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**A statement for immediate release issued by
Human Rights & Democracy Media Center "SHAMS"
On the occasion of International Day against Torture and other cruel degrading
and inhuman treatment**

Call for establishing a national body against torture

"SHAMS" center **condemns** the systemized torture actions committed by Israeli soldiers and interrogators against the Palestinian detainees in the Israeli prisons. Israeli is the only state that permits torture through the resolution of the Israeli Supreme Court of 1996 which allows investigators to use physical pressure (moderate) against Palestinian detainees. Israel is the first country whose citizens support practicing torture against the so called "terrorists", also, Israel is considered of the first countries which manufactures and exports torture tools like shackles, fetters and chuffing chairs according to a report issued by Amnesty International. In addition to the use of chemical materials which cause paralysis, nerves' gas, toxics, tear gas and electrocution tools.

Therefore, Israel is the state of terrorism which violates international conventions and treaties. This was mentioned within a press release issued by "SHAMS" center on the occasion of International Day against Torture and other cruel degrading and inhuman treatment on June 26. According to the resolution no. 39/46 issued by General Assembly of the United Nations' of December 10, 1984.

"SHAMS" center **stresses** that prohibiting torture is internationally adopted decision by the international community based on the resolution of the United Nations. Each year on June 26 , the world celebrates the International Day against Torture and other cruel and inhuman treatment based on the UN resolution no. 149/52 issued on December 12 of 1997. For the purpose of complete eradication of torture, and to enhance the efficiency of Convention against Torture and other cruel degrading and inhuman treatment adopted by UN General Assembly on December 10 of 1984 in which torture is considered as a crime by virtue of



International Law. it is forbidden, opposed and unjustifiable under all circumstances based on related international charters. Moreover, prohibiting torture is a part of the International Customary Law, and it is obligatory for all members whether states have ratified the conventions against torture or not.

"SHAMS" center **calls for** establishing a national body against torture accordingly; Convention against Torture will represent indispensable part of the applied Palestinian legislations. So, the texts will be adopted and adhered to before various national courts, and there will be accordance achieved between Palestinian legislations with Convention against Torture. Additionally, paragraph 1 and paragraph 2 of Article (13) of the Palestinian Basic Law stipulate "No person shall be subject to any duress or torture. Inductees and all persons deprived of their freedom shall receive proper treatment". "All statements or confessions obtained through violation of the provisions contained in paragraph 1 of this article shall be considered null and void".

It is worth noting that incriminating torture in the Palestinian Basic Law is useful however, issuing a law to prohibit torture is also required. But most importantly, torture should be forbidden in practice, lifestyle, and culture.

Formulating a national body which combines experts and professionals in the International Humanitarian Law as well as Human Rights Law, and human rights activists, forensic experts, psychological experts and doctors, sociologists, media figures, instructors, judges will be of high importance. The body will be organized and controlled based on specific regulations and specialization with financial and administrative independence. In addition, having the Board of Trustees, professional executive staff will emphasize the political will towards forbidding torture, preserving human dignity and respecting humanity.



"SHAMS" center **requests** putting an end to the phenomenon of getting free from penalty. Besides, advancing and increasing training courses and educational programs to assure that people in charge of implementing sentences and jails are familiar with regulations of the Convention against Torture, and arranging training courses for the personnel responsible of law enforcement. The center also requests enacting new legislations, amending the applied ones or disusing laws which may lead torture's perpetrators or other kinds of maltreatment getting from punishment. In addition to redress the victims of torture, and to unify efforts towards all possible efforts of the government, civil society organizations and other UN agencies and entities in order to collaborate for promoting and protecting human rights and combating torture and other cruel, degrading and inhuman treatment. Furthermore, to help and rehabilitate the victims and to get rid of torture's crime locally, regionally and internationally.

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