

International Torture Day



26 June 2018

As the United Nations and the world commemorates the International Day in Support of Victims of Torture on 26 June 2018, Addameer stands in solidarity with Palestinians prisoners who have suffered the devastating effects of torture and ill-treatment and unequivocally condemns all forms of such treatment occurring in Israeli prisons, interrogation facilities, and detention centers.

The right to be free from torture is a fundamental and non-derogable right, guaranteed to all human beings, regardless of detention status. As a state-party to the most essential conventions and treaties protecting this right, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and especially, the United Nations Convention Against Torture,^[1] Israel is under an unquestionable international legal obligation to ensure that all prisoners are free from torture, and cruel, inhuman and degrading treatment or punishment.^[2] Furthermore, under IHL torture is considered a war crime and can amount to a crime against humanity if it is widespread and implemented systematically.

after Israeli occupation forces arrest a person, detainees typically are not informed of the reason for their arrest and neither they nor their families are informed where they will be taken. Detainees may be kept waiting, standing or kneeling for long periods of time before being thrown on the floor of a military jeep, sometimes face down, for transfer to an interrogation center. During the transfer, which can take up to several hours, the abuse continues and usually takes the form of beatings, insults, threats and deliberate humiliation.

On arrival to an interrogation and detention center, the detainee is either placed in a cell, often in solitary confinement, or taken straight for interrogation. During the interrogation period, he/she is typically subjected to some form of either physical or psychological cruel, inhuman or degrading

treatment. The methods of ill-treatment most frequently alleged to be used during interrogation include:

- **Usual methods:** sleep deprivation by means of continuous and prolonged interrogation sessions, excessive use of handcuffs for extensive periods and their tightening to cut off circulation; beatings; slapping; kicking; verbal abuse and intentional humiliation; and the use of threats directed at the detainee or a family member, including threats of arrest of a family member, threats of sexual assault against the detainee or his/her family member, threats of house demolitions, and threats of killing.
- **"Military Interrogation Techniques"** used in "ticking bomb" cases and justified under the banner of "necessity defense": the use of painful stress positions, where the detainee is bent backwards over the seat of a chair causing back pain, or forced to stand for prolonged periods against a wall with bent knees; pressure applied to different parts of the body; strong shaking of the detainee; strangulation and other means of suffocation.
- **Inside the cells:** long periods of solitary confinement in small, windowless and, often, cold cells; sleep deprivation; deprivation of the right to basic hygiene products.

The use of acute physical pressure has been replaced with more psychological means since the **1999 High Court ruling** in 'The Public Committee Against Torture in Israel v. Government of Israel'. The decision placed certain restrictions on the use of torture during interrogation. However, under the court's decision, "moderate physical pressure" was allowed to be used based on the claim of "necessity of defense" and in "ticking time-bomb" cases. Despite the landmark court ruling, Israeli interrogators today continue to use forbidden interrogation techniques. As Israel can legally hold detainees incommunicado for up to 60 days, Israeli Security Agency (ISA) interrogators are able to use methods of torture with impunity.

Case Study

O. K. is a university student who was arrested from his campus in the middle of the day on 7 March 2018. He arrived at Moskobiyya interrogation center at around 10:00 pm. The name of the intelligence officer that followed up his file was "Foad". After having his rights read to him, and a short interrogation session, O. K. was transferred to a 2 by 2m cell. The cell included a mattress on the floor with a blanket and a hole in the ground as a toilet. The cell had a horrible smell and the AC was set at very low temperature.

O. K.'s mother was arrested after a week of him being under interrogation. When he knew that his mother was being interrogated as well, he felt pressured to confess to the charges against him. At this point, the interrogation sessions became much longer and O. K. was deprived of sleep. As a result, O. K. started an open hunger strike in protest of the conditions he was being held in. The hunger strike lasted for 13 days.

O. K.'s hands were shackled to the chair behind his back during all of the interrogation sessions. Each session lasted for 20 continuous hours without any breaks. This caused O. K. severe back and joints pain. O. K. was also banned from seeing a lawyer until 26 March 2018. After the interrogation ended, he was transferred to Ofer prison near Ramallah.

In summary, to commemorate this June 26 and to truly stand in solidarity with all Palestinian victims of torture, Addameer urges all to commit to taking action in order to end torture.

Addameer therefore strongly urges the international community, particularly the United Nations and relevant bodies and agencies, as well as all UN Member States to take note of these appalling practices and:

- Immediately diplomatically intervene with Israeli occupation authorities and pressure them to adhere to their international legal obligations.
- Support the creation of an independent monitoring and investigation body for all cases of torture and ill-treatment by Israeli occupation forces; and
- Follow individual cases of torture and ill-treatment against Palestinian prisoners and detainees and raise these cases with the relevant authorities.

Addameer further encourages individuals to take action in defense of all Palestinian prisoners, particularly including those subjected to torture and ill-treatment by Israeli occupation forces by:

- Contacting the Israeli occupation authorities to demand an immediate cessation of all prohibited methods of treatment, and accountability for all cases of torture and ill-treatment.
- Contact your own elected officials and urge them to intervene with Israeli occupation authorities on this subject.

[1]*The United Nations selected 26 June as its International Day in Support of Victims of Torture to mark the day that the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ratified by the necessary number of states and came into effect - 26 June 1987.*

[2]*Universal Declaration of Human Rights art. 5 (1948); International Covenant on Civil and Political Rights art. 7 (1976); Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987). 3 HCJ 5100/94 Pub. Comm. Against Torture in Isr. v. Israel [1999] IsrSC 53(4) 817.*As the United Nations and the world commemorates the International Day in Support of Victims of Torture on 26 June 2018, Addameer stands in solidarity with Palestinians prisoners who have suffered the devastating effects of torture and ill-treatment and unequivocally condemns all forms of such treatment occurring in Israeli prisons, interrogation facilities, and detention centers.
