

**EXTERNAL (for general distribution)**

**AI Index: MDE 15/10/95  
Distr: UA/SC**

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**UA 99/95**

**Torture / Legal Concern**

**24 April 1995**

**ISRAEL AND THE OCCUPIED TERRITORIES**

**Khaled Farraj**

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Khaled Farraj was arrested on 21 March 1995. He has been under interrogation by the General Security Service (GSS) for one month in Ramallah Prison (Sundays to Thursdays) and in the Russian Compound, Jerusalem (Fridays and Saturdays). According to his lawyer he has been hooded, deprived of sleep, except for 3-4 hours of sleep every 4-5 days, tied with hosing to a chair with uneven legs for prolonged periods, and subjected to cold temperatures. He was also allegedly told that he would continue to be interrogated until a confession was obtained. He was also allegedly subjected to other threats.

Khaled Farraj, ID No. 988941076, from Jalazone Refugee Camp near Ramallah on the West Bank, apparently told his lawyer that after two weeks of interrogation, he fainted from exhaustion, and a guard poured cold water over his head to wake him. He said he was then taken to the prison clinic, on the orders of a senior officer, where he was examined by a nurse who also poured cold water on his head.

Khaled Farraj was detained for 20 days without access to a lawyer after his arrest on 21 March. He saw his lawyer at a bail hearing on 30 March, but was not permitted to speak to him. Prevention orders, which deny access to a lawyer, were issued three times. On 20 April Khaled Farraj met his lawyer, and described his treatment in detention. He has not been informed of any charges against him, and has also not had access to his family as required by international human rights standards.

#### **BACKGROUND INFORMATION**

Khaled Farraj has previously been arrested and detained eight times by the Israeli authorities. However, he has only been charged once, with membership of the Popular Front for the Liberation of Palestine (PFLP), and has been subjected to over two years of administrative detention.

Since 1987, interrogations by the General Security Service (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". Amnesty International has long had serious concerns about interrogation practices by the GSS, believing that the guidelines either permit the use of torture or ill-treatment, or that interrogators have been extensively violating those guidelines with impunity.

In addition, the Israeli authorities rarely give any details about the methods employed to carry out these investigations.

While Amnesty International welcomes replies from the Israeli authorities to its letters expressing concern at reports of torture and ill-treatment, such replies have not fully addressed these concerns. The Israeli authorities have stated that torture is not permitted in the secret guidelines for interrogation.

However, in cases where torture has been alleged, the authorities have not actually denied that hooding, sleep deprivation, shackling in painful positions for prolonged periods, and threats to the detainee's physical and mental well-being took place. They have stated in these cases that investigations

conducted showed that guidelines for interrogation had not been breached. This appears to confirm Amnesty International's fears that the interrogation guidelines permit torture under certain circumstances, or that they are systematically breached with impunity.

**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 alleged torture and ill-treatment of Khaled Farraj. The details of procedures and findings of the investigation should be made public;
- asking to be informed of the precise findings of the investigation of whether Khaled Farraj was indeed hooded, deprived of sleep for up to four days, tied to a chair in painful positions, and subjected to threats;
- reminding the authorities that denial of access to a lawyer, though legal under laws applying to Israel and the West Bank, is inconsistent with international human rights standards and is a factor which may encourage the practice of torture and ill-treatment;
- stating that while Amnesty International in no way disputes the right of governments to bring to justice those who have committed criminal acts, torture of **anyone**, whatever crime they are alleged to have committed, is outlawed by international standards. For example, Article 2 of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Israel is a state party, states that "*no exceptional circumstances whatsoever, whether a state of war or threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.*"

**APPEALS TO**

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and to diplomatic representatives of Israel accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with your section office, or the International Secretariat, if sending appeals after 5 June 1995.