

PUBLIC

AI Index: MDE 15/75/98

UA 226/98

Fear of torture / Legal concern

19 August 1998

ISRAEL/SOUTH LEBANON Ghassan Sa'id and Pierre Abu Joudi, Lebanese nationals
and members of the Lebanese National
Resistance
Front, one killed, one captured

Amnesty International fears that one of the two above named Lebanese nationals could be subjected to torture and ill-treatment by the South Lebanon Army (SLA) or the Israeli security forces after being captured on 16 August 1998. The other Lebanese national, unknown which one, was reportedly killed by the SLA during the same operation.

According to a statement issued by the Lebanese National Resistance Front (LNRF), Ghassan Sa'id and Pierre Abu Joudi, both members of LNRF, the Lebanese Communist Party's military wing, went missing during an operation against the SLA on the night of 16 August, in the eastern sector of Israel's self-styled "security zone".

The Israel Defence Forces Spokesman's office has confirmed that a LNRF member is being questioned by "the security forces" but has not disclosed his name or whether he is being held by the SLA or Israeli forces.

Amnesty International believes that the Lebanese man has either been taken to Israel, where he could be held incommunicado without access to lawyers or the International Committee of the Red Cross (ICRC) for up to three months and subjected to torture, or to the notorious Khiam Detention Centre in South Lebanon, where detainees have been held for up to 13 years without charge or trial.

BACKGROUND INFORMATION

Methods of torture used by the Israel Defence Forces against captured Lebanese nationals appear to be even more severe than those used by the General Security Service against Palestinian detainees.

A Lebanese national, 'Ali Banjak, who was abducted by the SLA in Lebanon in 1996 and handed over to the Israeli Security Forces, described being beaten all over his body, including his testicles, with clubs and hands; being raised and dropped several times onto a vertical stick, causing terrible pain to his lower body; interrogated while bound on a 10 centimetre high chair and forced to look into a bright light; being semi-starved and threatened with the death of his family or being branded as a collaborator. He was acquitted by the Lod Military Tribunal in Israel in April 1998 of membership of *Hizbullah*, an armed militia which works against Israel and the SLA's occupation of the "security zone".

Those tortured by the SLA have described being beaten or whipped while doused with hot or cold water and electric shocks. There are presently thought to be around 100 detainees at Khiam Detention Centre, including minors, who have been held for over 13 years without charge or trial.

Although Israel asserts that it is not responsible for the actions of the SLA and the operation of Khiam Detention Centre, it is, nevertheless, the occupying power in South Lebanon and therefore has ultimate responsibility.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English, Hebrew or your own language to the Israeli authorities, and in English, Arabic, French or your own language to the South Lebanon Army:

- seeking assurances that the Lebanese national captured on 16 August 1998 will not be subjected to any form of torture or ill-treatment, as required by Article 5 of the Universal Declaration of Human Rights: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment";
- urging Israel and the SLA to immediately disclose his identity and place of detention;
- urging Israel and the SLA to ensure that he promptly receives any medical treatment he requires;
- calling for him to be given immediate and regular access to the International Committee of the Red Cross (ICRC), a lawyer of his own choice and his family, in accordance with international human rights standards and humanitarian law;
- calling for his immediate release if he is not to be promptly charged with a recognizable criminal offence, in which case he should be tried according to international standards for a fair trial.

APPEALS TO:

Binyamin Netanyahu, Prime Minister, Office of the Prime Minister, 3 Kaplan Street, Hakiryia, Jerusalem 91007, Israel

Telegrams: Prime Minister, Jerusalem, Israel

Faxes: + 972 3 691 7915

Salutation: Dear Prime Minister

General Yitzhak Mordechai, Minister of Defence, Ministry of Defence 7 'A' Street, Hakiryia, Tel Aviv, Israel

Telegrams: Defence Minister, Tel Aviv, Israel

Faxes: + 972 3 697 6218

Salutation: Dear Minister

General Antoine Lahad, South Lebanon Army
c/o Lieutenant-General Shaul Mufaz, Chief of General Staff
7 'A' Street, Hakiryia, Tel Aviv, Israel

Telegrams: General Lahad, c/o Chief General Staff, Tel Aviv, Israel

Faxes: + 972 3 691 6940 (write c/o Lieutenant-General Shaul Mufaz, Chief of General Staff)

Salutation: Dear General

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 6 October 1998.

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".

Article 5, Universal Declaration of Human Rights