

TORTURE IN ISRAEL 2020: SITUATION REPORT

ABOUT 1,300 COMPLAINTS OF ISA TORTURE WERE SUBMITTED TO THE MINISTRY OF JUSTICE SINCE 2001, RESULTING IN 1 CRIMINAL INVESTIGATION AND 0 INDICTMENTS

**IS THERE TORTURE IN ISRAEL?
YES
INDEED.**

- * Every year, dozens of complaints are received by the Public Committee Against Torture in Israel (PCATI) alleging severe torture employed by the ISA [Shin Bet] interrogators.
- * In addition, the rights of prisoners, citizens and residents are routinely abused, in violation of the laws and standards which prohibit torture and ill-treatment.

**IS IT LEGAL?
DEFINITELY NOT.**

- * Torture and cruel treatment are absolutely prohibited, both by international legislation as well as Israeli law.

HOW PREVALENT IS TORTURE IN ISRAEL?

- * Each year, dozens of complaints are submitted, depicting violence and brutality inflicted in the course of arrest, detention, interrogation and imprisonment. Of these complaints, we estimate some **5-10%** amount to severe torture. When acts of torture take place as part of an ISA interrogation, the establishment refers to it as a "necessity interrogation".
- * The Ministry of Justice refuses to provide information regarding the number of so-called "necessity interrogations" approved by the ISA.
- * Testimonies indicate that the last 12 months have seen a sharp spike in the number of severe interrogations ("necessity interrogations"). In the passing year, more people were tortured in Israel than in any other year in the past decade.
- * At least **15** people were subjected to necessity interrogations between August and November 2019.

So why is torture still prevalent?

A legal loophole allows the security forces to use violent methods which, according to the establishment, "do not amount to torture". Even when the interrogation leaves subjects detainees in life-threatening condition, the methods are not viewed by the establishment as torture.

Israel has committed itself to passing a law criminalizing torture, but has failed to do so as yet. The legal loopholes, coupled with establishment backing of ISA, are a breeding ground for ever-escalating use of torture.

At least **2** women were subjected to "necessity interrogations" this year.

Mays Abu Ghosh, a 22-year-old student, was one:

"I can't give you a hug because my whole body hurts"

That's what Mays told her mother after three weeks of interrogation under torture. The experience transformed her so much that her parents didn't recognize her at first.

The methods of torture employed against her are typical to other "necessity interrogations":

- The "Banana" stress position
- Deprivation of access to toilets
- Curses and obscenities
- Slaps → Sexual harassment
- Threats → Sleep deprivation

* She was eventually sentenced to only 16 months of imprisonment. She was convicted of membership in an illegal organization (Democratic Student Group) and of participation in a 2008 conference on the Right of Return.



- * One of these people is **Samer Arbeed**:
- * His first interrogation lasted **30** consecutive hours
- * **6** of his ribs were broken and he sustained trauma to internal organs
- * he was rushed to hospital and was hospitalized in critical condition

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THE LONG AND WINDING ROAD TAKEN BY A TORTURE COMPLAINT SUBMITTED BY PCATI:



An attorney collects a testimony of torture

In some cases, the complainant undergoes assessment by health professionals based on the Istanbul Protocol, a set of UN-recognized rules and guidelines for documentation and identification of torture victims



A complaint is submitted to the Attorney General

It is then forwarded for preliminary review by the Investigator of Interrogatee Complaints (IIC), a unit in the Ministry of Justice



The IIC conducts an investigation

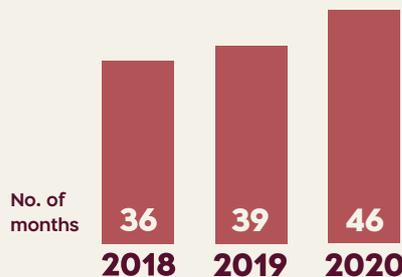
Usually launched many months after the incident of torture has actually taken place. Their response is delivered a staggering 46 months, on average, from the date of the original complaint (based on PCATI's data from the past 5 years).

Except for one incident which took place in 2015, the response is invariably the same: no evidence of torture was found; no criminal investigation is warranted.

WHAT ARE SOME REASONS FOR CLOSING THE EXAMINATIONS?

- * Time and time again, the IIC closes the examination arguing that the victim's version "could not be substantiated". Since there are no records or documentation of the interrogations, the investigation mainly consists of pitting the interrogatee's version against that of the interrogators. The IIC always accepts the interrogators' version.
- * The assessments of healthcare professionals accompanying the case are systematically ignored by the IIC, their weight of evidence rejected.

AVERAGE TIME IT TAKES THE IIC TO RESPOND TO A COMPLAINT OF TORTURE:



SO HOW DO WE STOP THE TORTURE? ↓

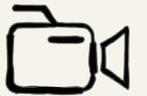


State loud and clear, in all possible platforms: torture and cruel treatment are wrong and prohibited, always and unconditionally

Pass anti-torture laws, as Israel has committed to doing



Record all ISA interrogations by camera



Prosecute and severely penalize those convicted of torture and ill-treatment



Adequately examine and adjudicate torture in a court of law



הוועד נגד **THE COMMITTEE**
לניווט **AGAINST TORTURE**
اللجنة لمناهضة التعذيب



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