

EXTERNAL (for general distribution)

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Fear of torture

8 June 1995

ISRAEL/OCCUPIED TERRITORIES

75 Palestinians

Amnesty International fears that 75 Palestinians arrested over the last week are at risk of being tortured during interrogation by the General Security Service (GSS).

According to an Israeli army spokesman, the 75 people detained, reportedly members of the Islamic opposition group *Hamas*, were arrested on suspicion of planning attacks on Israeli civilians and soldiers. Amnesty International has previously condemned arbitrary and deliberate killings of civilians and has called on *Hamas* to respect basic principles of humanitarian law and to refrain from any such attacks.

BACKGROUND INFORMATION

Amnesty International has long been concerned about the systematic use of torture during interrogation by the GSS. In a recent report, (*Israel and the Occupied Territories, including the areas under the jurisdiction of the Palestinian Authority: Human Rights: A Year of Shattered Hopes, MDE 15/07/95*) Amnesty International highlighted the use of hooding, prolonged standing or sitting in painful positions, sleep deprivation and confinement in closet-shaped rooms amongst other torture methods. On 25 April 1995, 'Abd al-Samed Harizat, a suspected *Hamas* supporter, died in hospital two days after he had been arrested. Pathologists who performed a post-mortem examination of the victim reported that he had died from having been shaken violently, a method of torture reported by many detainees. The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and Article 7 of the International Covenant on Civil and Political Rights, both of which Israel has ratified, forbids unconditionally the use of any form of torture, or ill-treatment. Under these treaties no justification may be used to derogate from a State Party's obligations in this respect.

Since 1987, interrogations by the GSS have been regulated by secret guidelines, established by a Commission of Inquiry into GSS interrogation methods, headed by Justice Moshe Landau. These guidelines allow the use of "moderate physical pressure". Amnesty International has long had serious concerns about GSS interrogation practices, believing that either the guidelines permit the use of torture or ill-treatment, or that interrogators have been extensively violating those guidelines with impunity.

In October 1994, after a suicide bombing in Tel Aviv, these guidelines were amended by a ministerial committee to allow increased physical pressure to be applied to those under interrogation. This was extended in January 1995 for three months. In April 1995 it was extended once more, specifically for members of *Hamas/Islamic Jihad*.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English, French, Hebrew or in your own language:

- urging the Israeli authorities to ensure that the 75 arrested over the last week are not subjected to torture or ill-treatment;
- calling for an immediate end to any torture or ill-treatment of detainees;
- reminding the Israeli Government that, as a state party to the International Covenant on Civil and Political Rights and the Convention against Torture and

Other Cruel, Inhuman or Degrading Treatment or Punishment, it has an obligation to ensure that no one under Israeli jurisdiction is subjected to torture or cruel, inhuman or degrading treatment or punishment; and that no justification may be used to derogate from these obligations;

- stating that, while Amnesty International in no way disputes the right of governments to bring to justice those who have committed criminal acts, torture of anyone is outlawed by international standards. For example, Article 2 of the UN Convention against Torture, to which Israel is a state party, states that "no exceptional circumstances whatsoever, whether a state of war or threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture";

- expressing concern at reports that the ministerial committee overseeing the GSS has authorized the use of "increased physical pressure" against suspected members of Hamas and Islamic Jihad; ask for clarification of the methods interrogators are permitted to use, including details of the "increased physical pressure" referred to.

APPEALS TO (members of the ministerial committee referred to above):

1) Prime Minister and Minister of Defence

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Mr David Liba'i

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Telegrams: Justice Minister, Jerusalem, Israel

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4) Minister of the Environment

Mr Yosef Sarid

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Salutation: Dear Minister

5) Deputy Prime Minister and Minister of Foreign Affairs

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and to diplomatic representatives of Israel accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 July 1995.