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B'Tselem charges prisoners held illegally

By Amira Hass, Ha'aretz Palestinian Affairs Correspondent

Israel is holding the bodies of 24 Palestinians who died either in suicide bombings or in clashes with the IDF over the last five years, according to a report released yesterday by B'Tselem and the **Center for the Defense of the Individual**.

Israel has refused to release the bodies to relatives, the report said.

Since 1994, "a clear policy has been followed according to which the bodies of terrorists are not returned to their families," the report declared. Before then, the IDF had not taken a consistent approach toward the subject, it added.

The two groups also claimed that the way in which Israel had buried the bodies violated both the rules of international law and the instructions of the IDF's chief of staff. "[They] were buried in a contemptuous and negligent manner that casts doubt on the possibility of identifying the bodies in the future," the report said.

The groups said there were four motives behind the policy. The primary one was the type of collective punishment Israel had adopted since occupying the West Bank and Gaza Strip. Another was the desire to prevent a funeral gathering, which in the eyes of the military is always a potential flashpoint.

A third motive was the lure of using the bodies as bargaining chips for future exchanges of Israeli dead or prisoners of war. The fourth was said to be a desire to punish, albeit posthumously, the dead Palestinians.

Spokespersons for the groups - Dalia Kirshtein of the Center and Eitan Felner of B'Tselem - both condemned the policy as a violation of basic human values and of international treaties.

"The official grounds for collective punishment are its value as a 'deterrent to future terrorists'," they said in a statement. "The connection between the different types of this punishment and preventing terror has never been proved.