

AI INDEX: MDE 15/06/99

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Israel and the Occupied Territories: high court postponement of torture case leaves victims unprotected

The Israeli High Court's adjournment of a case challenging the effective legalization of torture during interrogation is a setback in the search for greater human rights protection, Amnesty International said today.

"Yesterday we urged the Israeli High Court to fulfil its role as 'last bastion' for the protection of the victims of torture," the organization added. "Today we renew our appeal to it not to abdicate this responsibility."

The adjournment was ordered today after the disclosure of a government decision taken on 3 January 1999 to prepare legislation authorizing the interrogation methods in question. These methods, used systematically by Israeli interrogators against Palestinian and Lebanese suspects, amount to torture and are as such outlawed by international human rights treaties which Israel has ratified.

"The government has had a year since the hearing opened and was first adjourned," Amnesty International commented. "Such a decision, apparently made only 10 days ago, is a delaying tactic which will bypass the High Court, apparently with its agreement, and opens the way for continuing human rights violations."

During today's hearing, attended by an Amnesty International observer, the state attorney promised that handcuffs would be made less tight and that the hoods (usually filthy and stinking) placed on detainees' heads during days of interrogation would allow more air and light to enter.

He agreed that the handcuffing of detainees for hours to kindergarten chairs was meant to exert physical pressure during interrogation. This routinely-used method causes severe pain and pressure to the detainees' back and legs.

He also defended the continuing use of violent shaking of the head which, in 1995, caused one detainee to suffer a lethal brain haemorrhage.

He did not directly discuss sleep deprivation (detainees under interrogation are usually allowed to sleep two hours every two days, but sleep deprivation for up to 11 days has been recorded), but stated that "long interrogations" were "necessary".

"In the interim the High Court has a duty at least to order the full implementation of human rights standards by prohibiting all physical pressure during interrogation until legislation is passed on the matter," Amnesty International said.

Background

To justify the use of interrogation methods effectively amounting to torture, Israel uses the argument that "physical pressure" is needed to face a "terrorist" threat. It is the only country in the world to have effectively legalized torture.

Since 1995 the Israeli Government has, at various times, attempted to introduce laws to sanction present methods of interrogation amounting to torture. Up to now pressure from the international community and Israeli human rights organizations has caused such laws to be withdrawn or indefinitely postponed.

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