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Joint Public Statement

LPHR and Addameer statement on the appalling conviction and sentence of the Palestinian human rights defender, Murad Shteivi, under Israel's repressive protest law

London and Ramallah 11 December 2014 - Lawyers for Palestinian Human Rights (LPHR) and Addameer Prisoner Support and Human Rights Association (Addameer) are appalled by the judgment of an Israeli Military Court on 3 December 2014 to convict and sentence the Palestinian human rights defender, Murad Shteivi, to 9.5 months imprisonment and fine of 10,000NIS on charges of participating in and organising demonstrations, and a further suspended sentence in case he participates in demonstrations in the future.

LPHR and Addameer have worked on Murad Shteivi's case as part of our 'Protecting Human Rights Defenders' project since news of his arrest and detention by Israeli military authorities on 29 April 2014. We have submitted a detailed complaint on his arrest and continued detention to the UN Special Rapporteur for Human Rights Defenders, and we have engaged in regular correspondence with the British Consulate in Jerusalem and EU diplomatic missions with strong reference to protections contained within the EU Guidelines on Human Rights Defenders.

The EU missions in Jerusalem and Ramallah issued a [public statement](#) on 8 December 2014 expressing their concern at the conviction and sentence of Murad Shteivi, stating:

“The EU missions are concerned that the imprisonment of Mr Shteivi, who is deeply committed to non-violence, is intended to prevent him and other Palestinians from exercising their legitimate right to protest.”

LPHR and Addameer have also been in contact with Murad Shteivi and today publish an important [interview](#) that we were able to conduct with him, through his lawyer, following his conviction and sentence. When asked for any message to the people of Kufr Qaddum and to the world about his arrest and detention, he answered:

“I am honoured to hold this responsibility, and the freedom of movement is a legitimate right guaranteed by all international laws. The peaceful protests are a right as well to demand your rights. I ask the world to increase their solidarity in support of the Palestinian cause to end the occupation, and to shed light on Israeli state terror imposed on children, elderly and women, and the land”.

Murad Shteivi's appalling case illuminates the existence of Israel's repressive protest law, which effectively prohibits the exercise of the fundamental right to peaceful protest provided for by international human rights law. His case also highlights the ongoing threat and practice of human rights violations perpetrated by Israeli military authorities against Palestinian human rights defenders.



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LPHR and Addameer recognises Murad Shteivi as a prominent Palestinian human rights defender through his work as the primary co-ordinator of the popular committee which organises peaceful protests in Kufr Qaddum. These weekly protests take place to demand the reopening of the main road connecting the village to the city of Nablus, and to express the residents' opposition to the Israeli military occupation and the detrimental expansion of the nearby illegal Israeli settlement of Qedumim. Addameer today released a [video](#) and [factsheet](#) detailing the extremely troubling human rights situation in Kufr Qaddum.

Murad Shteivi has been held under Israeli military detention since his arrest by Israeli military authorities on 29 April 2014. In our [first joint public statement](#) on Murad Shteivi's case, we outlined that he was to stand trial on Sunday 6 July 2014 at Salem Military Court on three charges: participating in and organising unauthorised demonstrations (Israel's Military Order No. 101); causing a public disturbance; and throwing stones at Israeli military authorities. The last charge of throwing stones was dropped during Murad Shteivi's trial.

Murad's Shteivi's trial lasted five months despite only sitting for five days in total. Murad Shteivi was denied bail during the repeated prolonged adjournments to his trial. Our serious concern over the apparent failure to conduct his trial without undue delay, as provided for by international human rights law, was raised in our [second joint public statement](#) on his case.

LPHR and Addameer are appalled that Murad Shteivi has been continuously detained and ultimately convicted and sentenced by Salem Military Court under Israel's Military Order No. 101 for exercising his right to protest under international human rights law. The order has been in force in the occupied West Bank since 1967 and places extremely severe restrictions on the right of Palestinians to participate in or to organize demonstrations. A person who violates the order is liable to 10 years' imprisonment, a fine, or both penalties together.

Murad Shteivi has told us that despite his prolonged detention and conviction, his morale is high *"because I feel that I am fighting a case of national, humanitarian resistance. I have not committed any criminal crime. I am in prison for a nationalistic and humanitarian cause so that we can open the street, which is a humanitarian demand for all the residence of Kufr Qaddum"*.

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About Lawyers for Palestinian Human Rights (LPHR)

[LPHR](#) is a legal charity in the United Kingdom that works on legal projects aimed at protecting and promoting Palestinian human rights.

About Addameer Prisoner Support and Human Rights Association (Addameer)

[Addameer](#) is a Palestinian non-governmental, civil institution that works to support Palestinian political prisoners held in Israeli and Palestinian prisons.



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More Information

Background information on the arrest and detention of Mr Murad Shteiwi

On the night of 28 to 29 of April 2014, the Israeli military authorities raided different houses in the village of Kufr Qaddum to arrest five people: Mr Murad Shteiwi and four young men, Reslan Joma, Ream Harham, Mustafa Shteiwi and Ahmad Hassan Shteiwi.

Mr Shteiwi was held in Huwara military camp. The Israel Security Agency (ISA) only interrogated him briefly immediately before he was presented to a military court at Ofer camp near Ramallah on 2 May 2014.

Mr Shteiwi was charged with the following three offences (he was presented with the final charge sheet on 12 May 2014):

i) Military Order 101 (participate in or organise demonstrations)

Between 2011 and February 2014, at different opportunities, including 21 February 2014 and 20 December 2014 or around those dates, in Kufr Qaddum or in other areas, Mr Shteiwi participated in unauthorized demonstrations. He also organized some of the demonstrations. He used a bullhorn to call on people to join the demonstration.

ii) Activities against Public Order

From the beginning of February 2014 until 21 February 2014, or around those dates, on three different occasions, Mr Shteiwi was with Riyad Shteiwi, and they burned tires.

iii) Throwing stones on a person or moving object

On 21 February 2014, or around this date, in Kufr Qaddum, or around it, Mr Shteiwi was in a demonstration with other people that were in the first accusation, and he threw stones at the Security Forces.

On 12 May 2014, Mr Shteiwi was informed by Salem Military Court that he would remain in remand until the next court hearing date of Monday 9 June 2014. A petition by his lawyer against the remand order was heard by the military court of appeals on 18 May 2014 and rejected on 22 May 2014.

On 18 June 2014, Mr Shteiwi's detention was extended and his trial date was listed for Sunday 6 July 2014 at Salem Military Court.



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Mr Shteivi faces a maximum sentence of 10 years imprisonment should he be found guilty of the first charge of violating Military Order 101 regarding the participation and organisation of demonstrations.

Previous alleged violation incidents by Israeli military authorities against Mr Murad Shteivi

LPHR and Addameer are able to specifically report on at least four previous alleged human rights violation incidents by Israeli military authorities against Mr Murad Shteivi.

Mr Shteivi was arrested on 16 March 2012, after an Israeli security forces dog attacked his nephew Ahmad Shteivi during a demonstration. A [video](#) shows him asking soldiers to help his nephew and order the dog to stop attacking him. Israeli military authorities sprayed him in the face with pepper spray and arrested him. Mr Shteivi was released after paying bail of around US\$1,500, and was not charged.

Mr Shteivi was assaulted and arrested again on 20 December 2013 during a demonstration in Kufr Qaddum, and released four days later after paying bail of around US\$1,500. He was not questioned during this detention and was not charged.

Mr Shteivi has been injured a number of times by Israeli military authorities using excessive force. On one occasion, on 6 September 2013, a tear gas canister hit him directly in the leg during a demonstration, and he was treated in hospital for a broken leg.

On 20 February 2014, Mr Shteivi was arrested, detained and interrogated for 6 hours and 30 minutes. In a meeting with Addameer just hours after this incident, Mr Shteivi gave his account of this incident which included this comment:

Two soldiers interrogated me and the soldiers were very specifically targeting me as a human rights defender. The soldiers lectured me for a long time, saying that I “can stop the demonstrations,” and that I am “influential in Kufr Qaddum.”

Mr Shteivi further stated that this arrest was not an isolated incident against him and other protesters; and that he appeared to be specifically targeted because of his role as a human rights defender:

I face regular intimidation at checkpoints because of my organizing activities. During a previous encounter with the Israeli forces, at which time occupation soldiers attacked my home with teargas and ransacked all of the belongings, one officer that went by the name “Sabri” told me “you must stop the demonstrations” and threatened me with arrest.

(For further information on Israel's arrest and detention of Palestinian human rights defenders please see the Addameer report entitled: [Courageous Voices, Fragile Freedoms](#))



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The unfair, arbitrary and prolonged nature of trial proceedings in the Israeli military court system

The nature of trial proceedings in the Israeli Military Court system applied only against Palestinians has unequal and unfair differences with trial processes for Israelis within the Israeli criminal justice system. These stark differences are compounded by the arbitrary and prolonged nature of the trial process within the Israeli military court system.

It is not uncommon for trials within Israel's military court system to last many months due to arbitrary adjournments of the trial process - whether for a few days, weeks or months - being ordered by the military court, often without any reason for the delay being given to the defendant. This normalised practice of the Israeli military trial process conflicts with a fundamental international human rights standard for a fair trial process that a defendant should be tried without undue delay.

The arbitrary prevention of continuity within the trial process dictated by a military court diminishes a Palestinian defendant's prospect of receiving a fair trial in accordance with internationally recognised standards, and further undermines trust and confidence in the fairness of the Israeli military court system.