

AI INDEX: MDE 15/22/97

EMBARGOED FOR 00:01 HRS GMT 6 May 1997

ISRAEL AND THE OCCUPIED TERRITORIES: COMMITTEE AGAINST TORTURE MUST TAKE STRONG ACTION

Amnesty International is urging the UN Committee Against Torture (CAT) to take strong action when it examines the report submitted by Israel this week.

"Israel has effectively legalized torture despite being a State Party to the Convention against Torture. We are looking to the Committee to state clearly that Israel's interrogation methods constitute torture or ill-treatment and to insist that the Israeli Government ban them," Amnesty International said.

Israel allows the use of "moderate physical pressure" - which is defined in detail in secret guidelines - during interrogations. This includes sleep deprivation for prolonged periods while being tied in painful positions, hooding with filthy sacks, being forced to squat like a frog for hours and violent shaking (which has caused the death of one detainee).

In November 1996, after Israel's Supreme Court ruled that security services could use physical force during the interrogation of Palestinian security suspects, the Committee publicly stated that the decision taken by the Supreme Court was "contrary to the conclusions of the Committee" which, in 1994, had asserted that "permitting 'moderate physical pressure' was completely unacceptable". In a rare move, the Committee asked that an additional report be submitted.

On 7 May the Israeli Government will be presenting its report - which Amnesty International considers seriously deficient - to the Committee who will ask further questions and then make recommendations.

The Israeli Government claims that the methods used are lawful and necessary against a "terrorist threat". However, such an excuse to commit torture is banned by the Convention against Torture in Article 2 (2) which states:

"No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."

"In freely ratifying the Convention against Torture in 1991 Israel made a solemn obligation to ban torture and ill-treatment," Amnesty International said. "Today, we expect the Committee against Torture to reaffirm to Israel that there can be no excuses for torture."

Amnesty International has urged the Committee, in a letter sent to all its members, to:

- 1) make a clear statement that Israeli interrogation practices constitute torture or other cruel, inhuman or degrading treatment prohibited by the Convention.
- 2) set a deadline for Israel to bring legislation into conformity with the Convention against Torture and repeal all secret guidelines which allow torture or ill-treatment.
- 3) request the Israeli Government to present a further report on its implementation of the Committee's recommendations.

Background

The UN Committee against Torture is a body of 10 experts elected by the States Parties to the Convention against Torture or Other Cruel, Inhuman and Degrading Treatment or Punishment to monitor the way these states implement their obligations set out in the Convention. Israel ratified the Convention against Torture in 1991. The experts act in their personal capacity and are not meant to represent any government. At their twice-yearly meetings in Geneva the experts review written reports from states on how the Convention has been implemented by questioning government representatives and issuing written conclusions.

Amnesty International submits its concerns about torture and ill-treatment in a number of countries being examined by the CAT at each session. At this session, in addition to the letter to members of the Committee concerning torture and ill-treatment in Israel and the Occupied Territories, the organization has provided material on Mexico, Ukraine, Denmark, Paraguay and Sweden.
ENDS.../