

# Hotline...

Newsletter of Hotline: Center for the Defense of the Individual

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

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## Hotline

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

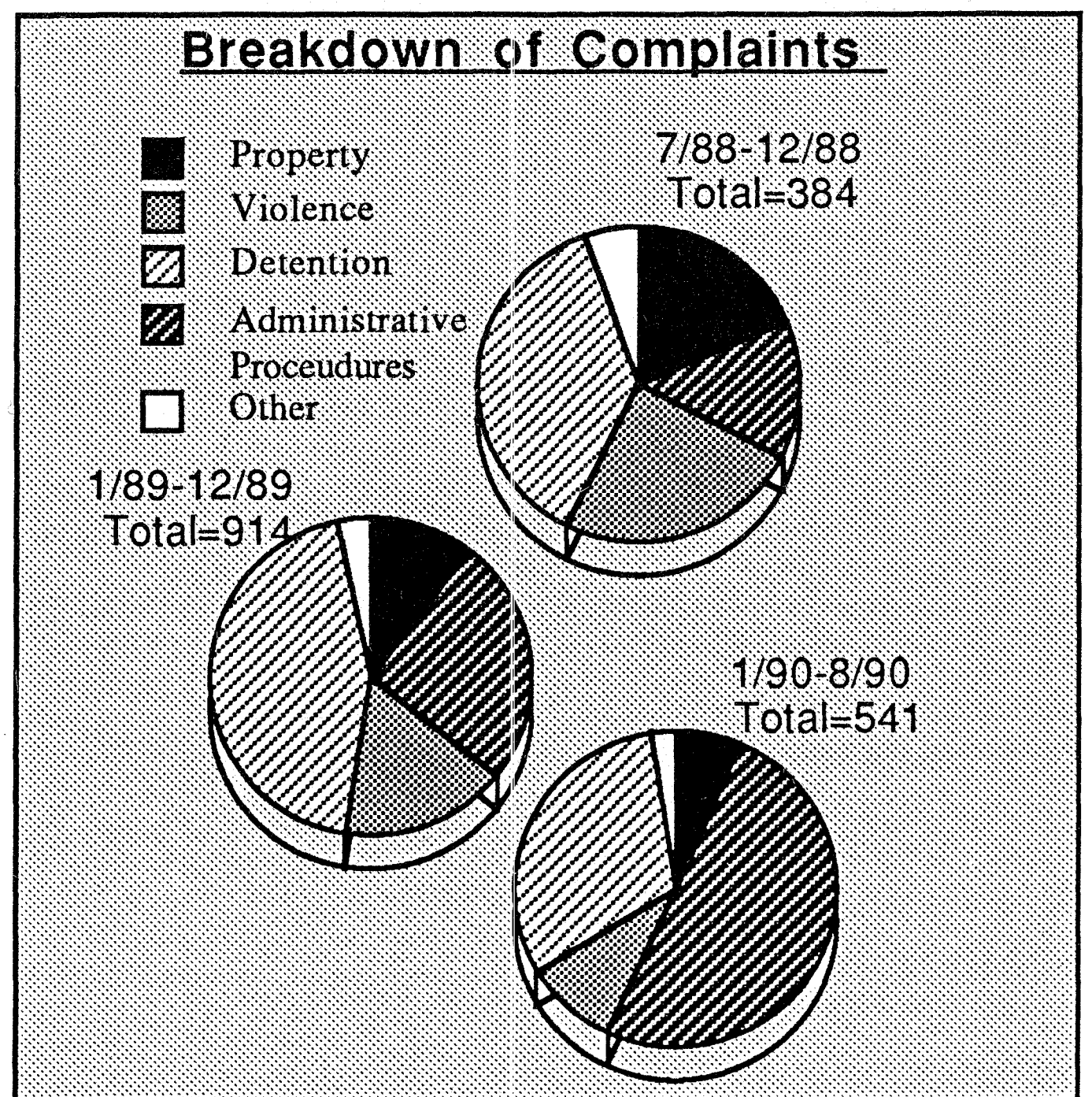
The Hotline was established under the auspices of Sovlanut ("Tolerance"), a non-political organization that aims to combat violence and promote democratic values in Israel. At the end of 1989, the Hotline became an independent organization with an executive board that is responsible for policy and budget.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

The aims of the Hotline are twofold, to assist individuals in their complaints about illegal and abusive treatment, and to influence policy through activities within the Israeli legal system. Since its inception, the Hotline has opened over 1,800 files, which fall into four categories: (1) complaints of violence, (2) damage to and theft of property, (3) arbitrary treatment, 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.

## Some Statistics

A comparison of the Hotline case-load for the first eight months of 1990 with that of 1989 shows a slight decrease in the average number of cases processed monthly (68 and 76, respectively). This decrease was accompanied by a change in composition. During 1989, we received 152 complaints of violence, representing 17% of all the complaints. During the first eight months of 1990, on the other hand, we received only 51 such complaints, or 10% of the total. There was also a decrease in the number of complaints of damage to property, from 152 (17%) to 34 (6%). In contrast to the decline in the number of complaints of violence and property damage, there was a significant increase in the number of complaints related to administrative procedures, from 233 (25%) to 274 (51%).

We have no way of knowing for certain the reason or reasons for these changes. One possibility is that the level of violence directed by the armed forces at Arab residents of the occupied territories has declined. It is also possible, however, that people victimized by violent acts have simply come to the conclusion that there is no point in complaining to the authorities. Complaints of this kind are processed very slowly and are rarely answered satisfactorily. Examining the 48 cases of complaints of violence taken on by the Hotline during that first half-year, we find that



only 12 (25%) have thus far been followed through to any kind of conclusion by the authorities concerned. In other words, more than a year and a half later, 75% of the cases are still pending.

At the same time, requests for assistance in obtaining exit permits, a bureaucratic problem with which we frequently deal, are handled much more quickly by the authorities. Most of the cases brought to the Hotline during the last six months were closed within two months. Out of 127 such cases reviewed on August 1, the most recent of which had only been filed a few days previously, 51 (40%) had already been closed, 49 successfully. Two petitions had been refused, allegedly for security reasons.

These data do suggest a reason why more complaints concerning bureaucratic procedures are being brought to the Hotline and fewer complaints concerning violence.

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## *The Hotline Makes a Difference*

On August 9, A. A., a resident of the Jerusalem Arab neighborhood of Beit Hanina, came to the Hotline with a complaint. At around midnight the previous night, he said, his house had suddenly been surrounded by several dozen border policemen, including two officers he recognized. According to his account, the border policemen, who had come to arrest one of the family members for questioning, came into the house, threatened A. A. and the members of his family, beat several of them, broke furniture, battered down doors, and then finally left, firing tear-gas cannisters into the house on their way out. As a result of the beatings and the gas, six members of the family, among them a fifteen-day old infant, were taken to hospital. A. A. furnished the Hotline with written reports from the doctors who had treated them there.

The next morning the officers returned, threatened the A. family that their house would be demolished, and left. That same day, Hotline volunteers visited the house, saw the damage with their own eyes, and took photographs. One of them then accompanied A. A. to the Border Police public complaints office, where he lodged a complaint. An investigation was immediately initiated by that office and it will be concluded shortly. The Hotline believes the speed with which the investigation was initiated

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ed by the Border Police was the result of our intervention and documentation of the incident.

The relative who had been arrested was released without charge several days later.

\* \* \*

J. A., 60, his wife, and six of their children live in a cave near the village of Yata, south of Hebron. The A. family has owned the cave and the adjacent land since Ottoman times, under the terms of a formal Turkish deed in their possession. J. A. maintains that, for the last year and a half, soldiers have been harassing the family, threatening them with dire consequences, such as forcible eviction, if they do not vacate the cave. The soldiers have not shown any kind of formal eviction order.

At the end of July, Mr. A. came to the Hotline and reported that the previous day he had been visited at the cave by two officers and a man in civilian clothes. They searched the place, scattering the family's belongings and shoving the children aside. At one point they threatened to arrest A., but the threat was not carried out. A., fearing that he and his family would suddenly find themselves homeless, asked the Hotline for help.

At the beginning of August, two Hotline volunteers and a staff member went to visit the A. family and see the situation first hand. The cave turned out to be situated in a barren hillside near the Jewish settlement of Susia. It consists of several chambers, one of which the family uses for living quarters, the others to store household belongings and feed for the flocks and, in the winter, to provide shelter for the flocks themselves. There is no electricity or running water, only a well outside. It is hard to imagine anyone coveting this poor dwelling.

The Hotline has written to the army, demanding an end to the harassment of the A. family and an explanation as to why they are being harassed. As at time of going to press, there has been no response.

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## *Profile*

Yigal Bronner, 24, is one of the Hotline's most active volunteers. He is a second-year undergraduate at the Hebrew University, majoring in psychology and Indian studies. He first came to the Hotline a year and a half ago and has come on a weekly basis ever since. He does all the various jobs that volunteers do at the Hotline. In addition, he has now taken upon himself the special tasks of recruiting new volunteers and arranging for the volunteers to meet as a group on a regular basis.

Yigal says his work at the Hotline gives him first-hand knowledge of what is really happening in the territories, knowledge that most Israelis do not have. He also sees his work as a way of helping to improve the situation, instead of just sitting home and complaining about it.



**Q. Do you feel you're helping people in a practical way?**

A. Yes. Sometimes a single phone call is enough to arrange an exit permit for someone, and then I feel I've done something worthwhile. Even where the results are not so immediate I get satisfaction from the knowledge that I'm helping.

On the other hand, one also tends to get discouraged, and sometimes, when I have to tell a complainant that there's nothing to be done because that's the way the law is, it's quite frustrating.

**Q. What do you see as being the purposes of the Hotline?**

A. The Hotline has several important functions. It helps quite a few people by providing a place to which they know they can turn for help. And even though we can't do very much in cases of violence, the police and other official bodies know someone is going to keep tabs on them and pester them like a watchdog, albeit one that doesn't have too many teeth.

Another function of the Hotline is to promote co-existence. The people who come to us for help see quite clearly that there is another kind of Israeli and that not all of us are soldiers with rifles.

**Q. And are there successes?**

A. It's hard to define success. If you mean securing prosecution of Israelis for violations of the law, we certainly haven't been able to do that. But we are quite successful in helping people in certain other ways. You have to remember that we are just forty Israelis in all, not four thousand. To the extent that a small organization can make a difference, we do.

**Q. How do you see the role of volunteers in the Hotline?**

A. It's the volunteers who make the Hotline work. They do 90% of the nitty-gritty tasks, and without them the Hotline simply couldn't function. They're there whenever there's something special to be done, such as collecting information out in the field. The volunteers also initiate activities. They supply the Hotline with its energy. To me, the Hotline and the volunteers are one and the same thing.

**Q. Has working at the Hotline affected you?**

A. Very much. It's affected my political outlook and made me much better informed about what's going on in the territories. I didn't have the slightest idea before I came to work here to what extent things were a matter of a deliberate, comprehensive policy. And even if I had, until you actually meet the people and encounter the mixed feelings you don't really understand what's going on.

**Q. Do you find that the people around you support your work at the Hotline?**

A. Not at all. On the contrary, I get the feeling people don't want to know what is going on in the territories. They don't want to hear the stories I bring back. People are living inside a kind of bubble, and they're afraid if they hear too much it will burst. The Hotline serves as a point of entry for the Inti-

fada into the tranquil, well-protected lives we lead here in Jerusalem. People don't want to have this kind of encounter.

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## Contacts

The Hotline is looking for ways to speed up the processing of complaints of violence. In working on these complaints, we deal primarily with two official bodies, the police and the army.

**Police:** Complaints brought to the police are often registered grudgingly, if at all. Once a complaint is accepted, it takes a long time for it to be processed, whether or not it turns out to be justified.

The police assign complaints to one of two categories. The first involves misconduct while off duty. The second involves an officer ostensibly carrying out his regular duties in a way which is illegal or improper. If found guilty, he is subject to disciplinary action, and monetary damages may be awarded to the complainant by the police legal advisor. Such cases take up to six months to resolve.

If the misconduct entails "excessive use of force" (brutality), then the case goes to one of two police units: the Jerusalem Public Complaints Bureau or the National Public Complaints Bureau. Cases involving the excessive use of force when there has been no detention or arrest are dealt with by the Jerusalem bureau. Brutality toward a detained or arrested suspect is investigated by the national bureau. If the police disciplinary board finds that there is a foundation to the complaint, then it is passed on to the State Attorney General's office, which may initiate criminal proceedings against the officer concerned.

During processing, the police do not keep either the complainant or the Hotline informed as to the progress of the case, and this was our main reason for initiating a meeting with representatives of the Police Public Complaints Bureau. The meeting was held on June 22. It was agreed at the meeting that (1) in cases brought to the attention of the police by the Hotline, the latter would serve as the liaison in an ongoing way between the police and the complainant; (2) the police would keep us informed as to progress in handling cases; and (3) the Hotline could appeal any police decision.

**Army:** Hotline representatives met on May 14 with Ilan Schiff, the Deputy Military Advocate-General (MAG). We were given an explanation of how cases brought to the MAG are assigned to various other military officials for processing. The MAG, we learned, takes direct responsibility for investigating cases involving death and serious violence. Cases of lesser violence and of property damage are handled by the advocates-general of the regional commands. In the case of Judea and Samaria, which are under the Central Command, the responsible official is Lieutenant Colonel Rahel Dolev.

Procedures to be followed in the future in dealings with the Hotline were also discussed, and some agreement reached on changes to be made. Schiff suggested setting up a direct telephone contact between the Hotline and the Military Police Investigations Unit (MPIU). In cases where acts of violence are being committed in an ongoing way by a particular troop unit,

he suggested turning directly to the regional commander. Schiff did not agree to the Hotline's request for access to military investigation files, but he did promise precise explanations whenever a MAG ruling was questioned by us.

On July 18, Hotline representatives met with Dolev, who discussed the way her office handles complaints related to the Intifada. Some 40 to 50 such complaints are submitted each month, of which those from the Hotline constitute 10-15%. In general, she said, our complaints reach her desk three to four weeks after the purported offense was committed.

The main problem then is locating the suspected offender. This is complicated by further delays in launching the investigations because of the lack of detailed documentation of the day-to-day operations of army units in the field. If, as frequently happens, the suspect cannot be located, the case is usually closed.

In preparation for the meeting, Dolev was sent a list of all cases submitted to her by the Hotline. She claimed she could not find the files of one third of them. Out of the remaining cases, disciplinary action had been taken in several. One case was closed because there was no evidence soldiers had been involved. All the others were still under investigation. Although Dolev has been quite co-operative in her contacts with the Hotline, our representatives came away from the meeting feeling that investigations are not conducted by her staff in an efficient manner.

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## *The Hotline Responds to Anti-Arab Rioting in Jerusalem*

Arabs who were injured or sustained property losses in the rioting by groups of Jews in Jerusalem in early August (sparked by the murder of two Jewish teenagers) found that they could not be compensated by the state under the present law. The law provides for compensation only to victims of violence perpetrated by parties "hostile to the State of Israel."

An effort with broad support is now underway in the Knesset to amend the law so as to provide compensation to all victims of violence against groups, but this could take time. The Hotline has decided to press for immediate government compensation of the victims while the bill is being debated, and a letter to this effect has been sent to the Ministry of Justice. If the response is negative, other alternatives will be tried. Meanwhile, the Hotline has invited those affected to submit claims to us, so that they can be processed quickly when redress becomes available. The Hotline has also tried to lessen the costs to the victims in a direct way. In two injury cases, for example, Hotline representatives have persuaded the regional management of Kupat Holim Clalit (the health fund affiliated with the General Labor Federation) to cover the hospital fees.

Contributions in support of the Hotline may be sent directly to: Account no. 452939, Branch 638, Barclay's Discount Bank, Salah E-Din St., Jerusalem, Israel.

In the United States and Canada, tax-deductible contributions may be made through the New Israel Fund. Checks should be made out to the New Israel Fund and be identified as intended for the Hotline--HaMoked. In the U. S., write to: New Israel Fund, 111 W. 40th St., Suite 2600, New York, NY 10018; in Canada: New Israel Fund, 40 Dundas St. W., Suite 231, Box 29, Toronto, Ont. M5G 2C2.

In Great Britain, contributions may be made through the Jerusalem Foundation, and should be identified as intended for the Hotline--HaMoked. Checks should be sent to: Esther Berkowitz, Secretary, Jerusalem Foundation U.K., c/o Bank Leumi U.K. plc, 101 Golders Green Rd., London NW11 8EN.

We would like to take this opportunity to wish all our friends and supporters  
Shana Tova - a Happy New Year.