

# Torture in Israel 2019: Situation Report

THE PUBLIC COMMITTEE AGAINST

# TORTURE

IN ISRAEL

## There's torture in Israel?!

Indeed. We at the Public Committee Against Torture in Israel, handle complaints of torture and cruel treatment; these complaints originate from ISA (Shin Bet) interrogees, prisoners in Israeli prisons, as well as victims of police and army brutality.

The High Court of Justice's landmark 1999 "Torture Ruling"\* led to a significant decrease in the number of people tortured by the Shin Bet. Yet this ruling also left many gaps and created a system allowing torture methods in interrogations to continue.

## Here are some of the torture methods currently in use in Israel\*\*:

**66%** of survivors reported the use of  
**Sleep deprivation**

**R.A. was arrested in 2017:** "I couldn't sleep because even when I was in my cell, they would wake me up every 15 minutes... I couldn't tell the difference between day and night... I still scream in my sleep."

**61%** of survivors reported the use of  
**Threats**

**M.H. was arrested in 2016:** "They said they would kill my wife and children. They said they would cancel my mother's and sister's permits for medical treatments."

**40%** of survivors reported the use of  
**Painful and prolonged shackling**  
**("stress positions")**

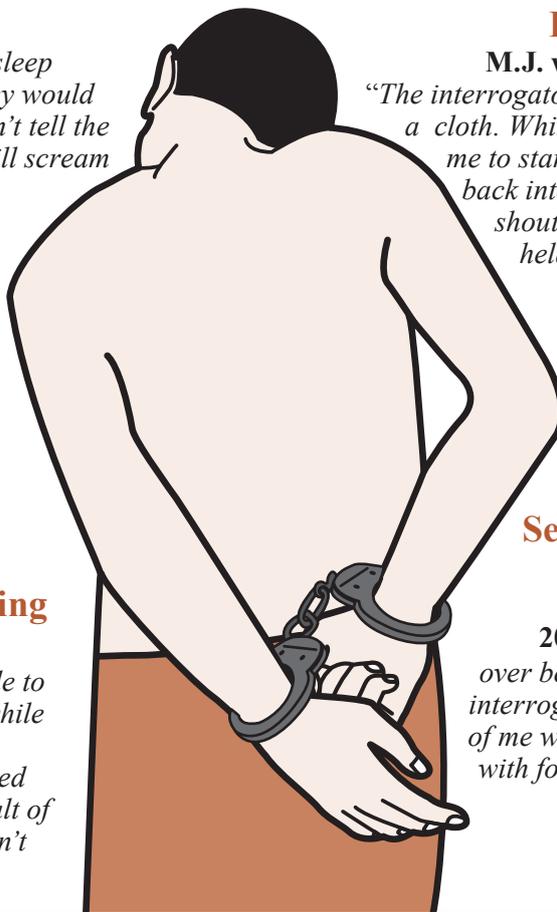
**D.K. was arrested in 2018:** "I was made to sit on a plastic chair fixed to the floor while my hands were cuffed to the back of the chair. The interrogation sometimes lasted 19 hours a day. I fainted twice as a result of sitting for such a long time, and I couldn't straighten my back"

**31%** of survivors reported the use of  
**Physical violence**

**M.J. was arrested in 2018:** "The interrogator blindfolded me with a cloth. While I was sitting he told me to stand, and then threw me back into the chair with force, shouted and beat me. I was held from both sides, one interrogator on each side, and was pushed into the wall."

**27%** of survivors reported the use of  
**Sexual harassment and humiliation**

**A.K. was arrested in 2018:** "Each time I bent over because of the pain, the interrogator standing in front of me would pinch my nipples with force, until I was forced to stand up again"



## Is this legal?

**Definitely not.**

Torture and cruel treatment are strictly forbidden, unreservedly and completely, both in international law and according to Israel's judicial system. Yet despite the State's repeated promises, the Knesset has yet to codify this prohibition in law.

\*HCJ 5100/94 the Public Committee Against Torture in Israel vs. the Government of Israel et al.

\*\*Out of 102 complaints of torture in Shin Bet interrogations filed by the Public Committee Against Torture in Israel over the last five years.



# Why isn't this torture and abuse stopped?

## A violent routine

The security system has become used to employing physical and psychological violence as a method. The judiciary branch has become used to backing up these violent tactics.

## Zero indictments

About 1,200 complaints alleging violence in Shin Bet interrogations have been filed since 2001 – and so far, **0** indictments have been brought. This is yet another illustration of the complete systemic impunity enjoyed by the Shin Bet's interrogators.

## Police brutality

Only **6%** of all complaints alleging police brutality investigated by the Police Internal Investigations Department have led to criminal indictments. **7%** are concluded with nothing but disciplinary proceedings. All other complaints are closed as is.\*

## Red tape and foot dragging

Handling one complaint alleging torture and abuse by Shin Bet interrogators takes on average 39 months.\*\*

## No documentation

Security interrogations in Israel are not recorded or filmed. As a result, the investigation of a complaint relies only on the interrogee's word against that of the interrogator.

\*According to data gathered by the Public Committee Against Torture in Israel over the last 5 years.

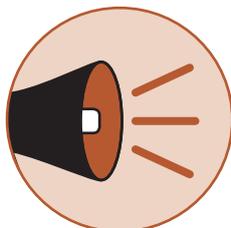
\*\*According to the Ministry of Justice's response of 11.10.2018 to a freedom of information request submitted by the Public Committee Against Torture in Israel.

## Why is this wrong?

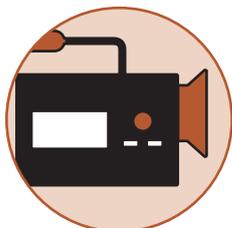
- **A sick society.** Torture is an indication of the moral state of any society. When torture is considered "business as usual," this is a marker for systematic abuse of human rights in other spheres as well.
- **Post-traumatic stress disorder.** Torture is one of the most traumatic experiences one can undergo, and its effect on the victims' life is long lasting. For example, 60%-87% of survivors suffer from chronic musculoskeletal pain. Many torture methods leave no physical scars, but "the size of the scars has no relation to the extent of the trauma"\*\*\*, and the scars in the mind are often deeper than the physical ones.
- **Imprisonment of innocent people.** Torture leads to false confessions, and therefore also false convictions. For this reason, some of the confessions of a suspect in the murder of the Dawabsheh family in Duma village were rejected by the court last year. Palestinians, however, are mostly tried in military courts. Unfortunately, the military court system does not comply with generally accepted legal standards.

\*\*\*Reyes, Hernán. (2007). The worst scars are in the mind: Psychological torture. International Review of the Red Cross 89.

## So what do we suggest?



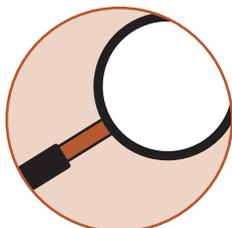
Raise our voice wherever we can: torture and cruel treatment are absolutely forbidden



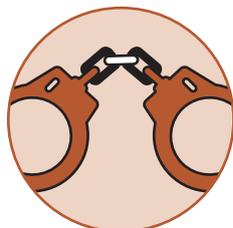
Document Shin Bet interrogations



Enact a law criminalizing torture



Investigate allegations of torture in a court of law



Punish severely those convicted of using torture and abuse

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