Israeli courts to let Palestinians sue PA for torture

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Fifty-one Palestinians tortured by the Palestinian Authority for cooperating with Israel can sue the PA in Israeli courts for damages, the Jerusalem District Court ruled Wednesday in a blockbuster judgement.

The 1,860-page ruling based on dozens of witness accounts over several years is one of the most bizarre in years as it involves Palestinian citizens coming before the courts of the Israeli “occupation” seeking justice for their mistreatment by their own PA law enforcement.

Eight Palestinians were disqualified from receiving damages when the court ruled that they had been involved in common crimes and their treatment was a local Palestinian issue.

But the majority of the group, represented by West Bank resident and Israeli lawyer Menachem Kornvich, will appear in court hearings on the amount of damages they seek. Meanwhile, a team of Israeli lawyers, including Yosef and Yehonatan Arnon, try to knock out the damages on behalf of the PA.

According to the court, PA authorities tortured various plaintiffs by “beating them on all parts of the body, hitting them with lead pipes, extinguishing cigarettes on their bodies, hanging them in torture positions for hours and starving them.”

Some of the plaintiffs “were also exposed to extreme heat and cold, or extremely hot or cold water was dumped on them” and authorities ordered doctors to pull out healthy teeth instead of attending to unhealthy teeth.

The PA attempted a range of defenses. At all stages it denied that its personnel carried out any torture. In addition, the PA alternately claimed that it had a right to arrest and pressure some detainees who endangered Palestinian security and PA vital interests by spying or cooperating with Israel. The Palestinian Authority also charged that Israel had no jurisdiction over the Palestinians, since they are PA citizens.

Moreover, the PA said that international law, not local Israeli personal injury law should govern the handling of the cases.

Other than the eight plaintiffs who the court found were common criminals, the court rejected the PA’s defenses.

Notably, the court said that if Palestinians were cooperating with Israel to thwart terror attacks on Israelis, that the PA is also obligated to assist in such efforts under the Oslo Accords.

Accordingly, the court said the PA could not treat such Palestinians as criminals, much less torture them.

Further, the court found that in some cases, the PA had arrested Palestinians while they were within the Green Line or had arrested Arabs who have Israeli citizenship.

In both cases, the court said that the PA clearly has no authority under the Oslo Accords.