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## A F F I D A V I T

I the undersigned, R.B., after being warned that I must state the truth and that if I do not do so, I shall be subject to punishment set by statute, hereby declare as follows:

**The following is a description of what happened to me at a place whose location I do not know, to which I was brought after being interrogated by the GSS [Shabak] in Petach-Tikva, and where I was held for 42 consecutive days.**

I was arrested on 10 December 2002. After being interrogated by the GSS for 31 days in Petach-Tikva, I was taken to a secret military facility. That was on 11 January 2003. The persons who took me were dressed in military uniforms. The facility was about 40 minutes from Jalameh.

They blindfolded me. On the cloth blindfold they put black glasses so that I could not see anything. My hands and legs were in shackles. Soldiers sat me down on the floor of a vehicle, and the soldiers put a black cloth over me. I saw nothing during the trip, and throughout the journey, I remained on the floor of the vehicle.

When I reached the site, they took me to a room (I later realized that it was the doctor's room), where I put all my personal items on the table and they put them into an envelope and wrote my name on the envelope. I did not see the items again. After complaining to a judge, I received some of the money they had taken from me (NIS 940 of the NIS 1340 that I had). They did not return my cellular phone, belt, wallet, or [pocket] telephone book.

I stayed there for about 40 days according to my count, from 11 January to 18 February. Of course, I did not have a watch or diary. You are showing me notes from a memorandum of a GSS interrogation. The first memorandum is undated, the second is dated 12 January 2003, and the last one is from 4 February 2003. The rest of the time no record was taken, apparently, or they did not present them to you.

**Actually, I was kept at that place for 40 days, as stated, but from 4 February to 18 February 2003, they did not interrogate me.** During the appeal, the judge examined documents and told me that my interrogation ended on 4 February.

I was taken from that facility to Petach-Tikva, where the police took a statement from me.

### What is the name of the place?

They never told me the name of the place or where we were. In response to the many questions I asked [about this], they gave me a variety of answers: sometimes they said or hinted that we were in Atlit, somebody said Acre Prison, one interrogator said in a “submarine,” and they often answered by saying that I was “in space” or “outside the borders of Israel.” Not knowing where I was and the feeling that they could do whatever they wanted with me, and that nobody knew what had happened to me, and that I was subject to the interrogators for good and bad was extremely frightening and threatening.

### Description of the place

The description I am giving is not based on what I saw. I was held like a blind mole, except for the prolonged hours that a GSS agent interrogated me in the interrogation room.

This description is based on assumptions that I made from the lengthy time I was kept there. The place is located within an army base. The structure is old. It is one story. The passageway from the cells in which the detainees are held and the GSS interrogation rooms or the infirmary there are three electric-powered doors and along the way is an unroofed yard.

Generally, I made my way along this path at least once a day either to the infirmary or the interrogation room.

### Description of the staff

The people who drove me to the facility, and those who serve there, are soldiers. The army manages the facility, but the interrogators are GSS agents. That is how they introduce themselves.

It is absolutely forbidden for a detainee to see the soldiers. It is a fixed rule that, when the detainee is held in the cell, and a soldier wants to enter or bring something to the cell, he knocks on the door. There is a standing order that, when I hear the knock, I put a black sack on my head, turn around and face the wall, and raise my hands onto the wall. When I am in that position, the soldier comes in or opens the door. The rest of the time, the soldier looks into the room by means of a very thin hole in the door.

When they take me to interrogation, my face is covered with a black sack, with or without glasses, and they drag me all the way.

Most days, I was taken to a medic who checked my blood pressure and other things. Once or twice a week, I was taken to a doctor. The doctors changed. The doctors' faces were not covered, nor was mine, when I was in the infirmary.

I did not see women or female soldiers, but there was a time that I heard a female detainee who spoke English with a female soldier. She also spoke Arabic.

### Description of the cells

There are two types of cells that I knew about. For the first 11 days (according to my calculation), I was held in the worst of cells.

#### The stench-filled cell

According to my measurements, the cell is 120 cm wide (a little bit more than the width of a mattress) and about two and half meters long. A damp mattress and damp blankets lie on a platform about 30 cm high (*the mattresses are always damp*). The blankets give off a foul stench. The same is true about the mattress. They were obviously used before I got there.

The room has a plastic garbage can, about which I shall say more. There is a small water pitcher, and a rag.

The room is all black. Its walls are painted black. I never saw the ceiling. When I looked up, I only saw darkness. Light containing the power of a candle penetrates in a peculiar way from one side of the room, from a device that lies about a meter beyond the ceiling, and the light is filtered from three thick pieces of glass. The light in the room was so weak that it only lit a small part of the room. If I had a book, I would not have been able to read it. It was almost impossible to see anything in the room.

Obviously, the room has no windows. It is impossible to know whether it is day or night, and when day turns into night. I could only guess the time for prayers.

The ceiling has a pipe or two (maybe it is a flue?) apparently for ventilation purposes. I say apparently, because I could never be sure there was ventilation. Most of the time and in all the

cells, I felt that I did not have enough oxygen, and there were many times that I thought I would faint.

I spent many days in this cell and in others like it, and hour after hour speaking to myself, feeling that I was going insane, or laughing to myself. I used to sit on the mattress, get up, turn around, and sit down. Thinking about my wife and children was the only thing that enabled me to maintain my sanity.

### The toilet in the stench-filled cell

What distinguishes this cell from others is the fact that it does not have any toilet or any water outlet. I spent my first 11 days in the facility in the stench-filled cell.

The large garbage can, made of black plastic and having handles and a cover was about as wide as the doorway to the cell. When I first entered the stench-filled cell, there was a foul and smelly liquid substance in the can. I realized that this was the bathroom that they had allotted to me. I had to relieve myself into it. I was able to urinate standing up. But at first I was unable to relieve myself otherwise into it. In the beginning, I decided not to eat, but after some time I started to feel hungry, so I ate. I remember the first time that I had to relieve myself. I mulled over what to do. Ultimately, I took off my underpants, spread it out on the floor, relieved myself onto it, folded it, and threw it into the can. The can stayed in the room as it was. Other times, I had to stand on my toes (I am not tall) to manage to relieve myself into the can and not turn it over onto me.

I did not shower at all while I was in the cell, and nobody offered me the chance to take a shower. Obviously, I did not brush my teeth or wash my face. Three times a day, a small amount of water was brought to me in a pitcher.

The stench became intolerable. I tried to keep my face in the direction of the cracks in the lintel of the heavy steel door of the cell so that I could breathe a bit, but it was a heavy door and my idea didn't work..

On the ninth consecutive day of my stay in the stench-filled cell, one of the soldiers was supposed to come and take me out. He almost vomited and then rushed out of the cell. I was standing, as usual, facing the wall with my head covered with a black sack. He called to another soldier, and they arranged for removal of the garbage can. They told me to drag the can. I told them that I can't do that with my eyes closed. I dragged it, but did not manage to get it out of the cell because of its weight. The soldiers agreed to take the sack off, which enabled me to drag the pail outside.

Then they covered my eyes again. As they did that, one of the soldiers grabbed my shirt and pulled me while I was dragging the smelly can.

They took me to another cell, put me and the smelly can inside, and told me to spill the contents into the hole of a Turkish toilet [hole in the floor] that was in the cell. The soldiers governed, *from outside the cell*, the water flow, and while I was spilling the contents, they turned on the water full blast, which dirtied me and my clothes.

They forced me to wash the pail. I demanded that they let me take a shower. I told them that I worship and that I cannot say my prayers when I am filthy with feces. This was the first time that I saw running water. I spoke in anger, so much so that they agreed to let me shower. I asked for a towel, and one of the soldiers went to my cell and brought the rag that had an intolerable stench to it.

I asked for a change of clothes and a real towel, and not what they gave me. The soldiers were rude and threatened me all the time. This time, too, they threatened that if I don't take this opportunity, I would not be given another. I undressed. As I did, they watched through the small window and made insults. I stood there naked. The soldiers turned the water on. They only let me shower for five minutes. At the end of five minutes, they turned the water off.

It was winter and it was cold, but I had no choice, and I put my filthy clothes onto my wet body. They had me put the sack back on my head and took me back to my stench-filled cell along with the empty can.

I stayed in the cell for another two days.

### Other cells

After being in the facility for 11 days, I was upgraded to a cell with a Turkish toilet. This was not a real upgrade because the soldiers controlled the running water, deciding when to turn it on.

I moved from one cell to another a few times. **All of them were completely black, with no light day or night, except for a ray of light that filtered through many panes of glass from some mysterious place in the ceiling, which was not enough to light up anything. Detainees in these cells do not know where the ceiling is, they can't see it. Everything is gray and black.**

Most of the other cells are similar. There are two bunk beds made from concrete, with mattresses on top. The mattresses are damp. Some of the bunks are about 165 cm long. When I slept on

them, I had to bend my knees. Some of the bunks are 185 cm. I estimate that most of the other cells are 180X170 cm in size and that the largest one is 220X180 cm.

Toilets in the other cells: These cells have a Turkish toilet. As stated, the detainees do not have control over the water. Over the toilet hole is a concrete device with a hole, and when the soldier wants to, from outside he turns on the water to wash the feces. After I arrived in this cell, I was offered a shower once a day. The shower worked like this: the soldier states that it is possible to shower. I undress while the soldier is looking through the crack in the door. When I have removed my clothes, I have to stand over the toilet, along the wall, and the soldier opens the water for the “shower.” The water comes from one hole within a concrete block that is about 15-20 cm from the wall, at a height of about 150 cm. To get under the water, the detainee has to crouch close to the wall and wait for the water to come.

The soldiers never turned the water on for more than five minutes. They also set the temperature of the water.

In the better cell, too, I did not receive a change of clothes nor a towel. The rag from the previous cell was apparently for my sole use. In my first days in the better cell, I wanted to shower. It was very cold, and I had no way to dry off with the smelly rag. I decided to take advantage of the shower to wash the rag. I demanded that they bring me soap, and after arguing the matter and after I told them that I would not shower without it, they brought me soap. The first three or four days I took advantage of the five minutes of running water to wash the rag over and over. Even after it dried during the course of the day, it smelled horribly and I could not shower. Once, the soldier saw that I wasn't showering but was only soaping the rag and scrubbing it on the floor, and he turned off the water.

After about four days had passed, I thought that the rag was in reasonable condition and I showered. I still had to wear the same clothes. I did not have underpants for the reason that I mentioned above. To show how much control the soldiers had over the water, one time, I was all soaped up and they decided to turn off the water. I banged on the door and shouted that I had soap all over my body. The soldier “granted” my demand and opened the cold water, which was freezing. Having no option, I rinsed off the soap with the cold water.

### Who knew about these conditions?

Everybody knew about them. The soldiers who guarded the cell did these things, so they knew. The same is true about the medic who saw me every day and the doctors who saw me once or twice a week. Obviously, every last one of the interrogators knew, and apparently ordered it.

The medic and the doctors, whom I would have expected to be medical practitioners and compassionate people, saw me day after day in the same clothes, without underpants. They smelled my stench day after day and said nothing, as if everything was normal.

And the interrogators. They really suffered from my stench. Yoni was in the interrogation room, and he had to withstand my stench day after day. I remember that Yoni came over to me one day, and I thought he was about to faint. He told me, "You smell like shit" and you have to finish the interrogation. On a number of occasions, when the interrogation ended, he and other interrogators would say, "Go back to your shit."

When I was in Yoni's interrogation room, he would turn the air-conditioner on right over me. It was winter and cold. I told him many times that I was cold, but he kept it on. I understand why: my stench was intolerable. I was freezing all those many hours that I underwent interrogation. I also complained to the soldiers about it.

Clearly, the judges also could have known if they had taken the trouble to ask why filthy and smelly people were brought before them. *For the two extensions of detention I was brought from this facility to the Kishon detention center (Jalameh).* For the first extension, which took place, according to my calculation, after 22 days in the facility, I was brought before a judge in Kishon. I complained to him. I showed him my undershirt and told him that when I was arrested it was white, and now it was yellow. I told him that I did not have underpants, and I asked him to smell me. I also told him that I could not shower without a towel and clean clothes. An attorney who was there told me that the judge told the soldiers to give me clothes.

That same night, at 11:00 P.M., they brought me used, clean clothes. They did not bring a towel. When I later asked for a towel, I received one reply, "Shut up."

### The interrogators

The interrogators introduced themselves as GSS agents. Yoni was the first one to interrogate me. He is apparently a retired agent who returned to service to conduct interrogations. There was another elder agent, A. H., who was around 50 years old. He laughed at me that I do not see well,

and made disgusting motions to test my vision. Another interrogator, Avi, dressed in jeans and was bald, tall, and thin.

The person who was said to be the head of the interrogation was Efi, who was about 38-40 years old. He had a pale complexion and a crew cut. He stated that he had taken part in previous interrogations in Kishon. On my 20<sup>th</sup> day of interrogation, he entered the room in which Yoni was interrogating me. Avi had files in his hand. He asked me if I wanted to confess, and said that I was a liar. I told him that I was not a liar. He repeated that I was a liar. I told him that he was a liar. Then he told me that I was disgusting, and I said that he was disgusting. He grabbed me by the neck (my hands were tied in front of me), pushed me into a corner, and began to punch me in the face. While this was going on, Yoni sat there and said nothing. Then he bound my hands with the steel handcuffs that they always used to tie my hands, and he cuffed my hands behind me.

Along with Yoni, who was my primary interrogator, there were others, among them Eldad and Avi. There was one who said that he was a doctor. After I was there for a month, Yoni told me that, "our chief wants to sit down with you." In came Avi, who weighed about 110-120 kilograms, wore eyeglasses, and was in his late fifties. He threatened that they would murder me and deport me. He said, "our sin was in keeping you alive." He told me that, "we detained your mother and your wife."

### Food

Throughout my time there, I was given my food *in the cell* and I had to eat it sitting on the floor. The food is served on one medium-sized plate. I received three meals a day.

The food was tastier than the food given in the GSS interrogations wing in Petach-Tikva. The problem was the cleanliness. In the stench-filled cell, the soldiers used to put the food on the garbage can, whereas in the second cell, they used to put it right on the toilet. Once, I went on a hunger strike because of that. I refused to eat and also complained to a GSS agent, who was not at all moved by my complaint. I did not receive any hot drinks, but sometimes they gave me weak tea that I had to spill out.

I lost 14 kilograms during my stay there.



**AFFIDAVIT**

(true copy of original)

I the undersigned, R. B., after being warned that I must state the truth and that if I do not do so, I shall be subject to punishment set by statute, hereby declare as follows:

Today, 12 June 2003, I was sitting with Attorney Tsemel and spoke with her at length about my recollections and experiences during detention in an unknown place where I was held and interrogated in January-February 2003.

I made these comments to serve as evidence in court and in any proceeding.

In witness thereof, I signed.

\_\_\_\_\_ *[signed]*  
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I confirm that on 12 June 2003, Mr. R. B. appeared before me, Attorney Leah Tsemel, in Ofer Detention Facility, and after I warned him that he must state the truth and that if he does not do so, he is subject to punishment set by statute, he confirmed the accuracy of his affidavit and signed it in my presence.

\_\_\_\_\_ *[signed]*

Leah Tsemel, Attorney