

EXTRA 29/99

ISRAEL/OCCUPIED TERRITORIES' Issa Ali Batat, aged 34, Palestinian

Amnesty International is concerned that 'Issa Ali Batat, a Palestinian arrested by Israel's General Security Service (GSS) on 22 February 1999 and detained incommunicado at Shikma Prison in Ashkelon, Israel, is being tortured or ill-treated under interrogation by the GSS.

Assurances sought by 'Issa Ali Batat's lawyer from the attorney general's office that no physical force is used during his interrogation has been refused and an appeal to the Israeli High Court of Justice for an interim injunction forbidding the use of physical force has also been turned down. Instead, an order allowing his continued incommunicado detention has just been renewed.

A father of eight from Dhahariya, south-west Hebron, 'Issa Ali Batat is one of several members of the Batat family to have been arrested recently in an attempt to find out the whereabouts of his brother who is wanted by the GSS.

BACKGROUND INFORMATION:

Israel is the only country in the world which has effectively legalized the use of torture or ill-treatment in its interrogation of Palestinian detainees arrested for political reasons:

- in the 1987 Landau Commission Report into the GSS, Israel accepted the use of "a moderate measure of physical pressure";
- since 1994 a ministerial committee has allowed increased physical pressure;
- the Israeli High Court of Justice accepts the arguments of the GSS and fails to issue injunctions forbidding the use of physical force.

Methods of torture used during interrogation against hundreds of detainees per year include sleep deprivation for days while held in painful positions (*shabeh*); squatting like a frog for more than two hours at a time (*gambaz*); violent shaking for five minutes at a time (*tiltul* - one detainee died from this in 1995); confinement to cupboard-like spaces. In addition to this detainees' heads are covered 24 hours a day with a stinking hood and loud music blares out continually to further disorientate them.

Although the United Nations Committee against Torture described, in 1997 and 1998, these interrogation methods as cruel, inhuman or degrading treatment, forbidden to all states in all circumstances, the Israeli authorities continue to use torture routinely on the vast majority of those arrested.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- urging the Israeli authorities to immediately end all torture and ill-treatment during the interrogation of 'Issa Ali Batat, to ensure that he is being treated humanely and to grant him prompt access to family, doctors and lawyers;
- reminding the Israeli government that the interrogation methods they employ have been described by the UN Committee against Torture to be in breach of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- reminding the Israeli government that the Convention Against Torture, ratified by Israel in 1991 states that: " 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.";

Appeals to the President of the Supreme Court of Israel:

- expressing concern that the Court, which has the highest obligation to protect the rights of defendants, maintain the presumption of innocence and safeguard the integrity of the human person, is failing to protect 'Issa Batat from the use of physical force and torture.

APPEALS TO:

Mr Binyamin Netanyahu
Prime Minister
Office of the Prime Minister
3 Kaplan Street
Jerusalem 91919, Israel

Telegrams: Prime Minister, Jerusalem, Israel

Telexes: 25279 mpres il

Faxes: + 972-2-566-4838

Salutation: Dear Prime Minister

Mr Tzahi Hanegbi
Minister of Justice
Ministry of Justice
29 Salah al-Din Street
Jerusalem 91029, Israel

Telegrams: Justice Minister, Jerusalem, Israel

Faxes: + 972-2-6285-438

Salutation: Dear Minister

Judge Aharon Barak
President of the Supreme Court of Israel
Supreme Court of Israel
Shaarey Mishapt Street
Qiryat David Ben-Gurion
Jerusalem 91909

Telegrams: President Supreme Court, Jerusalem, Israel

Faxes: + 972-2-675-9648

Salutation: Dear Judge Barak

Mr Ami Ayalon
Head of the General Security Service
C/o the Office of the Prime Minister
3 Kaplan Street
Jerusalem 91919, Israel

Telegrams: Ayalon, Head GSS, Prime Minister's Office, Jerusalem, Israel

Telexes: 25279 mpres il

Faxes: + 972-2-566-4838

Salutation: Dear Mr Ayalon

COPIES TO: diplomatic representatives of Israel/Occupied Territories accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 March 1999.