



**A Spectrum of Light in the
Middle East**

December, 2003

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About The Prism Group

Christmas festivities, the New Year and the Jewish festival of Chanukah – the theme of freedom figures prominently in all these events. With this backdrop, The Prism Group has decided to dedicate the current edition of our newsletter to the issue of “Prisoners of War in the Middle East”.

We wish all our readers and volunteer researchers and writers Happy Holidays. May 2004 be a year blessed with peace and tolerance for all, and a year when all prisoners of war are returned to the warmth of their families, to peaceful times.

Prisoners of War

Background

The manner in which Saddam Hussein was apprehended, and his subsequent detention expose clearly the vastly different ways POWs are treated in the Middle East. He was not shot on sight, but arrested. The former Iraqi dictator was responsible for the deaths of hundreds of thousands of people, many who died as the result of weapons of mass destruction. It is now expected that he will be given a trial, which will be open to global scrutiny. Will he receive those rights he denied his own countrymen?

It would seem that the coalition is pushing, for political reasons, that Hussein be tried by the Iraqi people, rather than facing an international war crimes tribunal. It must be remembered that the Iraqi courts are still manned by the corrupt judges appointed by Hussein himself, during his three decades of misrule. Britain's position is particularly interesting, as Hussein may have to face a death penalty if tried in Iraq, which is outlawed under certain European legal considerations.

The questions remain. How do you treat captured fighters? Do terrorists and those captured while volunteering to help other terrorists have the same rights as ordinary soldiers or even former political thugs? Where should POWs be tried and by what kind of a court?

Who Wants A Geneva Convention?

[The Geneva Convention](#) of 1950 is very clear, when stipulating the rights of captured combatants. Conversely, history shows how numerous states and leaders in the Middle East have paid only lip service to these internationally accepted ethics.

The examples are many. The horrendous treatment of POWs by both sides in the Iran – Iraq war of the 1980s has been well documented. The Turkish response to Kurdish rebels drew long and continuous criticism from the European Union and human rights groups. Going further back, in the October 1973 war, the Egyptians

shot on site those Israelis soldiers who admitted to having fought in the previous war in 1967. And so the list goes on.

POWs in 2003

The issue of POWs has been raised again in recent months from three very different perspectives. Each story illustrates the specter of the potential abuse of human rights. Most recently, the American, British and Australian forces in Iraq went out of their way not to capture many of Saddam Hussein's supporters. The preferred approach was "disarmament and speedy release" unless there were special circumstances. It is possible that this policy was developed after analyzing the consequences of the Afghanistan campaign against al-Qaeda and the Taliban. The prisoners were transferred to the Guantanamo base in Cuba, where they are allowed Red Cross visits. However, trial is a long way off for most and they have yet to be recognized as POWs as outlined by the Geneva Convention. The British Prime Minister, Mr. Tony Blair, called from the House of Commons for the Americans to address this issue urgently ([Telegraph, Jan. 17, 2002](#)), and it is known that President Bush is finally considering possible solutions to the issue.

Second, it is well-known fact that Israel is holding hundreds of Palestinians. Some of the largest camps are at Ofer, south of Ramallah, Megido, south of Haifa and at Ketziot near Gaza. Each detainee is accorded visiting rights, and the Red Cross has access to all the facilities on a continual basis. All those held are brought to trial. The proceedings are usually open, conducted within a reasonable period of time and take place accordingly to international standards.

In recent years, the High Court in Israel has been used repeatedly to protect the rights of prisoners. New rulings have restricted the possibility of abuse and torture, even when the person arrested may have information that could lead to the prevention of a terror incident. What's more, the last several months have seen several petitions to the courts to release details of a secret prison, used at the beginning of the current Intifada. Certain details of the story were censured in Israel. While newspapers such as the Guardian did file specific reports including the location of the facility, no proof was offered to sustain claims of torture and mistreatment.

The third area concerns the fate of several Israelis captured or kidnapped by Palestinians and Arab militia over the past two decades. Media reports in the region and in Germany have revealed that there have been high-level contacts between Israel and the Hizbollah in order to secure their release in exchange for hundreds of Lebanese.

Three Israeli soldiers have been missing since the 1982 Lebanon War. Inconclusive evidence suggests that they died or were killed in captivity, that the Hizbollah is holding their bodies in Lebanon, and that the Hizbollah refuses to release any authentic information. A similar story can be told about three additional Israeli soldiers who were captured by the Hizbollah in 2000, as UN troops recorded the incident on camera. Then, several weeks later, the Hizbollah lured an Israeli businessman from Europe to Lebanon, from where he was kidnapped. He only received his visit from the Red Cross in August 2003, when he was reported to be unwell but stable.

The Role of the Public Servant

We noted above how the British Prime Minister has tackled the subject of the Guantanamo Bay detainees. The Archbishop of Canterbury, Dr. Rowan Williams, is using his Christmas address to highlight the issues of prisoners' rights in Cuba and in a South London jail. And in America, the "Padilla (Al-Muhajir) v Rumsfeld" decision stipulates that "the September 2001 declaration of war does not constitute authorization" to detain American citizens on American soil without giving them the same rights open to all citizens.

The Prism Group applauds all these attempts to ensure that justice is provided and in a correct manner. Yet, when all is considered, it often seems that it is only the famous or those who are citizens of a powerful country that can benefit from these protestations.

Consider Ron Arad, an Israeli air-force navigator, who was captured in Lebanon in October 1986. After being transferred amongst several Palestinian factions, an act illegal under the Geneva Convention, he was eventually removed to Iran. He is believed to be held in solitary confinement in Tehran. No visitation rights. No trial. Forgotten by Blair, the Archbishop, Bush and other proponents of prisoner rights.

Christianity in the Middle East

The Prism Group continues to highlight the issues of religious minorities in the Middle East. On the positive side, we welcome the opening of the new Mar Elias University in the Galilee aimed primarily at the Christian community in the region. One of the University's missions notes that "...acknowledgement and respect for difference builds upon the resources and richness of diversity."

Unfortunately, Jordan continues to impinge on the religious rights of its Christian population. The Hizbollah continue to impose its hegemony of Christian villages in Southern Lebanon. And the London Daily Telegraph has reported how the diminishing Christian minority in Bethlehem is now the subject of another tax imposed by the Palestinian Authority. These and other worrying trends need to be brought to the attention of democratically elected leaders.

Women's Issues

The Prism Group is shocked to read about the treatment of Afsaneh Nowrouzi of Iran, who has been sentenced to death for killing her attempted rapist. The story, highlighted in [Women's e-news December 22, 2003](#), illustrates that women who face rape have almost no legal recourse under Iranian law.

The Prism Group Website:

Please visit our site and help direct others to the existing fact sheets. If you have ideas for fact sheets that you believe we should investigate and compile, please write to us at: info@theprismgroup.org.

Our web site is www.theprismgroup.org.

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