

EXTERNAL (for general distribution)

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This is a limited action. Please restrict appeals to 20 per Section.

26 May 1995

Further information on UA 99/95 (MDE 15/10/95, 24 April 1995) - Torture / Legal Concern

ISRAEL AND THE OCCUPIED TERRITORIES Khaled Farraj

Khaled Farraj was released without charge on the evening of 16 May 1995. He had been detained and interrogated for a total of 56 days, since his arrest on 21 March.

Following his release, Khaled Farraj stated in an affidavit that his treatment had included violent shaking and being hit. He was frequently denied sleep for prolonged periods of time, while being tied in "shabeh" (position abuse) by being tied by his feet to the legs of a chair with no back, and being made to squat on his toes for prolonged periods. He was also told, untruthfully, that his mother had died, and that he would be released from prison to attend her funeral, and told that a friend of his who had been arrested had died in interrogation. Khaled Farraj stated that he had passed out three times, and had vomited several times. He said that he had not been allowed to take a shower for 45 days and the time given at each mealtime was very short.

According to Khaled Farraj's statement, after his first 10 days in interrogation he was then put under intense interrogation for the next 30 days when interrogators changed duty after six hours, and new ones came in the night.

In order to continue the detention seven days a week, he was held during the week at Ramallah and moved at weekends to the Moskobiya Detention Centre in Jerusalem.

Khaled Farraj said that he was questioned about his alleged support of the Popular Front for the Liberation of Palestine (PFLP) and that the interrogators told him that he was a killer, and wanted to know who he had killed. Finally, he was given a polygraph test (lie detector test) which indicated that he was telling the truth. Soon after, he was released without charge.

BACKGROUND INFORMATION

On 11 May Amnesty International published a report (MDE 15/07/95) which documented systematic torture during interrogation by the Israeli authorities. In response to this report, Prime Minister Rabin stated in a press release on 11 May that "the Israeli Government does not condone or encourage torture, under any circumstance". He also stated that "[T]orture is prohibited both by law and in practice". The response said that every complaint regarding interrogation practices was "thoroughly investigated at the Ministry of Justice".

Amnesty International has never officially received copies of such investigation reports, and has only ever received assurances from the Israeli authorities that the guidelines for interrogation (which are secret) were not breached. Amnesty International continues to fear that the guidelines for interrogation permit torture under certain circumstances, or that they are systematically breached by interrogation staff with impunity.

Amnesty International is concerned at continuing reports of systematic torture by the Israeli General Security Service. Reports of violent shaking of the detainee are particularly worrying. On 25 April 1995 Abd al-Samed Harizat died in hospital two days after he had been arrested. Pathologists who performed an autopsy on the victim said that he died from violent shaking. Like Khaled Farraj, he had been interrogated at the Moskobiya Detention Centre in Jerusalem. Violent shaking can also cause permanent brain damage. An investigation by the Ministry of Justice into the death of 'Abd al-Samed Harizat is currently taking place.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- welcoming the release of Khaled Farraj;
- expressing continuing concern about the practice of torture in Israel and the Occupied Territories and calling for a prompt, thorough and impartial investigation into the alleged torture and ill-treatment of Khaled Farraj, the details its procedures and findings should be made public;
- describing the alleged torture of Khaled Farraj (above) and asking for confirmation or denial of whether this was indeed how he was treated;
- stating that while Amnesty International in no way disputes the right of governments to bring to justice those who have committed criminal acts (which does not appear to be the case with Khaled Farraj, since he was not charged), torture of **anyone** 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:

1. Mr Yitzhak Rabin
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State of Israel

Telegrams: Prime Minister Rabin, Jerusalem, Israel

Telexes: 25279 mpres il

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Salutation: Dear Prime Minister

2. Mr David Liba'i
Minister of Justice
Ministry of Justice
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Telegrams: Justice Minister, Jerusalem, Israel

Salutation: Dear Minister

3. Mr Moshe Shahal
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Telegrams: Police Minister, Jerusalem, Israel
Salutation: Dear Minister

4. Mr Yosef Sarid
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Telegrams: Environment Minister, Jerusalem, Israel
Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Judge Michael Ben-Yair
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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 16 July 1995.