

# Legal dilemma: Pay alleged torture victim or reveal interrogation methods

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THE STATE may face a legal dilemma whether to award a Palestinian, whose family says he was tortured while in custody, NIS 3 million in damages or to reveal secret clauses in the Landau Commission report pertaining to allowable "moderate physical pressure" in the questioning of suspects.

The Association of Israeli-Palestinian Physicians for Human Rights by recently filed suit in Jerusalem District Court on behalf of Hassan Zbaide, who was detained for 33 days last year by the GSS on suspicion of belonging to a hostile organization.

Zbaide, of Tulkarm, was released without charges, but according to Dr. Ruhama Maraton of the AIPP, became catatonic as a result of torture while in custody and is now unable to make contact with the outside world.

Zbaide's family blames interrogation methods used by the GSS for his condition, saying that before his detention he was perfectly healthy, and is demanding NIS 3 million in damages for physical and mental damage incurred.

On November 18, the court gave both plaintiff and defense 45 days to disclose all documents concerning the case.

According to the law, if the defense refuses to disclose documents, the plaintiff wins.

State Attorney Aharon Gal said in court that the GSS complied with the rules regarding the interrogation of security prisoners, and therefore the state should not pay damages.

The plaintiff's attorney, Dan Assan, argued that to determine if interrogators acted according to the rules, he must be informed what those rules are.

If the documents are disclosed, GSS interrogation methods by the way be brought to light.

AIPP director Niv Gordon feared the state may prefer to pay damages rather than to disclose secret documents.

"Have we reached the stage where the government will pay money to a victim of torture, rather than reveal interrogation methods which could just support our case?" he said.