixed date of departure, she would have no difficulty entering Israel and the occupied territories. However, her request to purchase such a ticket at that moment was denied.

In an attempt to challenge the Israeli actions and ill-treatment she received, Mrs. Ali contacted her Congressman, Lindsay Thomas. A letter

was sent by Rep. Thomas to the Israeli Embassy seeking an explanation for the discriminatory behavior. Rather than offer an explanation, the Israelis simply refused to reply.

Unable to wait further for a response, Mrs. Ali traveled again on November 13, 1989, this time with an added responsibility of assisting her pregnant daughter, who was to deliver her first child that week. Mrs. Ali's daughter, born and raised in the United States, had earned a Ph.D. in psychology and was conducting research into the psychological effects of Israeli violence in the territories on children.

When she arrived at the airport, the Israeli inspector stamped an entry visa into her U.S. passport. A routine computer check was made and to Mrs. Ali's surprise the officer, abruptly opened the passport again, this time stamping it, "entry denied." Mrs. Ali demanded to see an official to have this denial reversed. She was seen by officials, who were completely uninterested in her humanitarian pleas, claim of rights, and requests to contact the U.S. Embassy, attorney or family. Once more, she was held against her will for several hours under armed guard and shipped out on the return flight.

Mrs. Ali, as most other Palestinian-Americans, continues to suffer tremendous emotional trauma as a result of the illegal and inhumane Israeli policies. These measures are also designed to force Palestinian family members to permanently abandon their residency in the occupied territories and travel abroad if they wish to visit or seek reunification with their loved ones.

Reunification Denials

While entering Israel is the first hurdle to reaching the West Bank and Gaza, remaining for any extended period is certainly the next. Authorization to remain is rarely given for more than a few months, even for

those who were born there and whose family roots extend back hundreds of years.

Problems in remaining in the occupied territories exist primarily for two groups of Americans. The first group

includes mostly non-Arabs who wish to work in the territories and assist the Palestinian population through teaching, humanitarian relief work, human rights work and other public interest positions. Most extensions of stay are denied, forcing these persons underground in order to continue with their commitments.

The second group includes Palestinians who are either lawful permanent residents (green card holders) of the United States or American citizens. While most Arab-Americans simply come for a short duration to visit or study, others, such as retirees, wish to stay longer, and in some cases permanently.

One case involving the issues of family reunification and extension of stay was arduously fought by Muhammad Akhras, his wife and seven children. Akhras had been determined 100 percent disabled by the U.S. Social Security Administration (SSA) after an operation on his feet proved unsuccessful. With a SSA disability income of \$900 a month, Akhras decided in 1984 to retire in his hometown village of Turmus Aiyia in order to make ends meet and to surround himself with family and friends.

The Israeli Government ordered the family deported, despite the fact that Muhammad was born and raised in the very house he had returned to. The Israelis tried to justify their denial of Muhammad's humanitarian appeal on the grounds that the family had acquired American citizenship, thus rendering them ineligible for a *hawiyeh*, or permanent resident card, issued by Israel. Muhammad's request for family reunification, or *Lam El Shamel*, was also denied.

Refusing to leave, Muhammad decided to bring his case to the attention of the highest level of the American Consulate. Israel's arrest of the handicapped American and his wife for one week in May 1986 drew a strong written response from U.S. Consul Morris Draper, who indicated that the American Government would willingly support Muhammad's request for family reunification.

In July, Muhammad reported to the Ramallah police station as or-

dered by the Israeli Government and was arrested for a second time, in the presence of the U.S. Consul, who was unable to deter the Israeli action. Muhammad and his wife were held for two weeks before his attorney could secure an early release with a deportation date in August. During this period of incarceration, the Akhras children were cared for by relatives and neighbors.

Determined to overturn the Israeli decision, Muhammad stepped up his campaign and contacted American officials in the United States, begin-

ning with President Reagan. ADC also generated high-powered bipartisan Congressional support from various members, including influential committee chairpersons with oversight on issues relating to the Middle East, human rights and foreign aid.

Between the political support Muhammad has mustered and the growing public awareness due to media reports, the Israelis backed off and agreed to a compromise which would allow the Akhras family to remain until their youngest child, then two, reached 21 years of age.

Land Expropriation

One of the greatest threats facing Palestinian-Americans owning real estate in the occupied territories is Israeli land expropriation.

International law, including the Fourth Geneva Conventions, forbids the taking or expropriation of property from protected persons under occupation of a foreign military power. American law also offers some forms of relief.

In particular, federal regulations governing U.S. free trade status and programs administered by the United States Trade Representative, as well as the 1962 Hickenlooper Amendment to the Foreign Assistance Act, provide for sanctions against foreign government beneficiaries of American aid when they take real property belonging to citizens of the United States.

Domestic provisions call for decreases, if not total curtailment, of American foreign assistance to the violating nation, a penalty Israel neither wants nor can survive. As such, the Israeli Government seems to have backed away from recent expropriation attempts staunchly challenged by Arab-Americans who are originally from the West Bank town of Ramallah.

The property in question was to be expropriated by the Israelis, according to oral notices given to landowners late in 1988. Immediately, family members, in coordination with ADC,

initiated an intensive campaign in the U.S. to pressure the government to stop the Israelis by using American sanctions.

After many meetings between the various parties, the Israelis retreated, offering the State Department assurances that the land was no longer targeted.

Earlier attempted expropriation of American-owned land from the small West Bank village of Deir Dibwan also ended in victory for Palestinian-Americans, who were able to expose the plans and subsequent Israeli deception of the U.S. Embassy. U.S. Consular personnel in Jerusalem advised the affected landowners that impending seizure of the real estate had been taken up with appropriate Israeli officials, who assured them that no action was ever contemplated and that the Palestinian-Americans had fabricated the reports for political reasons.

Determined to prove the veracity of the claims, ADC activists in the West Bank collected numerous statements from Palestinian-Americans, who not only corroborated the facts of the original complaint, but also produced official written notices of intent to expropriate the land from the Israeli Government itself. With evidence in hand, the U.S. applied sufficient pressure on the Israelis to reverse their decision.

Confiscation of Money

Prior to the intifada, Arab-Americans, like all other non-Arabs, were generally allowed to bring unlimited amounts of currency into Israel and the occupied territories. The rules, without any notice, have changed, whereby Arab-Americans are being singled out under a new Israeli policy, which limits cash to about \$1,200. Any additional amounts are confiscated with the stated assurance that they will be returned upon the owner's departure from Israel.

Despite press reports exposing the Israeli actions and U.S. Government protests regarding these discriminatory acts, the practice continues unabated. Most of the confiscated money has yet to be returned.

Last year marked a more developed chapter in confiscation and censorship. The latest tactic was the interception of mail from Arab-Americans by the Israeli censor, who determines what will reach its intended destination and what will be returned.

A recent case involves the Arab-American Club of Indiana, whose \$250 donation in August 1989 to the Palestine Red Crescent Society of Gaza was returned one month later. The club sent a letter to the Israeli Consulate in Chicago for an explanation of this violation of privacy and denial of humanitarian relief. The Israelis did respond, but in Hebrew.

The club was informed by a translator they engaged that the Israeli action was necessitated for "security reasons" pursuant to Regulation 89 of the Israeli Defense (Emergency) Regulations, which allows the censor or any officer empowered by the censor or working for the Customs Agency to stop, open and examine all postal packages and to prevent shipment or destroy such mail which the censor deems may or can cause damage to the security of Palestinians, (Israel) or the public safety.

The club learned that the Israelis were censoring Arab mail, out of a

sense of benevolence that would protect the club! Further, these regulations as supplied by the Israelis did not offer any criteria or parameters surrounding the powers of the censor, nor any other due process guarantees of the persons affected by the censor's arbitrary actions.

Interception of mail and the impeding of bona fide humanitarian donations from the U.S. is in direct contradiction and violation of American-Israeli bilateral agreements, including the 1951 Treaty on Friendship, Commerce and Navigation.

Efforts on behalf of the club to address this issue with various members of Congress and the State Department failed to yield any tangible results. Responses from Congress and the Administration typically included private condemnation for claims that these assaults on U.S. citizens weigh less in the overall balance of foreign policy.

Harassment of Non-Palestinian Americans

Growing numbers of Americans of non-Palestinian ancestry have also reported increases in various forms of harassment by the Israeli authorities since the intifada began.

This is best illustrated in the November 1989 visit of more than 100 concerned Americans to the occupied territories in an effort to lift the siege of Beit Sahour, a small West Bank village, just outside Bethlehem, which had staged a tax revolt. The Americans, mostly human rights activists and religious workers, sought to engage in acts of non-violent civil disobedience until the Israelis lifted the curfew on Beit Sahour, which

included blockades of food and other basic human necessities.

One group member, Rev. Don Van Hoeven, 55, of Kalamazoo, Michigan, reported that he and several other American tourists had witnessed Israeli soldiers brutally beating innocent Palestinian residents of Beit Sahour. In a spontaneous effort to protect the victims from further attack and injury, Rev. Van Hoeven and his companions sat down between the Israeli soldiers and the Palestinians, forming a human wall by locking their arms.

As an immediate response, the Israeli soldiers carried the group off,

grabbing each individual by the arms and legs. Rev. Van Hoeven was carried off by four soldiers, each holding a separate limb. After taking him about a block and a half away, out of the sight of witnesses, he was forcefully dropped to the pavement and slammed in the back with a rifle butt. Rev. Van Hoeven, who was wearing his pastor's collar, stated that the soldiers did not respect his standing as a clergyman or as an American citizen. Those who intervened on his behalf were also beaten.

Other colleagues of Rev. Van Hoeven were moved by the soldiers, including Don Cooney, assistant pro-

fessor of social work at Western Michigan University (WMU), and Brian Smith, a 23-year-old graduate student at WMU. Attacked by three soldiers, Smith received numerous open hand blows to the face, while two young Palestinian-American women next to him were injured when the soldiers dropped them to the ground on their heads. Those physically able were forcibly marched out of town by the military.

On September 18, 1988, five other U.S. citizens, visiting the region as members of a human rights fact finding mission, were similarly threatened by the Israeli Government when they happened to witness another women's demonstration commemorating the massacre of Palestinians at Sabra and Shatilla during the Israeli invasion of Lebanon in 1982. The five Americans included: health-care worker Dick Reilly of Chicago; student Todd May of Pittsburgh; and three New York City residents, trade unionist Bill Doares, legal worker Joyce Wilcox, and photojournalist Judy Janda.

Although not part of the demonstration, all had their passports con-

fiscated. One of the delegation members was ordered by the soldiers to force the women to halt or the Israelis would begin firing live ammunition. Unable to comply, the observers were told their passports would not be returned until they submitted to interrogation. During the demonstration, held in Ramallah, the small group of 50 or so women was fired upon without provocation or notice by the Israelis with rubber coated steel bullets and tear gas.

In a statement issued to the press and human rights organizations the next day, the delegation said, "Since we did nothing wrong, we can only conclude that we are being targeted because of the brutality that we witnessed. The message that the Israeli Government is trying to deliver is that it will not tolerate a witness to the nature of its occupation."

Media attention and political pressure ultimately forced the Israelis to return the passports. The official American position lent support to the victims, since the Israeli confiscation of American passports constituted an unlawful taking of government, not private, property.

school in Ramallah outside of which she was apprehended, manhandled and thrown into an Israeli military vehicle. She was taken to Moscoviya jail and imprisoned for more than ten days without bail. Suzy was never charged, and her case was continuously postponed by Israeli authorities.

The Abunijmeh family initially reported great difficulty in locating and visiting Suzy, and obtaining the support and assistance from U.S. officials at the Jerusalem Consulate.

Following numerous meetings and calls to the State Department, the family, with ADC, were assured that the case would receive closer scrutiny and that Consular observers would be present at the hearings. Ultimately these representatives would not appear until after four court dates, all held on Sundays. The scheduling dates seemed to be an attempt by the Israelis to limit any official American involvement, since Sunday is not a working day for the U.S. Embassy.

The Abunijmeh trial was finally concluded in December 1989 after one year. Suzy received a monetary fine, and suspended sentence, and a warning by the military judge that if she were ever arrested again, an automatic five-month sentence would be imposed. In light of this grave warning, the Abunijmeh family left the West Bank for the United States in what has been viewed as a *de facto* expulsion.

Other Arab-Americans have faced similar detention, including Karima Bennoune, of Algerian and Irish descent. Karima, a Brown University graduate from Detroit, was on a visit to the occupied territories when she witnessed a beating of Palestinian youth in the streets on August 12, 1987.

Moved by this scene, Karima and a group of 40 other foreign visitors participated in a peaceful demonstration in front of the U.S. Consulate in Jerusalem, to protest America's role as the main supplier of Israeli aid and arms, including the tear gas widely used by the soldiers against the Palestinians. The consulate, although informed of the protest in advance, called in the Israeli police, who

Administrative Detention

Perhaps the most blatant violation of due process is the Israeli use of "administrative detention." Under the military orders, used to constrain the Palestinian population, administrative detention allows for the imprisonment of any person in the occupied territories without charge. When the occupation began in 1967, the military orders allowed for a maximum of six months at a time for such detentions. This limit was expanded during the intifada to a one-year period of detention, with unlimited renewal. Administrative detention has routinely been condemned by organizations such as Amnesty International, the International Committee of the Red Cross, the United Na-

tions and even the U.S. Government.

Numerous cases of Arab-Americans placed under administrative detention have been brought to the attention of the U.S. Congress and Administration. The State Department, despite protestations to the Israeli Embassy in Washington or in Tel Aviv, has been largely unsuccessful in effecting the release of American citizens or expediting their military trials.

One example is the case of Suzanne (Suzy) Abunijmeh, who at the time of arrest on December 10, 1988 was 14 years old. Suzy was born in Cicero, Illinois, to a Palestinian father and Italian-American mother. Suzy had been attending a girls

promptly arrived and began beating and tear gassing the foreigners.

Many, including Karima, ran to the American Consulate for safe haven. In spite of having her U.S. passport in hand, Karima was denied entry and physically locked out of the building. Grabbed by Israeli soldiers, Karima was placed in jail under administrative detention. With very little support from the American Government, Karima's friends and family in the States mounted a successful campaign and obtained her release by publicizing her plight.

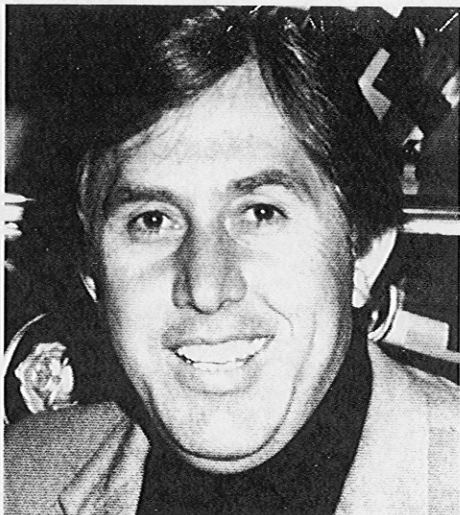
More than one year later, on November 13, 1988, Karima attempted a return to the West Bank as an observer for the Chicago-based Human Rights Research and Education Foundation. She was unable to gain entry since the immigration officials had falsely accused Karima of assaulting a police officer during her last visit.

Held overnight, Karima was forced aboard a KLM morning flight to Amsterdam. While she did make a call to the U.S. Embassy in Tel Aviv, Karima was deeply disappointed that no one ever called or came by to see her. Embassy officials did subsequently agree with Karima that the allegations against her were false and that she should have been allowed to enter Israel.

The last known reported case is that of Shaker Husein, a 16-year-old citizen from Syracuse, New York. Shaker was arrested by the Israelis on October 3, 1989, and accused of throwing stones at a bus.

Several witnesses testified that Shaker was not involved in the incident. Instead, he was seen by many witnesses carrying home yogurt which he had just purchased for his grandmother, whom he was staying with during his visit. The New York teenager is being held as a hardened criminal with no bail allowed and no date for a trial set. Ironically, Shaker's family earlier that day had purchased a ticket for his return home to the U.S.

Administrative detention of Arab-Americans is certainly not a by-product of the intifada or a new phenomena of the intifada. In fact, the most well-known American case before the uprising involved 22 days of deten-



Mike Mansour

tion imposed on Hazem "Mike" Mansour, a deputy sheriff and successful jeweler from Albuquerque, New Mexico. Mansour was visiting his ailing 74-year-old mother in the West Bank village of Deir Dibwan during the spring of 1984. Shortly before his intended departure, he was snatched from the street by plainclothes Israeli police, interrogated and tortured during the entire period of his detention. Mansour was never charged or accused of any crimes throughout his captivity.

The thrust of the Israeli grilling was aimed at obtaining information about the political activities of Palestinian-Americans in the United States. Unable to offer such intelligence, Mansour was placed in the *zinzana*, or torture chamber, despite his poor health. Although the U.S. Embassy reportedly was outraged and interceded on Mansour's behalf,

he was not released until after suffering a heart attack in prison.

Upon release, Mansour was threatened by the Israelis against revealing to the public what had happened to him. The guards told him that, "Israel does not sleep. We have spies everywhere." At great risk to himself, Mansour spent the remainder of the year lecturing around the U.S. in an attempt to shed light on the conditions of the other political prisoners he left behind.

One common thread that runs through all cases of administrative detention, whether they involve Arab-Americans or Palestinian natives, is clearly one of a political nature. Invariably administrative detainees are never charged. All believe the only reason for their arrest and incarceration is their own political views or the activism of friends and relatives.

Torture and Death

Arab-Americans have not even been spared from the most egregious human rights violations, torture and death. In many cases invoking one's American status has had the exact opposite result.

Thus, while considered pure myth or political propaganda in the United States, it is not uncommon at all for persons who visit the occupied territories to be personally informed of or actual witnesses to Israeli violations of human rights against American citizens.

One glaring example is the shooting death of Amjad Hussein Jabril (Tawil), a 14-year-old native of Denver, Colorado, who was gunned down last summer, under suspicious conditions at best. Amjad was reported missing to the Israeli authorities and the U.S. Consulate in Jerusalem by his family on August 16, 1989. The Jabril family was originally informed that he had been picked up by Israeli soldiers, but would be released soon.

Unfortunately, the next time his family saw Amjad, he was dead.

Knowledgeable sources conclude that Amjad, who was shot in the back at close range, must have been killed by either Israeli soldiers or settlers. No arrests have been made, nor suspects identified, despite an announced official Israeli investigation.

Meetings were held immediately after his death at the State Department with members of Amjad's family and ADC, wherein the government condemned the murder of the young American and promised it would continue to maintain close contact with the Israelis on the case. A subsequent meeting two months later revealed no new developments in the case, but another promise was made, this time by Deputy Secretary of State Lawrence Eagleburger himself, who stated "this is one case we will not let go." The Jabril family and ADC continue to pursue Amjad's case and have called for an independent

American investigation.

Other Arab-Americans have died from results of the Israeli occupation during the intifada including a 61-year-old grandfather, Ribhi Barakat Ka'id, who was visiting from Columbus, Ohio, and suffered a fatal heart attack while attempting to release his grandson from soldiers in Beitin on July 31, 1989.

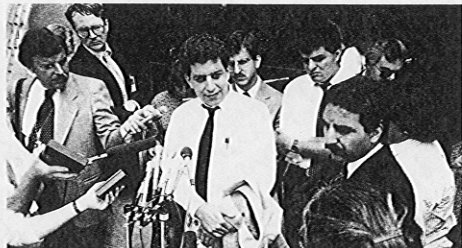
A third case yet to be resolved involves the September 22, 1988 murder of Mohamed Enad Mustafa, a grocer visiting the territories from Dallas, Texas. Mustafa was struck in the head with a single bullet at point blank range by an assassin. The shooting occurred after midnight as Mustafa opened the front door to his family home in Mazra As-Sharqia upon hearing loud noises outside.

The Israeli Government took Mustafa's body for nearly two days and would not return it to the family until the U.S. Consulate intervened. A suspect, described as a known Palestinian collaborator, was apprehended and admitted killing Mustafa to another inmate but was released one week later. The Mustafa family and local Palestinian officials who

inquired into this case have been warned not to pursue the matter.

The only possible motive for the murder, according to the Mustafa family, was a failed Israeli attempt to have the killing appear to be the result of an inter-Palestinian dispute. The family wisely foiled the Israeli plan by immediately cabling an open message to the village from the United States, informing all the inhabitants of the Israeli plan and thereby diffusing any potential tension.

The ability of the American Government to pursue such cases has come under increasing attack in the Arab-American community, given its lack of success in bringing the killers of Alex Odeh to justice. Odeh was killed in a terrorist bombing at the ADC office in Santa Ana, California, on October 11, 1985. Four American suspects in the Odeh case are reported to be in a West Bank settlement of ultra-right wing Israeli militants. Each suspect is believed to have obtained Israeli nationality after killing Odeh and fleeing to Israel. As Israelis, the four would benefit from a law that Israel enacted which circumvents



Eyad Abed, cousin of 14-year-old Amjad Jabril, killed last summer on the West Bank, speaks during an ADC Press Conference outside the State Department.

provisions of a bilateral extradition treaty with the U.S., wherein Israeli nationals are now exempt from being extradited to America.

In challenging this breach of treaty

law, a letter from ADC was sent to Abraham Sofaer, legal advisor to the State Department, seeking the official American position on the Israel action. Sofaer responded by stating that

the U.S. does not recognize the unilateral alteration and has informed the Israeli Government that it is expected to fully honor the treaty as originally entered into.

Expulsion

Perhaps a fate worse than death, especially for Palestinians, is the expulsion of a person from the very land that he/she has spent a lifetime struggling for. Realizing this, the Israelis have included Palestinian-Americans in their "deportation" orders. Although the Israelis have allowed for perfunctory procedures of review in these cases, not one has ever been overruled.

In fact, the once coveted and protected status of Jerusalem residency no longer shields Palestinians living there. This was made abundantly clear in the celebrated case of Mubarak Awad, who was expelled in 1988 after a protracted political and legal battle.

Awad, a native of Jerusalem, had returned to his ancestral home in 1985 after living in the United States for more than 16 years. Two years after the Israeli occupation, Awad left the West Bank to pursue his education and succeeded in obtaining a doctorate in psychology. He also fell in love, married Nancy Nye and eventually became a naturalized American citizen.

Nancy supported Mubarak's decision to return to his homeland where they settled in Jerusalem. Mubarak, a student of Gandhi and Martin Luther King, Jr., became active in formulating and espousing an ideology of peaceful non-violent opposition to the occupation. The idea later mani-

fested itself in the Palestine Center for the Study of Nonviolence.

Convinced of the sincerity and utility of his approach, Israeli peace groups and the U.S. Government offered support to Awad and his unique theories. The Israeli Government on the other hand accused Awad of being an "inciter to violence and a mastermind behind the intifada." More likely Awad presented a new image of Palestinians that he portrayed as "peaceful" and "oppressed" people under a violent Israeli military occupation.

Despite the strong condemnation of the Israeli expulsion policy by Washington, Awad was ultimately forced to leave with no appeal left.

Abuse of American Media

For a number of months after the intifada began, the international press on a daily basis captured many incidents of Israeli abuse—from beatings to shootings. This marked the first time in the history of the Palestinian-Israeli conflict that events simply spoke for themselves.

The ensuing debate in Israel and the American Jewish community forced many human rights issues on the table and exposed the ill-thought policies of Israel against the Palestinian movement for independence.

Many liberal and progressive Jewish activists began rethinking their support for Israel and challenged that government into conforming to the international norms of human rights

protections. As recent events clearly reflect, the brutality only became greater and more prevalent.

In the larger conservative Jewish community in the United States, many emergency sessions were held to formulate policy in reaction to the negative media coverage. According to one leaked "confidential memo" of a prominent New York law firm, shortly after the intifada began, a very selective meeting was held with high-powered supporters of the Israeli actions.

Included at the session was former U.S. Secretary of State Henry Kissinger, who stated that the Israelis needed to take certain steps in countering the uprising. According to

the memo, Kissinger advised that, "The first step should be to throw out television, a la South Africa. To be sure there will be international criticism, but it will dissipate in short order." The second point was to "put down the insurrection as quickly as possible—overwhelmingly, brutally and rapidly."

Soon after, Israel apparently took heed. Military violence, already at an alarmingly high level, was further amplified. The press was severely limited in its reporting, if at all, from the occupied territories. Military censorship, which had existed since the occupation began, became more restrictive and heavy handed. Likewise, politically active villages and

towns were placed off limits to the media as "closed military zones."

Serious discussions have taken place in the Israeli Government to officially close off the entire West Bank and Gaza Strip to all journalists, especially after the airing of shocking CBS News footage of Palestinian youth being beaten with rocks by Israeli soldiers thought to be outside the range of any cameras. Several journalists have even had their press credentials lifted by the Israelis for reporting on sensitive matters such as the existence of Israeli undercover death squads, without clearing the articles first with the Israeli military censor. Two American journalists, Glenn Frankel of *The Washington Post* and Martin Fletcher of NBC News, had their press passes suspended in April of 1988 for reporting that the Israeli Government was responsible for the murder of Khalil Al-Wazir "Abu-Jihad," military commander of the Palestine Liberation Organiza-

tion. Frankel would later receive a Pulitzer Prize for his reporting on the intifada.

Although journalists are routinely threatened, on one occasion American journalist Neal Cassidy was actually shot by Israeli troops. The shooting occurred in October 1988 when Cassidy and a colleague, Phyllis Cohen, were in the West Bank city of Nablus covering a small group of Palestinian youth who were chanting, but not acting in a violent or threatening manner.

Without notice, Israeli soldiers, standing 150 yards away, opened fire with live ammunition and plastic-coated bullets. One of the plastic bullets struck Cassidy in the right leg above the knee. He was whisked away by some Palestinian youths to a nearby clinic and transferred to the Itihad Hospital, where the bullet was surgically removed.

As he was recuperating in the hospital, an aide of the Israeli Military

Governor was sent to take Cassidy to an Israeli hospital. Upon Cassidy's refusal to move, the Israeli soldiers informed him that most people who were not Arab felt more comfortable and secure at Israeli Jewish hospitals. Cassidy curtly replied, "I've had enough of your hospitality, thank you" and informed them if he was to be transferred, he would have to be arrested first.

Seven other Palestinians were hit during that shooting, wherein two, 5-year-old Dia Mohammad, and a teenager, Khaled Tabeili, died. Despite the absence of any violence or incitement by the Palestinian children, as reported by Cassidy, the Israeli army in defending their violent actions, claimed that: the area was a closed military zone; they had no knowledge journalists were in the area; Cassidy had endangered himself; and, the soldiers had found themselves in a life-threatening situation.

Conclusion

All too often, U.S. Government reaction to Israeli human rights abuses, including the murder of American citizens, has been simply to "raise the issue" with the Israelis. Such a timid approach explains why the Israelis and their self-proclaimed "iron fist" policies have not changed much, if at all.

Instead, since the intifada Israel has adopted more draconian measures including: a shoot to kill policy; intentional misuse of lethal American-manufactured and supplied products such as tear gas; an extended one-year administrative detention period; deportation and other

forms of collective punishment; and, the lack of respect for the human rights of Americans in the occupied territories. During the 1990: Year for Peace rally, attended by more than 40,000 Israeli, Palestinian and international peace activists, the Israeli army attacked the crowd without provocation or advance notice using live ammunition, tear gas and water cannons. Dozens of persons, including American and Israeli pacifists, were injured and arrested.

The intifada has sustained itself for more than two years, but current events in Eastern Europe, coupled with heightened Israeli censorship,

have lessened public awareness of the ongoing atrocities.

Given the Israeli contempt for American citizens, their passports and bilateral agreements, it is incumbent upon the Administration and Congress to begin speaking the only language Israel respects and fears: economic sanctions. Otherwise, Israel will continue with its wanton violation of human rights of the Palestinian population and others, including American citizens, who happen to cross paths with the soldiers of occupation.

NOTICE

□ Former Congressman Paul Findley is looking for "a few well-informed, committed citizens in each Congressional district" to join his new organization, the Council for the National Interest, whose purpose is

to generate grassroots support for a Middle East foreign policy that will be in the best interests of the United States. Directors of the Council include Representatives Pete McCloskey and David Bowen, and Ambassa-

dors Andrew Kilgore, Talcott Seelye and Marshall Wiley. Readers wishing to contact Rep. Findley should write to the council at: 1900 18th St. N.W. (Box 53048), Washington, DC 20009, or call 202-265-4530.