

### **PCATI commentary to article:**

This is the second time PCATI has encountered such an instance in which an interrogation was suspended in order allow the interrogee to be treated or to "rest" and "recover." In our experience, it is rare that a judge acts in such a manner and certainly worthy of positive acknowledgment. It does not, however, detract from the fact that Palestinian detainees continue to be subjected to torture and ill treatment and that an act, such as the important judicial act described below is the exception to the rule. We would also point out that the interrogee, according to the article, was returned to interrogators who, according the Judge's impression, had acted abusively in the course of the interrogation.

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Translation from Hebrew - NRG/MAARIV  
<http://www.nrg.co.il/online/1/ART1/696/865.html>

## **The Detainee Complained – The Interrogation Was Suspended A military [Israeli Army] court judge halted the interrogation of a Palestinian who complained of abuse**

By Itamar Avneri  
14/2/08

**Rest Break: In a rare and unusual move a military court judge ordered that the interrogation of a Palestinian detainee be suspended two days ago. The detainee complained that the interrogators deprived him of sleep and shackled him to a chair for 23 hours. "Since they brought me here I have not slept," the detainee said.**

This unusual decision was reached during a hearing two days ago in the case of Omar Daoud, a resident of Kalkilya, who was arrested three days ago on suspicion of involvement in military activity against Israeli targets and endangering the security of the area.

From the interrogation record that was transferred to the "Public Committee Against Torture" by Nizar Mahagneh, an attorney, Daoud complained that he was severely tortured during the interrogation. "For the whole time I was shackled to the chair" said Daoud, who is represented by Advocate Aabad Muhamed. "I arrived at the Kishon detention center at 05:00 and from that point and up to 16:00 the next day I sat shackled and was allowed to sleep only one hour.

### **"Even in another six years I will not confess"**

In relation to the charges against him, Daoud maintained his innocence. "They think that in another two to three days I will start to confess because of the torture," he said. "Even if they leave me here for another six years, I will not confess because I did nothing wrong." Daoud added that he brought medicine with him to the detention center but that the facility physician took them from him and instead they gave him an unidentified white pill.

The military court judge at the Kishon center, Lieutenant Colonel Arie Avriel, was apparently persuaded by Daoud's claims and ordered the interrogation to be suspended for 24 hours in order to "allow the suspect to sleep and recover." At the same time Lieutenant Colonel Avriel ordered that the suspect be remanded for another 15 days.

The State, on the other hand, was dissatisfied with the decision and rushed to file an appeal on the order to suspend the interrogation for 24 hours, according to the Judge's order. "We are requesting to extend the suspect's arrest in order to complete the interrogation as specified in the attached request," the interrogator said in the course of the hearing.