

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Two New Cases Among More Than 100 in 2010 Alleged Against Security Services

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(Jerusalem) - The Palestinian Authority should promptly investigate the alleged torture of two detainees over the past month in a Jericho prison and ensure that officials responsible for the abuse are prosecuted, Human Rights Watch said today. These two cases are among more than 100 allegations of torture registered so far this year with the Independent Commission for Human Rights (ICHR), the official Palestinian human rights ombudsman, against security services in the West Bank.

Members of the Preventive Security agency, which reports to the minister of interior, arrested Ahmad Salhab, a 42-year-old mechanic from Hebron, on September 19, 2010, and detained him until October 16, first in Hebron and then in Jericho. On October 16, Preventive Security officials transferred him to a hospital in Hebron suffering from injury to previously torn spinal discs and severe mental distress, which he told Human Rights Watch resulted from torture in custody. The second man, M.B., who asked that his name not be used, was arrested September 16 and held first in the Preventive Security detention facility in Hebron and then in Jericho, where, he said, he was tortured for 10 days. Both were accused of having ties to Hamas. The human rights commission said that Salhab's and M.B.'s are the first cases of alleged torture in the Jericho prison.

"The reports of torture by Palestinian security services keep rolling in," said Joe Stork, deputy Middle East director at Human Rights Watch. "President Abbas and Prime Minister Fayyad are well aware of the situation. They need to reverse this rampant impunity and make sure that those responsible are prosecuted."

On August 31, Hamas's armed wing, Izz el-Din al-Qassam Brigades, claimed responsibility for an attack that killed four Israeli settlers in the Hebron area. The Palestinian Authority (PA) subsequently detained hundreds of people around Hebron who were suspected of Hamas ties.

Both Salhab and the other man were detained arbitrarily. Although Palestinian law requires that officials carrying out arrests present a warrant, arresting officials did not show a warrant either to Salhab or to the other man, M.B., the men told Human Rights Watch.

Human Rights Watch said that the PA has been extremely lax in prosecuting security officials for torture and ill-treatment of detainees. In the only known prosecution, a Palestinian military court in July acquitted five General Intelligence Service officers from Hebron who allegedly tortured Haitham Amr to death in June 2009. Palestinian detainees registered 106 complaints of torture with the human rights commission from January through September 2010. Since June 2007, according to the commission, PA security services have allegedly been responsible for the deaths in custody of eight detainees in the West Bank.

Salhab told Human Rights Watch that Preventive Security Service agents came to his house on the outskirts of Hebron on September 15. Salhab was not home, but he presented himself on September 19 at the Preventive Security office in Hebron, where he was arrested and held until September 30. Forty-eight hours after his arrest, on September 21, Salhab said, authorities brought him before the military advocate general and charged him with "collecting money for an outlawed group," referring to Hamas, and "working against the direction of the Palestinian Authority."

During his detention in Hebron, Salhab gave a prison doctor medical records showing that he suffered torn spinal discs as a result of torture when he was detained in 2008. On September 21, the human rights commission also informed the Preventive Security's legal adviser about Salhab's condition. Despite these documents and Salhab's pleas, prison officials transferred him to Jericho, where officials told him in advance that he would be tortured again and refused to provide medical help despite his deteriorating health and mental condition.

Human Rights Watch met Salhab in a Hebron hospital on October 17 and reviewed his medical records from his 2008 detention, which indicated that several of his spinal discs had been torn. Human Rights Watch observed that Salhab apparently currently cannot walk or

sit and that his right leg appears to be nearly paralyzed.

Authorities moved Salhab from Hebron to the Preventive Security Detention and Interrogation Center in Jericho on September 30, where his jailers put him in solitary confinement and for 17 days did not allow him to shower or change clothes. Salhab told Human Rights Watch that a prison guard asked about his medical condition, explaining that the information was necessary because Salhab would be subjected to *shabeh*, a form of torture in which victims are bound in painful, constrained positions for extended periods. When Salhab told the guard that because of his previous torture under *shabeh* he could not stand such treatment, the guard responded that everyone coming into the Jericho prison had to endure *shabeh*. The Jericho prison doctor also visited Salhab the day he arrived, but did not provide him with the prescription medicine he takes regularly for his condition. Security officials interrogated Salhab daily, sometimes three times a day. He said that initially he was not forced into painful stress positions, but that he could barely climb up the stairs to the interrogation room due to his medical condition.

On the sixth day of his detention in Jericho, Salhab said, guards bound him in a painful position for two hours. They seated him facing the wall on a small plastic chair with metal legs that was chained to the wall, so that he could not move his legs, and tied his hands behind his back. Salhab said he was unable to withstand the pain and suffered a mental breakdown.

"It was so much worse than the first time I was tortured, because they knew my condition from the beginning, and the pain was coming from both outside and inside," Salhab said, explaining that his anxiety compounded the physical pain.

The authorities took him to a hospital in Jericho that night, but a doctor told Salhab that he had to make an appointment with a specialist for his back pain and sent Salhab back to the prison. There his jailers put him in a different prison cell, where he remained for 10 more days. Unable to walk or stand, he had to be carried to the toilet. Preventive Security agents finally transferred him to al-Ahli hospital in Hebron on October 16.

Salhab, and the medical records collected by the human rights commission and viewed by Human Rights Watch, said that the Palestinian General Intelligence Service, another security agency, had detained Salhab for 30 days in October 2008 and subjected him to *shabeh*, which severely injured his back. Authorities released Salhab from custody in November 2008 due to his grave medical condition, and he was hospitalized twice in the weeks after his release. He has been incapable of resuming his work as a mechanic, and thus unable to afford the back surgery he requires. Salhab filed a complaint with the human rights commission, which on July 26, 2009, included his case in a letter to President Mahmoud Abbas regarding torture in Preventive Security and General Intelligence prisons.

"A year after President Abbas was informed that this man had been tortured to the point of disability, Palestinian security services denied him medical care, tortured him again, and then detained him for days after he was essentially paralyzed by pain and fear," Stork said. "This revolting case is the clear result of the Palestinian Authority's failure to end impunity for abuse."

Salhab told Human Rights Watch that he witnessed Preventive Security agents binding other detainees in various *shabeh* positions in the Jericho detention facility, and that each time he left his cell he observed between four and five men bound in *shabeh* positions, blindfolded and with their hands tied behind their backs, and that he heard their screams from morning until late at night.

Salhab told Human Rights Watch he was not mistreated in Hebron, but that the conditions in the prison, where he was held in a room with six other men that had only four mattresses, aggravated his back problems.

Human Rights Watch interviewed the second man who said he was detained and tortured in Jericho prison at the same time as Salhab. M.B. told Human Rights Watch that after Preventive Security agents arrested him on September 16 in Hebron, they took him to the Hebron detention facility, where a doctor examined him. The authorities brought him before the military advocate general, who, he said, charged him with "working against the direction of the Palestinian Authority." The human rights commission visited the prison on September 23 and observed M.B. there.

On September 30, Preventive Security agents moved M.B., together with six or seven other men, to Jericho prison, where he was put alone in an underground room without a mattress, and then questioned about a connection with Hamas. M.B. said that guards then took him to the prison's director, who told him that the prison "is a slaughter house," adding, "You will be slaughtered. We will take out your eyes and make you paralyzed. You will leave here on a gurney."

For the next ten days, guards bound M.B. in various painful stress positions, blindfolded and with hands tied behind his back, standing for hours a day. Guards allowed him to sleep only three hours every morning and would untie him only to use the bathroom and eat. M.B. told Human Rights Watch that he observed other men tied in *shabeh* positions in the prison, including one man tied to a semi-circular torture device, called *bakara*, that bends a person's back in a painful manner.

Authorities released M.B. on October 10. This was M.B.'s second arrest. Preventive Security agents had detained him for three months between May and August 2009, including a month in solitary confinement. During his confinement, M.B. said, his weight dropped by 40 kilograms and he developed breathing difficulties and severe muscle pain.

In August 2009 the PA's Interior Ministry responded to the deaths in custody of four detainees by issuing orders (Decision No. 149) prohibiting Preventive Security officials from "taking part in any kind of torture." Officials stated that 43 security service officials, including civil police, had been disciplined for abuses, but the officials did not publish any further information.

The PA should conduct independent investigations into torture allegations and prison conditions, make the results public, and ensure that officials are prosecuted if there is evidence that they were responsible for ordering, condoning, carrying out, or otherwise being complicit in torture, Human Rights Watch said.

Human Rights Watch, which has documented severe [abuses against detainees](#) by the Palestinian Authority and by [Hamas](#), also urged the Palestinian Authority to open all of its detention facilities to inspection by the Independent Commission for Human Rights. International donors to the Palestinian Authority - including the US and EU - should publicly insist on accountability for abuses against detainees by Preventive Security and the General Intelligence Services. According to the International Crisis Group, about 17 countries and

international organizations have financed or trained the Palestinian Authority's security forces since 2008.

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