

# Torture

Human rights, medical ethics  
and the case of Israel

Edited by

NEVE GORDON &  
RUCHAMA MARTON

With the assistance of  
Jon Jay Neufeld



Zed Books  
LONDON AND NEW JERSEY

in association with

the Association of Israeli-Palestinian  
Physicians for Human Rights  
TEL AVIV

# Contents

Foreword	xi
Acknowledgements	xii
List of abbreviations	xiii
List of contributors	xiv
<b>1 Introduction</b>	
RUCHAMA MARTON	I
<b>PART I The public realm</b>	<b>7</b>
<b>2 Associations</b>	
DAHLIA RABIKOVITCH	9
<b>3 Political evil: legalized and concealed sadism</b>	
HAIM GORDON	11
<b>4 The social response to torture in Israel</b>	
STANLEY COHEN	20
Workshop: strategies for an international campaign against torture in Israel led by JONATHAN E. FINE	28
<b>PART II Participation of health professionals in the practice of torture: the struggle against it</b>	<b>31</b>
<b>5 The white coat passes like a shadow: the health profession and torture in Israel</b>	
RUCHAMA MARTON	33
<b>6 The conflict between medical ethics and security measures</b>	
HERNAN REYES	41
<b>7 The role of codes of medical ethics in the prevention of torture</b>	
JAMES WELSH	48
<b>8 Where Is the Israeli Medical Association?</b>	
MAMDOUH AL-AKER	63
Workshop: codes of medical ethics as a tool in the struggle against torture led by JAMES WELSH	70

<b>PART III The legal struggle against torture</b>	<b>73</b>
9 The history of the legal struggle against torture in Israel FELICIA LANGER	75
10 Medico-legal death investigation in Israel ROBERT H. KIRSCHNER	81
11 The modern inquisition state AVIGDOR FELDMAN	85
Workshop: possibilities for change through the courts led by LEA TSEMEL	90
<b>PART IV Rehabilitation of torture victims</b>	<b>95</b>
12 Evidence of the use of torture INGE GENEFKKE	97
13 Torture and mental health: a survey of the experience of Palestinians in Israeli prisons EYAD EL-SARRAJ	104
14 Compensation suits as an instrument in the rehabilitation of tortured people NEVE GORDON	108
15 The Medical Foundation and its commitment to human rights and rehabilitation HELEN BAMBER	117
Workshop: processes and questions involved in establishing a rehabilitation centre led by SOREN BOJHOLM	130
<b>APPENDIX A International declarations concerning torture</b>	<b>133</b>
I Convention against torture and other cruel, inhuman or degrading treatment or punishment (1984)	135
II Body of principles for the protection of all persons under any form of detention or imprisonment (1988)	147
<b>APPENDIX B Codes of medical ethics concerning torture</b>	<b>155</b>
I Hippocratic oath	157
II Prayer of Moses Maimonides	158
III Declaration of Tokyo (1975)	159
IV Principles of medical ethics (1982)	160
V International code of medical ethics (1983)	162

VI	Ethical principles relative to the medical care of detainees (1985)	164
VII	Statement of Madrid (1989)	165
VIII	Declaration of Hawaii (1983)	166
IX	Statement on the role of the nurse in the care of detainees and prisoners (1975)	168
X	Statement on the nurse's role in safeguarding human rights (1989)	170
XI	Statement on nurses and torture (1989)	172
	<b>APPENDIX C Documents concerning the practice of torture in Israel</b>	<b>173</b>
I	Proposed bill for the prohibition of torture as an amendment to Israeli penal law (1992)	175
II	Letter to the Minister of Justice	177
III	Letter presented by the conference on the international struggle against torture and the case of Israel	179
IV	Proposal for an addendum to the Israeli Medical Association's code of ethics	180
V	Evidence of torture in Israel: affidavits of survivors	187
VI	Medical form of 'Fitness for Torture' used by the Department of Interrogation	200
	<b>Index</b>	<b>201</b>