

23 November 2001

AI Index MDE 15/105/2001 - News Service Nr. 207

Committee Against Torture says Israel's policy of closures and demolitions of Palestinian homes may amount to cruel, inhuman or degrading treatment

Amnesty International welcomed today the landmark conclusion by the Committee against Torture stating that Israel's policy of closures and its demolitions of Palestinian homes "may, in certain instances, amount to cruel, inhuman or degrading treatment or punishment" in breach of Article 16 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment which Israel ratified in 1991.

"We now urge the Israeli authorities to immediately implement all of the recommendations of the Committee," the organization added, noting that the Committee recommended that the "State party should desist from the policies of closure and house demolition where they offend article 16 of the Convention".

Israel's policy of closures has meant that nearly every road to each town or village in the West Bank is closed by piles of earth, concrete blocks, trenches or army-manned barriers. Many roads in the Occupied Territories are prohibited to Palestinians. Journeys which used to take twenty minutes may now take two or three hours. Palestinian human rights organizations presented to the Committee details of 14 Palestinians who had died and others who had suffered life-threatening medical complications after access to hospital had been delayed.

Israel has pursued a policy of demolishing Palestinian homes for years. Houses have been destroyed because they have breached discriminatory planning laws; as punishment; or for "security" reasons. Over the past year, more than 500 Palestinian homes have been demolished making at least 4,000 people homeless, the great majority of them children.

"Homes are demolished usually with a few minutes or no warning at all, causing material loss and trauma to thousands of Palestinians. These policies are unacceptable and must end," Amnesty International said.

The Committee also raised concern at the use of incommunicado detention -- including of children -- and the continuing use of interrogation methods prohibited by an Israeli Supreme Court ruling of 1999. These methods included prolonged sleep deprivation while in painful positions; shaking and subjection to loud noises.

In addition, the Committee expressed concern that administrative detention "does not conform to article 16 of the Convention", which prohibits cruel, inhuman and degrading treatment or punishment. Administrative detention is a procedure under which detainees may be held indefinitely without trial.

Among other things, the Committee recommended that Israel ensure that "interrogation methods prohibited by the Convention" are not utilized, that all detainees are brought promptly before a judge and that confessions extorted by torture and evidence from such confessions should be excluded. The Committee recommended that Israel institute effective complaint, investigative and prosecution mechanisms for those alleging torture.

While the Committee against Torture recognized the importance of the September 1999 Supreme Court decision which banned a number of interrogation methods, it also regretted that the ruling allowed some of those methods -- for instance sleep deprivation -- if they are incidental to the interrogation process and indicated that interrogators who used physical pressure might use the "defence of necessity". The Committee reiterated that "no exceptional circumstances may be invoked as a justification for torture" and recommended that "necessity as a possible justification to the crime of torture should be removed from the domestic law".

Background

The Committee against Torture is a body of 10 independent experts appointed by the states parties to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Committee, which meets twice a year, reviews reports by states which have ratified the Convention and makes recommendations on measures that should be taken to ensure implementation of the provisions of the Convention. The present session of the

Committee, held in Geneva, also reviewed reports from Benin, Indonesia, Ukraine and Zambia.

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