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המוקד להגנת הפרט

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The Right to Be Free from Torture – Timeline

The right not to be subjected to torture is an absolute right. International law makes no exceptions to the absolute prohibition on torture – which constitutes a crime against humanity – including in circumstances of war or a fight against terror.

Torture is defined by the United Nations as "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..." (The Convention against Torture, 1984).

Since 1948 and much more so since the 1967 occupation of the West Bank and the Gaza Strip, Israeli security forces – with the Israel Security Agency (ISA) and Military Unit 504 at the forefront – have been torturing and ill-treating Palestinians every year using cruel physical and mental methods in order to extract information or confessions.

Although Israel is signatory to most international conventions prohibiting torture, and despite the 1999 ruling of High Court of Justice (HCJ), which prohibited the use of torture, the security forces persist in their heinous acts, while the legislative, executive, and judicial authorities ignore, if not actually cover up these actions.

24.4.1863 | **The Lieber Code (Art. 16): "Military necessity does not admit of cruelty, that is, the infliction of suffering for the sake of suffering or for revenge, nor of maiming or wounding except in fight, nor of torture to extort confessions"**

The code, commissioned by American President Lincoln, consists of a comprehensive set of rules of conduct intended for Union soldiers. Many of its principles, among them the absolute prohibition on torture, have been incorporated into international humanitarian law.

1948
onwards

The Israel Security Agency tortures thousands of Palestinians interrogees as a routine practice

Torture is used outside any legal framework and without supervision or oversight over the ISA and its methods. ISA interrogators lie in their testimonies to the courts. ISA interrogators use, among other things, a **combination** of the following torture techniques:

- "Waiting" between interrogations for hours or days, throughout which time the interrogee is bound in a painful position while his head is covered with a smelly, wet sack, often with music blasting out loud – the "shabah" position.
- Forced standing or crouching in contorted positions which cause the body to collapse – the "banana" and "frog" positions.
- Prolonged binding and isolation in confinement cells or cells with an extremely low ceiling – the "closet", "grave" and "refrigerator" methods.
- Beating and "shaking" (grasping the interrogee's shoulders or shirtfront, shaking his head and body back and forth).
- Sleep and food deprivation.
- Prolonged exposure to cold or heat, harsh lighting or complete darkness.
- Threats, verbal abuse, and degradation.
- Denial of basic sanitary conditions.
- Prolonged denial of any contact with the outside world, including attorneys and family.

[Illustration of torture positions](#)

10.12.1948 **The Universal Declaration of Human Rights (Art. 5): "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"**

[The Declaration](#) is adopted by the UN General Assembly and is regarded as one of the foundations of customary international law.

12.8.1949 **The Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Art. 3.1): "at any time and in any place" acts of "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture" are prohibited**

[The Convention](#) lies at the core of international humanitarian law. Articles 31-32 provide that: "no physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties"; states are "prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishments, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents".

Israel ratifies the Convention on July 6, 1951.

- 16.12.1966 **The International Covenant on Civil and Political Rights (Art. 7): "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"**
 Israel signs [the Covenant](#) on December 19, 1966, and ratifies it on August 18, 1991.
- 9.11.1975 **The Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**
 Under Article 3 of [the Declaration](#): "Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment".
- 17.12.1979 **The Code of Conduct for Law Enforcement Officials is proclaimed by the UN General Assembly**
 Under Article 5 of [the Code](#): "No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment".
- 12.4.1984 **The Bus 300 affair: the Israel Security Agency executes two Palestinians in custody following their hijacking of a passenger bus; ISA members lie in their testimonies before the committees investigating the affair**
 The executions are perpetrated by Ehud Yatom (a future member of Knesset) on the orders of Avraham Shalom Ben-Dor, the head of the ISA. The affair is exposed after Israeli newspaper Hadashot published a [photo taken by Alex Levak](#) showing one of the murdered Palestinians alive and fully conscious, being held by ISA interrogators.
 The Israeli Cabinet appoints an inquiry committee headed by Major General (res.) Meir Zorea to investigate the affair. The ISA members present the committee with a unified, coordinated fabrication of the events, concealing the fact that they had killed the captive Palestinians. An ensuing committee, headed by State Attorney Yonah Blatman, faces a similar perjury conspiracy.
 The cover up is exposed some 18 months later, after three senior ISA members contact the Attorney General. In June 1986, the affair is buried without any conclusions or convictions – with the endorsement of Prime Ministers Yizhak Shamir and Shimon Peres – as President Chaim Herzog pardons 11 ISA members before any indictments are brought against them.
 Dorit Beinisch (the now retired Supreme Court President), who served as the Deputy State Attorney at the time of the affair, was quoted as

saying in a closed ISA conference in 2004: "[W]hat is amazing revealed to us in this affair? The answer is the unrestricted power of the ISA. Only during our work on the affair, did we realize that this power might be turned against anyone, including the judicial system, and if necessary, against the political echelon as well" (Yedioth Ahronoth newspaper, June 25, 2004).

1984

Report by Al-Haq exposes for the first time the Israel Security Agency's torture methods

[The report](#) is based on the affidavits of interrogees in Al-Fara'a Military Detention Facility near Nablus and details the ISA's methods of interrogation and torture: hooding; prolonged isolation in filthy, flooded cells; routine beatings; cold showers; long periods of standing outside in the rain at night; spraying tear gas directly at the face; deprivation of food and sleep; humiliation; forcing interrogees to masturbate in front of the interrogators or to speak to a wall; applying the "donkey treatment" by pulling an interrogee who is on his hands and knees with a rope tied around the neck, while another interrogator sits on his back.

Thus said Dorit Beinisch (the now retired Supreme Court President), who was the Deputy State Attorney in 1984, in a closed ISA meeting held in 2004: "[I]n the early 80's I conducted a tour of the facility in Hebron, accompanied by the ISA legal advisor and the head of interrogations at the facility. We saw sophisticated devices. Could it have occurred to us that at night, in freezing temperatures of 0°C, on the balcony of that same facility, a man would be tied to a pipe so he could not move and would freeze to death?" (Yedioth Ahronoth newspaper, June 25, 2004).

10.12.1984

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Art. 2): "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture"

[The Convention](#) rejects any justification for torture and requires each State Party to introduce practical measures to prevent torture, inter alia, through its criminal law and penal system.

Israel signs the Convention on October 22, 1986, and ratifies it on August 4, 1991.

1985-2000

The Israel Security Agency, Military Unit 504, and South Lebanon Army members undergoing training by Israel, interrogate and torture hundreds of detainees in Al-Khiam Prison in South Lebanon

Al-Khiam Prison operates under the effective control of Israel. Over time, hundreds of detainees, including minors, are held in Al-Khiam unlawfully, outside any legal framework and without access to an attorney. The detainees are kept in degrading and inhuman conditions for years. Most of them are subjected to cruel interrogation methods and severe torture. An Amnesty International report from 1997 concludes

that at least 11 detainees had died in Al-Khiam since 1985, some as a result of torture or inadequate medical treatment.

In March 1999, HaMoked and the Association for Civil Rights in Israel petition the High Court of Justice to instruct the Minister of Defense to release detainees from Al-Khiam or, alternatively, to allow their attorneys to visit them in prison.

[Further details](#)

24.5.1987 **The Supreme Court's judgment in the Nafso case: Israel Security Agency interrogators used "illegal means of pressure" during the interrogation of Nafso, lied to the court under oath and subverted the investigation**

In its [judgment on the appeal](#) of Lieutenant Izat Nafso, a military officer who was convicted in 1981 of treason and aiding the enemy in wartime, the Supreme Court finds that his confessions were given after ISA interrogators subjected him to various forms of torture and abuse, both mental and physical. The Military Advocate General admits to the court that the ISA interrogators lied to the military court under oath when they testified that "no means of pressure were used" against the Nafso during interrogation.

The Supreme Court repeals the verdicts of the military courts. Nafso is released.

30.10.1987 **An official commission of inquiry headed by former Supreme Court President Moshe Landau, legitimates torture and coins the sanitized expression "moderate physical pressure"**

The Landau Commission, established following the Bus 300 affair and the Nafso trial, emphasizes that "the pressure must never reach the level of physical torture or maltreatment of the interrogee or grievous harm to his honor depriving him of his human dignity". Nonetheless, the Commission accepts the position of the Israel Security Agency and holds that "The effective interrogation of those suspected of hostile terrorist activity is impossible without the use of means of pressure [...] the exertion of a moderate measure of physical pressure cannot be avoided" (Sects. 3.16 and 4.7 of the [Landau Commission Report](#)).

The classified part of the report outlines the permissible methods of torture, under the heading "The Use of Pressure During Interrogation".

The recommendations of the Landau Commission are incompatible with international law. Nonetheless, they are adopted by the State of Israel, and the courts rely on them in dismissing petitions regarding complaints of torture during interrogation. **The ISA accepts the recommendations as blanket approval to proceed with the torture of Palestinian interrogees.**

The Landau Commission also finds that the ISA has adopted and practiced "a system of perjury before the courts" which – according to ISA interrogators – was the accepted norm, practiced with "the knowledge and approval of the political echelon", and tacit acceptance

on part of the civil and military prosecution systems and the even courts themselves. The report finds that "**The ISA [...] has severely failed in arrogating to itself the right to violate the law systematically and continuously, by approving, authorizing and even encouraging the provision of false testimonies to the courts**".

15.12.1989 **Report by "Women's Organization for Political Prisoners" reveals the harsh detention conditions, ill-treatment and torture methods used in the Israel Security Agency interrogation block and in the detention center at the Russian Compound**

[The WOFPP report](#), based on testimonies, claims that Palestinian women detainees are victims of ever-changing procedures and arbitrary assault by warders at the Russian Compound. The ISA interrogates women detainees without supervision or accountability, and denies their right to counsel. The detention and interrogation are conducted without any safeguards against coercion, torture and the extraction of false confessions.

[Additional WOFPP report](#), July 1990

December 1989 **Israel Security Agency members beat and torture Khalid Sheikh 'Ali to death during interrogation: the interrogators lie under oath and manufacture evidence**

Despite the conclusions of the Landau Commission, the ISA continues to torture interrogees and lie to the courts. The interrogators' version about Khalid Sheikh 'Ali's interrogation in the Gaza military facility is inconsistent with the autopsy findings. Two interrogators are tried in camera, convicted of negligent homicide and sentenced each to six months in prisons. In 1999, the convicted interrogators claim they were scapegoated, and that many interrogations in the Gaza facility were conducted "with violence that exceeded ISA regulations" (see [Haaretz newspaper article](#), September 14, 1999).

[Further details from PHRIC's report](#), January 1990

March 1991 **Report by B'Tselem: during the first intifada, Israel ill-treated and tortured thousands of Palestinians**

[B'Tselem's report](#) presents dozens of testimonies which illustrate the methods and patterns of ill-treatment and torture used in the interrogation wings of ten incarceration facilities in the OPT and Jerusalem.

1991 **The Sukar Review Commission into cases of death during interrogation: the recommendations of the Landau Commission are "writing on ice"; Israel Security Agency interrogators continue to torture interrogees and lie to the courts**

The Commission, headed by Deputy State Attorney Rachel Sukar, is established in the Ministry of Justice following the deaths of 18 Palestinians while in custody and under interrogation by the ISA, which

occurred in 1988-1989. According to the press, the report is "highly critical": The ISA does not implement the Landau Commission recommendations, torture is practiced routinely in the interrogation facilities, and ISA interrogators continue to lie to the courts (Yedioth Ahronoth newspaper, January 11, 1995). The commission report remains classified.

1992

The position of Complaints Comptroller of the Israel Security Agency is formed: an ISA official is appointed to examine complaints by interrogees

The criticism over the ISA's conduct, voiced, inter alia, by the Landau Commission, leads to the establishment of the ISA Complaints Comptroller, to whom complaints about misconduct by ISA interrogators can be addressed. The position is staffed by an ISA official, an integral member of the system he is charged with investigating.

The Complaint Comptroller transfers his preliminary-examination reports to his supervisor at the State Attorney's Office, for review and approval.

In time, it becomes evident that this internal complaints-review mechanism achieves the opposite purpose – cover up instead of supervision: **The ISA comptroller and his supervisor promote the sweeping closure of thousands of complaints, without criminal investigation, indictment or prosecution.**

Thus, e.g., during 2001-2008, over 598 complaints of torture and abuse by ISA interrogators were submitted to the comptroller. None resulted in the opening of a criminal investigation.

[HaMoked's court petition for a quick and effective examination of ISA torture complaints](#)

17.3.1992

Basic Law: Human Dignity and Liberty is enacted by the Knesset; the interrogation methods of the Israel Security Agency, including ill-treatment and torture, contradict the provisions of the law

[The Law](#) stipulates that "There shall be no violation of the life, body or dignity of any person as such" (Sect. 2), and that "All persons are entitled to protection of their life, body and dignity" (Sect. 4). The Law clarifies that the rights provided therein shall not be violated except by legislation fitting the values of the State of Israel and designed for a proper purpose.

12.8.1993

The High Court of Justice legitimizes use of torture by Israel Security Agency interrogators: the court rejects a general petition challenging the recommendations of the Landau Commission

The [HCJ rejects](#) the petition of the Public Committee Against Torture in Israel (HCJ 2581/91 **Salhat v. Government of Israel**) on the grounds of generality.

As part of the proceedings, the court receives an affidavit by the head of the ISA, which details changes made to the procedures for interrogating security detainees. The new procedure expressly prohibits humiliation,

abuse or torture of interrogees, starvation or deprivation of food and drink, denial of access to the lavatory, or exposure to extreme heat or cold.

Many testimonies by interrogees clearly indicate that ISA interrogators do not adhere to the requirements of the new procedure and continue to systematically torture Palestinians, using various cruel methods.

1994

The "necessity defense" is incorporated into the Penal Law (Sect. 34K)

The necessity defense, which has been used since the early days of Israeli common law, is intended to release civilians of criminal liability under unusual or exceptional circumstances, which cannot be define in advance. The revised law does not provide for the use of illegal means a priori, but stipulates that if such means are used and are later found to be justified, the person will not be held criminally liable. A case in point: a person who breaks into a burning house in order to rescue children from it could argue he acted under conditions of "necessity". The Law, however, does not grant a priori permission to break into houses and does not release the interloper from indictment.

Over the years, the Israel Security Agency illegally invokes the "necessity defense" as the source of its interrogators' powers.

Moreover, Section 277 of the Penal Law stipulates that a public servant may not use force against a person or threaten him with injury to his or another's body or property, in order to extort from him or from another a confession of an offense or information about an offense.

[Penal Law 5737-1977](#)

18.9.1994

The Public Committee Against Torture in Israel petitions the High Court of Justice: the Israel Security Agency acts without authority and employs torture methods which contravene customary international law

In its [general petition](#), the PCATI contends that the ISA's authority and methods of interrogation have never been sanctioned by any law, and that the Landau Commission has endorsed the use of means of physical and mental torture and degradation of interrogees, which contravene Basic Law: Human Dignity and Liberty and violate international law.

In a historic decision of September 1999 (see 6.9.1999 below), the H CJ rules against the use of torture, granting the petition alongside other similar petitions, among them a [petition by HaMoked](#).

1.1.1995

Report by the State Comptroller on the interrogation practices of the Israel Security Agency during 1987-1992: "a collection of defects that indicates that those in charge of the entire organization have critically failed in their role to keep ISA practices within the law"

[The report](#) concludes that ISA interrogators have knowingly, systematically and severely failed to comply with the instructions of the

Landau Commission and the ISA regulations, and that the ISA does not seek to impose the maximum penalty on interrogators who have lied or overstepped their duty. The State Comptroller also concludes that the irregularities are not the result of lack of awareness of what is acceptable and what is unacceptable; rather, they are committed purposefully and with the approval of the ISA command.

The report stresses that even after the conclusions of the Landau Commission were made public, the practice of perjury by interrogators, who lie to the courts under oath or in their reports to their superiors, has not been eradicated. The report is cleared for publication only in 2000.

22.4.1995 **Israel Security Agency members kill 'Abd al-Samad Harizat by shaking: the interrogators are not brought to trial**

ISA interrogators shake Harizat continually for 12 hours until he stops responding and loses consciousness. The autopsy report concludes that "the fatal damage to the brain resulted following the shakings". Following an inquiry by the Police Investigation Unit, the State Attorney's Office decides there is insufficient evidence to establish a causal link between the method used in Harizat's interrogation and his death (!). Only one of the interrogators who participated in the interrogation faces disciplinary action on the charge of committing a "technical failure" for which he receives a "punishment of a caution".

[HaMoked petitions](#) the High Court of Justice for the criminal prosecution of the interrogators. HaMoked argues that the interrogators in this case cannot avail themselves of the "necessity defense" either a priori or a posteriori. The [court dismisses the petition](#) in 2002, ruling that the decision not to prosecute the interrogators "is neither patently unreasonable nor sufficiently flawed to warrant intervention".

27.6.1995 **The Association for Civil Rights in Israel petitions the High Court of Justice: instruct the Israel Security Agency to stop using the shaking method**

[ACRI files the petition](#) after 'Abd al-Samad Harizat is shaken to death by ISA interrogators. The petition asserts that the shaking method is harmful to body, dignity and even life, and recalls that the method is incompatible with Israeli law and international conventions prohibiting torture.

In September 1999, the court grants the petition along with other petitions, including one by HaMoked.

11.1.1996 **The High Court of Justice expressly allows the Israel Security Agency to use torture – including the shaking method – against a Palestinian interrogee**

On December 20, 1995, [HaMoked petitions](#) the HCJ to order the ISA to stop using torture during the interrogation of three Palestinians. In response, the state announces that the interrogation of two of the petitioners has been concluded, but that "there is a need to put the [third] petitioner under intense interrogation", and that it is "impossible to

guarantee that the shaking method would not be used against the petitioner".

The court issues an order nisi directing the ISA to explain "why it tortures the petitioner", as well as an interim order instructing the ISA "to refrain from using physical force until a further decision is rendered".

The ISA deprive the interrogee of his right to counsel. HaMoked petitions a second time. The state announces the petitioner may now meet with his attorney and updates on a development in the interrogation, whereby the petitioner gave his interrogators information which led to the discovery of a hidden explosive device which was to be used in a future attack. The state stresses that contrary to HaMoked's assertion, the ISA has not used physical means in this period, but, nonetheless, it requests the cancellation of the interim order banning torture during the interrogation, claiming that "there is very strong likelihood that the petitioner has additional information concerning plans for severe attacks in Israel in the near future".

On January 11, 1995, the justices [cancel the interim order](#) and permit the ISA to use torture, including shaking, during the petitioner's interrogation, on the ostensible grounds that this is "a ticking bomb" case.

1996-1997

HaMoked files over 100 real-time petitions on behalf of Palestinians undergoing torture during interrogation and denied the right to counsel

Following a series of suicide attacks in late February and early March of 1996, Israel carries out mass arrests throughout the West Bank (according to [B'Tselem figures](#), 580 Palestinians were arrested between 25.2.1996 and 23.3.1996). At the same time, the closure on the OPT is tightened and no permits are issued for entry to Israel. Due to the hermetic closure, lawyers from the OPT cannot meet the detainees, who are transferred to facilities inside Israel for interrogation. Furthermore, the Israel Security Agency isolates the detainees from any contact with the outside world and systematically deprives them of their right to counsel as part of its interrogation technique. The interrogees are thus left vulnerable to torture and inhuman treatment.

HaMoked launches a series of petitions filed in real time on behalf of hundreds of Palestinians who are being interrogated by the ISA and subjected to shaking, tying in painful positions, hooding with a smelly sack, frequent sleep interruptions, threats, humiliations and other torture methods. Moreover, the available medical care is negligent.

In the petitions, based on the interrogees' testimonies, HaMoked contends that the ISA interrogation methods are inconsistent with Israeli law and the international conventions to which Israel is signatory, and that the "necessity defense" clause does not provide a priori permission to use illegal methods.

In most cases, the court issues an injunction, instructing the ISA to refrain from using force against the petitioners until a final decision is rendered. By and large, the state opts to undertake not to use torture

during the petitioners' interrogation, in order to avoid a substantive court hearing.

[Affidavit](#) by a Hebron resident who was interrogated under torture by the ISA and [HaMoked's petition](#) on his behalf

[HaMoked factsheet](#) on torture in interrogation facilities, 1997

14.1.1999

The Jerusalem District Court estimates the damage incurred by a Palestinian man tortured by the ISA to be ILS 730,000, and rules that Israel would have to pay him this sum should it be found liable for the damage

The decision is handed at the parties' request before the issue of liability is resolved. Back in 1992, the plaintiff was arrested and interrogated under torture by ISA interrogators at military facilities in Tulkarm and Nablus. Upon his release without charge after 33 days of interrogation, he was suffering from psychosis, expressed by lack of response to external stimuli, incontinence, and an inability to feed or otherwise care for himself independently.

The [court rules](#) that, once the issue of liability is resolved, Israel may be obliged to compensate the man for his pain, suffering and the damage to his earning capacity. The state opts to avoid a court discussion on the liability issue, to eliminate the need to expose the illicit interrogation methods it had used, and seeks a settlement agreement. In January 2000, eight years after he was tortured by the ISA, the parties reach a settlement whereby Israel will compensate the man in the sum of ILS 438,320.

Haaretz newspaper [article on the man's story](#), March 10, 2003

6.9.1999

The "torture" or "permits" case: the High Court of Justice rules that the interrogation methods used by the Israel Security Agency are illegal; however, the justices do not preclude the possibility that the necessity exclusion will be open to ISA interrogators

An expanded panel of [the Supreme Court bans the interrogation methods used by the ISA](#) – shaking, the "shabah" position, the "frog crouch" and sleep deprivation – and rules that the Landau Commission recommendations conflict with both Israeli and international law. The court also determines that the "necessity defense" prescribed in the Penal Law does not constitute a source of authority for the use of such methods.

Nonetheless, the HCJ holds that if an ISA interrogator is indicted for using illegal interrogation methods, the "necessity defense" may be open to him. **This judicial caveat is utilized by the ISA which continues to torture interrogees.**

The HCJ thus fails to incorporate into Israeli law the international law principle that torture and ill-treatment are forms of absolute evil which cannot be permitted or justified under any circumstances.

28.10.1999 | **In complete contradiction to the judgment of the High Court of Justice: The Attorney General provides the Israel Security Agency with a legal sanction to formulate an orderly procedure for using "special methods" in interrogations**

A few weeks after the HCJ banned the use of torture, the Attorney General, Elyakim Rubinstein, publishes a document of "self-directed guidelines", wherein he lists the array of considerations to weighed in deciding whether to prosecute an interrogator who claims he acted out of a sense of "necessity". With regards to "physical measures", the Attorney General writes, "the ISA should have internal guidelines. Among other things, concerning the system of consultations and approvals inside the organization needed for this matter".

Thus the Attorney General overturns the HCJ ruling that the "necessity" exception cannot serve as a source of authority for using illicit interrogation methods, and that its applicability cannot be based on preexisting procedures, but only on the outcome of an improvised act "given an unexpected occurrence".

Evidence accumulated over the years prove that that the ISA does maintain a "necessity interrogation" procedure, but keeps it unpublished. Such a procedure is often cited in criminal proceedings against Palestinians who were interrogated by the ISA (see, e.g., SC 775/04 **State of Israel v. 'Abd al-'Aziz**, [judgment of December 29, 2005](#), para. 5 of Judge Yoram Noam's opinion); the ISA itself admits there is a proceeding whereby the ISA command permits interrogators to use "special" methods (see Haaretz [newspaper article](#), November 8, 2006).

Elyakim Rubinstein, "[The ISA Interrogations and the Necessity Defense – A Framework for the Attorney General's Discretion](#)"

6.9.2001 | **Report by the Public Committee Against Torture in Israel, released two years after the torture-ban judgment of the High Court of Justice: Each month, dozens of Palestinians are subjected to torture and ill-treatment during Israel Security Agency interrogations**

The [PCATI report](#), based on the testimonies of 12 interrogees, finds that despite the HCJ ruling – which represented a significant change in the right direction, but also preserved the concept that an interrogator may consider torture a legitimate option – the ISA continues to torture Palestinians regularly, using "routine" and "special" methods, employing all of the interrogation methods banned by the HCJ.

In June 2003, an [additional PCATI report](#), based on testimonies of 48 interrogees, finds that the HCJ's attempt to allow torture "only" in extreme conditions – as when the interrogator's act in an "isolated case" is improvised and can be recognized as legal "only" retroactively – has completely failed. **Each month, the ISA tortures many dozens of Palestinian detainees, with torture and ill-treatment being the norm and what the HCJ termed "reasonable interrogation" being the exception.**

- 21.2.2002 **The activities of the Israel Security Agency are regulated by law for the first time; the new law prohibits the use of "special methods" during interrogation**
- The Knesset supervisory subcommittee for the secret services formulates rules and regulations for implementation of the [General Security Service Law, 5762-2002](#) (the GSS is the ISA's former name). The regulations are publicized, but the rules which stipulate what ISA operatives may or may not do remain classified. **This is the first law in the Israeli law book which contains classified sections, concealed from public knowledge.**
- 22.6.2003 **The Jerusalem Magistrates Court rules: the fact that a man enters an Israel Security Agency interrogation healthy and leaves it paralyzed is no proof that ISA interrogators have acted illegally**
- The [court rejects](#) a lawsuit of a Palestinian resident of Jerusalem, who sought compensation for a he disability sustained from torture at the ISA interrogation wing in the Russian Compound Detention Facility. The judge finds that the plaintiff was indeed held in harsh, degrading and unlawful conditions, and that some of the methods used in his interrogation were not necessary for the investigation or otherwise. However, the judge rules that the plaintiff has failed to establish a causal, factual relationship between these methods and the damage he sustained.
- 30.10.2003 **HaMoked exposes the existence of a secret prison, Facility 1391, which operates outside the legal system, without supervision or scrutiny: in this facility, interrogators from the Israel Security Agency and Military Unit 504 torture detainees during interrogation**
- [HaMoked petitions](#) the High Court of Justice for the immediate closure of the secret and illegal detention facility. The petition includes testimonies as to the inhuman holding conditions and methods of interrogation and torture that are being used there, away from the public's eye and without supervision or scrutiny. In 2011, the court [dismisses the petition](#) following an undertaking proposed by the state, most of which remains classified.
- Describing his interrogation at the secret facility, 'Ali Ahmed Banjak, a Lebanese national, recalled:
- Being stripped of all clothes; the body searched with a device... they tell me about the death of my parents. They photograph me with Israeli officials for the purpose of extortion... beatings all over the body, also in sensitive areas... A shoe is pressed on the mouth. Forced to sit down on a stick... eleven days of sleep deprivation... eyes directly exposed to harsh and glaring light... food: nothing except onion and water... threats of rape... they gave me coffee remnants mixed with saliva... They spit in my mouth, on my face and ear... they put a dead mouse in my mouth. I was put inside a closet infested with mice and cockroaches...** (Published in Ha'ir newspaper on 26.6.1998, when the location of his interrogation was still unknown).

After his interrogation, the military court acquitted Banjak due to reasonable doubt and he was released.

Complaints by interrogees against interrogators at the secret facility are dismissed out of hand.

In June 2005, the [HCJ rejects](#) HaMoked's petition against the decision not to investigate complaints by Palestinians who were subjected to torture and inhuman holding conditions during their interrogation at the secret prison.

In 2000, Mustafa Dirani files a ILS 6 million lawsuit against the state. Dirani was held in the secret prison for many years, where he suffered cruel acts of torture, including sodomy. His interrogation was conducted by Military unit 504. Dirani identifies one interrogator, alias "Captain George", as the interrogator who, inter alia, violated him using a club.

[Further details](#)

[Affidavit of a West Bank resident who was held in Facility 1391 in 2003](#)

18.10.2004 **HaMoked and other human rights organizations petition the High Court of Justice: order the Israel Security Agency to stop torturing a Palestinian interrogee**

The man has been arrested and taken to the interrogation block at the Shikma Prison, without being allowed to meet with counsel. In the petition, [the organizations assert](#) that the state sanction of torture during interrogation constitutes a violation of the absolute prohibition on torture and ill-treatment during interrogation, anchored both in Israeli and international law.

A day after the petition is submitted, on the eve of its urgent hearing, the ISA informs that "in light of the circumstances known today, there is no intention to employ physical force for the remainder of the petitioner's interrogation". The petition is withdrawn.

27.11.2005 **The Jerusalem District Court rules that a Palestinian tortured by interrogators of the Israel Security Agency, following which he incurred permanent psychological damage, may be owed ILS 625,000 in damages**

[The decision](#) is issued at the parties' request, before the question of liability is resolved. The plaintiff was arrested and interrogated under torture in 1997. The court rules that, once the question of liability is settled, Israel might have to compensate the man for the pain and suffering caused to him by the violation of his rights in detention and by his disability, and for the injury to his earning capacity.

7.3.2007 **HaMoked and three other human rights organizations to the High Court of Justice: the Israel Security Agency's use of family members as a means to pressure interrogees is unacceptable and infringes on the right to human dignity**

In a [motion to join proceedings](#) in an interrogee's petition, the organizations assert that exerting psychological pressure on a detainee

by creating a deception that his loved ones are in detention and undergoing intense interrogation, constitutes an illegal form of interrogation amounting to mental torture, banned by the HCJ and prohibited in international law.

In response, [the Attorney General announces](#) that when there is no legal cause for arresting the relative, it is inappropriate to deceive the interrogee into thinking his relative has been arrested, and that in the petitioner's case "it was inappropriate to initiate an action which gave rise to the false impression that [his] father had been arrested".

[PCATI's Report](#) on the use of relatives to pressure detainees
[Further details](#) on the general petition of April 2008

May 2007

Joint report by HaMoked and B'Tselem: under the auspices of the Israeli law enforcement system, and in violation of both Israeli and international law, the Israel Security Agency continues to torture and ill-treat Palestinian interrogees

[The report](#) examines the system of torture and abuse employed by Israeli "security forces" against Palestinians detainees from the moment they are arrested to the end of their interrogation, and illustrates the concealment and cover-up mechanisms exercised with the knowledge and support of the Israeli legal system. The report, based on the testimonies of dozens of interrogees, details the various interrogation methods and other violent methods used outside the interrogation rooms, including beatings, food deprivation, prolonged binding and various forms of humiliation and intimidation.

May 2007

Video testimony: torture by the Israel Security Agency

In April 2005, Loay Ashqar was arrested and taken to interrogation by the Israel Security Agency. Shortly after his arrest, a physician at the detention facility examined him and determined he "has no physical or mental issues". ISA interrogators tortured him during interrogation, and caused him a severe disability.

[Video testimony](#) from the B'Tselem website

2007

The State Attorney's Office in an unpublished report: the Complaints Comptroller "is very limited in his skills as an investigator", his questions are "laconic" and his "investigation process takes too long"; "Israel Security Agency interrogations are not sufficiently documented"

The State Attorney's Office internal audit report on the ISA complaints review mechanism, concludes that the Complaints Comptroller "does not know how to confront those he investigates with various findings and conflicting testimonies, and does not always investigate all of the interrogators relevant to the complaint. This problem is exacerbated by the fact that he has to investigate talented and experienced interrogators". The State Attorney's Office also finds that the lack of documentation of ISA interrogations "causes a difficulty for the comptroller in his investigations".

The existence of the internal report and excerpts from it are published for the first time in February 2013 in the [Turkel Commission Report](#), pp. 414-415.

2.11.2008 **Motion under the Contempt of Court Ordinance: the Israel Security Agency is breaching the High Court of Justice ban on the use of torture and abuse in interrogations**

[In their motion](#), the Public Committee against Torture in Israel, the Association for Civil Rights in Israel and HaMoked claim that the ISA has been systematically contravening the HCJ ruling of 1999, by allowing torture and abuse to be used in interrogation, under the pretext of so called "necessity interrogations". The motion is supported by many reports, testimonies, and publications. Counsel for the State claims "the ruling is implemented and upheld".

In July 2009, the [court dismisses](#) the motion on technical grounds, without addressing the principle issue.

15.11.2009 **Israel pays a Palestinian ILS 250,000 in compensation: Israel Security Agency interrogators tortured him during interrogation and caused him permanent physical and mental disabilities**

In January 1998, a man from a village near Hebron was arrested. He was brutally tortured, threatened and humiliated by ISA interrogators. [HaMoked petitioned](#) the High Court of Justice to order the ISA to stop his torture. The state announced the torture would stop, and HaMoked withdrew the petition. But as the torture continued, and HaMoked petitioned the court a second time. Once more, the ISA pledged that the torture would stop and the second petition was deleted. Shortly after, the man was placed in the closed psychiatric wing at the Ayalon Prison. He was released from custody two months later, having been found unfit to stand trial.

Upon release, the man – who was in good physical and mental health upon arrest, without a history of illness or health issues – is found to be unresponsive, suffering from anxiety, loss of appetite and sleep-disorders, and he is placed under constant psychiatric care.

In 2005, [HaMoked files a lawsuit](#) against the State of Israel for the damage caused to the man by his torture. In November 2009, the parties reach a settlement whereby the state would pay the plaintiff the sum of ILS 250,000.

[Further details](#)

26.4.2010 **The High Court of Justice rejects the petition of the Public Committee against Torture in Israel against the Israel Security Agency's use of shackling as an interrogation method or in a derogatory or painful manner**

The justices base [their ruling](#) on the state's response that the State Attorney's Office investigates every complaint individually and that legal advisors monitor the legality of the measures being used. The court

ignores the numerous testimonies by detainees and interrogees which indicate that painful and humiliating shackling is routinely practiced by ISA interrogators and soldiers.

19.8.2010

HaMoked to the High Court of Justice: order the Attorney General to investigate complaints of torture during interrogations by the Israel Security Agency

The petition is filed after the Ministry of Justice supervisor of the ISA Complaints Comptroller fails to respond for more than a year to complaints by 13 interrogees, who complained about torture by ISA interrogators at Petah Tikva Interrogation Facility. Miraculously, shortly after the petition is filed, the supervisor sends his responses on these specific complaints. HaMoked does not withdraw its petition, hoping for the court's assistance in the creation of a new complaint investigation procedure.

On January, 12, 2011, the court dismisses the petition outright, without holding a hearing or allowing HaMoked to respond to the state's claims. The judgment notes that in the state's response to the petition, structural changes were announced in the powers of the ISA Complaints Comptroller, whereby the investigation of complaints would be placed entirely under the authority of the Ministry of Justice. **The effective date of the change, the investigation procedures and their prospective supervisors, remain unknown.**

[Further details](#)

November
2010

The Attorney General: the Complaints Comptroller will no longer be an Israel Security Agency employee, but a Ministry of Justice employee

Two main reasons are behind the Attorney General's decision: "**The first reason** concerns a **problem of performance**, i.e., the inherent difficulty of the Complaints Comptroller to fulfill his role by the very fact that he is an ISA employee inspecting the activity of his colleagues [...] **The second reason** primarily concerns the **problem of 'appearances'**, i.e., the difficulty to justify a situation where an individual who is perceived to be internal to the Israel Security Agency examines complaints – ostensibly criminal – against his colleagues in the service" (emphases in the original).

The Attorney General's decision and the reasons for it were made public in February 2013 in the [Turkel Commission report](#), pp. 415-416.

2.11.2010

Joint report by HaMoked and B'Tselem: the Israel Security Agency practices a regimen of torture and ill-treatment in the secretive interrogation facility in Petah Tikva

[The report](#), based on the testimonies of detainees, uncovers the existence of an interrogation doctrine which seeks to break the will of the detainee through shock and anxiety produced by suspending every aspect of normal existence and subjecting the detainee to extreme deprivation of sensory stimuli, movement, and human contact. The ISA also weakens

the interrogee physically by using sleep deprivation, food reduction, exposure to extreme temperatures and infliction of pain, mainly by binding in contorted positions.

December
2010 –
January
2011

Six Palestinians sue the State of Israel, the military, the Israel Security Agency and the Israel Prison Service, for degrading treatment, abuse and torture they suffered

[The lawsuits](#), filed via HaMoked, point to a systematic failure of all relevant authorities to uphold detainees' rights to dignity and bodily integrity and the absolute right not to be subjected to abuse or torture.

The statements of claim depict a harsh reality of ill-treatment and the use of physical and psychological means of pressure and other illegal interrogation methods, amounting to torture.

14.2.2011

The Public Committee Against Torture in Israel, HaMoked and other human rights organizations in a joint petition to the High Court of Justice: order criminal investigations into acts of torture by Israel Security Agency interrogators

[The organizations assert](#) that the internal complaint review procedure conducted by the Complaints Comptroller, who is an ISA official, and his supervisor at the State Attorney's Office, does not meet the requirements of either Israeli law or international law; the Attorney General must act to ensure that every complaint on ill-treatment or torture, which does not appear false prima facie, will be investigated competently by the Police Investigation Unit.

31.10.2011

HaMoked to the High Court of Justice: order the Ministry of Justice and the Israel Security Agency to explain the shelving of all 12 complaints by Palestinian interrogees about the violence, degradation and abuse – possibly amounting to torture – they suffered at the hands of ISA interrogators at Petah Tikva Interrogation Facility

In each case, HaMoked had to file a court petition in order to receive the reply of the ISA Complaints Comptroller's supervisor at the Ministry of Justice, announcing the decision to close the case because the complaint had been deemed "unfounded". HaMoked's requests to review the information underlying the decisions have remained unanswered.

HaMoked stresses that the right to review such materials is a part of the interrogees' right to due process. In December 2012, the court deletes the petition as generalized, without any discussion or decision over the substantive issue raised by HaMoked.

[Further details](#)

30.11.2011

The military court partially acquits a Palestinian due to the Israel Security Agency's use of torture during his interrogation: "there is a clear causal link between the defendant's confession and the wrongdoings in the interrogation"

The military court rules that the defendant's confessions resulted from the use of illicit interrogations methods and "means which, certainly in aggregate, constitute a violation of the defendant's rights and an injury to his free and voluntary will".

The ISA interrogators subjected him to cumulative pressure intended to break his spirit: they deprived him of his medication; threatened to harm his family and bring his sister to the ISA facility; they used his brother as a hostage; they moved him to a cell where planted informants beat him, cursed him, threatened him and spat on him. The ISA interrogators also threatened him that his interrogation would last until he confessed, and that he would remain under administrative detention forever.

The judges find that "this consistent line of inquiry is clearly at odds with the right to silence, and effectively denies it completely", and that "the aforementioned forbidden acts occurred in all phases of the interrogation".

The military court condemns the testimonies given by ISA interrogators, and holds that "the ISA witnesses presented an inordinately 'rosy' picture of the interrogation, which had been harsh. [...] this near-perfect, idyllic depiction strikes us as an exaggeration which does not correspond to reality".

[The judgment](#)

6.8.2012

The High Court of Justice criticizes the functioning of the mechanism for examining complaints of abuse by Israel Security Agency interrogators, and rules that it should be completely transferred from Israel Security Agency to the Ministry of Justice

In a [partial judgment](#) on the petitions of the Public Committee Against Torture in Israel, HaMoked, and other human rights organizations, the court dismisses the request to cancel the preliminary examination mechanism, whereby complaints are shelved before they reach criminal investigation, and determines that in and of itself, this kind of examination is reasonable. Nonetheless, the court sharply criticizes the mechanism's mode of operation, and holds that its non-cancellation is conditional on its disengagement from the ISA and transfer to the Ministry of Justice (see November 2010 above for the identical but unimplemented decision of the Attorney General). Again, the transfer date, the examination protocols, and the supervisory powers remain unspecified.

November
2012

Ill-treatment of a minor in detention: the case of MA

Despite the judgments of the High Court of Justice and the various undertakings of the state before the court, the security forces continue to cruelly abuse, ill-treat and torture Palestinian detainees.

[One such case](#) is that of a 16-year-old youth from the area of Hebron, who underwent an ordeal of abuse and torture at the hands of Israel Security Agency personnel and soldiers.

February
2013

The Turkel Commission Report: "[T]here are serious failures in the effectiveness and thoroughness of the investigation [into complaints against Israel Security Agency interrogators] and in its promptness as well"

The government-appointed public commission publishes a report on "Israel's Mechanisms for Examining and Investigating Complaints and Claims of Violations of the Laws of Armed Conflict According to International Law". The report finds that, while over 700 complaints have been filed against ISA interrogators since 1992, "the Complaints Comptroller and the his Supervisor have never recommended that a criminal investigation be initiated on the basis of a complaint, and the Attorney General has never instructed that such a criminal investigation be opened".

The Commission concludes that the flaws in the complaints examination process "[...] raise severe doubts as to the Complaints Comptroller's ability to conduct an 'effective investigation'", and recommends transferring the responsibility for examining complaints against ISA interrogators to the Police Investigation Unit at the Ministry of Justice.

The Commission also recommends "there should be full visual documentation of the interrogations" – this after former ISA Head Yuval Diskin, in his testimony before the Commission, "offered to consider the matter favorably". In his words, "even if not everyone always likes it I think that it would be correct".

The [Turkel Commission Report](#), pp. 413-417.

6.6.2013

After a lengthy battle: the responsibility for examining interrogee complaints against Israel Security Agency interrogators (the Complaints Comptroller's position) has been transferred entirely to the Ministry of Justice

The position of Interrogee Complaints Comptroller, charged with examining complaints against ISA interrogators, was established in 1992 following the Bus 300 affair and the [Landau Commission Report](#). Until 2013, the position has been staffed by an ISA official, a member of the very organization he was charged with investigating. From 2001 to 2011, over 650 complaints of torture and abuse by ISA interrogators were submitted to the Comptroller. None resulted in the opening of a criminal investigation.

The Ministry of Justice announces the appointment of Colonel (Res.) Jana Modzagavrishvili, previously Chief Military Prosecutor, as the new Complaints Comptroller.

19.7.2015

Adalah, HaMoked and other human rights organizations petition the High Court of Justice: the temporary order exempting the police and the Israel Security Agency from the audiovisual recording of interrogations of Palestinians must be revoked

The Israeli [Criminal Procedure \(Interrogation of Suspects\) Law, 2002](#), obligates the audiovisual recording of interrogations into serious offences punishable by a prison term of ten years or more. But under

Section 17 of the Law, the obligation does not apply to interrogations into so called “security” offences. Section 17 was established as a temporary order, initially for a period of five years, but has been extended thereafter despite the Turkel Commission recommendation for full visual recording of interrogations (see February 2013 above).

The [petitioning organizations assert](#) that the non-recording of interrogations by the police and the ISA leaves a significant opening for the use of illicit interrogation methods, by preventing interrogees from proving their claims about abuse and torture. The organizations also assert that applying the exemption only on interrogations into ostensibly security offences, means that the absolute majority of those harmed thereby, are Palestinians.

30.7.2015 **The Knesset enacts a law allowing the force-feeding of hunger-striking security inmates; the law sanctions a procedure amounting to torture, in grave breach of the international conventions signed by Israel**

The Israel Medical Association, together with four other human rights organizations, including HaMoked, [petition the High Court of Justice](#) against [the law](#), arguing, inter alia, that its purpose is not to safeguard the inmates’ health but to break their spirit and silence their protest. The law has no parallel anywhere else in the world, as it allows for extraneous security considerations, alongside medical considerations.

In September 2016, the [HCJ unanimously rejects](#) the petitions, ruling that "at the end of the day, the law passes the tests of constitutionality".

September 2015– May 2016 **Six Palestinians sue the State of Israel via HaMoked for mental and physical damage they suffered during their detention**

[The lawsuits](#) are filed against the State and its various agencies – the military, the Israel Prison Service and the Israel Security Agency – following abuse and illicit interrogation methods used against the detainees, including beating, prolonged shackling in painful positions and denial of basic necessities.

February 2016 **Joint report by HaMoked and B’Tselem: state authorities institute routine torture and abuse in the Israel Security Agency’s interrogation facility at Shikma Prison in the city of Ashkelon**

[The report](#), based on the testimonies of 116 inmates, uncovers a clear and systematic pattern of cruel, inhuman and humiliation treatment of interrogees. The findings reveal a harsh reality, including the binding of interrogees, hand and foot, to a chair for hours on end; threats and degradations; solitary confinement; sleep deprivation; denial of showers; exposure to extreme heat or cold and the provision of insufficient and poor quality food. The report also exposes ISA interrogators’ indirect involvement in torture, as they knowingly use information extracted earlier on from interrogees by torture at the hands of Palestinian Authority interrogators. The illegal torture regime at the

Shikma Facility is implemented with the consent of state authorities, including the High Court of Justice.

March
2016

HaMoked to the UN Committee Against Torture: Despite its declarations, Israel continues to trample Palestinians' right not to be subjected to torture and cruel and humiliating treatment

Following Israel's fifth periodic report to the CAT, HaMoked submits to the CAT an [alternative report](#) on the routine abuse of Palestinian detainees held at Israel Security Agency interrogation facilities. The report also addresses Israel's systematic violation of rights perpetrated in various contexts, such as restrictions on family visits to Palestinian inmates held inside Israel, restrictions on freedom of movement between the West Bank and the Gaza Strip, the ban on family unification with OPT residents inside Israel, and the policy of punitive home demolition.

[Concluding observations of the CAT](#)

September
2016

Research on the effectiveness of torture prevention mechanisms confirms: In Israel, such mechanisms keep on developing, but they exclude Palestinian detainees, leaving them unprotected

The research, commissioned by the Association for the Prevention of Torture (APT) and conducted in 16 countries, including Israel, examines the development of the mechanisms meant to prevent torture and their changing effectiveness in the years 1984-2014. The collected data indicates that in all countries participating in the research there has been a substantial decrease in the use of "classic" torture and a gradual shift to interrogations focusing on the psychological element.

The main finding of the research in Israel, conducted jointly with the Public Committee Against Torture in Israel, suggest that the development of torture preventions mechanisms – in legislation and in arrest, oversight and indictment proceedings – does not promote the protection of security inmates from the OPT – the ones most likely to be tortured. In Israel, contrary to other countries, effective protection is not impeded by a disparity between the law and its implementation, but by the law itself, which does not provide the relevant safeguards.

[Summary of the findings](#)

22.12.2016

The Knesset enacts as permanent legislation the exemption from audiovisual recordings of interrogations of suspects in "security offences"

Shortly before the temporary order on this issue expires and before the High Court of Justice rules on the organizations' petition against it (see 19.7.2015 above), the Knesset entrenches the exemption from audiovisual recording of interrogations of suspects in "security" designated offences. However, the amended version of the [Criminal Procedure \(Interrogation of Suspects\) Law, 5762-2002](#), provides that "random inspections and supervision of these interrogations are to be carried out, according to internal procedures of the Israel Police, on approval by the Minister of Public Security and the Attorney General",

and that they are to be conducted "without advance notice and without the interrogators' awareness, and a record must kept about the performance of the inspection".

As of April 2017, internal procedures on this issue have not yet been published, but according to talks between HaMoked representatives and the Complaints Comptroller, there are tentative plans to install in all ISA interrogation rooms closed-circuit cameras that would broadcast in "real-time" to a control center, which the Comptroller could access at all times. However, contrary to non-"security" interrogations, ISA interrogations would only be transmitted live, but not recorded.

The HCJ rejects the organizations' petition on January 15, 2017. [In the judgment](#), the justices note that there is substance to the arguments about constitutional problems attending the temporary order exempting the police and the ISA from recording interrogations of Palestinian detainees, but rules that as it has now become a permanent statute, it cannot be considered in the present framework.

29.12.2016 **HaMoked to the Attorney General: the Israel Police trample the rights of East Jerusalem minors during detention and interrogation**

Affidavits collected by HaMoked of 63 juvenile East Jerusalem residents who were arrested by the Israeli security forces between October 2015 and November 2016, reveal a grim reality: minors are taken out of their beds late at night and transported handcuffed to police stations, while undergoing physical and verbal abuse en route. While awaiting interrogation at the police station, police officers keep the minors handcuffed, without food or drink and often without access to the lavatory, and the interrogation itself is carried out using illegal methods. The rules of due process are not maintained throughout the process; the police interrogate the minors without their parents' knowledge and routinely violate the minors' right to counsel.

Following the accumulation of evidence, [HaMoked contacts the Attorney General](#), requesting he address the grave and systematic breach of the minors' rights, in contravention of the Israeli Youth Law and the principle of the child's best interests.

28.2.2017 **In a precedential decision, the High Court of Justice orders the Police Investigation Unit to indict a police officer who ill-treated a Palestinian detainee**

The [HCJ partially grants](#) the [Public Committee Against Torture's petition](#) against the Police Investigation Unit's decision to close – on the pretext of "lack of evidence" – the investigation file on a complaint by a Palestinian youth who underwent a severe ordeal of physical and sexual abuse while in custody at a police station in Ma'ale Adumim in November 2007. The [justices rule](#) that although "the evidence material has been examined meticulously", the decision to close the file was improper with regards to one of the allegations – that one of the police officers deliberately urinated on the youth to humiliate him. This is the

first time the HCJ intervenes in the authorities' discretion about the sufficiency of the evidence and therefore orders an indictment.

Currently

Although Israel is signatory to most international conventions prohibiting torture, and despite the High Court of Justice's ruling of 1999 which banned torture, the Israel Security Agency continues to torture Palestinian interrogees with tacit acceptance, if not active cover-up, on the part of the law enforcement authorities.