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At the Supreme Court in Jerusalem
Sitting as the High Court of Justice

HCJ 9733/03

Before The Honorable M. Heshin
The Honorable D. Beinisch
The Honorable E. Hayot

The Petitioner: **HaMoked: Center for the Defence of the Individual,
founded by Dr. Lotte Salzbege (Reg. Assoc.)**

v.

The Respondents: **1. The State of Israel**
2. Israel Defence Forces
3. General Security Service
4. Israel Police Force
**5. Commander of the Detention Facility
referred to as "Facility 1391"**

Petition for Order Nisi and Temporary Injunction

Date of hearing: 1 December 2003

On behalf of Petitioner: Attorney Yosef Wolfson; Attorney Leah Tsemel; Attorney Manal
Hazzan

On behalf of Respondents: Attorney Shai Nitzan

Decision

Order Nisi only regarding the secrecy of the physical location of the facility named Facility 1391.
Response to be filed within forty-five days.

In its petition, the Petitioner contends that the facility itself is not suitable for holding detainees; that the conditions in which the detainees are held in the facility are improper; and that improper and forbidden interrogation methods are used. In all these matters, the Petitioner petitioned us before exhausting the proceeding in which it submits to the competent authorities specific complaints that deal expressly with each of the aforesaid subjects. It is assumed that the authorities will properly examine the complaints and respond to the Petitioner specifically and

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substantively. Attorney Shai Nitzan, counsel for the state, notified us that, where the complaints relate to GSS interrogations, the complaints will be forwarded to the Department for the Investigation of Complaints of Detainees, which is under the control of the head of the Special Functions Department of the State Attorney's Office. The other complaints will be forwarded to the Judge Advocate General, who will determine the manner in which they will be handled and who will handle them. The Petitioner has the right to return to court after receiving the authorities' response.

A temporary injunction will not be granted.

Today, 1 December 2003

[signed]
Justice

[signed]
Justice

[signed]
Justice