

PUBLIC

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To: Health professionals
From: Medical Office / Middle East sub-regional team
Date: July 7, 2001

MEDICAL LETTER WRITING ACTION

**Mordechai VANUNU
ISRAEL/OCCUPIED TERRITORIES**

Keywords:

Theme: prolonged isolation

Summary

Amnesty International remains concerned about the well-being of Mordechai Vanunu, a former nuclear technician serving an 18 year sentence for treason and espionage resulting from his disclosure of information about Israel's nuclear program. The regimen of solitary confinement which has been imposed on him for more than a decade, since his kidnap and enforced return to Israel in October 1986, poses serious risks to his health and Amnesty International is urging that his isolation be ended. The organization is also calling for his release from custody as redress for the persistent and past human rights violations to which he has been subjected.

Recommended action:

Letters are requested from health professionals to the addresses given below:

- o saying that you are writing to raise the case of Mordechai Vanunu;
- o noting that you recognize the right of states to take legal measures against people accused of espionage or breaching state secrets but not by employing means which are themselves illegal such as kidnapping the accused rather than following legal methods;
- o expressing particular concern at the potential effects on Mordechai Vanunu's health of prolonged isolation which you consider to amount to cruel, inhuman and degrading treatment;
- o expressing concern for Mordechai Vanunu's well-being, asking that he be given access to whatever means are needed to provide reassurance to him about his health;
- o urging that he be released from detention in order to end his continued solitary confinement and as a way to redress the human rights violations which he has suffered;
- o urging that while he remains in prison, measures such as increased visiting rights and association with other prisoners be implemented.

Addresses:

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 +972.3.691.7915 (Tel Aviv office)

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 Ministry of Health
 2 Ben Taibai Street
 PO Box 1176
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Tzahi Hanegbi
 Minister of Justice
 Ministry of Justice
 29 Salah al-Din Street
 Jerusalem 91010
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 Fax: +971.2.6285.438

Yitzhak Mordechai
 Minister of Defence
 Ministry of Defence
 7 'A' Street
 Hakiryia
 Tel Aviv
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 Fax +972.3.697.6218

Avigdor Kahalani
 Minister of Internal Security
 Ministry of Internal Security
 PO Box 18182
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 Fax: +972.2.582.6769

Copies to:

Prof E Dolev
 Israel Medical Association
 2 Twin Towers
 35 Jabotisky Street
 Ramat Gan
 Tel Aviv 52511
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 Fax: +972.3.575.3303

Physicians for Human Rights - Israel
 PO Box 592
 Tel Aviv 61004
 Israel

Committee for Mordechai Vanunu
 PO Box 7323
 Jerusalem 91072
 Israel

Public Committee against Torture - Israel
 PO Box 8588
 Jerusalem 91083
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ACRI - Association for Civil Rights in Israel
 POB 8273
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 Fax: +972 2 624 8910

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Mordechai VANUNU
ISRAEL/OCCUPIED TERRITORIES

Amnesty International remains concerned about the well-being of Mordechai Vanunu, a former nuclear technician serving an 18 year sentence for treason and espionage resulting from his disclosure of information about Israel's nuclear program. The solitary confinement which has been imposed on him for more than a decade poses serious risks to his health and Amnesty International is urging that his isolation be ended. The organization is also calling for his release from custody as redress for the persistent and past human rights violations to which he has been subjected.

Amnesty International considers that when taking punitive measures, states must always fully respect internationally recognized human rights standards. In the case of Mordechai Vanunu, Amnesty International believes that the Israeli authorities acted in direct violation of those standards, in particular, by prolonging his solitary confinement, which Amnesty International regards as cruel, inhuman and degrading treatment.

Background

Mordechai Vanunu was abducted by agents of the Israeli Government in Rome on 30 September 1986, and secretly moved to Israel after providing the *Sunday Times*, a British newspaper, with classified information about the Atomic Research Reactor at Dimona, where he had worked from 1977 to 1985. The information, indicating that Israel was running a major nuclear military program, was published on 5 October 1986. Mordechai Vanunu maintains that he disclosed such information for reasons of conscience in order to promote a public debate on Israel's nuclear program, a subject surrounded by strict secrecy in Israel. Mordechai Vanunu's detention was not officially acknowledged until 9 November 1986. His trial, including the appeal before the Supreme Court, was held entirely *in camera*. He was convicted on charges of treason and aggravated espionage. He is held in Ashkelon prison, in southern Israel, with access only to his lawyer and, under strict surveillance, his family for one hour every two weeks, and a clergyman when one is available.

Amnesty International believes that the Israeli authorities took measures against Mordechai Vanunu which are clearly illegal or verge on the illegal. Mordechai Vanunu was abducted and held in prolonged secret detention, in clear violation of the prohibition of arbitrary arrest or detention contained in Article 9 of the International Covenant on Civil and Political Rights. The organization has serious concerns about the secrecy of his trial and the severe nature of the charges of which he was convicted. His prolonged solitary confinement, with no end in sight before the end of his prison sentence, constitutes in Amnesty International's view cruel, inhuman or degrading treatment and as such is forbidden by international human rights standards. It is all the more unacceptable as all indications are that the real reason for its continued imposition is to prevent Mordechai Vanunu from disclosing the circumstances of his abduction, an act in itself illegal.

According to Amnesty International's information, Mordechai Vanunu's access to the outside world is limited to visits in private by his lawyer when appropriate; visits by family members once every two weeks for half an hour or once a month for one hour; and visits by an Anglican clergyman when available. Visits by relatives and a clergyman take place under conditions of strict surveillance over anything that is said or exchanged. Exercise breaks are permitted from 9.30 to 2.00 every day, including a lunch-break. However, the exercise takes place within a small, enclosed courtyard out of sight of or contact with other prisoners and guards.

These conditions of detention are imposed on Mordechai Vanunu by the prison authorities on the grounds of state security, and are apparently reviewed every two months. Mordechai Vanunu has repeatedly petitioned the Israeli judiciary against these conditions, without success.

Israeli officials have maintained that Mordechai Vanunu is being held in solitary confinement and allowed visitors only under strict surveillance because of fears that he may be attacked by other inmates if put in physical contact with them and because of fears that he may disclose further classified information. The Israeli judiciary has distinguished two kinds of classified information in this context. One relates to information about Israel's nuclear program which Mordechai Vanunu may not yet have disclosed, and which he denies being in possession of. The other relates to information about his abduction, which is considered a state secret and which he has stated he would disclose.

Amnesty International considers that prolonged solitary confinement in conditions such as those in which Mordechai Vanunu is held constitutes cruel, inhuman or degrading treatment. Such treatment is prohibited by international human rights law, regardless of the reasons for its imposition. Amnesty International considers that it is unacceptable for the Israeli authorities to keep Mordechai Vanunu isolated to prevent disclosures relating to his abduction by Israeli agents in a foreign country. The abduction was an illegal act under international law and can certainly not be used to justify the imposition of such treatment by any state which professes respect for international human rights standards.

The Israeli Government can and should take measures to allow Mordechai Vanunu to associate regularly with prisoners or others in conditions of safety, while meeting any legitimate concerns regarding the possible disclosure of classified information relating to Israel's nuclear program.

The Israeli government has stated that "Mordechai Vanunu has been found guilty and sentenced after a lengthy trial. The crimes of which he has been convicted, regardless of his alleged motivation, are of a most serious nature. He is being held in accordance with the rule of law. Every aspect of Mr Vanunu's trial and confinement have proceeded according to Israeli law and the principle of due process." Amnesty International considers that such statements fail to respond to the organization's concerns about Mordechai Vanunu's prolonged solitary confinement, secret trial and illegal abduction.

In December 1997, the Israeli Minister for Public Security, Avigdor Kahalani, while on a visit to Ashkelon prison, went to see Mordechai Vanunu in his cell after Vanunu had repeated his demand that he be transferred from solitary confinement. During the interview, Minister Kahalani reportedly told Vanunu: "You still pose a danger to the state and that's why you will stay right here." The Minister later told reporters: "Vanunu is getting five-star treatment and looks a picture of health". Amnesty International does not consider that 11 years of solitary confinement constitutes "five-star treatment".

Health risks associated with isolation

Amnesty International has considered the situation of other long-term prisoners held in other countries in conditions similar to those of Mordechai Vanunu to constitute cruel, inhuman or degrading treatment. These prisoners suffered both psychological and physical disorders, including emotional disturbances;

impairment of concentration and ability to think; loss of sense of reality; neuroses; sleep disturbances; headaches; dizziness; low blood pressure; and circulation and digestive problems. Dr Ruhama Marton, psychiatrist and former chair of Physicians for Human Rights-Israel, noted in a 1996 paper that some of the psychopathological effects of solitary confinement included “hallucinations (visual, auditory), body-image distortions, feelings of suffocation, thought disorder, loss of memory, difficulty in concentrating, acute confusional states and subsequent partial amnesia, obsessions, disorientation as to time and space, startle reactions to sudden noises, fear, panic, paranoid states, fear of impending death, depression, hopelessness” as well as physiological reactions such as “gastro-intestinal, cardiovascular and genito-urinary symptoms, tremulousness, sleep disturbance with extreme fatigue” among others. (*International Conference on Democracy, Human Rights and Mordechai Vanunu*, 14-15 October 1996, Tel Aviv).

While Mordechai Vanunu remains in solitary confinement, the risk increases of serious and possibly irreversible physical and psychological damage.

Amnesty International has repeatedly expressed concerns to the Israeli Government about Mordechai Vanunu's case, particularly about his prolonged solitary confinement. It believes that his conditions of detention constitute cruel, inhuman or degrading treatment, regardless of the reasons for them, and has called for him to be taken out of isolation. His health may already have suffered. This situation has now lasted more than 11 years with no indication as to how much longer it might continue. Amnesty International is calling for an end to these unacceptable conditions and for his prompt release.