



The Public Committee Against Torture in Israel

ANNUAL REPORT 2020

Preface: PCATI's work under the Covid-19 pandemic

The COVID-19 pandemic shaped much of the year 2020 in regards to health, freedom and mobility, which took a toll also on human rights work in the region. Yet, PCATI managed to keep up its work and fulfil its commitments

Starting with the first lockdown in mid-March 2020 PCATI saw the need to maintain flexibility and

CIDT Cruel, Inhumane and Degrading Treatment
HCJ High Court of Justice
IIC Inspector of Interrogee Complaints
IP Istanbul Protocol
IPS Israel's Prison Services
ISA Israel Security Agency (AKA Shabak)
ISF Israeli Security Forces
PIDI Police Internal Department of Investigation
VoT Victims of Torture

adjust its working methods to the new social distancing regulations in order to protect staff and clients' health. PCATI was able to quickly adjust and shift to working remotely: To ensure that beneficiaries and stakeholders can access our services and consultations, we directed callers to communicate directly with our legal team via emails and mobile phones, and remote access to our servers and resources was established for all of PCATI's employees.

The new challenges posed by the pandemic also opened new opportunities for NGOs and other actors to join forces and work together. In two instances, PCATI fought together with coalitions of NGOs against newly enforced regulations which infringed upon prisoners' rights under the pretext of health necessity, utilizing public advocacy, parliamentary work and legal action (see below). Similarly, PCATI was active in two NGO forums, established to promote shared causes and targets: the **Lobby Coalition** against the occupation and human rights violations in the occupied Palestinian territories, and the **Forum for Freedom of Protest** (see below). Both networks amplified PCATI's advocative and legal capacity, and allowed for a better, wider and more compatible protection of human rights.

On a general level and despite the COVID-19 restrictions, PCATI managed to keep up its work, serve its constituency and fulfil its commitments appropriately.

Detention in times of Corona

PCATI placed special emphasis on monitoring the **conditions of prisoners under COVID-19 regulations**, such as contact restrictions for family visits¹ including child detainees².

On March 15, the Israeli government published an emergency regulation prohibiting all visits of attorneys and family members to prisoners, as part of the measures to prevent the spread of the

¹ <https://www.al-monitor.com/pulse/originals/2020/07/israel-hamas-palestinians-prisons-coronavirus-pandemic.html>

² See UN Statement, May 2020, <https://www.unicef.org/mena/press-releases/covid-19-crisis-un-release-children-detention-Palestinian>

Coronavirus. As prisoners classified as security detainees are regularly barred from contact via telephone, the decree shut off these prisoners completely from the outside world.

PCATI together with four other Israeli and Palestinian human rights associations, [petitioned the High Court of Justice](#) to demand security prisoners be allowed to communicate with their families via phone as long as the Coronavirus pandemic continues. The petition emphasized that contact to family members is especially important for minors in detention. As a result of the petition, the state undertook to allow minors a 10-minute telephone conversation once every two weeks. Also, as a result of this intervention, The IPS launched a pilot project in one prison in which Palestinian minor prisoners are allowed to call their families once every two weeks. PCATI will continue to follow up on the implementation of the pilot project, to make sure conclusions are reached and the pilot becomes a standard in all detention facilities.

Another strategy implemented by PCATI to mitigate the limited access of lawyers to detention centers, was strengthening the capacity and knowledge of Public Defence Lawyers to act as guardians to prisoners' human rights, able to monitor detention conditions and identify signs of human rights violation in detention, as they remained the only persons allowed access to prisons.

Finally, as soon as prison visits were allowed again, PCATI enhanced its prison visits schedule to make up for time lost, and [managed to conduct 54 prison visits throughout 2020](#) – thus going beyond our initial goal of 40 yearly visits, and ensuring a broad coverage of detention conditions despite the challenges posed by the Covid-19 crisis.

Rise in police violence

In 2020, PCATI has attended to the rise in excessive use of force by the Israeli police and superfluous arrests of citizens, mainly in the context of demonstrations such as the weekly protests against the government in Jerusalem and across the country (so called 'Balfour demonstrations'), and clashes with the police in ultra-orthodox neighbourhoods in the context of the newly enacted health regulations to combat the Covid-19 pandemic. PCATI increased its efforts to provide assistance to protestors facing police violence in 2020, and has treated a record number of 28 complaints of police brutality, while also advocating principle issues underlying police conduct with civilians. PCATI has also hired a community worker with the aim of creating dialogue between police and minority communities suffering highly from police violence.

Since 2015, PCATI has been engaged in the "Freedom of Protest" forum, addressing the issue of police violence during demonstrations in Israel. The coalition is coordinated by Shatil, the operational branch of the New Israel Fund, and consists of Israeli civil society organizations such as ACRI, Adalah, the Human Rights Defenders Fund and the Negev Coexistence Forum. The forum enables its members to better co-operate and coordinate their activities and share the work load when necessary (e.g. in times of a widespread public protests such as in 2020).

PCATI's Vision and Strategy in 2020

The overall objective of PCATI's work is to contribute to the eradication of torture and other forms of ill-treatment practiced during interrogations by the Israeli Security Agency (ISA), Israel Police force, and other security bodies. Our work combines legal and public advocacy, training for legal professionals, promoting the use of the Istanbul Protocol (IP) in forensic assessment of victims of torture (VOT) and its validity in the legal system. PCATI conducts preventive monitoring of detention conditions, and provides VOT and their families with on-going legal support. In 2020 PCATI continued implementing its strategy that is based on 4 pathways to change: Provision of Pro-Bono Legal Aid, National and International Advocacy, Public Outreach and Training.

1. Provision of Pro-Bono Legal Aid

Why we do it?

To enhance access to justice of VOT by monitoring detention conditions, collecting first-hand testimonies from victims detained in Israeli prisons, documenting and reporting violations of human rights and submission of complaints and legal petitions.

How we do it?

The legal team identifies and locates victims, visits them in prison, collects their testimonies of detention conditions and torture, screens cases, documents violations, and provides legal counselling, legal representation and communication support with families of victims.

Sample of activities in 2020:

- 198 legal inquiries were received from the field.
- 119 ongoing legal cases, 46 of which were opened in 2020;
- 54 visits were conducted by PCATI's lawyers over the reporting period. Of these, 38 were new referrals;
- 16 new individual complaints were submitted, of which 5 against the ISA, 7 against IDF soldiers, 3 against IPS and 1 against prison personnel
- 1 principled petition was submitted to the HCJ in cooperation with other organizations, demanding that detained minors be allowed to contact their families by phone as an alternative to the cancelled family visits.

Providing comprehensive support for a victim of Ill-treatment: the case of the child J.B.

On May 2020, a group of children were playing in the spring close to their refugee camp in the West-Bank. There was a group of IDF soldiers close by and suddenly three shots were heard. 11-year- old J.B. was shot in his right leg, an injury for which he later had to undergo two operations.

PCATI took on the child's legal representation and on July 2020 submitted a complaint of ill-treatment on his behalf to the Military Advocate General. We insisted on the presence of an adult in the questioning as well as holding the questioning in Arabic, and in August 2020 father and son were invited to give their testimony. We were recently notified that a full military police investigation of the complaint has been announced.

Throughout the process, PCATI lawyers and fieldwork coordinator kept in close communication with the father, updating him of the case development, counseling and supporting him and his son through their contacts with the army. PCATI will continue following and perusing the case, demanding a thorough investigation and that the soldiers who shot at J.B. are held accountable for their actions.

2. National and International Advocacy

Samer Arbeed: a watershed case in Israel's pretense to accountability

In the year 2020, the state's investigation into the alleged torture of Samer Arbeed continued. Arbeed was arrested by Israeli Security Forces (ISF) from his house in Ramallah on September 25, 2019, in good health, and transferred to the Israel Security Agency (ISA) for interrogation. On September 27, Arbeed was admitted to hospital in critical condition: he was unconscious, in need of ventilation, and diagnosed with kidney failure and several broken ribs. By the following day, sources in the ISA announced that "exceptional measures" had been used in Arbeed's interrogation.

PCATI called on the Inspector of Interrogee Complaints (IIC) to conduct a full criminal investigation into the case of Arbeed, to ascertain his allegations of torture. An investigation was subsequently opened, **however, despite the medical evidence indicating that Arbeed was severely abused while in custody of the ISA, on January 24, 2021, Israel's [Attorney General \(AG\)](#) announced regarding the case of Samer Arbeed, that 'no sufficient evidence was found to justify an indictment, and the case is therefore closed'.**

Following the AG's announcement, PCATI published a statement to the Israeli media and international community, noting that the AG's decision not to file indictments in a case where evidence of torture is so undeniable, was unreasonable, and speaks to Israel's lack of interest or ability to end impunity for the crime of torture.

- PCATI's [annual factsheet](#) about the state of torture in Israel was produced on 26th June 2020 in three languages, and was disseminated widely as one of our advocacy tools. The factsheet has been presented at an event to the diplomatic community on the International Day in Support of Victims of Torture, on June 26, hosted by the Danish Representative to the oPt.

Why we do it?

To promote a legal and policy reform which will prohibit the use of torture and CIDT in Israel, and rebuild the existing investigation mechanisms, in order to lead to true accountability of perpetrators.

How we do it?

We proactively initiate various forms of dialogue with relevant national and international stakeholders in order to promote international human rights standards in relation to torture. In 2020 PCATI was in direct dialogue with the Israeli Ministry of Justice, Knesset members, UN bodies, diplomats, and coalitions of human rights and anti-torture organizations around the world.

Sample of activities in 2020

- In 2020, PCATI together with four other Israeli HR and anti-occupation NGOs (Physicians for Human Rights, Breaking the Silence, Yesh Din and Gisha) formed a lobby-coalition, employing one full-time lobbyist promoting the issues most relevant to each organization as well as shared causes.
- The lobby-coalition enhanced PCATI's advocacy capacity and we were able to increase the number of times our issues were presented in the Knesset. Thus, in October PCATI, together with MK Aida Thoma Sliman of the joint list, initiated a special hearing in the Knesset Committee on Internal Affairs concerning the poor conditions in transportation vehicles and facilities of detainees.
- On 4 August 2020, PCATI's legal department met with the new Head of the IIC, to discuss needed reform in the IIC conduct of inspections. As a result of the meeting, in the following months many of the complaints filed on behalf of PCATI's clients were finally processed, bringing down the average time of response from 46 to 42 months.

3. Public Outreach

Why we do it?

We reach out to the Israeli public and the media to expose practices of torture; educate the public on the absolute prohibition of torture in International Law; and generate public debate to mobilize social change.

How we do it?

- We work with traditional and new media to ensure the stories and testimonies of victims of torture are heard by journalists, politicians and the general public.
- We participate in relevant national and international forums, and initiate public events where we directly engage a public audience..
- We organize tours of Ofer Military Court, so that stakeholders can experience and see the violations that take place and the lack of safeguards against torture.

Sample of activities in 2020:

- In the first two months of 2020, PCATI organized four tours for 53 participants to the Ofer Military Court, for Law students, Jurists, diplomats and educators.
- Despite the media's focus on health issues, PCATI and its work were mentioned in the media 77 times, and we were able to initiate 29 news articles, opinion pieces, radio and television appearances related to the prevalence of torture, lack of accountability and police brutality. PCATI's work received much interest from international media and items about PCATI's work appeared at the [NY Times](#), AP and the Forward among others.
- As health regulation prevented holding face-to-face public events, PCATI shifted its mode of engagement with the Israeli public to on-line events. On April 2020 PCATI's lawyer participated in an on-line event about Palestinian minors in detention, organized jointly by the NGOs Breaking the Silence, PCATI and Parents against Child Detention, which attracted some 200 viewers.
- On December 2020, as part of the Solidarity – Tel Aviv Human Rights Film Festival, PCATI conducted a special screening of Ram Levy's "The Movie that Didn't Exist" (1994) followed by a panel about "Torture in Israel – before and after the HJC ruling".

New collaboration: Parents Against Child Detention (PCAD) and PCATI

PACD is a new initiative, formed in 2018 by a group of Israeli parents deeply concerned about the harm Palestinian children endure under Israeli occupation.

Israeli authorities detain hundreds of Palestinian minors each year in the West Bank and East Jerusalem. Children as young as 12 years old are detained and their rights are violated in many contexts during the procedure.

PACD's overall goal is to end these violations of Palestinian children's rights and to reduce the number of Palestinian children arrested. This is done by working within the Israeli society, exposing the issue to the public, placing pressure on decision-makers to enact change, and educating and mobilizing influencers in the public sphere.

4. Training

Why we do it?

In order to build and support local capacities of professionals, especially those who are "first responders" to victims of torture, i.e. health and legal professionals.

Torture in a Jewish perspective: a lesson Plan for young adults

In the years 2018-2020 PCATI conducted a project aimed at mobilizing change in the Israeli discourse with regards to torture. Towards this end PCATI held a series of confidential meetings with Right-wing Rabbis and former security officers.

Following a request that came up in the meetings, as well as an additional method to spread our message, PCATI developed a lesson plan targeting youth in Pre-Military leadership academies (Mechinot). The lesson plan presents the prohibition of torture from a Jewish perspective and could be taught either in religious or secular setting, and offers opportunity for young people to form their opinions and moral standpoint in an informed way. The lesson plan will be available on PCATI's website and other platforms.

How we do it?

We train professionals to investigate and document torture based on international standards, primarily the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the Istanbul Protocol. We sustain PCATI's Israeli-Palestinian interdisciplinary group of health and legal professionals (the Legal - Medical Forum) through periodic professional meetings, training and capacity building.

Sample of activities in 2020:

- In light of health regulations, instead of holding physical trainings for lawyers, PCATI's legal department has spent much time in strengthening the capacity of Public Defense Lawyers to act as guardians to human rights, constructively monitor detention conditions and protect inmates of ill-treatment, as they remained the only legal representatives allowed to access prisoners.
- Switching to on-line meetings offered us opportunities to meet different audiences for lectures and workshops: Three lectures were given to Law students in different Israeli universities and two trainings were held by PCATI's lawyers for activists about protesters' rights.

Developments in our Core operation

Emphasizing employees' wellbeing to mitigate secondary trauma and burnout

The nature of PCATI's work requires its staff members to be exposed to distressing content and engage with victims of severe trauma, which pose risks on the mental health and wellbeing of the team. The challenges posed by the pandemic added to these stressors: staff members required to work from their home lose the support they can draw from and offer to their fellow team members. As part of its policy to promote self-care and prevent burnout among its staff members working of our team, PCATI's entire staff participated in a program designed to support human right's defenders in dealing with secondary trauma and burnout, supported by OMCT.

The program started with 2 workshops led by mental health expert, Dr. Kim Yuval, who specializes in treating secondary trauma and burnout among Human Rights Defenders. In these workshops, staff learned and discussed key elements in the study of Trauma, PTSD, and secondary/vicarious trauma among human rights defenders and humanitarian workers. As the project was launched at the time of the pandemic, all meetings were conducted via video conference.

At the second stage, as the staff became more receptive to the idea of direct intervention, group counselling sessions took place in set groups of 5 staff members each who meet every two weeks. In these sessions, staff members were able to freely discuss issues and events from their work life which cause distress and anxiety, were offered support, and learned skills of self-care. PCATI also subsidized individual support sessions for interested staff members.

Changes in Personnel

On July 2020, Dr. Rachel Stroumsa, the executive director of the organization since 2016, has resigned and was replaced by Adv. Tal Steiner. Tal is a trained lawyer, and for the past three years was the head of the Legal Department at the Hotline for Refugees and Migrants in Israel. Tal has previously worked with the UN Office of the High Commissioner for Human Rights, as well as in private practice and with other NGOs in Israel, on issues of Human Rights, Refugee Law and Humanitarian Law. Tal has an LL.B from the Hebrew University, Jerusalem (2011), and an LL.M in Law and Human Rights (summa cum laude) from the Takkahnah Program offered under the auspices of The Emile Zola Chair for Human Rights at the Striks School of Law (2017).

Ms. Samar Baidoun, PCATI's Head of Strategy and Resources Dev. Dept. also left the organization and was replaced by Birte Brodkrob. Birte is a lawyer and criminologist with specialization in international human rights, humanitarian and refugee law, with extensive work experience in advocacy and resource development. She passed the Bar Exam in Berlin and hold an MA in Criminology and Criminal Justice from King's College London. Among her previous positions, Birte worked as researcher and lecturer of the Freie Universität Berlin, Director of International Relations and Advocacy for Yesh Din, Partnerships Coordinator for the Human Rights Defenders Fund and Advocacy Coordinator for Action Against Hunger.

Reflections and lessons learnt in 2020

In 2020 PCATI faced several challenges: externally, the Covid-19 pandemic and subsequent social distancing regulations forced us to change our work methods, and still maintain our ability to support our beneficiaries; all the while, political and public attention was focused on the pandemic, which forced us to be more creative in finding ways to keep torture on the agenda.

Internally, PCATI faced personnel changes in two of its leadership positions – executive director and resource development. We believe the results we were able to achieve in 2020 despite these challenges, prove PCATI has demonstrated resilience, dedication and flexibility, and we can proudly say that progress has been made in our efforts to promote an Israel free of torture and ill-treatment.

Strategic legal action: Given that complaints in the vast majority of cases do not lead to remedy, and having perceived patterns and categories of victim groups and methods of torture and ill-treatment, PCATI underwent a strategic change in its legal approach. Besides providing legal support to individual victims, PCATI's legal work now addresses reoccurring patterns and aspects applicable to a variety of cases through principled legal action, such as through petitions to Israel's High Court of Justice, thereby utilizing our legal capacity to achieve change for a wider cluster of beneficiaries.

Cooperation with other Human Rights organizations: The Israeli public's current indifference to Israel's human rights violations of Palestinians, together with the shrinking space for civil society and liberal discourse in Israel, made us realize the importance of joining forces with other HR organizations. Together with four other organizations we formed the Lobby Forum. Through the forum, the five members increased the representation of human rights interests in the Knesset to achieve tangible change and keep our issue in the public's mind. Similarly, PCATI's membership of

the "Freedom of Protest Forum" for over five years and the collaborations this platform enables, gave an optimal response to the rise in police violence.

Public outreach: The general disinterest of the Israeli public in violation of Palestinian's human rights, forces PCATI to keep developing new methods for outreach, including through showcasing our work in traditional and new media platforms and production of educational materials. One method found to be particularly affective is conducting field visits to detention centers for influencers and professionals. Unfortunately, these were stopped with the outbreak of the pandemic, and we hope to resume them as soon as possible. PCATI aims to further develop its engagement with the Israeli public in the coming years and to build a strong lobby against the use of torture. One pathway to building such a lobby, can already be envisaged through PCATI's work with victims of police violence and members of marginalized groups in Israeli society. This work has the potential to open new channels for dialogue with Israeli minority groups, who have not previously been engaged in the discourse about human rights violations and how to combat them.

Supporters:

Apart from the generous and significant support offered by the Danish Representation's Office, in 2020 PCATI has been supported by the following partners:

- Dignity
- German Embassy in Israel
- Embassy of the Netherlands in Israel
- United Nations Voluntary Fund for Victims of Torture
- New Israel Fund
- OMCT
- Open Society Foundation
- Samuel Rubin Foundation
- SIVMO
- Urgent Action Fund for Women's Human Rights

And many individual supporters, in Israel and around the world.