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To:
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8 Hartom St., POB 45208
Jerusalem 91450
Fax 6467794

To:
National Prison Guard Investigation Unit
Israel Police
Government Compound, 91 Herzl St.
Ramla
Fax 08-9189410

Dear Sir,

Re: **The minor child, _____, Taha, ID. No. _____**
from Shu'fat Refugee Camp -
Complaint against police officers and prison guards suspected of severe
breaches of law with respect to a minor held in detention at the
Russian Compound detention facility

This complaint concerns allegations against police officers and prison guards in a succession of acts of severe violence, ill-treatment amounting to torture and use of prohibited measures against a minor in the time he was held in custody in the Russian Compound detention facility.

Note: police officers and prison guards are suspected of vicious and shameful acts of violence against the minor child _____ while he was held at the Russian Compound detention facility over the course of 33 days. The details regarding the acts are not distinguished by the professional affiliation of the person who committed them – police officer or prison guard, since, in most cases, the violence was perpetrated by police officers and prison guards together.

Two investigative bodies, the Department for the Investigation of Police (DIP) and the Prison Guard Investigation Unit, are called upon to address each of the incidents of violence detailed _____ herein allegedly committed by police officers and prison guards. These shameful, patently prohibited acts, most of which surpass ill-treatment and amount to torture, were committed against a defenseless, minor detainee who was in their custody in brazen breach of the laws applicable to the detention and interrogation of minors.

We believe that in the circumstances described herein, advance preparations must be undertaken and the investigation must be entrusted with an official or agency that will prevent the common and repetitive process by which the complaint is passed from one agency to another, until the investigation is no longer viable.



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شارع أبو عبيده ٤
القدس ٩٧٢٠٠
هاتف. ٦٢٨٣٥٥٥. ٠٢.
فاكس. ٦٢٧٦٣١٧. ٠٢.

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1. The minor _____ Taha, born on June 22, 2001, a slender, small statured boy, was fourteen years old at the time of his arrest. He is a resident of the Shu'fat refugee camp, who turned himself in to the police on the morning of January 29, 2016, at a checkpoint in the Shu'fat refugee camp, after his parents received a call from the police demanding he do so. From there, the police took him to the Russian Compound in Jerusalem.
2. Shortly after his arrival at the Russian Compound detention facility, _____ was taken to a "room underneath the stairs", where, in the presence of multiple spectators, who were unknown to him, including women in uniform, and despite his protestation due to embarrassment, particularly since there were women present, he was forced to undress completely. Naked, in front of the crowd gathered around watching him, he was ordered to jump for them, "to go up and down." They laughed as he did so.

Note that it was only after this incident that _____ was admitted into the detention facility, photographed, strip searched in the presence of a single guard and provided with personal items. As such, there is a very clear and substantiated suspicion that the incident in which he was forced to undress in public and move in a humiliating and demeaning manner constituted aggravated sexual abuse, organized by uniformed officials, police officers and prison guards, for their own private edification.

If this were not enough, after ordering the child to dress quickly, they demanded he stand on one foot with his face to the wall. If he stumbled or turned the other way, they shouted at him.

In all of these acts, all parties present committed aggravated assault against _____ treated him cruelly, humiliated, demeaned and abused him for their amusement.

The acts of the parties present constitute a brazen breach of the prohibition against cruel, inhuman and degrading treatment, which amounts to torture. These acts are absolutely prohibited. This abuse is particularly grievous as it was perpetrated together against a fourteen-year-old defenseless minor by figures of authority, police officers and prison guards, who are tasked, by law, with ensuring his safety and well being and are legally obligated to protect him from excessive harm. **You are required to investigate this heinous incident with particular care and to the fullest extent.**

3. Following the public humiliation and the admission into the detention facility, _____ was brought into the interrogation room. An interrogator whose name _____ does not know, allowed him to meet with counsel. At the beginning of the interrogation, the interrogator apparently did mention the right to remain silent. However, contrary to the express provision of the law, the reference to the right to remain silent was vague, and in any case, no attempt was made to ensure such a young detainee understands what it means. _____ understood that he must remain silent, that is, not speak at all. As a result, he did not answer the interrogator's questions. The interrogator, in response, banged on the table and demanded an answer, and even after the child explained he was not answering because the interrogator had just told him to remain silent, the interrogator ordered him to **admit** to everything he was accused of, threatening that if he did not, he would be framed for things that would ruin his life. On the other hand, he enticed him with the promise that if he admitted, he would be released.

Note: The interrogator demanded _____ **admit, not give his account**. This indicates that notification on the right to remain silent, a legal duty, was no more than a pretense, immediately countermanded by the demand to admit to the accusations against him. At any rate, this was done without consideration for the fact that the interrogatee was a minor child and that it was essential to ascertain that he understood what this meant. This conduct on the part of the interrogator, in fact, frustrates the purpose of the notification regarding the right to remain silent and is a substantive violation of the minor detainee's rights.

4. The first interrogation lasted hours, during which, the interrogator refused _____'s request for food and drink, while he himself was drinking juice theatrically, and tauntingly enjoying himself. _____'s request to go to the toilet was also denied. He was told he could go if he admitted to the accusations. At the end of the interrogation, the interrogator restrained _____'s hands behind his back, tightening the restraints in a particularly painful manner. In so doing, the interrogator breached the provisions of the law with regards to restraining minors.

This conduct on the part of the interrogator amounts to prohibited ill-treatment.

5. _____ was interrogated some eight times, during which he was subjected to further illegitimate interrogation methods such as verbal abuse, threats, denial of food and denial of access to the toilet in a bid to force him to admit to the accusations against him. The interrogator would routinely swear at _____ and threaten to arrest his mother, father and sisters if he failed to admit, while promising that if he did admit, he would be released or receive a lenient sentence.
6. _____ could not say whether the interrogations were recorded or filmed. However, he did note that the interrogator always made sure to have him sit under a specific type of lamp in the ceiling during the interrogations. He was never beaten inside the interrogation room, only outside of it.
7. Note that _____ was forced to sign statements written in Hebrew, a language he does not understand. When he asked what he was signing, he got an answer, but he believes the interrogator lied and what he said was different from what _____ signed. _____ says this as the indictment against him, he was told, refers to matters the interrogator did not mention, as well as things _____ says he never said. For instance, the indictment notes he was planning to commit suicide, though he claims never to have said such a thing.
8. As seen and experienced by _____, officials working at the Russian Compound – police officers, prison guards and members of the Nachshon unit, who come into contact with detainees who are minors routinely use physical and verbal violence against them. Encounters with these officials, whether on duty or off duty, gathering around these minors with no reason to engage with them, involved scare tactics, threats, particularly obscene language, abuse and disproportionate punitive action.
9. When he was brought back to the Russian Compound after a court hearing, his first remand hearing to the best of his memory, one of the prison guards asked ____: "Are you a terrorist?" _____, who does not speak Hebrew and did not understand what was going on answered: "Yes." The prison guard took

him to the same area of the building mentioned above, “under the stairs,” and ordered him to stop. He brought his button up as if to beat him with it. ____, who was terrified, froze with fear. The button did not come down on him, and the prison guard ordered him to get dressed.

This prison guard is suspected of serious sexual assault of a helpless minor which amounts to torture – an act that is absolutely prohibited.

You are required to investigate this incident to the fullest extent, with particular care.

10. Another violent incident took place when ____ was taken outside to a dark place that had no camera. His hands were put up and handcuffed, as he was surrounded by many prison guards. Several of those present proceeded to beat him “within an inch of his life” while he had no way of defending himself. One of them injured ____ in the face with a ring he was wearing. ____ was taken to court the day after this incident. He told his lawyer what had happened to him and he informed us he knew the judge, who saw his injured swollen face, had addressed the matter.

You are required to investigate this incident to the fullest extent, with particular care.

11. Another incident: A prison guard broke a cigarette ____ was about to share with a fellow detainee. Arbitrary intervention by prison guards in amicable relationships between minor detainees is disproportionate, inhumane and inappropriate.
12. In another incident, one of the personnel cursed the minor detainees and focused particularly on one small child who he had accused of raping his sister. In response to this, ____ addressed a prison guard angrily. Another prison guard asked ____ what the issue was, and then punished him by putting him into an isolation cell that had nothing in it but a foul-smelling toilet, and keeping him there until the next day. For the duration of his stay in this cell, in the height of winter, ____ had to sit on the cold, bare floor.

Before being put into this cell, ____ was brought before a commanding officer. The latter punished him by denying family visits. Denying family visits to a fourteen-year-old minor is, prima facie, disproportionate and incongruent with legal provisions.

You are required to address the issue of particularly harmful punitive measures taken against minor detainees. There is concern that punitive measures against minor detainees are employed in the detention facility in breach of the law, that they are ordered by persons who have no authority to do so and used disproportionately and liberally. The measures not suitable for the age of those being subjected to them or the actions for which they are employed.

The collection of violent attacks and continuous abuse, sometimes amounting to torture, of a fourteen-year-old minor, ostensibly at the hands of prison guards and police officers who had custody over him at the detention facility in the Russian Compound, are actions absolutely prohibited under any and all law and point to very serious and rampant deficiencies occurring among personnel working at the Russian Compound and coming into contact with minor

detainees whether as part of their duties or not. This depraved organizational culture must be uprooted.

Therefore, the DIP and the Prison Guard Investigation Unit (and as noted, we believe the investigation should be handled in a manner precluding the pointless transfer of the case from one agency to another), are required to investigate each and every one of the incidents listed here with due care, professionally, effectively and exhaustively. The cumulative impact of all violations put together, particularly the violation of the absolute prohibition on torture and ill-treatment of detainees, let alone minor detainees, requires prompt and resolute action to eradicate this conduct and bring those involved in this cruel treatment, whether through action or omission, to justice.

Please advise us on the opening of the investigation and its outcomes.

Sincerely,

Hava Matras-Irron
HaMoked: Center for the Defence
of the Individual