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Torture / Fear of torture

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ISRAEL AND THE OCCUPIED TERRITORIES

Ziyadah Qawasmah, aged 19, student

Ziyadah Qawasmah has been in detention for 122 days. According to his lawyer, he has been hooded, deprived of sleep for up to six days a week, and shackled in painful positions for prolonged periods throughout this time. He is still under interrogation by the General Security Service (GSS) in Ramallah Prison, where he remains at risk of torture and ill-treatment.

Ziyadah Qawasmah, a student in his final year of high school in Hebron, was not allowed to meet his lawyer until about 25 days after his arrest on 13 November 1994, and he still does not have access to his family. He has now received a total of nine orders extending his detention - most recently on 8 March, for 12 days. He reportedly told his lawyer that his interrogators told him that he would not be allowed to leave interrogation without confessing to his alleged activities in connection with the Islamist movement *Hamas*.

The United Nations Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, and Article 7 of the International Covenant on Civil and Political Rights, both of which Israel has ratified, forbid unconditionally the use of any form of torture or ill-treatment. No justification may be used to derogate from a State Party's obligations under these treaties.

BACKGROUND INFORMATION

Since 1987, interrogations by the GSS have been regulated by secret guidelines, established by a Commission of Inquiry into GSS interrogation methods, headed by Justice Moshe Landau. These guidelines allow the use of "moderate physical pressure".

In October 1994, after a suicide-bombing claimed by *Hamas* which caused the death of 22 people, the Israeli Ministerial Committee which oversees the operations of the GSS apparently authorized the use of "increased physical pressure" for a three-month period. This three-month period was renewed on 23 January 1995 after other suicide bombings at Beit Lid near Netanya killed 20 soldiers and one civilian.

Since the guidelines are secret, the meaning of "increased physical pressure" is not known. Responses to earlier Urgent Actions have stated that there has been "no deviation from the principles" set out in the guidelines of the Landau Commission. However, Amnesty International has long had serious concerns about interrogation practices by the GSS, believing that either the guidelines permit the use of torture or ill-treatment, or that interrogators have been extensively violating those guidelines with impunity. Since 1987, Palestinian detainees have systematically reported that they have suffered hooding, prolonged sleep deprivation, shackling in painful positions, (sitting on very small chairs or standing tied to the wall), confinement in closet-sized cells and beating. This torture or ill-treatment is generally used in order to make detainees provide information or confess. After a confession a defendant may be sentenced in a military court without the production of further substantive evidence.

In letters to Prime Minister Yitzhak Rabin since the authorization of "increased physical pressure", Amnesty International has asked what methods involving

physical or psychological pressure are now permitted to members of the Israeli security and other services in their interrogation of detainees. The organization has not yet received any reply.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English, French, Hebrew or in your own language:

- calling for a prompt, thorough and impartial investigation into the reported torture and ill-treatment of Ziyadah Qawasmah;
- seeking assurances that he is being treated humanely in accordance with international standards, and that he is now being granted access to his family;
- reminding the authorities that, as a state party of the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Israel has an obligation to ensure that no one under Israeli jurisdiction is subjected to torture or cruel, inhuman or degrading treatment or punishment and that no justification may be used to derogate from these obligations;
- expressing concern at reports that the Ministerial Committee overseeing the GSS has authorized the use of "increased physical pressure" against suspects. Ask for clarification of the Landau Commission guidelines and of the methods interrogators are permitted to use, including details of the "increased physical pressure" referred to.

APPEALS TO

1. Mr Yitzhak Rabin
Prime Minister and Minister of Defence
Office of the Prime Minister
3 Kaplan Street
Jerusalem 91919
State of Israel

Telegrams: Prime Minister Rabin, Jerusalem, Israel

Telexes: 25279 mpres il

Faxes: +972-2-664838 or +972-3-6917915

Salutation: Dear Prime Minister

2. Mr David Liba'i
Minister of Justice
Ministry of Justice
29 Salah al-Din Street
Jerusalem 91029
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Faxes: +972-2-285438

Telegrams: Justice Minister, Jerusalem, Israel

Salutation: Dear Minister

3. Mr Moshe Shahal
Minister of Police
Ministry of Police
PO Box 18182
3 Sheikh Jarrah
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State of Israel

Faxes: +972-2-826769

Telegrams: Police Minister, Jerusalem, Israel

Salutation: Dear Minister

4. Mr Shimon Peres
Deputy Prime Minister and Minister of Foreign Affairs
Ministry of Foreign Affairs
Hakirya
Romema
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State of Israel
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Telegrams: Minister Peres, Jerusalem, Israel
Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Judge Michael Ben-Yair
Attorney-General
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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 2 May 1995.