

7 August 1998

Further information on UA 116/98 (MDE 21/08/98, 16 April 1998) and follow-up (MDE 21/11/98, 8 May 1998) - Fear of torture / Legal concern

PALESTINIAN AUTHORITY Ghassan al-Adassi, 19, detained in Jericho
 Dr 'Abd al-'Aziz Rantissi, 51 } detained in Gaza
 Ibrahim al-Maqadmeh } detained in Gaza
 Ahmad al-Shaykh Qasem, 31 } detained in Jericho
 Amjad 'Abd al-Rahman Awdeh, 30}
 'Imad 'Awadallah, 29 } detained in Jericho
 'Amer 'Awadallah, 25 } detained in Ramallah
 Fayez Isma'il Wardeh, 40 } detained in Ramallah
 Maher Ahmad Danun } detained in Jericho
 Ahmad Sa'id } released

and around 6 others

The majority of the suspected *Hamas* members arrested by the Palestinian Authority's (PA) security agencies since 29 March 1998 have now been released. However, about 15 persons remain in the custody of the Preventive Security Service (PSS) and the *mukhabarat* (General Intelligence) in the West Bank. They have all now had access to their families, but have still not been charged or brought before any judicial authority.

In the Gaza Strip Ibrahim al-Maqadmeh and Dr 'Abd al-Aziz Rantissi also remain in detention. On 4 June the Palestinian High Court ruled that Dr 'Abd al-Aziz Rantissi's detention was illegal and ordered his release. Brigadier General Ghazi Jabali, Director-General of the Police Department was quoted in *al-Quds* newspaper on 7 July as saying that Dr Rantissi's detention was "basically an administrative one". Yet there is no legal basis for administrative detention in the PA.

Nearly all the detainees held in the West Bank appear to have been tortured by either the *mukhabarat* or the PSS. One detainee described how *mukhabarat* officers beat him all over his body after his arrest. He spent seven days in solitary confinement before being taken out of his cell and hooded. *Mukhabarat* officers beat him again and subjected him to different forms of position abuse (*shabeh*). An interrogator then tied a belt to his handcuffed wrists and attached the belt to a rope. The rope was then pulled until the detainee's arms were stretched upwards behind him and his toes barely touched the ground. He hung like this in extreme pain for four hours. He was then let down, allowed half an hour to pray, and was then put back in the same position for another three and half hours.

Ghassan al-Adassi saw his family on 3 July and on 31 August. 'Imad 'Awadallah, who also spent three months in incommunicado detention, saw members of his wife's family for the first time on 21 July; he had reportedly gone on hunger-strike in protest at his treatment. Palestinian High Court judges failed to attend a 28 July hearing in Ramallah challenging the two men's detention. The case has now been postponed until 5 September. The detainees in the West Bank have had access to two members of the Legislative Council, including Dr Kamal Sharafi, Chair of the Human Rights Committee. Their lawyer, Khader Shkirat, was told he could only speak to them in the presence of the security forces, and therefore refused.

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

- expressing continuing concern at reports of systematic torture of suspected supporters of *Hamas* arrested in Ramallah since 29 March 1998; asking for reports of torture to be investigated and those responsible to be brought to justice;
- urging that all detainees have regular and unrestricted access to family and lawyers;
- urging President Arafat and Justice Minister Freih Abu Middein to ensure that Palestinian security services be placed under the control of the judiciary and promptly enforce judicial rulings;
- calling for the release of all those still detained unless they are to be charged with recognizably criminal offences and promptly brought to trial before civil courts in conformity with international human rights standards;
- reminding the Palestinian authorities of the principles enshrined in the Universal Declaration of Human Rights, notably Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

APPEALS TO:

President Yasser Arafat Palestinian Authority, Al-Muntada, Gaza, Palestinian Authority

Telegrams: President Arafat, Gaza, Palestinian Authority

Faxes: + 972-7-2822365 (ask to send a fax)

Salutation: Dear President Arafat

Mr Freih Abu Meddein

Minister of Justice, Ministry of Justice, Abu Khadra Building

Omar al-Mukhtar Street, Gaza, Palestinian Authority

Telegrams: Justice Minister, Gaza, Palestinian Authority

Faxes: + 972-7-2867109

Salutation: Dear Minister

Colonel Jibril Rajoub, Head of Preventive Security, Jericho, Palestinian Authority

Telegrams: Rajoub, Preventive Security, Jericho

Faxes: + 972-2-992-1273 (ask to send a fax)

Salutation: Dear Colonel Rajoub

Brigadier General Ghazi Jabali

Head of Civilian Police (Gaza Strip), Police Headquarters, Gaza, Palestinian

Authority

Telegrams: Brigadier General Jabali, Gaza, Palestinian Authority

Faxes: + 972-7-2822 335 (ask to send a fax)

Salutation: Dear Brigadier General Jabali

COPIES TO:

LAW (The Palestinian Society for the Protection of Human Rights and the Environment),

P.O.Box 20873, Jerusalem

Fax: +972 2 581 1072

E-Mail: lawe@netvision.net.il

and to representatives of the Palestine Liberation Organization accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 September 1998.

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