



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CAT/Follow-up

20 August 2018

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honor to refer to the follow-up to the examination of the fifth periodic report of Israel, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 57th session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/ISR/CO/5, para. 52) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 21, 23 (a), 25 (b) and 31 (b) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 19 September 2017 providing your Government's response on the above-mentioned paragraphs (CAT/C/ISR/CO/5/Add.1), and to make the following comments:

Independent medical examination of persons deprived of liberty (para. 21)

The Committee thanks the State party for the information provided. It regrets, however, the absence of information on cases reported by prison medical personnel as potential instances of torture or ill-treatment. In addition, the follow-up replies do not indicate whether the State party has considered transferring prison health care responsibilities to the Ministry of Health as a way to ensure that medical personnel can operate with full independence (1/C).

.../...

H. E. Ms. Aviva Raz Shechter
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End the practice of administrative detention and guarantee fundamental legal safeguards to all persons currently held in administrative detention (para. 23 (a))

The Committee observes with concern that the follow-up replies do not mention whether the State party has reviewed its legislation and policies to ensure that all instances of deprivation of liberty, and in particular administrative detention under the Unlawful Combatants Law No. 5762-2002, as amended in August 2008, are brought into conformity with the provisions of the Convention (2/C).

Solitary confinement and other forms of isolation (para. 25 (b))

The Committee regrets that the information provided does not allow the Committee to assess whether solitary confinement has been prohibited for persons with intellectual or psychosocial disabilities. In this regard, it reiterates its recommendation that the use of solitary confinement for juveniles and persons with intellectual or psychological disabilities shall be strictly prohibited, and that the State party should put an end to this practice (1/C).

Effective measures to ensure that interrogation methods contrary to the Convention are not used under any circumstances (para. 31 (b))

The Committee regrets that no information was provided by the State party on any efforts or measures undertaken with a view to abolishing interrogation methods in contravention of the Convention and/or limiting to the extent possible the use of restraints. The Committee express its concern about the confidential nature of the methods of interrogation of the Israeli Security Agency (ISA) (1/C).

Implementation plan (para. 52)

The Committee regrets that the State party has not provided information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (C). The Government of Israel is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the fifth periodic report of Israel.

The Committee looks forward to a continued constructive dialogue with the authorities of Israel on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

Abdelwahab Hani

Rapporteur for Follow-up to Concluding Observations
Committee against Torture