

PUBLIC

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26 March 1999

Further information on EXTRA 29/99 (MDE 15/22/99, 26 February 1999) - Fear of Torture and new concern: Torture/Medical concern

ISRAEL/OCCUPIED TERRITORIES 'Issa 'Ali Batat

It is now known that the General Security Service (GSS) tortured 'Issa 'Ali Batat at Shikma Prison, Ashkelon, after his arrest on 22 February 1999. Amnesty International is concerned that he may be subjected to further torture and ill-treatment.

On 18 March 'Issa 'Ali Batat was allowed to meet with his lawyer for the first time since his arrest. In a sworn affidavit, he described how he had been forced to sit for extended periods with his hands shackled to the back of a low chair, a method of torture known as *shabeh*. At the same time, loud disorientating music was played and he was deprived of sleep. On one occasion, he was placed in *shabeh* and deprived of sleep for three consecutive days.

'Issa 'Ali Batat described other ways he had been tortured: "They put me on a chair and forced me to bend backwards, almost double, while my legs were crossed under the chair; when I became tired and fell backwards, the interrogators trampled on my feet, pulled me and compelled me to resume my earlier position. They did all this violently and I still have scars from this torture."

He explained how the GSS also tortured him by putting pressure on his handcuffs to hurt his wrists, even stamping on his handcuffs. He also said he was shaken violently by his interrogators. In 1995, 'Abd al-Samad Harizat died in custody as a result of being shaken during interrogation.

On 25 February the High Court refused to grant an order prohibiting the use of physical force. On 21 March 'Issa 'Ali Batat's lawyer submitted a new request to the High Court for an injunction preventing the use of physical force against his client. The High Court has not yet ruled on the new application.

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

- expressing concern that 'Issa 'Ali Batat was tortured and ill-treated during interrogation by the GSS in Shikma Prison;
- asking if he has been assaulted by GSS interrogators, forced to occupy painful positions, and deprived of sleep and shackled to a chair for periods of up to three days while subjected to continuous loud noise;
- asking for an independent and impartial investigation into these allegations;
- seeking assurances that he is now being treated humanely in accordance with international standards, and urging that 'Issa 'Ali Batat be granted immediate access to any medical attention he may require and continuing access to his lawyer;

- 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 High 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 'Ali Batat from the use of physical force and torture.

APPEALS TO:

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

Telegrams: Prime Minister, Jerusalem, Israel

Telexes: 25279 mpres il

Faxes: + 972-2-566-4838

E-mails: feedback@pmo.gov.il

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: + 972-2-628 5438

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
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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 accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7 May 1999.