

EXTERNAL (for general distribution)

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UA 220/93 Torture/ill-treatment/Legal concern

8 July 1993

ISRAEL AND THE

OCCUPIED TERRITORIES: Muhammad Ya'qub 'Abd al-Qader al-Nubani

Amnesty International is seriously concerned at the allegations of torture and the continued detention without charge of Muhammad Ya'qub 'Abd al-Qader al-Nubani (ID No. 959233750), a 27-year-old Palestinian from the village of Mazari' al-Nubani near Ramallah on the West Bank. Muhammad al-Nubani was arrested on 22 April 1993 and, according to a lawyer, who last visited him on 5 July 1993, he is still being held in interrogation in Ramallah Prison. He is apparently suffering from severe back pain, headaches, stomach pain and shortness of breath.

Muhammad al-Nubani was arrested by Israeli forces in the town of Bir Zeit on the afternoon of 22 April 1993. He says he was told to come out of the house and to lie on the ground, which he did. Soldiers then allegedly kicked him and beat him with their guns on his head and body, until he started bleeding from his head, nose and mouth.

He was taken to Ramallah prison, where he says he spent five minutes with a doctor who cleaned the blood from his face and body, but did not examine him further. Medical reports indicate that Muhammad al-Nubani suffered from vertebral disc problems and gastritis prior to his arrest.

Muhammad al-Nubani did not see a lawyer until 20 May 1993. On 9 June he gave his lawyer an affidavit in which he alleged that he had been in a painful position on a low chair with his hands and feet tied. He was deprived of sleep, being permitted to sleep about one hour in every 80. In a second statement given on 22 June, he says that he was not allowed to have a bath until 40 days after his arrest and that his treatment in detention had not changed. He said that one of his interrogators had told him "We do not want to kill you, but we want you to see death in your eyes". During the first weeks of his detention he also appears to have been hooded.

Muhammad al-Nubani has apparently been interrogated in connection with the handling of weapons. Press reports after his arrest claim that a 9 mm pistol was found in his possession. They allege that he was the commander of a Fatah cell (Fatah is a faction of the Palestine Liberation Organization) in the region, and that he had been sought by the authorities since 1991.

Amnesty International is calling for an immediate and impartial investigation

into the allegations of the torture of Muhammad al-Nubani during his arrest and detention. Any form of torture or ill-treatment should stop immediately. He should also be allowed to see an independent doctor of his choice.

Amnesty International opposes the detention without charge or trial of political prisoners and believes that Muhammad al-Nubani should be released if he is not to be charged with a recognizably criminal offence and given prompt and fair trial.

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

- expressing concern at the allegations of the torture of Muhammad Ya'qub 'Abd al-Qader al-Nubani (ID No. 959233750);
- calling for an immediate and impartial investigation into the allegations, the method and findings of which should be made public;
- calling for any form of torture or ill-treatment to be stopped immediately;
- urging that he be permitted to see an independent doctor of his choice;
- urging that Muhammad al-Nubani be released if he is not to be charged and given a prompt and fair trial.

**APPEALS TO**

1) 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 2 664 838**

**Salutation: Dear Prime Minister**

2) Brigadier General Ilan Shiff  
Judge Advocate General  
6, David Elazar Street  
Hakiriya, Tel Aviv  
State of Israel  
**Telegrams: Judge Advocate General, Tel Aviv, Israel**  
**Faxes: + 972 3 569 6564**

**Salutation: Dear Brigadier General**

3) Major-General Dani Yatom  
Military Commander for the Central Command  
c/o Ministry of Defence  
7 "A" Street, Hakirya  
Tel Aviv 64734

State of Israel

**Telegrams: Military Commander Central Command, Tel Aviv, Israel**

**Telexes: 371434 mod il**

**Faxes: + 972 3 219 851**

**Salutation: Dear Major-General**

**COPIES OF YOUR APPEALS TO:**

Judge Yosef Harish

Attorney General

P.O. Box 1087

Jerusalem

State of Israel

**Faxes: + 972 2 869473**

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 19 August 1993.