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Backed by the System: Abuse and Torture at the Shikma Interrogation Facility

Executive Summary | December 2015

Sleep deprivation, sometimes for days at a time; being bound hand and foot to a chair, with movement restricted for hours on end; being subjected to shouting, swearing, threats, spitting, and indignities; exposure to extreme cold and heat; little and substandard food; being denied the possibility to shower or change clothes for days and even weeks; incarceration in a small, foul-smelling cell, usually in solitary confinement, for many days.

The above are some of the standard features of interrogation at the interrogation facility run by the Israel Security Agency (ISA) at Shikma Prison in Ashkelon, southern Israel. This report details the conditions in which inmates are held and interrogated, based on affidavits and witness accounts provided by 116 Palestinians held for security reasons and interrogated at the Shikma facility from August 2013 to March 2014. Nearly every single detainee was exposed to some or all of these measures; about one-third had been beaten or abused by soldiers or police officers in the course of being arrested; at least 14 were interrogated under torture by the Palestinian Authority shortly before being arrested by Israeli security forces.

Conditions at the Shikma facility are an inherent part of interrogations there: they serve to weaken both mind and body, complementing the actual interrogation of detainees in the interrogation room. The combination of conditions both in and outside the interrogation room constitutes abuse and inhuman, degrading treatment, at times even amounting to torture. It has been used systematically against Palestinians interrogated at Shikma, a practice that violates international law, Israel High Court of Justice (HCJ) rulings, and basic moral standards.

In 1999 Israel's HCJ prohibited the use of torture, abuse, or degradation by the ISA. In the sixteen years since that ruling, thousands of Palestinians have been interrogated, many by those very methods prohibited. This report reviews the situation in one particular interrogation facility during a delimited time period. It shows that the ISA's system of violent interrogation persists – backed by state authorities ranging from the HCJ to the State Attorney's Office, the military, and the Israeli Prison Service (IPS). The contents of one affidavit after another, of testimony after testimony, paint an extremely grim picture of what happens en route to and at the interrogation wing in the Shikma facility.

Time and again, the detainees interviewed described unlawful conduct by the authorities. The descriptions bear a striking resemblance to accounts previously provided by detainees held at other interrogation facilities. Taken together, it would seem that this conduct constitutes official interrogation policy. Systematically implemented, the policy includes violence and degradation during arrest and interrogation; inhuman detention conditions that force detainees to endure crowding and filth; isolation of detainees, subjecting them to extreme sensory, motor, and social deprivation; provision of scant and substandard food; exposure to extremes of heat and cold; prolonged binding to a chair during interrogation, sometimes in exceedingly painful positions; extensive sleep deprivation; threats, swearing, shouting and mocking – and in some cases even direct violence by interrogators.

Each and every one of these measures is cruel, inhuman and degrading, an effect that is compounded when used in combination or for lengthy stretches at a time. In some cases, the use of these measures amounts to torture – in contravention of international law and in violation of HCJ rulings and Israeli law.

In addition to directly employing cruel, inhuman and degrading means, Israeli interrogation authorities indirectly participate in torture by knowingly using information obtained through use of torture – usually severe – by Palestinian Authority interrogators against the self-same detainees.

The interrogation system that relies on these methods, both in overt interrogation and in the conditions in which detainees are held, was shaped by the state and is not the result of the initiative of any particular interrogator or prison guard. These actions are not carried out by so-called “rotten apples”, nor are they exceptions who must be brought to justice. Cruel, inhuman and degrading treatment of Palestinian detainees is inherent to the ISA’s interrogation policy, which is dictated from above, not set by interrogators in the field.

While the system is run by the ISA, a broad network of partners collaborates to facilitate it. The IPS creates prison conditions to match the interrogation plan designed to break a detainee’s spirit; IPS medical and mental health professionals greenlight the interrogation of Palestinians who arrive at the facility – including in cases of poor health – and even hand detainees back to the interrogators after caring for physical and mental injuries they sustained in interrogation; soldiers and police officers abuse detainees while transporting them to the ISA, with their commanders turning a blind eye and the MAG Corps and State Attorney’s Office not bringing them to justice or holding them fully accountable; military judges almost automatically sign off on motions for remand in custody and effectively sanction the continued abuse and inhuman conditions; the State Attorney’s Office and the Attorney General have thus far provided ISA interrogators with full immunity; and HCJ judges systematically reject petitions seeking to overturn the denial of detainee’s rights to meet with legal counsel. They are all party, in one form or another, to various aspects of the cruel, inhuman, degrading and abusive treatment to which Palestinian detainees are subjected at the Shikma facility and elsewhere. The senior Israeli officials who enable the existence of this abusive interrogation regime bear responsibility for the severe violations of interrogatees’ human rights and for inflicting mental and physical harm on these individuals.

We must once more reiterate the demand for what ought to be a given: Israel must immediately cease the use of cruel, inhuman and degrading treatment, as well as the abuse and torture of detainees, both in overt interrogation and through the conditions in which they are held. Moreover, Israel must abide by the prohibition on torture and abuse also in its cooperation on security matters with the Palestinian Authority.