

PUBLIC

AI Index: MDE 15/74/98

11 August 1998

Further information on EXTRA 04/98 (MDE 15/03/98, 9 January 1998) and follow-ups (MDE 15/04/98, 12 January 1998, MDE 15/08/98, 5 February 1998, MDE 15/18/98, 3 March 1998 and MDE 15/19/98, 5 March 1998) - Torture/Fear of Torture

ISRAEL/OCCUPIED TERRITORIES

'Abd al-Rahman Isma'il Ghanimat, 27

New Names

Amira Isma'il Ghanimat, 25

Rasmiya Isma'il Ghanimat, 22

'Abd al-Rahman Ghanimat, who was tortured under interrogation for more than 70 days from November 1997 until January 1998, has been returned to interrogation where he is in danger of suffering continued ill-treatment or torture. On 4 August 1998 his two sisters were arrested and are also in danger of torture or ill-treatment under interrogation.

Rasmiya Isma'il Ghanimat was arrested at 3am on 4 August, six days after her marriage, in an arrest described by her lawyer as "very humiliating"; her husband tried to hold off the soldiers while she dressed. Her sister Amira Ghanimat was arrested from her parents' house in Surif at the same time. Both are now held in the General Security Service (GSS) wing of the Moscobiyya Detention Centre, where 'Abd al-Rahman is also undergoing interrogation. There are no special facilities there for women. Conditions are harsh and torture is systematic. Detainees under interrogation have frequently reported that threats to rape their wives or sisters were used to put pressure on them to confess.

All three detainees have been refused access to their lawyer. This refusal has now been extended to 13 August - by which time the two women will have spent nine days in incommunicado detention. Such prolonged incommunicado detention is contrary to international human rights standards ratified by Israel.

During his months under torture, 'Abd al-Rahman Ghanimat was continually hooded while held in a painful position, often seated on a tiny chair, and deprived of sleep during five days every week. He was handcuffed so tightly that his wrists became swollen. Raucous music played continuously and during his two days "rest" every week he was confined to a tiny cell. In a famous and shocking judgment the Israeli High Court of Justice discussed on 7 January 1998 these interrogation methods used on 'Abd al-Rahman Ghanimat and decided, by a five to four majority, to refuse an injunction to prevent them.

BACKGROUND INFORMATION

In Israel and the Occupied Territories, secret guidelines attached to the 1987 Landau report on the General Security Service (GSS) allow the use of "moderate physical pressure" as methods of interrogation; since October 1994 a special ministerial committee has allowed "increased physical pressure".

Responses received to the original Urgent Action from Israeli embassies stated that 'Abd al-Rahman Ghanimat had been part of a " Hamas terrorist ring " which had " cost the lives of 11 Israelis ". They failed to mention the use of torture. Yet Israel ratified, in 1991, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which states, in Article 2(2) that:

"No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture".

In May 1998, the UN Committee against Torture stated that Israeli methods of interrogation constitute torture as defined in Article 1 of the Convention against Torture and called on Israel to halt them.

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

- seeking assurances that Amira Ghanimat, Rasmiya Ghanimat and 'Abd al-Rahman Ghanimat are being treated humanely in accordance with international standards and have access to any medical attention they may require;
- calling for all three to have immediate and regular access to their lawyer and family in accordance with international standards such as the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment which states that *"communication of the detained person with the outside world, and in particular his family or counsel, shall not be denied for more than a matter of days"*;
- pointing out that the interrogation methods suffered by 'Abd al-Rahman Ghanimat and admitted by the Israeli authorities, including prolonged sleep deprivation in painful positions, hooding and continuous loud noise, constitute torture and are forbidden under the UN Convention against Torture **whatever the circumstances**. Ask the Israeli authorities to state whether such methods are indeed being used, and demand that their use should be ended.

APPEALS TO:

Mr Binyamin Netanyahu
Prime Minister
Office of the Prime Minister
3 Kaplan Street
Jerusalem 91919, Israel

Telegrams: Prime Minister, Jerusalem, Israel

Telexes: 25279 mpres il

Faxes: +972-2-566-4838

Salutation: Dear Prime Minister

Mr Tzahi Hanegbi, Minister of Justice
Ministry of Justice
29 Salah al-Din Street
Jerusalem 91029, Israel

Faxes: +972-2-6285-438

Telegrams: Justice Minister, Jerusalem, Israel

Salutation: Dear Minister

Mr Avigdor Kahalani, Minister of Internal Security
Ministry of Internal Security
PO Box 18182, 3 Sheikh Jarrah
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Jerusalem 91181, Israel

Faxes: +972-2-582-6769

Telegrams: Internal Security Minister, Jerusalem, Israel

Salutation: Dear Minister

COPIES 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 8 September 1998.

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."