

UA 209/96

Fear of torture / Legal concern

22 August 1996

PALESTINIAN AUTHORITY / ISRAEL
AND THE OCCUPIED TERRITORIES

Muhammad Yussef Matir
Yasser Muhammad Hantashal
Muhammad Hussain Abu Hawash
Isma'il al-Haj Musa al-Hantashal
Mustapha Ibrahim Abu Hawash
Muhammad Juri Abu Hawash

Sami Yussef al-Matir
'Ali Yussef al-Matir
Mahmoud Yussef al-Matir
Yassin Ibrahim Mahmoud Abu Hawash
Salim Ibrahim Mahmoud Abu Hawash
Ziyad Hassan 'Abd al-Fatah Abu Hawash
Musa Taleb Musa al-Rajoub
Bashir 'Ali Jabr al-Awawdeh
Fayez Muhammad Isma'il al-Shahtit
Huja Sulaiman Hussain Huja
Mahmoud 'Awdatallah Muhammad al-Darwish
Anwar Awda Muhammad al-Darwish
'Issa Yussef al-Matir al-Darwish
'Issa Yussef al-Matir al-Suwaiti
Yussef Muhammad Khalil al-Suwaiti

Hashem Muhammad Isma'il al-Hamamari, aged 24, paraplegic

Several people arrested by both the Israeli and Palestinian authorities in the village of Dura, near Hebron, are feared to be at risk of torture in custody.

Under the 1994 peace agreement between Israel and the PLO, Dura falls into Area B, where Palestinian police are responsible for the security of Palestinians, and Israeli forces have responsibility for protecting Israelis and for overall security. Palestinians can therefore be arrested by either Israeli or Palestinian authorities.

The first six individuals named above were arrested by the Palestinian Authority (PA) between 6 and 8 August and are being held incommunicado by the Palestinian Preventive Security. Attempts to discover where they are being held have been unsuccessful. They have no access to lawyers or to their families, heightening fears for their safety. In the past two years, at least eight people have died in custody in the PA apparently as a result of torture. Many other detainees have been tortured.

The 16 others named above were arrested in Dura by the Israeli authorities on 16 August, apart from Hashem Muhammad Isma'il al-Hamamari who was arrested on 19 August in Bethlehem. The 16 are being held in Hashabiyya in Hebron and have not yet had access to lawyers; under Israeli military orders, detainees can be denied access to a lawyer for up to 90 days. Amnesty International is concerned that some of the detainees may be moved to be interrogated, which would put them at risk of torture or ill-treatment which frequently occurs during interrogation. Others may be issued with administrative detention orders. Amnesty International opposes the detention of political prisoners without a fair trial within a reasonable amount of time, including administrative detention. In the Occupied Territories, an administrative detention order of up to one year can be issued, and is indefinitely renewable. At least 300 detainees are currently held under administrative detention orders in Israeli prisons.

A. RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- calling on the **Israeli authorities** to ensure that the 16 detainees arrested in Dura on 16 August, and Hashem Muhammad Isma'il al-Hamamari arrested in Bethlehem on 19 August, are not tortured or ill-treated - that they be given prompt access to their lawyers, families according to international human rights standards - that all those arrested be promptly charged and given a fair trial or released.

APPEALS TO:

1. Binyamin Netanyahu
Prime Minister
Office of The Prime Minister
3 Kaplan Street
Hakirya, Jerusalem 91007, Israel
Faxes +972 3 697 7839; +972 2 664 838
Telegrams: Prime Minister, Jerusalem, Israel
Salutation: Dear Prime Minister

2. General Uzi Dayan
Military Commander for the Central Command
Beth-El
West Bank, Israel
Faxes: +972 2 305 707
Telegrams: General Dayan, West Bank, Israel
Salutation: Dear General

COPIES TO: diplomatic representatives of Israel accredited to your country.

B. RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Arabic or your own language:

- calling on the **Palestinian Authority** to ensure that the six detainees arrested in Dura on 6,7,8 August are not tortured or ill-treated - that they be given prompt access to their lawyers, families according to international human rights standards. No one should be detained without charge or trial;
- reminding President Yasser Arafat that in an interview published in a Norwegian newspaper on 16 August 1996, he stated that he will not tolerate torture.

APPEALS TO:

1. President Yasser Arafat
Palestinian Authority
Al-Muntada
Gaza, Palestinian Authority
Faxes: +972 7 822 365 (ask to send a fax)
Telegrams: President Arafat, Gaza, Palestinian Authority
Salutation: Dear President Arafat

2. Colonel Jibril Rajub
Head of Palestinian Preventive Security
Jericho
Palestinian Authority
Telegrams: Colonel Rajub, Head, Preventive Security, Jericho, Palestinian Authority

Salutation: Dear Colonel Rajub

COPIES TO:

The Palestinian Independent Commission for Citizens' Rights
P.O. Box 54627
Jerusalem
via Israel

Faxes: +972 2 282 869

and to diplomatic representatives of the PLO or Palestinian Authority accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 September 1996.