

CLASSIFIED: JERUSALEM 3239

**TEXT OF US
CABLES ON**

**"SYSTEMATIC
ISRAELI
TORTURE"**

The Middle East has obtained classified US Government cables sent by the US Consulate-General in Jerusalem to the Department of State in Washington alleging "systematic torture" of Palestinian security suspects in the occupied territories.

On 7 February, *The Washington Post* broke this story, beginning what Charles S. Seib five days later described as "the biggest wave of protest I had experienced in over four years as *Post* ombudsman". The article quoted from the cables but extensive excerpts from one of the documents are being published for the first time in *The Middle East*.

The first cable "Jerusalem 1500", sent in May 1978, was classified "confidential" and described the cases of 15 Arabs who had applied for US visas after having been arrested in Israel for "security offences". This cable concluded: "Israeli torture of Arab prisoners in the occupied territories may be a widespread and even common practice."

The second cable "Jerusalem 3239," sent six months later was classified "secret" and addressed the question of whether there was any credible evidence that "systematic torture" was practised by Israeli authorities. By this time 29 "security offences" cases had been investigated. The introduction of this cable, by Deputy Principal Officer Donald Kruse, confirmed that "the weight of evidence points to the validity of (the) general conclusion that physical mistreatment is systematically used on many Arab security suspects interrogated in the West Bank".

Credible reports about torture in Israel have surfaced before, most notably in a detailed investigative report in *The Sunday Times* of London in June 1977 and last year in a lengthy report by the National Lawyer's Guild of the US. But this is the first time official US Government documents have come to public attention.

Both cables were researched

and written by a junior foreign service officer, Alexandra U. Johnson although they were sent under Consul-General William Newlin's name, as is the usual practice.

Allegations of bias, partly resulting from Johnson's brief engagement to one of the Palestinians mentioned in the report, have led to charges that her objectivity may have been compromised and she has been subjected to considerable assault in the US media.

The Israeli Government forcefully repudiated the charges of systematic torture but admitted that "instances of abuse may have occurred."

In Washington the controversy has extended to the State Department's annual human rights report. Patt Derian, Assistant Secretary of State for Human Rights and Humanitarian Affairs, is said to have strongly argued that the cables should be taken seriously. Yet the result was only a bland phrase in the 1979 report - "The accumulation of reports, some from credible sources, makes it appear that instances of mistreatment have occurred." Perhaps the most graphic commentary may have come from *The Washington Star's* brilliant cartoonist, Pat Oliphant, which is reproduced here. Excerpts from the classified document "Jerusalem 3239" follow:

● Although the *Post* (the US Consulate in Jerusalem) does not necessarily agree with all of the deductions and con-

clusions contained in this report the weight of evidence points to the validity of her (Alexandra Johnson's) general conclusion that physical mistreatment is systematically used on many Arab security suspects interrogated in the West Bank.

This mistreatment is used to obtain a confession of security offences and to obtain information on other Palestinians who may also be involved in security offences. The number of cases and the content of the individual stories reveal a certain consistency.

● The *Post* fully understands Israel's legitimate concern over security on the West Bank and accepts the premise that a military occupation regime may necessarily supersede the basic civil and human rights which are expected in a free democratic state living in a state of peace. It seems clear that, by any US or Western standard of police practice and interrogation, Israeli practices on the West Bank go beyond acceptable civilian norms.

● Relative to treatment of security suspects in neighbouring countries, we are of course, not able to judge but suspect that Israeli actions are no worse than what might be applied to, for example, an Israel security suspect in Jordan, Syria or even Egypt.

● Material in the section of the report by Ms. Johnson regarding use of coerced confessions as the sole means of conviction on security offences is corroborated by Jerusalem A-19. In Jerusalem A-19, two other consular officers at the *Post* observed that disregard by an Israeli military judge of a request for investigation of charges that the confessions were obtained under coercion.

● The *Post* believes that the contents of this cable along with references should be taken into account in preparing for the Congress the required annual human rights section on Israel.

Donald Kruse
Deputy Principal Officer

OLIPHANT





Pictures (left, 38, 40) show Israeli occupation forces prison in Nablus; a prisoner revealed administration-interrogator cooperation in use of electric torture equipment

SUMMARY. During the period between March 1977 and November 1978, the Post (the US Consulate in Jerusalem) has assembled a body of first-hand testimony indicating that Israeli torture of Arab prisoners may be a systematic practice. In contrast to GOI (Government of Israel) avowals that any incidents of brutality are rare, aberrant, and untypical, these reports depict a graded system of physical pressures applied in conformity with certain fundamental criteria – a system requiring far-reaching administrative co-ordination.

Furthermore, the information casts considerable doubt on GOI's contention that claims of brutality are carefully investigated, instead portraying the military administration as suppressing such claims and acting to prevent their investigation.

This material substantially goes beyond the findings of last year's human rights report on Israeli practices in the occupied territories, and is submitted as part of the Post's effort to keep the Department and Embassy in Tel Aviv informed of human rights practices in the West Bank.

Interrogation as a System: All 29 applicants claimed that they had been beaten or otherwise tortured during the interrogation sessions which followed their arrest. Although their statements are vivid and individual in character, there are certain basic uniformities and patterns which characterise these descriptions of interrogations. It is possible to discern a graded system of pressures applied in conformity with certain fundamental criteria.

- **Level One:** beating with fists, beating with sticks on the head and torso;
- **Level Two:** immersion in cold water, beating with whips, beating the genitals with hands and sticks; interrogation while nude, shackled in awkward positions;
- **Level Three:** refrigeration, use of electricity, hanging by the hands or feet, extreme forms of sexual sadism; in-

terrogation accompanied by starvation, enforced sleeplessness.

Interrogation and charges: While the variations described by the applicants cannot be fully explained by a single factor, there does appear to exist a broad correlation between the severity and intensity of the interrogation and the gravity of the charges which the interrogators are investigating.

One applicant admitted to the Consular Officer that his interrogation had resulted in permanent physical damage, while another admitted that his interrogation had lasted not for eight days, as he had originally stated, but for 37 days.



Both said that in their initial Consular Officer interviews they had deliberately minimised their suffering, lest the Consular Officer conclude, on the basis of the severity and intensity of the interrogations, that they were guilty of serious crimes.

Of the five Level One cases, four apparently concerned people who, while not themselves organisation members, failed to inform on their politically compromised acquaintances. It is noteworthy that of the four individuals who failed to inform, two were tried for organisation membership. Local attorneys explain – and this is borne out by court records – that this is often the

case, because the military courts tend to reason that failure to inform is support and that support equals membership.

Of the seven Level Two cases, six concerned passive organisation membership. The seventh applicant, having refused an offer by the Israeli security organs to work as a double agent, found himself faced with charges of organisation membership and military training, within the framework of contacting an "enemy organisation" abroad.

Five of the cases revolved about seditious and politically indiscreet conversations alleged to have included verbal consent to join the organisation.

Of the four Level Three cases, two involved armed operations. One of these applicants was arrested after throwing a dud grenade at an Israeli patrol. In other cases, the connection with armed operations seems to have been more tenuous.

For example, one applicant, who was interrogated about his alleged knowledge of a planned terrorist operation, seems to have been arrested because the father of his fiancée, who had a daughter requiring corrective surgery for a birth defect, spoke enthusiastically – within earshot of a police informer – of his arrangements for her coming operation. (Unluckily, the same word is used in Arabic for both terrorist and surgical operations.)

In addition, there is another major type of case, (which) involves overt political activity – such as writing anti-Israeli slogans on walls, marching in demonstrations, writing and distributing political circulars, and the like – undertaken within the framework of organisation membership.

The extent to which the operation of systematic rules for interrogation can be discerned is significant, suggesting both the training of interrogators in the use of force and the attention of administrators to the allocation of interrogator time.

The idea of interrogation as a system is strengthened by a consideration of



another factor, the importance of denunciations, which explains virtually all of the few cases in which the severity and intensity of the interrogation do not seem to correlate with the nature of the charges.

Interrogation and Denunciation: A vicious circle can be discerned (which) begins with Israeli security organs arresting an individual on the basis of a denunciation obtained from his friend under interrogation; then, during the new arrestee's interrogation, the interrogators demand that he co-operate with them and denounce his associates; and further arrests result.

Seventeen applicants were apparently arrested on the basis of denunciations, five almost certainly were not denounced, and in seven cases there is insufficient information to make a judgement on this point.

It is noteworthy that of the five applicants who were not denounced three were released without trial at the conclusion of their interrogation, while on the other hand, all seventeen of the applicants who were denounced were tried, convicted, and imprisoned.

Apparently, the securing of denunciations is a key point to be gained in interrogation. It appears that an individual's willingness or unwillingness to denounce associates may be a crucial factor in determining the severity and intensity of the interrogation.

Administrative Considerations:

Personnel: Ten applicants specifically mentioned that more than one interrogator participated in their interrogation sessions.

Most often, these applicants said that two or three interrogators participated. However, an individual interrogated in Ramallah said that one supervising interrogator directed a team of five soldiers who were beating him, while another security officer took notes.

The practices described by the 10 applicants run strongly counter to any explanation of physical abuse during in-

terrogation as merely the aberrant behaviour of an occasional "rogue cop". If several interrogators are to question and beat an arrestee simultaneously, it would surely be necessary for these interrogators to meet briefly before the session to co-ordinate their tactics.

If several interrogators are to question and beat an arrestee sequentially, so that the interrogation sessions increase in severity, each interrogator would surely have to make a report to the interrogator following him. And what of the administrators assigning interrogators to individual cases? Are we simply to assume that all of this conferring and co-ordinating and reporting among sub-



ordinates could go on without the knowledge of their direct superiors?

Administrative considerations: Installations and Equipment: While most of the beating and torture described apparently involved fists or makeshift instruments, there are also indications of the presence of elaborate installations in the interrogation centres, apparently designed for abusing the arrestees.

An applicant interrogated in Nablus Central Prison, for instance, said that there is a row of several small "refrigerator" cells in the prison complex, which are very cold even in the heat of summer.

Another applicant, who was in-

terrogated in Hebron, said that a special room had high-frequency and loud irritating sounds piped into it, and he described his stay in this room as the most difficult stage of the interrogation.

Bureaucratically, the construction of such refrigerator cells and sound rooms would be a formidable enterprise. Administrative operations involved would certainly have included the making of proposals for discussions and approval, followed by the allocation of funds, the signing of requisitions for materials, and so forth. Both of these installations would also require maintenance.

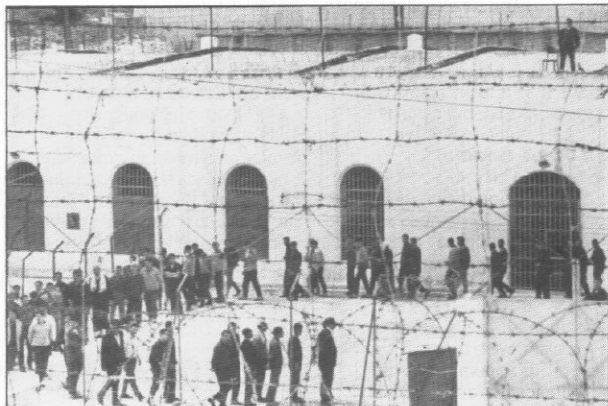
The experiences of another applicant, who was interrogated and imprisoned in Nablus Central Prison, and who had worked as an electrician before his arrest, suggest one solution to the problem of maintenance.

A few months after his own trial and sentencing an Israeli security officer came to the common prison room and asked him his profession. Later, the prison administration offered him a job as an electrician - maintaining, among other things, the electrical installations used in interrogations.

He did this work for over four years under the direct supervision of an Israeli security officer with the rank of captain, who worked on the electrical devices with him. This applicant's statement explicitly portrays the prison administration as actively co-operating with the interrogators in maintenance of electrical torture installations. And one wonders who assigned the Israeli captain to this task.

The bureaucratic considerations discussed above apply to a lesser extent to smaller and simpler instruments of torture. Two applicants who were interrogated at Hebron, for instance, described being hung from permanently installed hooks - one by his hands, one by both hands and feet.

It may well be asked what justification (other than the true one) could con-



ceivably have been offered to superiors or to the administrative section for the installation of hooks sunk strongly enough into the ceilings of interrogation areas to bear the weight of a man.

To cite another example, most applicants (whether interrogated at Ramallah, Nablus, Hebron, or the Russian Compound of Jerusalem) stated that they had been beaten with sticks, and many described these instruments.

They spoke of a short wooden rod about the length of a ruler, used for beating the head and genitals, and a somewhat thicker stave, about the length of a yardstick, used for beating the limbs and torso. The uniformity of applicants' descriptions of these instruments and of their use suggests standard-issue equipment.

Complaints and challenges: Many applicants interrogated at Ramallah and Hebron stated that they signed two confessions: the first before their actual interrogators, members of the security organs, and the second (a duplicate of the first) before an ordinary policeman.

When the Consular Officer asked several applicants who had omitted to mention the second confession whether they had signed only one, they replied that of course they had signed a second document – but thought that this was not worth mentioning because it was a standard procedure.

According to the applicants, the procedure begins with their interrogation under torture by members of the security organs, who either do not identify themselves to the arrestee or who use Arabic (or sometimes American) pseudonyms, at an interrogation centre used for dealing with political cases. When the arrestee breaks down, the interrogator dictates a confession or writes it for him.

Following the signature of this first confession, the arrestee is told that he will be taken to the local police station, where he must confess again,

reproducing the content of the first confession – and that if he refuses, he will be returned to interrogation under torture. At the police station, ordinary policemen question him without the use of force, and he signs the second confession.

Such a procedure, which would be impossible without far-reaching cooperation between the police and the security organs could only have been advised to quash any potential challenges to the validity of the confessions.

One applicant, who was tried in April, 1976 stated in response to the judge's query as to whether he affirmed his confession, that he repudiated it because it

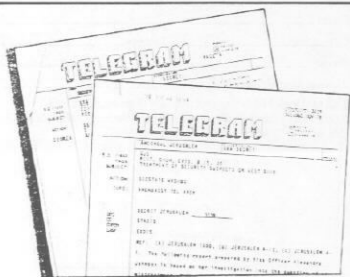
by torture, said that he contested the validity of the confession only in cases where the accused might be sentenced to imprisonment for life or a very long term of years.

Furthermore, in those cases where he challenged the validity of a confession successfully Masri said that he always took care to make clear to the judge that, if his client were given a reduced sentence, there would be no publicity and no insistence that the actual reason for the non-acceptance of the confession even be entered in the court record.

Two applicants recounted how a group of Nablus prisoners conveyed to ICRC visitors their complaints about beatings and other grievances. Shortly after the ICRC departed, the Deputy Mil Gov entered the room, told the prisoners that such complaints should not be made in the future and ordered guards to fall on the prisoners and beat them with sticks. Both applicants commented that, as a result of the beating the prisoners assured subsequent ICRC visitors that everything was fine.

Conclusion: The picture presented by the statements of the 29 applicants forms a serious challenge to GOI claims that instances of brutality are isolated, aberrant, and carefully investigated when reported. Patterns recurring in these statements of 29 individuals interrogated in four different administrative jurisdictions at various times over a period of 10 years cannot be dismissed as coincidence or the product of actions of a few isolated low-level personnel.

On the contrary, one is faced with the possibility that the use of brutality in the interrogation of Arab political prisoners is a systematic practice, involving the use of trained personnel, backed by far-reaching administrative support, and protected by standard methods of suppressing complaints and blocking their investigation. Indeed, one may well question the motive behind GOI claim. □



was false and had been obtained by torture. This applicant said that the judge told him to be silent, then hurriedly sentenced him to six years imprisonment. The confession was the only evidence presented.

The remaining 22 applicants who were brought to trial apparently did not attempt to contest the validity of their confessions. On the contrary, most of these individuals seem to have affirmed their confessions at their trials at the advice of their attorneys. Wasfi al-Masri of Nablus, the local attorney most successful in obtaining invalidations of confessions in the military courts on the grounds that (they) have been obtained

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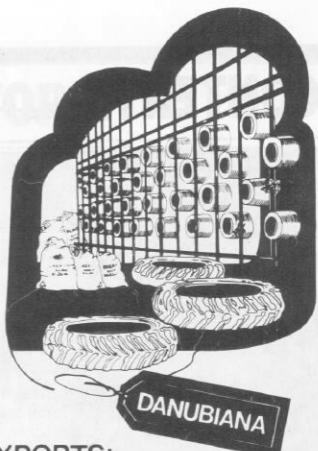
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