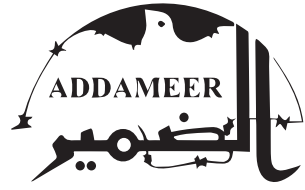
I've Been There

A study of torture and inhumane treatment in Al-Moscobiyeh interrogation center

ADDAMEER
الضمير



Addameer Prisoner Support and Human Rights Association

I've Been There

A study of torture and inhumane treatment in Al-Moscobiyeh interrogation center

Addameer Prisoner Support and Human Rights Association
Ramallah – Occupied Palestine
2018

Addameer Prisoner Support and Human Rights Association
P. O. Box 17338, Jerusalem
Tel: + 972 (0)2 296 0446, Fax: +972 (0)2 296 0447
Email: info@addameer. ps
www. addameer. org
Address: Ramallah, Al-Masyon, Rafiden Sq. Edward Said St., Sebat Bldg., 1st Floor, Suite 2, Ramallah

Ramallah -Palestine
2018

Table of contents

4	•	Introduction
6	•	Methodology
7	•	Framework of the Study
8	•	Background on Al-Mascobiyeh "the Russian Compound"
9	•	Torture and Cruel and Degrading Treatment
11	•	The Official Israeli Position on Torture and Degrading Treatment
14	•	Violations during arrest and transfer to detention centers
17	•	Methods of Torture and Inhumane Treatment Documented in Al-Mascobiyeh Interrogation Center
17	•	Positional Torture
18	•	Beatings during interrogation
18	•	Solitary Confinement during interrogation
19	•	Sleep Deprivation and hours-long interrogation
20	•	Threats, particularly of harming family members
21	•	Informants
22	•	Deliberate Medical Neglect (systematic policy)
23	•	Screaming and Cursing
24	•	Conditions of Cells and Answering Prisoners' Demands
26	•	Unsystematic Interrogation and Pressure Methods
27	•	Military Interrogation (Ticking Bomb)
29	•	Pressuring the detainees to cooperate with Israeli intelligence
31	•	Female Prisoners in Al-Mascobiyeh Interrogation Center
33	•	Psychological Effects of Al-Mascobiyeh Interrogation Experience on the Detainee
34	•	Children in Al-Mascobiyeh Interrogation Center
35	•	Effects of Detainment on Children
37	•	Beyond Interrogation Rooms
39	•	Ban on Lawyer Visits
40	•	Conclusions and Recommendations

Introduction

For 26 years, Addameer Prisoner Support and Human Rights Association has documented violations against Palestinian prisoners and detainees in Israeli prisons and interrogation centers. As part of this work, the following study is a crucial part of Addameer's continuous efforts to document and expose the violations carried out by the Israeli General Security Services "Shabak"[1] against Palestinian detainees during interrogation in one of the most infamous Israeli interrogation centers, known as the Russian compound "Al-Mascobiyeh".

This study aims to shed light on the torture, inhumane treatment, and violations occurring in Al-Mascobiyeh within a comprehensive, legal framework, starting from the early moments of arrest, and continuing up until arrival in the detention center and the proceedings prior to interrogation. The study also focuses on the interrogation itself by detailing the methods practiced by Shabak interrogators.

Mistreatment in Al-Mascobiyeh is not only witnessed in interrogation rooms, but rather is an integrated system operating to terrorize and break the detainees' spirit. Such mistreatment includes placing the detainee in solitary confinement, and exposing them to sounds of torture from neighboring cells, while being held in cells that don't meet the minimum standards of adequate human living.

The study indicates that these practices are integral to the overall operation of Israeli state institutions. They represent a coordinated system, operating through judges, prison wardens, and legislators, serving the Shabak in incriminating Palestinian detainees, legitimizing their torture, and overlooking complaints against them.

1. The Hebrew name "Shabak" will be used to refer to the Israeli General Security Services throughout the report.

According to the Amnesty International Report on human rights for the years 2016 and 2017, in spite of the torture complaints filed with the Israeli Ministry of Justice since 2014, no drastic change could be detected in dealing with cases of torture carried out by Shabak interrogators. Since 2001, more than a thousand torture complaints against Palestinian detainees, including women and children, have been filed. From these, none were investigated and none of the interrogators who carried out the torture were held accountable for their actions[2].

2. Amnesty International Annual Report 2016/2017. The State of the World's Human Rights. Page 203. See the link below:
https://www.amnesty.org/download/Documents/POL1048002017ENGLISH.PDF
Date of access: 15/2/2018

Methodology

This descriptive, analytical study utilizes quantitative and qualitative research tools. Such mechanisms included the reviewing of literature relating to the subject, legal analysis of prisoner treatment standards, and the framework of international agreements on the rights of detainees and the ban on torture. Moreover, the study reviews local Israeli laws, and Supreme Court decisions regarding the torture of Palestinian detainees, as well as providing legal analysis of all the data, connecting it to the reality of the detainees' conditions. In addition, a chapter of this report is dedicated to the study of the psychological dimensions and effects on women, children, and adults who have endured interrogation. It utilizes prior literature regarding psychological analyses of detainees.

A team of Addameer's lawyers, field researchers, and the legal scholar worked on collecting information on the names and places of cases that underwent interrogation in Al-Mascobiyeh center. Ultimately, 138 interrogation cases in Al-Mascobiyeh, between 2015 and 2017, were collected through the methods detailed below:

First: in-depth interviews with prisoners were undertaken in order to attain the details of their arrest and transfer to the interrogation center, as well the conditions of the interrogation itself and their stay in Al-Mascobiyeh (58 interrogation cases).

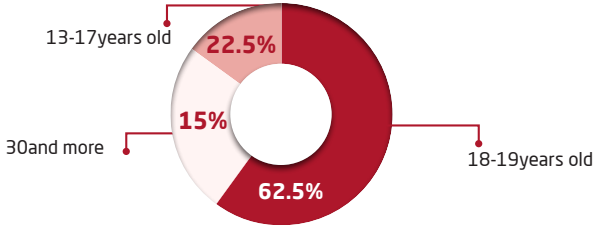
Second: A comprehensive quantitative survey was designed for Al-Mascobiyeh interrogation center. The survey includes 83 questions, divided into seven sections (personal information, arrest and transfer to the interrogation center, interrogation, informant rooms, meetings with lawyers, living conditions inside interrogation center, as well as the last sections regarding Red Cross visits to detainees) (80 interrogation cases). [3]

Around 70% of the cases involved interviews while the individuals were still inside the prisons, while 20% of the cases were interviewed by the team after their release. Around 10% were interviewed during their interrogation. The statistics analysis software SPSS was used to analyze the data collected from surveys in Al-Mascobiyeh.

3. It is duly noted that the cases undergoing statistical analysis are exclusively based on surveys. In-depth interviews aim to present detailed accounts of the violations and conditions as evidence in support of the results yielded in the quantitative results of the sample.

Framework of the Study

The sample: Prisoners of both genders (whether they have been released or were still incarcerated) experienced interrogation in Al-Mascobiyeh from 2015 until mid 2017. The sample is 83.8% male prisoners, and 16.3% female prisoners. Geographically, the sample included prisoners from the West Bank and Jerusalem, but none from the Gaza Strip or the Palestinian territories occupied in 1948[4] . The age groups targeted in this study were divided as follows:



Barriers to the study:

- Difficulty in accessing the targeted sample and the conditions of the interviews: Since the study concerns itself with Al-Mascobiyeh interrogation center in particular, most of the cases were interviewed inside the prison after interrogation. Thus, the time limitations imposed on the lawyer and the accuracy of the sought-after information forced the lawyers in several cases to return and conduct more visits to the same detainee in order to complete the affidavit or the survey. The lawyer, whether in the interrogation center or in prison, collects the information over a phone while a glass barrier separates him from the detainee.

- Bans on meeting with a lawyer during interrogation: One of the main barriers to the study was the ban on lawyers from meeting the detainees during interrogation. Around 54.7% of the sample was banned from meeting with a lawyer.

- Lack of privacy and secrecy: The rooms where the lawyers and prisoners meet are equipped with cameras and the phone calls are recorded. Consequently, some prisoners withhold details of the violations carried out against them.

- Awareness of violation: many prisoners who were interviewed were not sufficiently aware of their rights, or that the Israeli practices constitute a violation of their rights.

- Due to the aforementioned difficulties, the total number of 138 cases, previously mentioned, resulted in 58 in-depth interviews, and 80 surveys. Therefore the number of cases is relatively small in regard to attempting to find statistically significant connections in the quantitative study. Nonetheless, the results of the study are considered indicators of the violations carried out in the interrogation center subject of this study.

4. Residents of the regions mentioned above undergo interrogation in other interrogation centers which are assigned according to the place of residence of the detainee, as well the location, scope, and nature of the charges.

Background on Al-Mascobiyeh "the Russian Compound"

Al-Mascobiyeh interrogation center is located in Jerusalem, not far from the dividing line that separated East and West from 1948 till 1967. It is part of the classic Russian compound built by the Imperial Orthodox Palestine Society in 1864, sponsored by the Caesar of Russia, to cater for Russian pilgrims to the Holy Land. It is located on 70 dunums, only a few hundred meters away from the walls of the Old City[5]. The compound included a church, a consulate, a hospital, a shopping center, and two large inns for Russian pilgrims.

Once the British mandate took control of Jerusalem, the British police took charge of the Russian compound in 1917 and turned its men's inn, which houses 300 people, into a headquarters for the British police and intelligence. This included a detention center. The building suffered from two bombings at the hands of Jewish organizations in 1944 and 1945[6]. The Israeli occupation has maintained the police station and the interrogation center to this day. Together they are known as Al-Mascobiyeh interrogation center.

The British police turned the women's inn, which housed 300 people as well, into the Jerusalem central prison before the Israeli ministry of security turned it into a museum dedicated to the memory of the members of the Jewish organizations that carried out bomb attacks against British targets. These members were deemed terrorists by the British. Between the inns is a Russian cathedral, "The Holy Trinity", which was inaugurated by Prince Nicola in 1882. The Israelis kept the original sign 'Jerusalem Central Prison' – written in Arabic, English, and Hebrew- which was put up by the British police on the building that was once the women's inn, engraved with the Russian Orthodox Church crest.

Al-Mascobiyeh held a plethora of notable Palestinians, including Najati Sudqi (1905-1979), a Palestinian author, and a major activist of the Communist movement in the Arab world; as well the Algerian Mahmoud Al-Atrash, who was detained in Al-Mascobiyeh and was later exiled from Palestine. In addition, two of the main leaders of the revolutionary movement against the British, Abu Jildeh and Al-A'rmit, who were also called the leaders of revolutionary gangs, were held in Al-Mascobiyeh and were executed in 1932.[7]

It is impossible to know the number of leaders, intellectuals, and politicians who underwent interrogation in Al-Mascobiyeh before they were transferred to other prisons. Al-Mascobiyeh remains open to receive a new generation of Palestinians to suffer at the hands of Shabak interrogators.

5. "Al-Mascobiyeh Compound in Jerusalem: From Pilgrimage... to Torturing Palestinians". The Lebanese newspaper As-Safir 1/5/2010 - page 14
6. Previous Reference
7. Osama Al-Issa. Al-Mascobiyeh.. Chapters of Tales of Torture (Novel). Ramallah: Ogarit Cultural Center, 2010.

Torture and Cruel and Degrading Treatment

The Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment defined the term "torture" to mean:

any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

The United Nations Special Rapporteur of the Human Rights Council on Torture from 2004 to 2010, Mr. Manfred Nowak, added four elements for qualifying an act as torture and distinguishing it from cruel, inhumane or degrading treatment or punishment:

1. Element One: The legal definition of torture encompasses acts and omissions that inflict severe pain or suffering, whether physical or mental. This indicates that a minimum level of severity must be attained to qualify as torture.
2. Element Two: The state is the main perpetrator in acts of torture carried out by public officials or a person acting in an official capacity. The definition stands whether or not law enforcement agents carried out the acts of torture, or consented and acquiesced acts of torture committed by private actors.
3. Element Three: Torture must be conducted with predetermined intent to achieve a particular purpose, which is primarily extracting a confession to indict the individual under interrogation. Purposes of torture also include punishment, intimidation and coercion.
4. Element Four: The powerless of the victim in regard to the situation that they are put in throughout the interrogation. This particular aspect is not mentioned in the Convention, but differentiates between torture and cruel and inhumane treatment.

The prohibition against torture in international conventions and agreements was unequivocal in its interpretation. This was not by coincidence, but rather the result of accumulative international efforts to end and prohibit torture. The Universal Declaration of Human Rights of 1948 was the primary starting point of the international prohibition of torture. Article 5 of the declaration states that "no one shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment," constituting the fundamental basis for the international prohibition of torture and all forms of degrading treatment. The Geneva Conventions of 1949, as well as Protocol I and II of 1977, also include a number of articles that strictly prohibit cruel treatment and outrages upon human dignity[8]. In addition, torture is prohibited under the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, which was adopted in 1948 and entered into force in 1978. The Convention prompts each State Party to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.

Torture and other forms of cruel, inhumane, or degrading treatment or punishment are also prohibited under Articles 7 and 10 of the International Covenant on Civil and Political Rights of 1966. The UN Human Right Committee General Comment No. 20 noted that the text of Article 7 reaffirms that, even in situations of public emergency such as those referred to in article 4 of the Covenant, no derogation from the provision of article 7 is allowed. The Committee likewise observes that no justification or extenuating circumstances may be invoked to justify a violation of article 7 for any reasons, including those based on an order from a superior officer or public authority.

The Convention against Torture states that no "exceptional circumstances whatsoever, whether a state of war or a threat of war" may be invoked as a justification of torture, thus establishing an internationally-recognized peremptory norm against torture even in compelling circumstances relating to counter terrorism[9]. A peremptory norm of International Law is a norm from which no derogation is permitted and which can only be modified by a subsequent norm of the International Law, which possesses the same character. Thus, responsibility for the violating of the prohibition against torture falls not only on the state, but also on the individuals who carried out the acts. These individuals are to be are subjected to judicial proceedings inside or outside of their states as a result of their actions. Moreover, the International Criminal Tribunal for the former Yugoslavia (ICTY) found, in the Furundzija case, that the prohibition against torture has attained the status of jus cogens, which can be defined as a peremptory norm of international law from which no derogation is permitted[10].

8. Find Article 3 in each of the four Geneva Conventions; Article 12 in the First and Second Geneva Conventions; Articles 17 and 18 in regard to prisoners of war; Article 32 in the Fourth Geneva Convention in regard to the protection of civilian persons in time of war; Article 75/A2 of Protocol I additional t the Geneva Conventions.
9. Article 2/2 of the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment
10. See the official website of the International Criminal Court: http://www.icty.org/en/press/furundzija-case-judgement-trial-chamber-anto-furundzija-found-guilty-both-charges-and

The Official Israeli Position on Torture and Degrading Treatment

Despite the absolute and irrevocable prohibition against torture, particularly in relation to Article 2 of the Convention against Torture which was ratified by Israel on October 3rd, 1991, Israeli practices demonstrate a jarring reality that reflects the occupation's systematic adoption of torture as a semi-standard method of extracting confessions.

The Israeli security forces continue to use the violation of the rights to physical safety and inherent dignity as a bargaining chip against Palestinians, utilizing the legal cover provided by the Israeli Supreme Court decision in 1999[11]. The court recognized that the Israeli Security Agency, commonly known as Shin Bet or Shabak, did in fact practice torture, and ruled that it could no longer use "moderate physical pressure" on suspects under interrogation. However, it allowed the use of torture and physical pressure in the case of a "ticking bomb" scenario, where security officials believe that a suspect is withholding information that could prevent an impending threat to civilian lives as stated in Article 1/34 of the Israeli Penal Code of 1972[12]. This exception constitutes a grave legal loophole that legitimizes the continuation of torture and cruel treatment by Shabak interrogators against individuals suspected of withholding information on "militant operations", and provides interrogators with legal impunity for their actions. The majority of the detainees are held on charges relating to activities of a political nature rather than of a 'militant' nature[13]. The Israeli forces utilize such justifications as a means to legitimate torture, reminiscent of the actions of the French forces against Algerian prisoners. The French referred to such actions as "special interrogation tactics" utilized in order to obtain "vital information". [14] The same justification was employed in the "in depth interrogation" practices of the British security forces against Northern Irish individuals, which included forcing the detainees to stand on one foot in stress positions for prolonged periods of time [15]. The use of refined language by the Israeli court, in an attempt to downplay the severity of the practices carried out in interrogation rooms, cannot conceal the use of torture by Shabak interrogators against Palestinians. These techniques have been used since the beginning of the occupation, over time becoming standard operating procedure. As part of this, the Israeli occupation has continued to develop novel methods of psychological torture that are utilized alongside more traditional methods of physical pressure.

11. Supreme Court decision 94/5100 - The Public Committee against Torture in Israel vs. Government of Israel. English translation:
http://elyon1.court.gov.il/files_eng/94/000/051/a09/94051000.a09.htm
12. https://www.nevo.co.il/law_html/Law01/073_002.htm
13. Joint report: B'Tselem and HAMOKED (2010): Impunity: Israeli military policy not to investigate the killing of Palestinians by soldiers
https://www.btselem.org/download/201010_kept_in_the_dark_eng.pdf
14. Ferdous Abed Rabbo Al-Issa: Methods of Interrogation in Israeli detention centers between the use of psychology theories and ethics - Ramallah: the Palestinian committee of Detainees and Ex-Detainees, 2017, page 32
15. Mausfeld, R (2009), Psychology, (white torture) and the responsibility of scientists.

Supreme Court Decision 15/5722: As'ad Abu Gosh vs. the Attorney General[16]

In September of 2007, the Israeli forces arrested As'ad Abu Gosh who was later interrogated by the Shabak. During interrogation, the agents used excessively cruel methods, which amounted to torture, causing Abu Gosh severe physical and psychological ramifications. The methods included: beating, slamming against the wall, forcing him into a stress position where he was squatting while bending the tips of his toes, as well as the banana stress position, which includes shackling the hands and feet behind the back and stretching his body into a banana shape. Abu Gosh also suffered from forceful bending of limbs, sleep deprivation, and severe psychological stress by threatening to bomb his house and harm his family if he did not confess or cooperate with the interrogators.

In 2012, the Public Committee Against Torture in Israel (PCATI) petitioned the High Court of Justice to open a criminal investigation and prosecute the interrogators who carried out torture against Abu Gosh. In response, the attorney general office admitted the use of "certain pressure methods" against Abu Gosh, but refused to recognize them as torture, according to a PCATI statement. The High Court of Justice ruled that the case does not constitute a sufficient reason for prosecuting the interrogators.

In July 2015, the High Court requested the attorney general provide an explanation justifying the closing of the Abu Gosh file without conducting an investigation. This was the first time that the High Court has made such a request regarding a complaint on torture.

In light of the request, the Israeli attorney general produced a detailed explanation regarding its decision, stating that the use of pressure techniques in this case is covered by the ticking bomb exception in Article 34 of the Israeli Penal Code of 1977. Following the presentation of PCATI's arguments, and after extensive deliberations between a committee of three judges, the court issued its ruling on December 12, 2017.

The High Court ruling stated that the "pressure techniques" used by the interrogators against Abu Gosh did not amount to torture because "they had not caused sufficiently severe pain or suffering". The court also upheld the general attorney's decision not to open a criminal investigation against the interrogators, deeming the decision "reasonable". The Court also accepted the "necessity defense" because the interrogation, according to the court, revolved around life-threatening 'militant activities' and information, which constituted an imminent danger. PCATI notes that, since 2001 and up until the ruling of the court, more than 1100 complaints by victims

16. Supreme Court Decision 15/5722: As'ad Abu Gosh vs. the Attorney General

of torture were filed to the attorney general office; no criminal investigation against Shabak interrogators were opened in any of them.

The court ruling is deemed gravely dangerous, constituting an exemption of the international obligation ratified by the Israeli state. The ruling by the highest court of the state reiterates the impunity of interrogators against criminal accountability, and gives the green light to torture for the benefit of its intelligence agencies in violation of the international prohibition on torture.

The UN Special Rapporteur on torture, Nils Melzer, expressed his utmost concern after the ruling, saying it "sets a dangerous precedent, gravely undermining the universal prohibition of torture." He added that "the Supreme Court has essentially provided them with a judicially sanctioned 'license to torture'". Melzer urgently appealed "to all branches of Israel's Government to carefully consider not only its own international obligations, but also the consolidated legal and moral views of the international community, before whitewashing methods of interrogation that are more closely associated with barbarism than with civilization."

The Palestinian Authority (PA) Joins the International Criminal Court

The violations carried out by Shabak interrogators, which will be detailed in later chapters, constitute grave violations of the fourth Geneva Convention, and its additional protocol of 1977. These violations amount to a war crime as stated in International Humanitarian Law, and International Criminal Law, especially Article 8 of the Rome Statute of the International Criminal Court[17]. Despite the fact that Israel did not sign the Rome Statute in 2002, which established the International Criminal Court for the prosecution of war crimes and crimes against humanity, it does not exempt it from legal prosecution. With Palestine joining the International Criminal Court and the Rome Statute entering into force on April 1, 2015[18], a new phase of prosecution and legal accountability against those responsible of crimes of torture against Palestinian detainees was established. If such mechanisms live up to their full potential, they can end the policy of impunity, and end the Israeli practice of holding its government and citizens above the law, unchecked and unaccountable for their actions. Palestine joining the International Criminal Court is an opportunity to work towards attaining justice for the victims and more broadly, especially given that Article 29 of the Rome Statute states "the crimes within the jurisdiction of the Court shall not be subject to any statute of limitations."

17. See the International Committee of the Red Cross website below:
https://www.icrc.org/ar/resources/documents/treaty/statute-of-the-International-criminal-court
18. Legal overview of the Palestinian decision to join the International Criminal Court – Al-Haq 2015

Violations during arrest and transfer to detention centers [19]

Most detainees experiences three types of intimidation during transfer to Al-Mascobiyeh interrogation center.

Israeli forces raid houses in the middle of the night, or at the break of dawn. Around 58.8% of those interviewed were arrested in the early hours of the morning; 75% were arrested from their homes and beds; 10% were detained in the streets; 3.8% were arrested at checkpoints; 2.4% were arrested at border crossings; 3.8% were arrested from their place of work; and 5% turned themselves in after receiving subpoenas.

Arrest: The majority of the interviewed sample, around 67.5%, said they were arrested by Israeli soldiers, while 11.3% said they were arrested by intelligence officers, 2.5% were arrested by Special Forces, and the rest turned themselves in at police stations. Despite the various times and locations of the arrest, the Israeli policy of assaulting detainees during arrest and up until their arrival in the detention or interrogation center is a systematic policy practiced against the Palestinian people without any regard to age, gender, health or psychological state of the detainee.

Israeli forces routinely carry out arrests without informing the families of the detainees' location, and without presenting an arrest warrant. A total of 77.2% reported that the forces who carried out their arrests did not present an arrest warrant, and 88.5% said they did not know where they were being taken. The Israeli forces carrying out the arrests practice all methods of collective intimidation and suppression during arrest. This is in addition to collective punishment against the detainees, their families and neighbors, and sometimes the entire neighborhood with raids, assaults, and inspections.

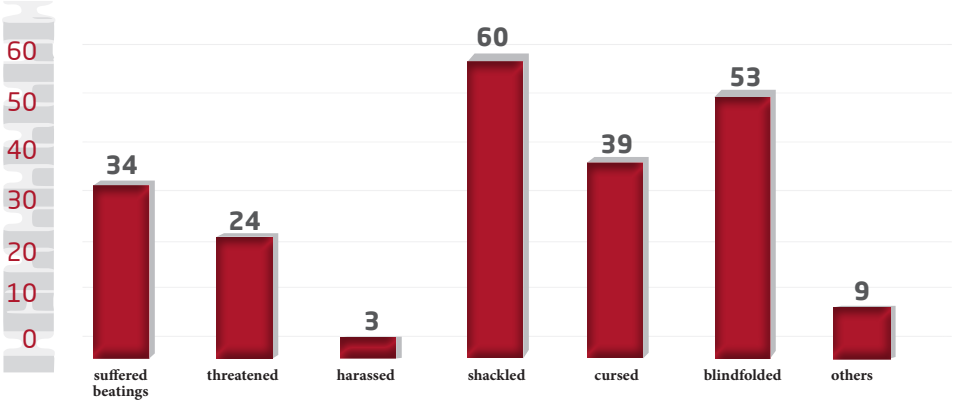
19. The names of detainees whose statements are used in this chapter have not been published upon their request and for the confidential nature of the provided statements. All the names are available to Addameer.

A total of 67.5% stated that their houses were inspected and ransacked during arrest. Prisoner H.D., 16 years old, said that during his arrest a large unit of Special Forces raided his family household, blowing up the main house door, while his father was on his way to open it. His father was beaten, and his brother, mother and father were all dragged to the main living room in the house. Such repressive methods are utilized with the aim of terrorizing the family members in order to add an extra psychological burden to the detainee during arrest.

The Israeli occupation deliberately places the prisoners in extreme conditions that do not meet any international or humanitarian standards during arrests. A total of 66.3% stated that they were blindfolded during their arrest and transfer to the interrogation center, while 75% said they were placed in plastic handcuffs and shackles; 42.5% said they were beaten, and 28.8% said they were beaten with weapons. The released prisoner A.Z., 18 years old, stated that during his arrest Israeli soldiers hit him twice on the head with their M-16 automatic weapons, which resulted in him losing consciousness for a short period of time during arrest. Similarly, the released prisoner M.A., 21 years old, reported that, during his arrest, when he arrived at the checkpoint in his car, a soldier motioned him to stop. At that point, a large unit of special forces, known as the Yasam unit, attacked him, threw him on the ground, and, as he described it, "hysterically" beat punched and kicked him, particularly targeting his head. This beating resulted in a severe nose bleed. The ordeal lasted around 7 minutes, with the soldiers not stopping in response to his cries, until one soldier hit him behind the ear with the butt of his M-16 rifle causing him to vomit. At this point, they stopped beating him, shackled him, and transferred him to Al-Mascobiyeh interrogation center.

Numerous prisoners stated that they were left outside for hours, both during transport and after, in extreme cold or heat. Of those interviewed, 48.8% said the soldiers deliberately cursed and verbally humiliated them, and 30% said they were threatened. All of these conditions are part of a clear systematic policy to break the spirit of the detainees before their arrival in interrogation, with the aim of facilitating the extraction of information and confessions from the detainees.

Number of times detainees suffered forms of intimidation and torture during transfer to interrogation center



The graph mentioned above indicates the number of instances that the interviewed detainees suffered from various forms of intimidation during their transfer to the interrogation center. The "others" category in the graph refers to random methods of repression practiced during arrest. For example, prisoner M.S.A., 28 years old, stated that he was attacked by police dogs during his arrest by a unit of Special Forces. Once he opened the door, a dog attacked him and bit his right arm below the elbow. When he tried to defend himself, the dog shattered his hand. At the time, the soldiers were beating him with their hands and the butts of their rifles across his body. The dog bit his arm and pulled for around three consecutive minutes. The prisoner said that the soldiers could have immediately stopped the dog at the start of the attack, but they did nothing of the sort.

Methods of Torture and Inhumane Treatment Documented in Al-Mascobiyeh InterrogationCenter[20]

The assaults against detainees don't stop at arrest, but rather are an essential part of the interrogation. Such abuses are part of an effort to break their spirit, exhaust them mentally and physically, and to ultimately coerce them into self-incrimination through the extraction of confessions.

Addameer documented eight particular methods of torture and mistreatment practiced in Al-Mascobiyeh interrogation center, which are described below. Nonetheless, the practices mentioned in this chapter are not limited to what the detainee suffers inside the interrogation room, but rather cover the interrogation center as a whole. The conditions of the cells, as well the methods of intimidation, first and foremost aim to assert a dynamic where the detainee perceives themselves as completely helpless in stark contrast to the interrogator's absolute ascendancy. The intended result is a weakening of the spirit and physical wellbeing, accelerating the breakdown of the detainees.

Positional Torture - stress position in a normal chair

The standard stress position entails the handcuffing of a detainee with his hands behind his back, and shackling his feet while sitting in an interrogation chair. Around 59.5% said that they suffered general positional torture, while 58% said they were placed in this particular stress positions for prolonged periods of time. Prisoner M.B., 18 years old, reported that he was placed in this position throughout the eight-hour interrogation sessions, which went on for 18 days.

Prisoner A.Z. said that he was placed in a stress position in the chair when the interrogators would leave the room. Such treatment indicates that the primary purpose is to inflict physical

20. Names of detainees who have given testimonies used in this chapter have been withheld from publication upon their request and for confidentiality purposes due to the sensitive nature of the testimonies. Addameer Prisoner Support and Human Rights Association holds a copy of the names.

and psychological suffering as a means to wear down the individual. Despite the fact that it is considered an illegal form of physical torture, Shabak interrogators use this method regardless of the nature and severity of the accusations leveled against the detainee.

Beatings during interrogation

Around 30.8% of detainees were subjected to beatings during interrogation. Prisoner F.M., 40, stated that the interrogator assaulted him, kneeing him in the chest during one interrogation session. Prisoner T.D., 22, said that during one interrogation session, a heavily built interrogator put his hands together and hit T.D. on the head, which knocked him unconscious; the interrogator took pictures of him while lying on the floor. Despite the extreme pain, T.D. was interrogated for seven more days, during which his hands and feet were bound and wasn't allowed to use the bathroom. Additionally, he was assaulted while awaiting interrogation in Al-Maskobiyya. Prisoner M.M., 20 years old, stated that interrogators applied heavy pressure to his neck, obstructing his airway and causing suffocation during one interrogation session.

Isolation/Solitary Confinement during interrogation

A total 83.5% of the detainees were placed in solitary confinement during interrogation, as well as being completely disconnected from the outside world and denied the minimum standard of social interaction. The isolated prisoner becomes directly dependent on their jailer for all their basic needs, furthering in solitary confinement an already one-sided power relation.[21].

Solitary confinement causes severe psychological damage to prisoners and detainees, resulting in sleep disorders, depression and terrors, as well as furthering pre-existing psychological problems. Much of the psychological damage caused

21. See Addameer's Annual Report of violation of Palestinian Prisoners' Rights in Israeli Prisons in 2015 http://www.addameer.org/sites/default/files/publications/annual_violation_arabic_0.pdf
Also see Addameer's report on the Isolation and Solitary Confinement of Palestinian Prisoners in Israeli Prisons - 2008:http://www.addameer.org/sites/default/files/publications/aL_3azel%5B2012012512517%5D.pdf

by solitary confinement does not end with the individual's release. Research on the effects of solitary confinement, conducted by Stuart Grassian, indicated that "even a few days of solitary confinement will predictably shift the EEG [brain wave] pattern towards an abnormal pattern characteristic of stupor and delirium[22]."

The interim report of the Special Rapporteur on torture and other cruel, inhumane or degrading treatment or punishment, Manfred Nowak, submitted in accordance with Assembly resolution 62/148, noted that "prolonged solitary confinement and seclusion of persons may constitute torture or ill-treatment". In a report on August 5 2011, the UN Special Rapporteur on torture Juan E. Méndez defined prolonged solitary confinement to be in excess of 15 days. Building on this definition, the Israeli occupation continues to violate the international norm in regards to prolonged solitary confinement, amounting to torture.

Sleep Deprivation and hours-long interrogation

A total of 59.5% of the detainees were subjected to prolonged sleep deprivation. This was achieved through long interrogation sessions, subjecting detainees to screams from neighboring cells, and continuous knocking on the cell doors to prevent them from falling asleep, especially in the early stages of interrogation. All of these tactics result in severe psychological and physical damages. Sleep deprivation is utilized in interrogation rooms as part of the overall torture process with the aim of creating a stressful environment as to further pressure the detainee. Female prisoner H.M, 30 years old from Al-Deheishah refugee camp, said that "due to sleep deprivation for hours on end, causing severe exhaustion, I began hallucinating and seeing my three year old twin daughters running around me during the extensive interrogation sessions."

As for the interrogation period, 35.4% of the targeted sample said that it lasted from two weeks to a month, while 22.8% were interrogated for a month or more; 12.7% were interrogated for a week to two weeks, and 29.1% were interrogated for a week or less. Most of these individuals were interrogated for prolonged hours, ranging between 12-24 hours, with numerous cases interrogated for more than 48 consecutive hours. Prisoner M.M., 21 years old, said that one interrogation session started at 8 in the morning and lasted till 9 in the following morning.

Female prisoner A.E., 22 years old, said that she stayed in Al-Mascobiyeh for 11 days with the interrogation sessions lasting between 8 to 11 hours. Her only rest

22. Stuart Grassian, Psychiatric Effects of Solitary Confinement, Journal of Law and Policy (Vol.22) 2006

was during the lunch break, or when she was occasionally allowed to pray inside the interrogation room.

Detainee E.D., 23 years old, suffered prolonged sleep deprivation, as well as positional torture. He was placed in a stress position with his hands in metal cuffs, shackled to a lock at the bottom of the back of the chair. The interrogation lasted for excessively long periods of time, with one session lasting close to 50 consecutive hours, leaving left him in a deteriorated health condition.

Threats, particularly of harming family members

> *" When a prisoner believes that anything is a possibility: torture, execution, life sentences, or even the oppression of his loved ones, the interrogator can continue his job."*
>
> Michael Koubi, former Shabak chief interrogator[23]

A total of 70.9% of the detainees were threatened with administrative detention, higher sentences, and other threats if they did not cooperate with the interrogators. Additionally, 55.1% said they were threatened with the arrest or inflecting of harm on family members. Prisoner M.A., 21 years old, said that the interrogators threatened to arrest every member of his family and torture them before his own eyes. His mother was indeed forcibly brought in to Al-Mascobiyeh with her hands bound in metal handcuffs. Prisoner H.M., 30 years old, said that the most difficult part of the interrogation, which caused the worst psychological damage, was when she was threatened with the arrest of her 14 year old son and bringing him to witness her interrogation.

Dr. Pau Perez-Sales noted that threats against family members are a form of psychological torture that is "more strongly associated with perceived torture severity and lasting psychological damage than physical torture". Dr. Perez-Sales additionally noted that many of the victims he worked with could bear the physical and psychological torture and harm that befell them, but could not tolerate the idea that people close to them being harmed. Prisoner M.M. states that his mother was in fact brought into his cell.

23. Taken from an article by Mark Bowden from the Institute of Palestine Studies - Vol.15, No.57 - winter of 2004

Informants

The most eloquent expression describing the utilization of informants is the phrase the "Palestinian Theatre", as described by the Israeli human rights attorney Lea Tsemel[24]. The reason this phrase is so apt is that the whole strategy relies on using informants to prepare adequate conditions for effective interrogation. In the theatre scenes, according to Tsemel, a Palestinian prisoner informant plays the role of the head of a militant cell for example, and extracts information from the detainee. [25]The whole exercise is nothing more than a charade.

A total of 41.3% were placed in informant's cells in other prisons., in other prisons; while 57.6% of the detainees said that informants were brought into their cells[26] while being held in Al-Mascobiyeh. These informants are known as "birds". There are cells of informants in Megiddo, Ofer, Askalan, Beersheva , and Al-Jalamah prisons.

Relying on Addameer's vast experience, as well surveys and affidavits for this study, it has been found that the informant cells are the most successful methods of extracting information from the prisoners, whether by misleading, luring, or threatening them. The informants use a strategy of accusing the detainee of treason if he or she does not respond to them. Such a strategy exerts psychological pressure, which forces the detainee to give up any information that will clear his or her name, prove his or her loyalty and guarantee his or her acceptance among the other prisoners. The irony is that in seeking to not be viewed as a spy or informant, the individual gives up information to such a person.

One of Addameer's lawyers noted that prisoners usually describe the informants as the most dangerous aspect of the interrogation. Informants do not hesitate to threaten the detainee with physical violence or harm against his or her family, especially if the informants reveal themselves as agents of the occupation, which in return prompts a total refusal to cooperation from the detainee. In reality, the informants occasionally resort to physical violence against the detainees, with 13% saying they were torture or mistreated by the "birds", and 12.7% saying they were forced to sign papers while being with them. Prisoner M.M., 25 years old, said he was brutally beaten by the "birds" after he revealed that he knew they were informants.

24. Lea Tseme is an Israeli attorney, human rights activist, as well a member of the board of directors and one of the founders of the Public Committee against Torture in Israel. Excerpt from a joint report titled "On Torture - Notes on the History of Torture in Israel."
25." Notes on the History of Torture in Israel" by Attorney Lea Tsemel - page 10
26. Some detainees are placed in informant cells; in other cases informants are brought in the cells of the detainees

Subjected to Sounds to Torture from neighboring cells

It was reported that 41.6% of the detainees heard screams and sound of torture from their cells. Such a finding is a clear indicator that the Israeli policy of terrorizing and intimidating detainees extends beyond the interrogation room to include the entirety of the interrogation center. Prisoner E.D., 33 years old, said that one of the pressure methods used against him in his cell was listening to the sounds of a girl pleading for help as if she were being tortured. Dr. Pau Perez-Sales notes that the anticipation of pain and envision of torture has more effect on the psychological state of the detainee than physical pain or actual torture.

Former Israeli chief interrogator Koubi[27] noted that sometimes actors are hired to loudly mimic the sounds of a torture session or beatings in a neighboring room. In the United States, during the Central Intelligence Agency (CIA) interrogation training, former agent Bill Wagner would recommend fake executions to be carried out outside the interrogation room[28].

Deliberate Medical Neglect (systematic policy)

A total of 70.9% of the detainees met the resident doctor in the interrogation center upon their arrival and before the start of the interrogation process itself. The medical examination was limited to questions about the detainees' medical history without conducting a physical checkup. Many prisoners suffer from illnesses and aches, some chronic, as a result of the assaults during arrest and interrogation, the poor conditions of the cells, the spread of bedbugs and insects, high humidity, and extreme cold temperatures especially in winter.

Prisoners reported similar stories regarding the doctors' cooperation with the Israeli interrogators and soldiers. Such cooperation constitutes a continuation of the system of oppression affecting the detainee. Prisoner M.B. stated that during his arrest, his head was targeted in a brutal beating, while soldiers tightened his handcuffs resulting in acute aches and pain. The Al-Mascobiyeh doctor only provided him with generic pain killers without paying attention to the cuts and bruises resulting from the beating. Prisoner K.B., 27 years old, reported that he was run over and brutally beaten by a group of Israeli settlers. The ordeal left him in a coma. Consequently, he was transferred to an Israeli hospital. When he woke up the following day, he

27. Taken from an article by Mark Bowden from the Institute of Palestine Studies - Vol.15, No.57 - winter of 2004
28. The Dark Art of Interrogation - an article by Mark Bowden from the Institute of Palestine Studies - Vol.15, No.57 - winter of 2004 - page 46

experienced severe pains in his right hand, which was cuffed to the hospital bed. In addition, he couldn't clearly see due to swollen eyes that resulted from the beating. Once he was awake, the interrogation commenced immediately despite the fact that he was still under the effect of the anesthesia. He was later transferred to Al-Mascobiyeh and interrogated for 17 days. According to his affidavit to Addameer's lawyer, he was not granted access to a doctor for the duration of the interrogation, except for a dentist. He was only given painkillers after his continuous demands, despite his critical health condition. Of the detainees, 13.7% said the interrogators used their health conditions as a leverage to pressure them. For example, prisoner M.A., 30 years old, said that his medication was withheld from him to pressure him into confession.

Screaming and Cursing

Screaming and cursing are the most commonly used method to pressure the detainees during interrogation, with 95.9% reporting that they were screamed at and verbally humiliated with profanities insulting them, their families, and their private lives. All the detainees recounted in their testimonies that they were subjected to a plethora of profanities during interrogation, which played a decisive role in breaking their spirit and destroying their will. Prisoner H.M., 37 years old, notes that her interrogation lasted 22 days, during which one of the interrogators continued to scream very loudly directly in her ear. This resulted in extreme intimidation, and massive headaches.

Conditions of Cells and Answering Prisoners' Demands

> *"The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings."*
>
> Rule 5 of the Nelson Mandela Rules[29]

In 2017, the Center for the Defense of the Individual (HAMOKED) filed a complaint against the Israel Prison Service (IPS) regarding the conditions of incarceration in Al-Mascobiyeh interrogation center. In response, the chief of the National Prison Wardens Investigation Unit said that, after conducting a surprise inspection of the interrogation center, it appeared that HAMOKED allegations are unfounded[30].

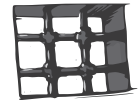
The response stated that the surprise inspection showed that each detainee in Al-Mascobiyeh received a collection of personal items, including toothpaste, a tooth brush, shampoo, two clean blankets, and additional items upon the detainee's request. Moreover, the response said that every detainee is allowed to receive certain items from his family. In case they do not receive them, they will be provided with a change of outer clothes, a change of underwear, socks, and a towel. HAMOKED stated that the response contradicts every statement and testimony obtained by HAMOKED and B'Tselem from children who were detained in Al-Mascobiyeh over various periods of time. The response also contradicts the archived testimonies in Addameer's records.

29. UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/A_ebook.pdf
30. A letter to HAMOKED on 23/2/2017 from the chief of the National Prison Wardens Investigation Unit

General Description of Cells

Below is a general description of the holding cells in Al-Mascobiyeh:

The cells are 2 by 2 meters [31] or a bit larger in size, with a 5-centimeter thick mattress on the floor, along with a water faucet and a hole in the ground for a toilet. The walls are prickly and grey, meaning that detainees are unable to lean on them and the cell is always lit with a yellow light. The cell is windowless and is equipped with an air conditioning unit that blows either very cold or very hot air. Around 68% of the detainees suffered from the temperature being either too high or too low in the cells. Prisoner M.B., 18 years old, suffered extreme exhaustion and fainted due to the excessive cold. As for cleanliness, the cells are dirty, and most mattresses are infested with insects that cause the detainees dermatological illnesses, and severe allergies. Prisoner A.D., 18 years old, described the living conditions in the interrogation center as very poor, with poor-quality food. He was held in different cells that were all small and dirty, without any windows or natural light.



Even though 87.8% of the prisoners in the sample were allowed access to the shower, the percentage does not reflect the actual conditions of the detainees in their quest to achieve their basic right to shower. Prisoner M.K., 27 years old, said he was allowed to take a shower twice a month, each for five minutes only. Plenty of the prisoners complained about the lack of hot water, and some – particularly female prisoners- complained about lack of privacy[32]. According to the percentages and the affidavits, most of the prisoners (75.3%) reported that they were provided with towels, soap, and toothpaste, while 60.3% said they were allowed a change of underwear, and 40% said they were allowed to wash their clothes.

31. The size of the cells vary according to the prisoners' testimonies, but most described the cells as 2x2meters or a little smaller.
32 . For further details, see the chapter on women detainees in Al-Mascobiyeh

Nonetheless, providing the prisoners with these items does not necessarily mean that they are not used to humiliate and pressure them. Over the course of 28 days, prisoner M.B., 18 years old, was provided with one change of underwear. After he complained to the representative of the Red Cross during a visit, he was provided with another change. Prisoner M.N., 20 years old, said he was provided with one change of underwear in 34 days. Prisoner H.Q., 28 years old, said that his experience in solitary confinement left him humiliated and helpless, which affected him negatively during interrogation. He was held in Al-Mascobiyeh for two full months, during which he was only allowed one change of outer clothes, as well as other items of clothing provided by the IPS, but no change of underwear. He was forced to wash his underwear in the sink of his cell, and wait for it to dry, despite the cold air coming from the cell's air conditioning unit.

Prisoners in Al-Mascobiyeh interrogation center suffer from malnutrition and an extremely poor quality of food. Even though the majority of the prisoners (87.7%) were served three meals a day, around 51.4% found the quality of the food to be poor, while 30% described the food as bad, 11.4% described the food as average, and only 4.3% described the food as good. Some prisoners reported that they were served raw rice, and chicken that had feathers stuck to it, while others found hair in their meals.

These factors work to impose a feeling of humiliation, oppression, and self-loathing among the detainees, as well as resulting in dangerous illnesses, infections, and chronic diseases. Around 41.4% of the detainees fell ill during interrogation due to the conditions of the cells, or because they were denied their basic human rights to physical wellbeing and cleanliness. The Israeli occupation thus does not adhere to articles 18 and 20 of the United Nations Standard Minimum Rules for the Treatment of Prisoners[33].

Unsystematic Interrogation and Pressure Methods

In addition to the abovementioned methods of torture and demeaning the detainees during their stay in the interrogation center, Shabak interrogators use additional cruel methods of interrogation that were systematically used by interrogators before the Supreme Court decision of 1999. These methods are not practiced in a systematic pattern currently, but rather in random, individual cases. Nonetheless, the mere use of these practices constitutes a violation of the detainees' rights and international law.

33. Previous reference

Military Interrogation (Ticking Bomb)

The Israeli intelligence uses the term "military interrogation" to describe grave physical and psychological torture techniques that were banned in the Israeli Supreme Court ruling of 1999. However, the court ruling allowed for the use of military interrogation techniques in the case of a "ticking bomb" under the necessity defense, exempting the interrogator of any legal liability. Conducting a "military interrogation" requires the approval of Shabak director. Live testimonies of prisoners collected by Addameer over the years show that the Israeli interrogators resort to extremely cruel methods of physical and psychological torture to extract confessions from the detainees during the military interrogation sessions.

Prisoner R.M., 23 years old [34]

In January of 2016, prisoner R.M. was subjected to a session of military interrogation[35], during which he faced extreme methods of torture that left behind long-term effects on his physical and psychological wellbeing. The prisoner, who is currently incarcerated in Ofer military prison, suffers from difficulties in mobility, and severe back pain.

He endured 22 consecutive days of interrogation, in which he was placed in a stress position with his hands tied behind his back in a chair from 7 in the morning to 9 at night, was sleep deprived, and threatened with the arrest of his family and harm against them. He was also threatened with administrative detention, and high jail sentences ranging from 10 to 12 years if he did not confess. He was led into various interrogation rooms while the interrogators deliberately kept him blindfolded, as to achieve maximum psychological intimidation before the start of the military interrogation. He was taken into a room with a chair set at a steep angle with a glass of water in front of the chair, and blankets on the floor. On the table there were metal shackles for the hands, and one for the feet with a 50 centimeter chain. He was then blindfolded and was informed that he will be facing a military interrogation.

34. It is duly noted all affidavits, detailed records of prison visits, and surveys are preserved in Addameer.
35.

Methods of torture practiced against Prisoner R.M.

Full duration of the interrogation session: 9 hours

- **Squatting:** R.M. was ordered to alternate between a squatting position and standing upright, after which he couldn't stand**. Duration: 15 minutes**
- **Lifting the detainee up and down:** the interrogators held him under his armpits and started lifting him up and down: **Duration: One hour**
- **Positional torture - stress position in a chair, accompanied with assault:** He was shackled to the chair while the interrogators hit and punched him. **Duration: One hour.**
- **Banana stress position:** One interrogator sat in front of him and held down his legs, while another interrogator pulled his upper body to the back until his head and upper body were below the chair but prevented him from falling over. A third interrogator near him would prevent him from sitting up or raising his head. In his testimony, he said that he was screaming from the pain of the position. **Duration: Two hours.**
- **Stress position in a chair with hands cuffed to the back:** This stress position entails both arms being tied and pulled up behind the back while sitting in a chair. This position causes severe pain in the shoulders. **Duration:** the arms were pulled for ten minutes at a time, with a one-minute break in between, for an hour.

His hands were cuffed behind his back, and he was placed on the floor with pressure applied to his abdomen in order to pressure the already tightened handcuffs. Simultaneously, the interrogators assaulted him by kicking his shoulders.

The interrogators placed him on his back on a blanket on the floor with his legs bound in metal shackles. One interrogator leaned on his chest while another leaned on his legs to render him immobile. A third interrogator stomped on the shackles on his legs and further tightened them around his ankles, while two interrogators would each press one leg. R.M. said that he felt the shackles scraping the bone while experiencing excruciating pain.

Pressuring the detainees to cooperate with Israeli intelligence

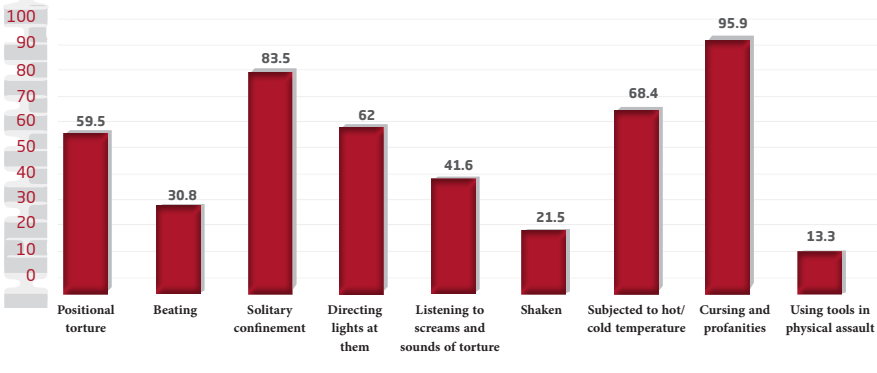
A total of 15.4% of the detainees said that interrogators offered them the opportunity to cooperate in the collection of information from their neighborhoods and place of work. The recruitment process of the detainees during interrogation is utilized as a tool to add psychological pressure, terrorize, and exchange the detainee's cooperation for better conditions, reduced sentences, and faster processing of his file. Prisoner A.Z., 18 years old, said the commander of the area interrogated him, and asked him to exploit his job as a driver to collect information from his surroundings.

Shaking

Shaking is considered the most violent and dangerous practice of interrogation. Such a technique resulted in the death of prisoner Abdul Samad Hureizat in Al-Mascobiyeh in June of 1995 after he had been shaken for 25 consecutive minutes by four interrogators[36]. This practice can lead to nerve damage and internal bleeding in the skull, resulting in severe injury or death. The information indicates that 21.5% of the detainees were subjected to shaking during interrogation, though the interrogators only use it for short periods of time to fend off possible damages. Prisoner F.M., 40 years old, said he had been shaken with several interrogators holding him by the shoulders and shaking him for 30 seconds at a time in multiple sessions.

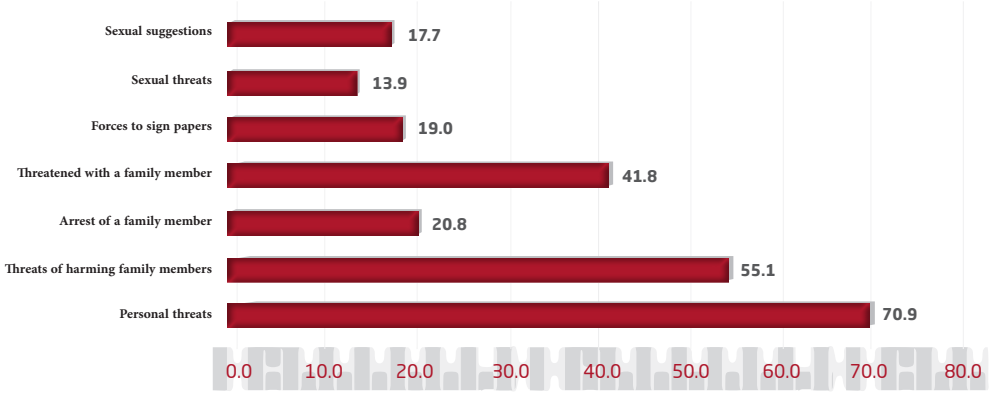
Charts of Methods of Torture and Inhumane Treatment documented in Al-Mascobiyeh Interrogation Center

Percentage of Al-Mascobiyeh detainees subjected to forms of physical and psychological torture (1)

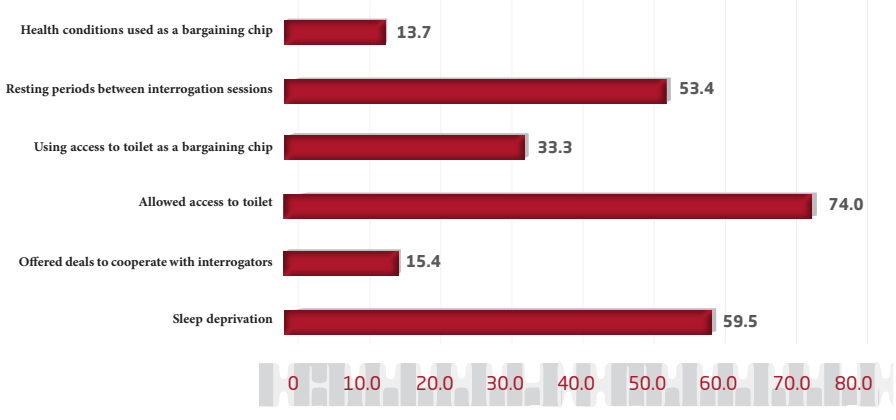


36. News website Donia Al-Watan citing the Palestinian committee of Detainees and Ex-Detainees reporting on the twentieth anniversary of the death of Abdul Samad Hreizat, 25/4/2015 - see link: https://www.alwatanvoice.com/arabic/news/2015/04/25/704109.html Date of access:5/1/2018

Percentage of Al-Mascobiyeh detainees subjected to forms of physical and psychological torture (2)



Percentage of Al-Mascobiyeh detainees subjected to forms of physical and psychological torture (3)



Female Prisoners in Al-Mascobiyeh Interrogation Center

Female prisoners suffer from cruel and inhumane conditions during their arrest, including complete inconsideration for the detainees' right to physical safety and privacy, as well as their gender-based needs. Despite the small number of female prisoners in the sample interviewed for this study, Addameer's accumulative expertise in this field has shown that the documented Israeli policies used against Palestinian women during interrogation stand in blatant disregard of all international conventions and declarations, especially the Bangkok Declaration.

The prisoners are denied their right to know the reasons behind their arrest upon their arrival in Al-Mascobiyeh, and are also denied an explanation of their rights during arrest. They are mostly denied the right to meet an attorney, and are detained for days or months in interrogation where they are subjected to torture and mistreatment. The methods of torture and mistreatment practiced against Palestinian women prisoners cause them severe physical and psychological suffering. Such methods include prolonged solitary confinement, which gravely affects the mothers, who experience the anguish of not communicating with their children and checking up on them. This stands in clear violation of Article 26 of the Bangkok Declaration, which states that "women prisoners' contact with their families, including their children, their children's guardians and legal representatives shall be encouraged and facilitated by all reasonable means[37]." Most of the mothers who were interrogated were subjected to the threat of the interrogators using their children in order to attain a confession. Prisoner R.A., a mother of two daughters and a son, said that the interrogator threatened to arrest her 14-year old son and prevent him from continuing his studies if she did not confess.

The prisoners also suffer inhumane incarceration conditions, including being blindfolded, handcuffed, and being deprived of sleep, food, and water. In addition, they suffer from medical neglect and injuries during arrest[38]. Prisoners are also denied access to the toilet for prolonged periods of time, as well as being prevented from changing their clothes for days or weeks on end, assuming that they were even allowed to shower. Most of the female prisoners refuse to shower due to lack of privacy and the presence of surveillance cameras in the shower areas. Prisoner D.A., 38 years old, refused to shower for her entire stay in Al-Mascobiyeh because of the cameras.

The female prisoners are also subjected to positional torture as they are forced into stress positions in a chair. Additionally, as is the case with other prisoners, they are subjected to screaming, and verbal abuse. Women also suffer from sexual harassment, whether verbal harassment via sexual suggestions and gestures, or conducting close-range interrogation. 13% of the women prisoners reported being interrogated in such a way that the interrogator leaves zero personal space between them.

37. See The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders: https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/65_299_Arabic.pdf
38. See Addameer's Annual Report of violation of Palestinian Prisoners' Rights in Israeli Prisons in 2015 - page 85

All the female prisoners in the sample reported that a female Israeli soldier was present during the interrogation, but did not play an effective role other than a legal formality to meet the requirements of the interrogation. Most of the detainees were strip searched by Israeli female soldiers upon their arrival in the interrogation center. Such searches are a random, arbitrary, and provocative measure, particularly in a conservative society such as Palestine[39]. The Israeli occupation continues to cross all red lines without acknowledging any limitations. The right to privacy is virtually non-existent for Palestinian female prisoners, with cameras covering numerous holding rooms, incarceration cells, and even parts of the toilet. This prevents the prisoners from exercising their basic rights, such as changing their clothes or using the toilet.

Prisoner S.A. narrates her interrogation experience in Al-Mascobiyeh, during which she was placed in stress positions, as well as being subjected to profanities, and prolonged interrogation sessions especially in the late hours of the night, in violation of international law. She received death threats, suffered from sleep deprivation, and was threatened with the arrest of her family members. She was also banned from meeting with an attorney for 18 days. The prisoner reports her experience as follows:

> "When my interrogation was over that day, the interrogator "Rino" told me that he will stay with me all night. He then handcuffed my hands to the chair behind my back while I was sitting down"

I was in that position from 22.00 until 4.30 in the morning. After that, I was led back to the cell for around three hours before I was taken back to interrogation. During the nightly positional torture, every time I closed my eyes when I was sitting in the chair, the interrogator would hit the table or scream. Interrogation sessions with Rino lasted all night. In the morning, they would lead me back to the cell for two or three hours before the interrogation started all over again, lasting all night. After that I would spend a night in the cell and the cycle would continue through all hours of the day; interrogation during the day and positional torture during the night, along with interrogation at night in the cell."

The prisoner added about being harassed by the interrogators: "the conditions of the interrogation included constant screaming and profanities, while the interrogators would intentionally leave zero space between us; every time I would pull my head back, they would get closer. If I turned my head to the left or right, they would get closer as they surrounded me from three directions. This lasted for about an hour and then I was transferred to a regular interrogation room where interrogator Saji started a new interrogation process. I also spent that night placed in a stress position in a chair. Two days later, I was again given a polygraph test and the session was full of screaming and profanities. After that, I was taken to interrogation with interrogator Saji; that session lasted till around 22.30-23.00 at night before I was led back to the

39. According to the prison regulations, this form of inspection can only be conducted in exceptional circumstances. International conventions, particularly Rules 19 and 20 the Bangkok Rules prohibit any degrading inspection of female prisoners.

cell. The following day involved the same thing: interrogation from morning till night with short breaks, and interrogation accompanied by positional torture during the night. I was taken back to the cell for three hours before it continued."

Prisoner H.M., 37 years old, described being sexually harassed during one interrogation session, which she described as the most difficult one she experienced during her 22-day stay in Al-Mascobiyeh. The interrogator placed his chair so close to the interrogation chair that he was touching her.

More than a third of the women in the interviewed sample had their menstruation period during interrogation. Prisoner S.A., 21 years old, said that the worst days of the interrogation coincided with her suffering PMS pains. The interrogators deliberately waited a long time before providing her with pain killers, which exhausted her physically and psychologically. Prisoner R.A., 19 years old, said that her health condition deteriorated during her arrest because she was left outside in November before she was transferred to Al-Mascobiyeh. The female soldier who was present during the arrest did not pay any regards to her condition, even though she told them that she was suffering from menstruation pains and was feeling extremely cold. The conditions inside Al-Mascobiyeh solitary confinement cells were not any better. The prisoner suffered from extreme cold conditions accompanied with head pain and abdominal aches.

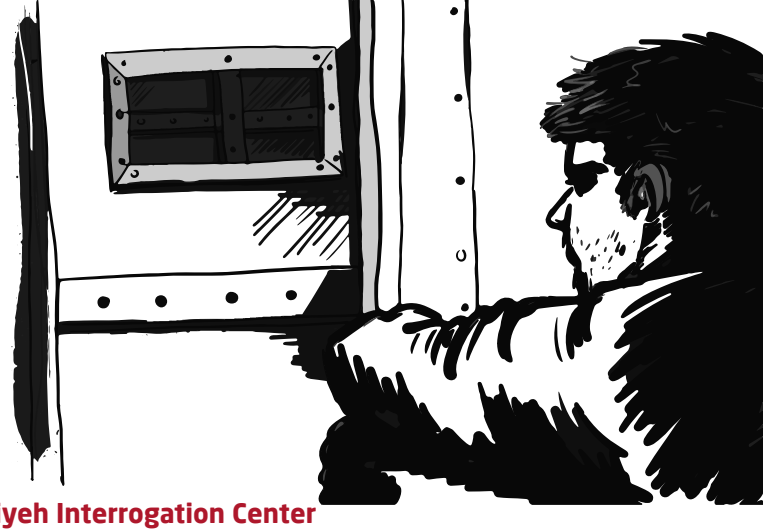
Psychological Effects of Al-Mascobiyeh Interrogation Experience on the Detainee

Being held in Al-Mascobiyeh interrogation center leaves a grave psychological effect on the detainee, distinct from other interrogation centers or police station. This is due to the notorious notion that extremely cruel interrogation methods are practiced in Al-Mascobiyeh, as well as associating Al-Mascobiyeh's name with fear and terror since it was previously referred to as "the slaughterhouse".

Following release, the detainee suffers from post-interrogation trauma, which can develop into a medical condition if not properly addressed. Such effects can be overcome after a certain period of time, depending on the awareness of the family, the environment and the original condition of the detainee. Some detainees, especially those who are placed in solitary confinement during interrogation, suffer from dissociative disorders, resulting in a disruption of normal physical and mental conditions. If aggravated, this could lead to depression, anxiety, stress, and post traumatic stress disorder, rendering the detainee in dire need of treatment[40].

A study conducted by Dr. Ferdous Abed Rabbo on interrogation methods in Israeli arrest centers concluded that 13 out of 15 detainees, who suffer from torture, experience long-term psychological, social, physical, and sexual effects. The results of this study are similar to others studies and literature in the field[41].

40. Ferdous Abed Rabbo Al-Issa: Methods of Interrogation in Israeli detention centers between the use of psychology theories and ethics - previously mentioned reference
41. Previous preference



Children in Al-Mascobiyeh Interrogation Center

> "The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration."
>
> Principle 2 - Declaration of the Rights of the Child of 1959

Based on the surveys and the affidavits of children, it is evident that the Israeli occupation does not hesitate to use brutal force during the arrest and kidnapping of children, which occurs without informing their parents of their location. The children's houses were raided without arrest warrants in the middle of the night in order to terrorize them and their families. In addition, the children were subjected to insults inside the military vehicles, as well as being cursed at, abused, humiliated, and sexually threatened. The children were also left outside for long hours without any regards to their health or the extreme weather. Around 47.8% of the children in the sample stated that they were beaten during the arrest. Child A.D., 15 years old, was arrested around 2.00 in the morning when an Israeli army unit surrounded his house, and banged on the door. His father opened the door to around 15 soldiers who rushed into the house, as well 10 people in civilian clothing; they broke into his room while he was asleep, and took him without allowing him to say goodbye to his family. He was immediately dragged outside the house where a soldier tripped him, causing him to fall on the ground. At once, the soldiers bound his arms in plastic handcuffs, tightened greatly behind his back.

The interrogators do not distinguish between minors and adults in the interrogation process. Children from all throughout the Palestinian territories are subjected to verbal abuse, beatings, threat of the arresting of their family members, and promises of fake deals as a form of coercion. Around 45.5% of the children were placed in stress positions in a chair, while 40.9% were threatened with potential harm to their family.

In most cases, the Israeli forces did not allow the parents of the children to be present during the interrogation, in violation of the Israeli law and international laws. International law states that the best interests of the child must be taken into consideration[42], that no child shall be deprived of his or her liberty unlawfully or arbitrarily[43], and that the arrest, detention or imprisonment of a child shall be used only as a measure of last resort and for the shortest appropriate period of time[44]. Despite this, the Israeli occupation continues to act in a manner contrary to its international obligations under the Convention on the Rights of the Child, the standards stated in the Universal Declaration of Human rights, and the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment. The Israeli occupation blatantly violates all minimum standards for the protection of children during detention. This includes their right to prompt access to legal and other appropriate assistance according to Article 37-D of the Convention on the Rights of the Child, the right of every child deprived of liberty to be treated with humanity and respect, and the right not to be subjected to torture or degrading treatment according to Articles 37-C and 37-A of the same Convention. Moreover, Articles 2, 6, 19, 24, and 28 of the Convention on the Rights of the Child ensure the protection of all children against all forms of psychological and/or physical violence.

Articles 25 and 26-I of the Universal Declaration of Human rights, as well as Articles 24 and 28-1 of the Convention on the Rights of the Child, secure children's full rights to the highest attainable standards of living adequate for their health and wellbeing, including their social, economic and cultural conditions, as well as their right to adequate housing, medical care, education, and the right to grow up among their family members.

Effects of Detainment on Children [45]

From a scientific and developmental standpoint, specialists in the psychology of traumatized children believe that a child who has experienced arrest, interrogation or abuse has been subjected to conditions that can affect their behavior. As a result of such trauma, a child's behavior can be characterized by agitation, over reaction, rebellion, and indifference to their surroundings. Traumatic experiences in the early stages of a child's life increases the probability of suffering psychological and

42. Second principle of the Declaration of the Rights of the Child
43. Article 37-B of the Convention of the Rights of the Child
44. Previous reference
45.Interview with Wisam Sihweil from the rehabilitation center for torture victims in 13/12/2016

behavioral disorders in adulthood[46]. According to psychologists from the Rehabilitation Center for Victims of Torture, a child develops a balanced personality at this stage; an arrest disrupts the character building process when the child loses the sources of protection and trust as he is forcibly removed from his family, causing his alienation from his family and community.

Children are considered to be one of the most vulnerable groups when it comes to torture and degrading treatment. Exposure can result in long term consequences, depending on several factors. These include the following.[47]:

- **First - the element of preparation:** torture is an extremely complex source of trauma. It can be defined as a sudden, unexpected event that exceeds the ordinary human experience, which ultimately results in negative reactions and symptoms. These symptoms can be temporary, or potentially lead to disorders.

- **Second - personal factors:** referring to the factors relating to gender, age, and education level. Children are the most vulnerable to the various interrogation methods and leading questions due to a lack of experience in handling and processing traumatic events. Such susceptibility includes the potential to be misled and deceived by adults. Research indicates that there is an acute difference in the awareness and maturity levels between children, teenagers, and adults, especially in regard to decision-making process. Decision-making, as well as awareness of the nature of interrogation and arrest, are subject to various psychological, cognitive, and analytical factors.

- **Third - Trusting Tendencies:** Children have a tendency to absolutely believe figures of authority, like fathers, teachers, or police officers. In everyday life, children and teenagers mostly operate within frameworks governed by authoritarian adult characters, where they tend to follow the paths set by their father, family, or extended family, especially within a patriarchal society. Consequently, in an abnormal occurrence, like interrogation, children may not have the free choice to fight against demands, directives, or coercion against them.

46. Previous reference
47. Previous reference

Beyond Interrogation Rooms

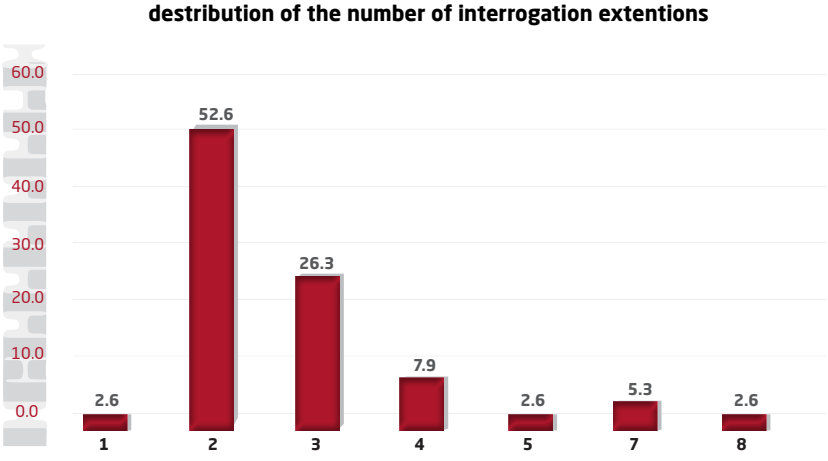
The interrogation and inhumane treatment practiced against Palestinian detainees inside the halls of the interrogation center are not exclusively carried out by the interrogators. Rather, they represent part of a unified, systematic policy practiced by the Israeli occupation at all levels, including the executive, legislative, and judicial governmental branches to support the various intelligence agencies. The policy is integrated and comprehensive, operating mainly to instate an apartheid, racist system against Palestinian women, men, and children detainees, as well as pass legislation to this end.

On November 14 2016, the Israeli Knesset passed amendment 8 of the Criminal Proceedings Law in regard to detainees suspected of security offences. According to the amendment, the Israeli intelligence agency and police are exempted of their obligatory audio/video documentation of interrogations with Palestinian detainees charged with security offences. The bill was first passed in 2006 as part of provisions that exempted the obligation to videotape an individual's face during interrogation in the case of a person suspected of a security offence. Following that, the bill was altered by the passing of amendment 7 in 2015 and amendment 8 in 2016[48].

The military court is an extension of the Israeli interrogation system with the Shabak holding extensive influence and power, as reflected in court rulings and legal proceedings. Military courts, operating within Al-Mascobiyeh, hold hearings during the interrogation process, before referring the detainees' files to the prosecutors. Addameer's lawyer asserted that the main purpose of these courts is cracking down on the detainees on the one hand, and facilitating the work of the interrogators and the prison administration on the other. These courts contribute to the continuation of the interrogation process without interrupting or wasting the time of the interrogators by transferring the detainees to military courts outside Al-Mascobiyeh during interrogation. Those courts usually handle extension of detention hearings along the lines of the years-long established pattern of approving the interrogators' detention extension requests, thus giving them one chance after the other to coerce confessions out of the detainees.

The courts follow an unwavering approach to dealing with the detainees during interrogation by presuming them as guilty prior to the conclusion of the interrogation period. Such a decision is in stark contrast to legal norms of 'innocent until proven guilty'. Judges in the military courts view statements and evidence submitted by the interrogators against the detainees as unquestionable truths. Such an approach explains the small, non-existent percentage of the detainees released during interrogation.

48. Penal Code (suspect interrogation) of 2002 – To view the complete code in Hebrew, read: https://www.nevo.co.il/law_html/Law01/999_542.htm



On the other hand ,the judges do not respond to detainees 'statements against interrogators before the court ,especially when they are subjected to violations during the interrogation .The courts reject or neglect the majority of complaints and appeals regarding the interrogators 'violation of the detainees 'basic rights ,the conditions of the arrest and the cells ,or the illnesses that befall the detainees during interrogation. This contradicts the supposed role of the court as a monitor of the interrogation process ,especially with the limited power of the defense attorney in terms of viewing the material and plans of the interrogation .The defense lawyers have limited access to the detainees in terms of visitation ,and the delivering of legal assistance .Thus ,these courts represent something of a sham formality where the judge and the executioner are the one and only ,violating the detainee's right to a fair trial.

In terms of proceedings, the court grants the maximum duration of extension of detention (15 days) for the first request in all cases in order to carry out the interrogation, based on the charges filed against the detainee, and the interrogators' submitted interrogation plans[49]. The second request for extension of detention depends on the developments in the detainee's case, including a confession, or a claim of new evidence that can alter the course of the interrogation. This operating procedure infringes on the right to review all material relating to the detainee, the right to sufficient time to facilitate defense preparation, the right to equal standing before the law, and the right to a fair trial within a reasonable time frame.

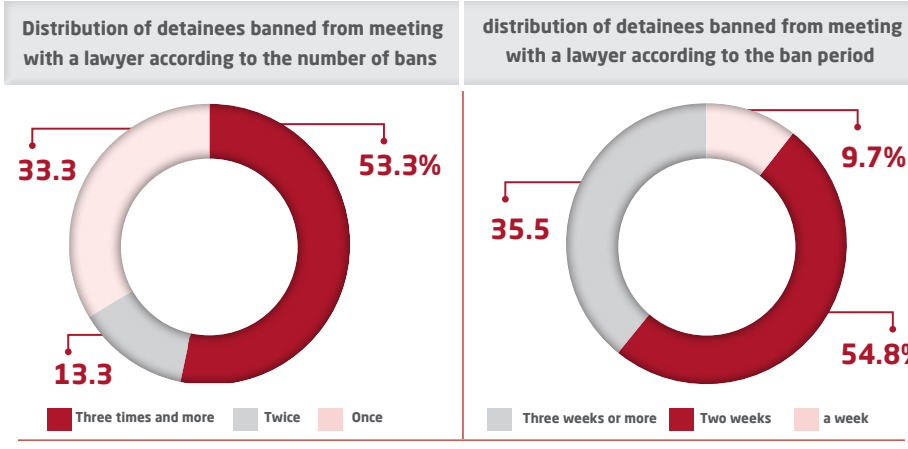
49. The interrogation plan includes the number of days the interrogator requires to extract information from the detainee, as well as the methods use for extraction of information or confessions. The interrogators present in their plans the interrogation material that can be divided into direct interrogation with the detainee, and indirect interrogation (collecting information from a third party, instruments that require reviewing..etc)

Ban on Lawyer Visits

The law allows a 60-day ban on lawyer visits during the interrogation process. According to the sample, 54.7% of the detainees were banned from meeting with an attorney during interrogation; 35.5% were banned for three or more weeks; 54.8% were banned for two weeks; and 65.9% were not notified that they were banned from meeting with an attorney.

According to one of Addameer's lawyers, the ban on attorney visits has recently become a systematic policy, without distinction between the nature of the charges against the detainees. This policy exerts undue pressure against the detainee by isolating them, not only from his surroundings and his family, but also his lawyer. For an individual under interrogation, their lawyer represents the only means for them to contact the outside world, and their sole advocate. Contacting an attorney, especially in the early days of the interrogation, provides psychological support to the detainee, raises their moral, reassure them regarding the state of his family, as well as providing them with legal support and counseling during interrogation. Such advice includes providing the detainee with details on their basic rights, including the right to remain silent.

Solitary confinement infringes on the detainee's right to contact the outside world, including their family, attorney, doctors, and representatives of international organizations such as the Red Cross. Establishing a line of communication with the outside world helps in protecting the detainee from acute human rights violations like torture, disappearance, and mistreatment. Addition, it assists in providing a guarantee of a free trial. The UN Human Rights Committee asserted that "prolonged solitary confinement facilitates torture, and is considered a form of cruel, degrading, and inhumane treatment in of itself." This statement came in response to an examination of the laws in Peru, which allow solitary confinement of a detainee for up to 15 days.



Conclusions and Recommendations

Conclusions:

- The Israeli occupation forces, in particular the army, routinely resort to an unnecessary and unjustified excessive use of force in violation of international norms and law. Such practices represent the ignoring of human rights in the pursuit of psychologically pressuring detainees.

- The Israeli Supreme Court ruling of 1999, which banned Shabak interrogators from using torture and inhumane treatment against Palestinian prisoners except in the case of a "ticking bomb" scenario, is not in keeping with international law and does not coincide with the absolute irrevocable international ban on torture.

- The Israeli High Court ruling in the As'ad Abu Gosh vs. the Attorney General case legitimizes the utilization of torture against the Palestinian detainees. This decision from the Israeli High Court reaffirms that Israel is above international law.

- The study found that Palestinian detainees and prisoners who have been interrogated in Al-Mascobiyeh lacked basic legal protection, as provided by international humanitarian and human rights law, for individuals deprived of their liberty as stated in customary international humanitarian law, the third and fourth Geneva Conventions, and numerous human rights agreements,

especially the Convention against Torture of 1984, which Israel ratified in 1999.

- The study found that Palestinian prisoners of all genders and age groups who are subjected to interrogation in Al-Mascobiyeh continue to be subjected to numerous forms of torture, and cruel and degrading treatment in attempts to systematically coerce confessions and extract self-incrimination. These practices are grave violations of the fourth Geneva Conventions and its additional protocol of 1977, amounting to torture. Such practices qualify as a war crime as stated in international humanitarian law and international criminal law, specifically Article 8 of the Rome Statute.

- Despite the fact that Shabak interrogators directly practice the policy of torture, and cruel and degrading treatment against Palestinian detainees in Al-Mascobiyeh interrogation center, various other branches of the Israeli government also contribute to and facilitate the work of Shabak. The arresting officers assault the detainees, physically and psychologically wearing them down prior to their arrival in the interrogation center. Doctors in Al-Mascobiyeh are also complicit in this process.

- The judges presiding over detention hearings extend interrogation periods in service of the interests of the Shabak until confessions are obtained.

- Guarantees of a fair trial are lacking for extension of detention hearings held in Al-Mascobiyeh interrogation center since the defense lawyer is not allowed to review the secret interrogation file presented to the judge as evidence against the detainee.

- With Palestine joining the International Criminal Court, and the Rome Statute entering into force on April 1, 2015[50], a new phase of prosecution and legal accountability against those responsible for crimes of torture against Palestinian detainees. Through the utilization of such instruments there is potential to facilitate deterrence, and end the policy of impunity amongst Israeli state institutions. Thus Palestine's ascension to the Court is an opportunity to attain justice for the Palestinian victims of torture, and to achieve justice.

50. Legal overview of the Palestinian decision to join the International Criminal Court - Al-Haq 2015

Recommendations

In light of the findings of this study, as well the abovementioned conclusions, Addameer presents the following recommendations:

- Addameer emphasizes the need for international accountability for those who are involved in acts of torture. Accountability does not only fall on those who carry out the act directly, but also on those issuing orders, or being aware of and overlooking the crimes of torture and degrading treatment. In addition, Addameer recommends establishing a system of financial compensation for the victims based on Article 75 of the Rome Statute, and Article 14 of the Convention against Torture. Moreover, Addameer recommends establishing an effective protection system that guarantees the detainee's right to disclose the details of their experiences without any threats against their right to freedom and physical wellbeing.

- Addameer recommends that the Palestinian Authority and Palestinian civil society submit a detailed report to the Prosecutor of the International Criminal Court on the methods of torture practiced in the Israeli prisons and interrogation centers, especially Al-Mascobiyeh.

- Addameer recommends that Palestinian civil society organizations prepare a shadow report on torture in Israeli interrogation centers prior to the upcoming review of Israel's compliance with the International Convention against Torture in 2020.

- Addameer recommends the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories use his power to inquire on the methods of torture practiced in Israeli interrogation centers, and include his findings in one of his reports to the UN Human Rights Council.

- Addameer recommends the Palestinian Authority - after having joined the Convention against Torture – introduce changes to the penal code currently in force in Palestine in accordance with the Convention with the aim of holding Israeli war criminals accountable for crimes of torture under state jurisdiction, as stated Article 5 of the Convention against Torture.

designed and printed by

ADDAMEER Prisoner Support and Human Rights Association:

ADDAMEER Prisoner Support and Human Rights Association is a Palestinian non-governmental, civil institution that works to support Palestinian political prisoners held in Israeli and Palestinian prisons. Addameer was established in 1992 in Jerusalem by a group of human rights activists that support prisoners and work to end torture and other violations of prisoners' rights through monitoring, legal procedures and solidarity campaigns.

Addameer enjoys the support of a volunteer body called "Addama'er", which believes in Addameer's goals and participates in the activities held by the association. They also work in supporting it financially and morally.

Addameer is an executive member in the Palestinian NGO Network, the Palestinian Human Rights Organizations Council, the regional and local Coalition Against Death Penalty, and the International Coalition Against Torture.

Addameer believes in the universality of human rights that are based on respect for human dignity, and their complete and equal application according to international conventions and norms.

Addameer also believes in the necessity of building a free democratic Palestinian society where justice, equality and law prevails as well as respect of a person's right to self-determination.

Objectives:

- End torture and other forms of cruel, inhuman and degrading treatment inflicted upon Palestinian prisoners.
- End arbitrary detentions and arrests; abolish the death penalty; and guarantee fair, impartial and public trials.
- Support political prisoners and prisoners of conscience by providing them with legal aid and social and moral assistance and undertaking advocacy on their behalf.
- Push for legislations that guarantee human rights and basic freedoms and ensure their implementation on the ground.
- Raise awareness of human rights and rule of law issues in the local community.
- Ensure respect for democratic values in the local community, based on political diversity and freedom of opinion and expression.
- Obby for international support and solidarity for Palestinians' legitimate rights.

Addameer Programs:

- Legal counseling program: Provision of free legal representation and advice to hundreds of Palestinian detainees and their families through following cases of torture, court sessions, regular visits and legal guidance.
- Documentation and Research program: Documentation of the violations committed against Palestinian detainees and monitors their detention conditions through regular prison visits, and collects detailed statistics and information on detainees, which serve as the basis for its annual and thematic publications.
- Advocacy and Lobbying program: Addameer's Advocacy Unit leads several activities and campaigns locally, regionally and internationally in cooperation with numerous solidarity groups that support the prisoners' cause and their freedom
- Training and Awareness program: Meetings with different sectors are held within this program in order to raise awareness about prisoners' rights. In addition, Addameer holds training sessions to strengthen human rights awareness and to increase the role of youth in protecting human rights through "Addama'er" program.

Contact us:

Tel: + 972 (0)2 296 0446 / + 972 (0)2 2970136, Fax: +972 (0)2 296 0447
Email: info@addameer. ps www. addameer. org
P. O. Box 17338, Jerusalem
Address: Ramallah, Al-Masyon, Mousa Tawashah St., Sebat Bldg., 1st Floor, Suite 2, Ramallah