

EXTERNAL (for general distribution)

AI Index: MDE 15/11/94

Distr: UA/SC

UA 402/94 Torture/Legal concern

16 November 1994

ISRAEL AND THE OCCUPIED TERRITORIES

Ahmad Ibrahim Sa'id

Ahmad Ibrahim Sa'id (ID No. 944123066), from Nablus on the West Bank and a student at Bir Zeit University, was arrested on 29 June 1994. He was later charged with activities on behalf of Hamas, including passing messages. Amnesty International wrote to Prime Minister Yitzhak Rabin on 12 August 1994 expressing concern about allegations that he had been hooded and shackled in painful positions for prolonged periods, deprived of sleep and sometimes beaten. He remains held in Ashkelon prison.

Ahmad Sa'id's interrogation apparently resumed on 20 September 1994. According to his lawyer, Ahmad Sa'id said that he was hooded, forced to stand for up to 18 to 20 hours per day and forced to sit on a chair in an uncomfortable position with his hands tied while interrogators pushed him in an attempt to make him fall. He also alleged that he was deprived of sleep for a week before a meeting with his lawyer on 9 November. According to his lawyer, he told her that his interrogators said that they had "removed their gloves" and had clear orders to interrogate him without limitations. Ahmad Sa'id also told her that his interrogators threatened that he would be paralyzed and unable to have children following his interrogation. Amnesty International fears that he is still at risk of torture or ill-treatment.

#### BACKGROUND INFORMATION

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 either the guidelines permit the use of torture or ill-treatment, or that interrogators have been extensively violating those guidelines with impunity.

On 19 October 1994, following the kidnapping of an Israeli soldier and the death of 22 people in a bomb attack, both claimed by Hamas, Prime Minister Yitzhak Rabin called for legislation permitting harsher interrogation of suspects, reportedly stating that "if the security services had acted according to the guidelines of the Landau Report in interrogating Hamas people, they would not have found out the location of the kidnappers of Nachshon Waxman".

On 20 October, the Minister of Justice, David Liba'i, stated that there was no need to change the guidelines, as there was already a specific exception to the Landau Commission guidelines enabling investigators to act "efficiently" in cases such as a "ticking time bomb". On 13 November, the Minister of Justice denied reports that the Landau Commission guidelines would be changed, but said that a decision had been taken "to help strengthen the forces to fight the wave of terror of Hamas and Islamic Jihad".

Amnesty International has written to Prime Minister Rabin expressing concern at these statements which appear to imply that harsher interrogation methods will be used against Palestinian detainees, particularly those suspected of

affiliation to Islamic opposition groups. It also asked for clarification of the types of situations exempted from the Landau Commission guidelines and of the methods interrogators are permitted to use in such circumstances.

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

- calling for an immediate end to the torture or ill-treatment of anyone in Israeli custody;
- calling for a prompt, thorough, and impartial investigation into Ahmad Ibrahim Sa'id's allegations of torture after his arrest in June and since 20 September. Ask to be informed of the methods and results of any such investigation;
- expressing concern at the recent statements made by Israeli officials implying that harsher interrogation methods are to be used against Palestinian suspects. Ask for clarification of situations exempted from the Landau Commission guidelines and of the methods interrogators are permitted to use in such circumstances;
- stressing that, as Israel is 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, the Israeli government has an obligation to ensure that no one under Israeli jurisdiction is subjected to torture or cruel, inhuman or degrading treatment or punishment.

**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**

**Salutation: Dear Prime Minister**

2. Mr David Liba'i  
Minister of Justice  
Ministry of Justice  
29 Salah al-Din Street  
Jerusalem 91029  
State of Israel

**Telegrams: Minister Liba'i, Ministry of Justice, Jerusalem, Israel**

**Faxes: +972-2-708590**

**Salutation: Dear Minister**

3. Mr Moshe Shahal  
Minister of Police  
Ministry of Police  
PO Box 18182  
3 Sheikh Jarrah  
Kiryat Hamemshala  
Jerusalem 91181  
State of Israel

**Telegrams: Minister Moshe Shahal, Ministry of Police,**

**Jerusalem, Israel**  
**Faxes: +972-2-826769**  
**Salutation: Dear Minister**

4. Mr Shimon Peres  
Deputy Prime Minister and Minister of Foreign Affairs  
Ministry of Foreign Affairs  
Hakirya  
Romema  
Jerusalem 91999  
State of Israel  
**Telegrams: Minister Peres, Ministry of Foreign Affairs,**  
**Jerusalem, Israel**  
**Telexes: 25223**  
**Faxes: +972-2-303367**  
**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

Judge Michael Ben-Yair  
Attorney-General  
PO Box 1087  
Jerusalem  
State of Israel  
**Faxes: +972-2-869-473**

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 28 December 1994.