


## HUMAN RIGHTS



See no evil: Canadian government denies torture in Israel  
Jesse Rosenfeld, *The Electronic Intifada*, 21 March 2008

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"The Israelis tied my hands, blindfolded and then beat me all the way to the interrogation center. I was then cuffed to a chair for four days where interrogators prevented me from sleeping. I was tied in painful stress positions, and on one occasion the agents grabbed me while I was cuffed to the chair and shook me severely, I passed out when they started shaking me by the head," says "Samer" a former student activist at Birzeit University who was arrested in 2006.

Nonetheless, this isn't torture according to Canadian foreign affairs minister Maxime Bernier and the Harper government. After it was exposed that Canada had Israel and the United States listed as offenders in a training manual for diplomats about torture, the two countries were promptly dropped on 19 January with Bernier's expression of regret and embarrassment.

However, for tortured Palestinians and Israeli and Palestinian human rights groups, Bernier's expressions of regret and embarrassment should target Canada's lack of action against Israeli torture. Sarit Michaeli, a spokesperson for the Israeli human rights group B'Tselem says the international community has an obligation to act against torture. "We are very concerned about the Canadian government removing Israel from this list," she says.

On 21 January, B'Tselem sent a message to Bernier protesting the removal of Israel from a list of suspect countries in his department's torture awareness manual. Although, according to Foreign Affairs spokesperson Rodney Moore, the government has no record of receiving B'Tselem's letter.

Referring to the ministers statements about the manual he said "the Minister made it clear that this was not a position of government policy," refusing to elaborate. "The minister said in his statement that this was an embarrassment" said Moore in reference to the apology, refusing to comment as to why Israel was originally in the manual and then taken out.

B'Tselem's comments were echoed by Amnesty International Canada which obtained the diplomatic manual on torture before releasing it to the press. "We are disappointed that Canada would take countries off the list for diplomatic reasons," says Paul Champ, Amnesty's attorney who obtained the document. "Torture is a very serious issue and if there's evidence, the Canadian government needs to deal with it." Champ says that the manual was for training consular officers, and in the case of Israel, to bring claims of torture to their attention.

Last year, B'Tselem jointly released a report with the Israeli individual

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liberties group, Hamoked, that documents the pervasiveness of Israeli torture and ill treatment of Palestinian detainees. The document reported that two-thirds of interview subjects said they had experienced beatings, painful binding, humiliation and denial of basic needs at the hands of security forces from the moment of arrest.

However, for Gadi Zohar, former Chief of Israel's Civil Administration in the West Bank and former head of Israeli Army Intelligence's Terror Research Department, "we have to fight for our lives, not for anybody's reports." Zohar contends that Israel shouldn't be called a state that tortures because of its "special situation in fighting terrorism. When you have to make decisions about saving lives and someone suffering, then one should suffer," he says dismissing many Palestinian accusations of torture as propaganda.

In the office of the Israeli prime minister, spokesperson Mark Regev is terse and clear. "Torture is illegal in Israel," says Regev, referring to Israel's 1999 Supreme Court decision. "Nobody, not the Prime Minister's office, the Defense Establishment, nobody is above the Law."

Despite Israel's claim not to torture, the story of violent and tormenting ill treatment by Israeli officials during detention is common in the occupied territories. According to the general director of the Treatment and Rehabilitation Center for victims of Torture in Ramallah, Mahmud Sehwal, there was little change after the 1999 Israeli High court ruling that partly barred torture. Sehwal says that 90 percent of Palestinian detainees have been tortured or ill-treated and the main switch after 1999 was from more physical to more psychological forms of torture. He also noted that the ruling's allowance for "physical pressure" to be applied in so-called "ticking time bomb" cases is a torture loophole.

Samer, who decided to use a pseudonym to keep his privacy, also relayed experiences of psychological torture where agents from the Israeli Security Agency (ISA) claimed to have arrested his mother and sister, threatening to rape them if he didn't confess. Samer says he suffers from back pain and diminished eyesight as well as psychological trauma since his detention. While his experiences are more severe than most detainees, they are not uncommon.

Hammad Selaman described the Israeli army coming to his door at two in the morning to arrest him when he was 17. Freed as part of Israel's token release of 429 prisoners in November 2007, he says he was charged with being a member of Fatah, Mahmoud Abbas' political movement which is still considered an illegal organization by Israel. Describing being blindfolded and put on the floor of an army jeep, he says the soldiers kicked and beat him all the way to the detention center. He contends that the soldiers unleashed dogs on him in the jeep.

After arriving at the center where he says he was held for a month, he highlights being taken to a small room where soldiers beat him again. "I was then taken to a bigger room where I was blindfolded and cuffed to a chair for 10 hours waiting for interrogation. I could hear other prisoners screaming from the torture."

With Canada's Feds being evasive and the official opposition Liberal party refusing an interview, Paul Dewar, The Foreign Affairs critic for Canada's social democratic party -- the New Democratic Party (NDP), was cautious in his response. Dewar primarily targeted the government for not acting on their information.

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"The government has to stop shutting up its bureaucrats when they come out with important information," he says highlighting that both Canada and Israel haven't signed the UN convention against torture. Shying away from condemning the Israeli government, Dewar said that Samer and Selaman's experiences sounded like torture, but he hasn't seen B'Tselem's report and doesn't know if Israel's actions would meet the criteria to be listed as a state that tortures.

While Canadian politicians distance themselves from publicly confronting Israel over its detention policies, many Palestinians who've passed through Israeli custody say that torture doesn't end in the interrogation room but continues in prison after sentencing.

Jihad Maher Shalapi was 16 when he says he was arrested at Nablus' Huwwara checkpoint, beaten all the way to interrogation and then severely beaten after refusing to sign a confession in Hebrew which he didn't understand. "The interrogator started screaming at me, beating me and kicking my head against the door. I was forced to stand on my tiptoes squatting in a stress position for half an hour at a time."

A member of the Popular Front for the Liberation of Palestine at the time of arrest, he says he was caught with two homemade explosives intended for a retaliation attack after the Israeli military carried out the extrajudicial execution of his uncle. He was sentenced to a year in prison by an Israeli military court where he says extreme mistreatment continued. Released in October 2007, he describes the regular use of tear gas by guards in the prison yard which would blow into the cells. He also highlighted cell block raids where the army would discharge tear gas into cells, then rushing in to beat prisoners with batons.

With a Canadian election on the horizon, the NDP has said the issue of torture will be part of the party's human rights platform. However, Dewar kept the kid gloves on and was vague as to how the issue will be addressed. Regardless of the muted response in Canada to the descriptions of Israeli torture, Shalapi, Selaman and Samer have all called on the Canadian government to place Israel back in the manual and take concrete diplomatic action to end Israeli torture.

*Jesse Rosenfeld is a freelance journalist based in Ramallah. His blog can be found at [www.allvoices.com/users/jesse.rosenfeld](http://www.allvoices.com/users/jesse.rosenfeld). A version of this article originally appeared in NOW magazine.*

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