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## **£ISRAEL AND THE OCCUPIED TERRITORIES**

### **@Fear of torture or ill-treatment**

On 22 January 1992 the Israeli security forces carried out widespread arrests in the West Bank, detaining scores of Palestinians whom they claim were members of the Popular Front for the Liberation of Palestine (PFLP), a faction of the Palestine Liberation Organization (PLO). Both the PLO and the PFLP are designated as "unlawful" organizations by the Israeli authorities.

Those arrested were taken to a number of detention facilities including Hebron (al-Khalil) and Ramallah prisons, and al-Dhahiriyyah, Petah Tikva and the Moscobiyyah detention centres, where they were placed under interrogation by the General Security Service (GSS).

Some of those arrested have since been issued with administrative detention orders allowing detention without charge or trial for up to six months. The orders are renewable for an indefinite number of times. Some have been transferred to the Ketziot detention centre in southern Israel, where the vast majority of administrative detainees are held, and others are being held in Hebron Prison or al-Dhahiriyyah detention centre. A few others were released after several days of interrogation.

Most of the others appear to have been held in prolonged incommunicado detention with no access to lawyers or judges. Israeli military orders allow for detainees in the Occupied Territories to be held without access to a judge for up to 18 days and without access to a lawyer for longer periods. In early February many were taken to court to decide on the extension of their detention. In most cases this is reported to have been granted for periods of between 15 to 60 days.

On 3 February 1992, one of those arrested, Mustafa 'Akkawi from Jerusalem, was brought to court in Hebron (al-Khalil) Prison for a hearing on the extension of his detention. He was not allowed to speak to his lawyer, but he complained to the judge that he had been tortured during interrogation, and showed the judge evidence of bruising on his chest. The judge rejected the request of the prosecution that his detention be extended by 30 days for further interrogation, ordering an extension for eight days. He also ordered that Mustafa 'Akkawi be medically examined.

Mustafa 'Akkawi was taken back to interrogation without medical examination. He had apparently been held for several days in a very cold corridor; hooded and handcuffed to a chair; and

deprived of sleep while he was being interrogated. Mustafa 'Akkawi complained of feeling ill during interrogation on the night between 3 and 4 February. He had a heart attack, but a medic did not identify any illness and did not refer him to a doctor. Mustafa 'Akkawi's interrogators then placed him in one of the narrow cells commonly called "refrigerators", ostensibly to allow him to sit without the hood or handcuffs, but he collapsed shortly afterwards and died.

According to a United States pathologist who participated in an autopsy on 7 February, Mustafa 'Akkawi had suffered from a severe heart condition, but his heart attack was triggered by the physical and emotional pressures suffered under interrogation, and by the cold. Medical negligence was also said to have contributed to his death. A police investigation reportedly exonerated the GSS interrogators from any blame.

Amnesty International called for an independent investigation into Mustafa 'Akkawi's death and asked Prime Minister Yitzhak Shamir to intervene urgently to stop all torture and ill-treatment. It also called for a review of official secret guidelines allowing the use of a "moderate amount of physical pressure" during interrogation.

There have been reports that others arrested on 22 January have also been tortured or ill-treated by the GSS while under interrogation. They include Ribhi Haddad and Ghadir 'Awad, who have now been released. Ribhi Ramez Salim Haddad, ID number 91646589, is 45 years old, married with one daughter, and comes from Nablus on the West Bank, where he runs a bookshop. After his arrest on 22 January he was held in Ramallah Prison, Petah Tikva detention centre, Hebron (al-Khalil) Prison, and al-Dhahiriyyah detention centre. At a court hearing in al-Dhahiriyyah detention centre on 6 February, his detention was extended by 30 days, after which he was taken back to Petah Tikva detention centre. He was visited there by a lawyer on 10 February, to whom he stated that he had been forced to sit on a very low chair with his hand handcuffed behind his back in freezing temperatures for about five days. His health is frail. He is said to suffer from a duodenal ulcer and a cardiac condition which causes him chest pain and shortness of breath, particularly when tense or tired. He was released from detention in late February, apparently without charges. Ribhi Haddad was previously imprisoned and administratively detained several times, and had last been released from detention in November 1989.

Ghadir 'Awad, aged 29, is a mathematics teacher from Ramallah. She is married with a two-year-old son. She was arrested when soldiers came to arrest a neighbour who was not there. One person was reportedly taken from each apartment in the building. She was taken to the Moscobiyyah detention centre where she was interrogated for two days. She said that during her detention she was hooded with her hands shackled behind her back to an iron pole, deprived of sleep and placed in solitary confinement for several days. She also suffered sexual harassment. She was released on 31 January without being charged.

### Background information

The Israeli authorities in the Occupied Territories systematically use interrogation practices which clearly amount to torture or ill-treatment. Methods include beatings all over the body, often concentrated on sensitive areas such as the genitals; hooding with dirty sacks, sleep and food deprivation while held in solitary confinement; prolonged shackling in painful positions; and confinement in small, dark cells known as "closets" or, when cold, "refrigerators".

Under the Israeli military justice system in the Occupied Territories, detainees' access to judges can be withheld for up to 18 days, and access to lawyers and families may be denied for much longer periods. These shortcomings of the Israeli justice system in the Occupied Territories facilitate the infliction of torture or ill-treatment.

#### Amnesty International's concerns

Amnesty International is concerned that the detainees arrested on 22 January 1992 may have been subjected to torture or ill-treatment while under interrogation. Such concerns are all the more acute in light of the death of Mustafa 'Akkawi while held in Hebron (al-Khalil) Prison. Amnesty International is asking for assurances that these detainees are not being tortured or ill-treated, and for independent investigations to be conducted into any complaints or allegations of such treatment which may have been made. The organization is also calling on the Israeli authorities to take urgent methods of redress to stop all practices of torture or ill-treatment, including a review of the regulations allowing prolonged incommunicado detention and the use of "a moderate measure of physical pressure" during interrogation.

#### Details of detainees

Amnesty International has the following, incomplete, list of those arrested on 22 January 1992, who are still reported to be held in interrogation.

**Ya'qub Yusuf Musa Fathu**, ID number 80002546, from al-Sawaneh in Jerusalem. He was taken for interrogation in the GSS wing of the Moscobiyyah detention centre in Jerusalem, where he was apparently shackled in painful positions, and deprived of sleep. On 23 January his detention was extended for 8 days, and an order was issued preventing him from meeting his lawyer until 6 February. On 31 January his detention was extended again until 9 February, when it was again extended until 20 February, when he was charged with membership of and activities on behalf of an unlawful organization, the PFLP. The charges included distribution of leaflets, painting of slogans, recruiting others to the organization, distribution of money to the families of detained PFLP members, erecting road blocks, and inciting others to throw an incendiary device. Ya'qub Fathu is a member of the Prisoners' Committee (Lajnat al-Asir), whose aims he says are dedicated to helping prisoners and to defending their rights. In the past he has attempted to register this organization with the Israeli authorities, but his application was rejected. He told his lawyers that he stated during his interrogation that his activities in the organization were solely derived from his belief in the need to protect prisoners' rights.

**Khalil Abu 'Arafah**, holder of a Jerusalem ID card, is a lecturer in Architecture at Bir Zeit University. He was taken to a West Bank detention facility. He petitioned the High Court against his detention in the West Bank, along with Fayez Damiri and Mustafa 'Akkawi (who later died). He was only one of the three allowed to attend the High Court hearing on 2 February. The petition was rejected.

**Fayez Damiri**, ID no. 8046541 (a Jerusalem ID card) lives in Ramallah. He is a teacher and an ex-leader of the Bethlehem University Students' Union. He is in his late 30s. He petitioned the High Court against his detention in the West Bank, along with Khalil Abu 'Arafah and Mustafa 'Akkawi. He was not allowed to attend the hearing of 2 February. The petition was rejected.

**Dr 'Azzam Halawi**, from Nablus, who works at St. Luke's Anglican Hospital in Nablus.

**Muhammad Khattab**, ID number 99123046 is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre and was then moved to Petah Tikva detention centre.

**'Ali Jaradat**, ID number 99423663, is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre, and was then moved to Petah Tikva detention centre. His detention was extended for 15 days from 10 February 1992 and may have been renewed.

**Na'el Hasan Sa'adah**, ID number 99341185. He was detained in al-Dhahiriyyah detention centre and was then moved to the Petah Tikva detention centre.

**Hasan Ni'mat**, ID number 957952955, is from the Ramallah district. He was detained in Petah Tikva detention centre. His detention was extended for 45 days from 10 February 1992.

**Muhammad 'Abd al-Halim Rujub**, ID number 937565539, is from the Ramallah district. He was detained in Petah Tikva detention centre. His detention was extended for 45 days from 10 February 1992.

**Maher al-Natsheh** was detained in Ramallah Prison.

**Mahmud al-Tukhi**, ID number 973535248, is from the Ramallah district. He was detained in Hebron Prison.

**Fadi Judeh**, ID number 99150247, is from the Ramallah district. He was detained in Hebron Prison.

**Khalil Hanna Shahil**, ID number 97458519. He was detained in al-Dhahiriyyah detention centre.

**Nidal Ahmad Farraj**, ID number 97458519, is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre.

**Nabil 'Abed al-Masri**, ID number 985802248, is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre.

**Khaled Mahmud Dalaysheh**, ID number 966832669, is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre.

**Ibrahim 'Ali al-Tarshah**, ID number 96682815, is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre.

**'Uthman al-Qadi**, ID number 991133273, is from the Ramallah district and is a student at Bir Zeit University. He was detained in al-Dhahiriyyah detention centre.

**Ribhi Qatamish**, ID number 9837026, is from the Ramallah district. He was detained in al-Dhahiriyyah detention centre.

**Samer Irshayd**, ID number 953549803, is from the Ramallah district. He was detained in

al-Dhahiriyyah detention centre

**Dawud Jiryis 'Abdullah**, ID number 51007569, is from the Ramallah district. He was detained in Ramallah Prison. His detention was extended for 40 days from 5 February 1992.

**Dawud Muhammad Hamdan**, ID number 933731044, is from the Ramallah District. He was detained in Ramallah Prison. His detention was extended for 40 days from 5 February 1992.

**Ra'uf 'Allush**, ID number 950715169, is from the Ramallah district and is a student at Bir Zeit University. He was detained in Ramallah Prison. His detention was extended for 30 days from 5 February 1992.

**Ja'far Khawajah**, ID number 982885352. He was detained in Ramallah Prison. His detention was extended for 40 days from 5 February 1992.

**Radwan Yasin**, ID number 954901039, is from the Ramallah district. He was detained in Ramallah Prison. His detention was extended for 40 days from 5 February 1992.

**Samir Shalaldeh**, ID number 80595796, is from Jerusalem. He was detained in Ramallah Prison. His detention was extended for 40 days from 5 February 1992.

**Samir Shahin**, ID number 97458519, is from the Ramallah district.

**'Adel al-Hidmi**, is the holder of a Jerusalem ID card and is an engineering technician at Bir Zeit University.

**Shawqat al-Hidmi**, is from the Jerusalem area.

**Naser Jubran**, is from the Jerusalem area.

**Sa'ed Mustafa**, is from the Jerusalem area.

**Muhammad Ziyad 'Abd al-Fattah**, is from Bidyah near Tulkarem. He is a student at Bir Zeit University.

**Ma'an Sadeq 'Abd al-Rahman**, is from Bidyah, near Tulkarem. He is a student at Bir Zeit University.

**Ghaleb I'tawi**