



Inter-Parliamentary Union

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Palestine/Israel

PAL/83 - Aziz Dweik

***Decision adopted by the Committee on the Human Rights of Parliamentarians
at its 149th session (Geneva, 15-25 January 2016)***

The Committee,

Referring to the case of Mr. Aziz Dweik, Speaker of the Palestinian Legislative Council (PLC), and to the decision the IPU Governing Council adopted at its 197th session (October 2015),

Taking into account the letter from the Speaker of the Knesset dated 23 November 2015 and the letter from the Senior Diplomatic Advisor to the Knesset dated 22 December 2015,

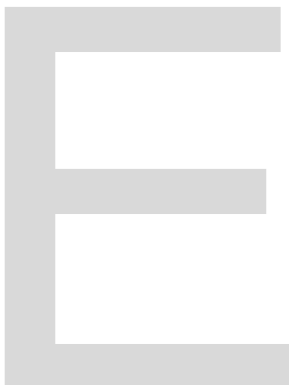
Recalling that Mr. Dweik was elected to the PLC on the Electoral Platform for Change and Reform and arrested during the night of 15 to 16 June 2014, along with and followed by scores of other Palestinian leaders, following the abduction – which Israel blamed on Hamas – of three Israeli teenagers, who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

Recalling that, on 6 January 2015, a member of the Hebron branch of Hamas, Mr. Hussam Qawasmeh, was sentenced to three life terms for the abduction and murder of the three Israeli teenagers and the payment of compensation to the victims' families; documents related to the criminal proceedings, as described in Israeli news reports, spell out a detailed account of the crime's planning, execution and aftermath, but do 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,

Considering that, on 25 May 2014, the Israeli military court in Ofer Prison sentenced Mr. Dweik to a one-year prison term and a fine on charges apparently related, according to the complainant, to a speech he made at a public gathering and other activities linked to his political work; on 9 June 2015, Mr. Dweik was released upon serving his sentence,

Considering that the Speaker of the Knesset, in his letter of 23 November 2015, stated that Mr. Dweik had received the full benefit of due process guarantees, including family visits and legal representation throughout the proceedings,

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 had been re-arrested in 2012 and spent six months in administrative detention in Israel until his release on 19 July 2012,

1. *Thanks* the Speaker of and the Senior Diplomatic Advisor to the Knesset for their communications and cooperation;
2. *Regrets*, however, that it has not received a copy of the sentence handed down on Mr. Dweik; and hence *remains concerned* therefore, in the light of Mr. Dweik's case history and the allegations from the complainant, that his latest conviction may not have been based on formal charges of any specific criminal activity, but rather on his political affiliation, and that it therefore may have been carried out for non-judicial purposes;
3. *Requests* the Israeli authorities and the complainant to provide a copy of the verdict in order that it may carry out its own assessment of the case;
4. *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;
5. *Decides* to continue examining the case.