



Prisoner Support and Human Rights Association
مؤسسة الضمير لرعاية الأسير وحقوق الإنسان

Annual Violations Report Violations of Palestinian Prisoners' Rights in Israeli Prisons 2017



A. Lonzi
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Addameer Prisoner Support and Human rights association

Ramallah - Occupied Palestine

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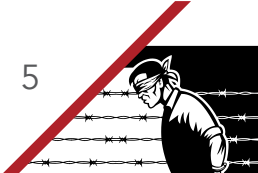
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Introduction

In the year 2017, the Israeli occupation continued to utilize arrest as an integral part of its comprehensive policy to destroy the Palestinian social fabric. The number of arrests during 2017 was approximately 6,500, of which 350 were children, 58 were women, 9 of them being minors, 450 administrative detainees, 22 journalists and 11 deputies in the Palestinian Legislative Council. Thus, the Palestinian society witnessed an average of 18 arrests per day.

The Addameer organization for Prisoners and Human Rights publishes a yearly comprehensive report that monitors violations against Palestinian prisoners from the first moments of detention, through interrogation until they are transferred to prisons. The report also details the daily living conditions in prisons, which are in violation of international treaties and conventions signed by the Israeli Government, such as the Convention against Torture of 1984. The rules of protection for detainees provide a range of legal guarantees relating to the right to a fair trial, arbitrary detention, and the prohibition of torture or cruel, inhuman or degrading treatment, the right to receive visits during detention, and the right to health, right to education, all of which are guaranteed under international law. Such treaties also provide special protection for children and women, which the occupation systematically violates.

The annual violations report for the year 2017 comes as part of the ongoing efforts of Addameer to free all prisoners in Israeli, occupation jails. Until that goal is achieved, Addameer will continue its efforts, in cooperation with international and local human rights organizations, to ensure that prisoners in Israeli, occupation jails enjoy their rights under international humanitarian law and international human rights law.

The report is a tool to archive events and detail systematic violations against the prisoner movement, as well as to monitor the conditions inside the prisons on a permanent basis. The report is also considered an essential component of the organization's efforts to document and expose the practices of the occupation, not only regarding the rights of prisoners, but also for all policies, procedures, changes, laws and draft laws issued by the Knesset (Israeli Parliament) regarding the prisoners in particular and the rights of the Palestinian people in general.

The report utilizes an analytical, descriptive methodology, based on the results of the monitoring, documentation and legal follow-up undertaken by Addameer. This monitoring is conducted with the explicit aim of ensuring and measuring the respect of international human rights law and international humanitarian law at the legislative, judicial and executive levels, particularly with regard to detainees and their rights as prisoners and the conditions of their detainment. The report did also include the examination and review of the regulations of the Israel Prison Service, which apply to Palestinian prisoners, in order to compare them with the relevant international standards.

The report highlights the most acute violations in order to compel the relevant authorities to intervene and carry out their legal duties, and oblige the occupying state to respect the legal guarantees of detainees.

The report deals with the question of the prisoners as a single issue. This position is based on Addameer's belief that the prisoners of Jerusalem, the Palestinian prisoners from the 1948 territories and the prisoners of the Gaza Strip and the West Bank are united under the oppressive structures of the occupation. Their struggle is one in the same; united in the quest for their dignity and freedom.

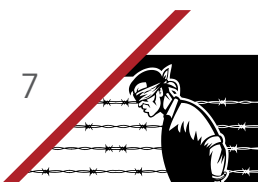
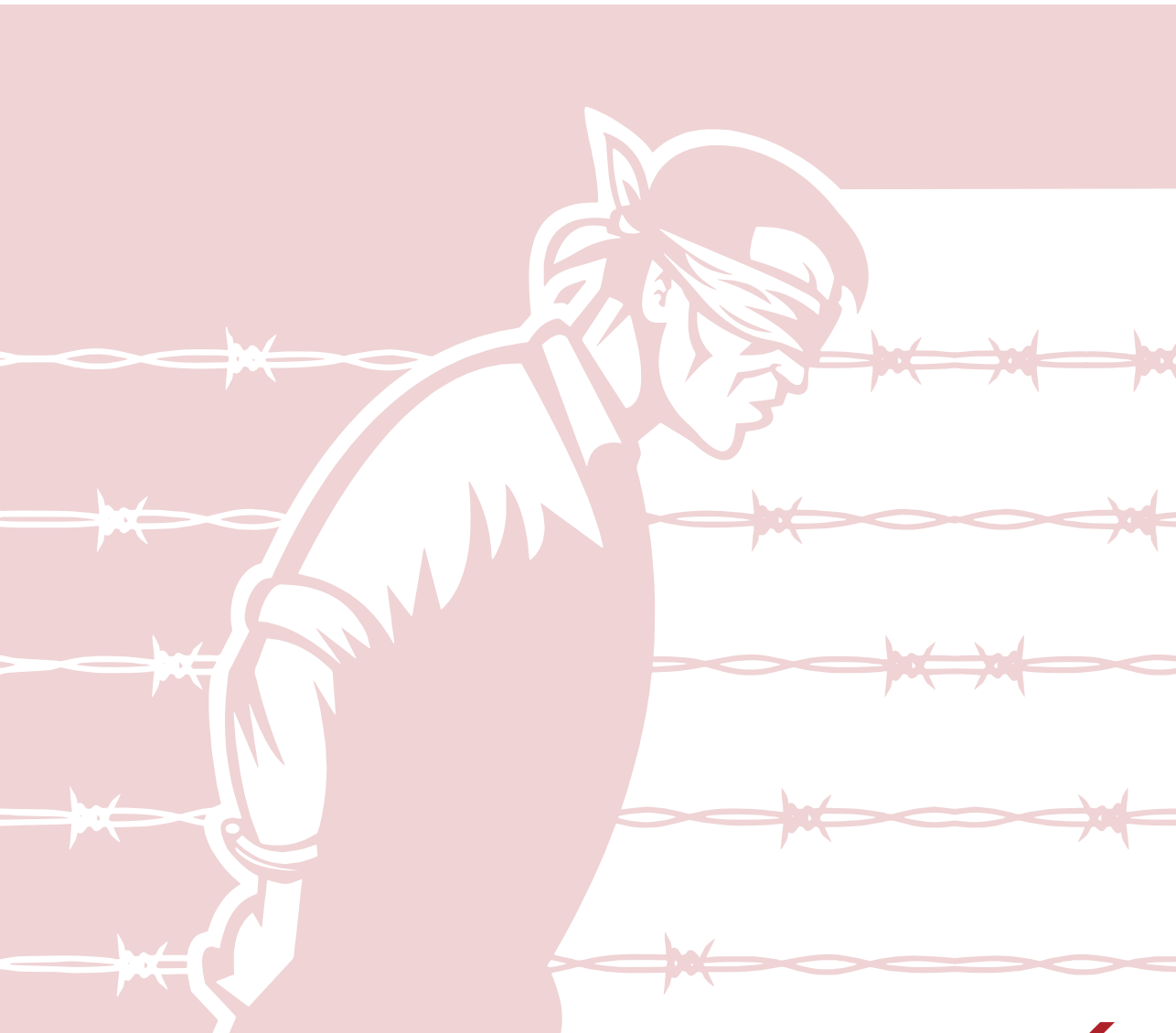


Table1: Number of prisoners during the period between 2010-2017

	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.
2017	6500		6200	6160	6200	6020	6128	6279	6098	6198	6154	6171
2016	6900	7000										6500
2015	6200	6000	5820	5800	5750	5850	5700	5520	5621	6300	6700	6800
2014	5023	5142	5224	5265	5271			6500	6200	6500	6500	6200
2013	4743	4812	4936	4900	4979	5058	5071	5068	5007	5046	4996	5033
2012	4567	4489	4637	4610	4563	4659	4706	4660	4606	4596	4520	4656
2011	5935	5834	5777	5716	5604	5554		5573	5374	5434	4937	4970
2010	6831	6794	6985	6985	6584	6508	6408	6257		6180	6089	5977



Table2: Number of PLC deputies arrested during the period 2010-2017

Years	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2017	7	7	12	13	12	12	12	13	12	12	11	10
2016	7	6	6	6	7	6	6	6		6	6	6
2015	20	17	16	13	12	12	7	4	4	5	5	5
2014	12	11	11	11	11	23	38	36	29	28	25	22
2013	12	15	12	14	13	13	14	13	13	13	14	14
2012	27	27	27	27	27	26	20	20	13	10	8	13
2011	12	12	13	13	14	19	19	19	22	22	23	23
2010		11	15	14	12	12	12	12	9	9	9	9



Table3: Prisoner categories at the beginning and the end of each year 2010-2017

years	Female prisoners	Deputees	Prisoners before Oslo accords	Gaza Strip prisoners	Jerusalem prisoners	Prisoners from 1948 territories
beginning 2017	53	7	30	350	510	70
End 2017	58	10	30	320		
beginning 2016	55	7	30	328	500	90
End 2016	53	6	30	350	520	70
beginning 2015	22	20	30	371	380	100
End 2015	60	5	30	352	520	90
beginning 2014	17	12	30	389	163	226
End 2014	23	22	30	376	376	100
beginning 2013	10	12	111	437	167	191
End 2013	16	14	53	395	169	216
beginning 2012	8	27	112	462	161	180
End 2012	11	13	111	439	165	191
beginning 2011	37	10	300	684	197	187
End 2011	5	23	112	443	152	165
beginning 2010	36	12	300	726	198	200
End 2010	39	9	300	686	198	191

Table4: Number of Israeli special forces incursions into prison sections and cells 2010-2017

Year	2010	2011	2012	2013	2014	2015	2016	2017
Number	120	100	140	175			250	300

Table5: Numbers of administrative detainees 2010-2017

years	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2017	536		491	500	490	477	540	465	449	463	453	434
2016	650	700	700	750	715		700	700				536
2015	450	454	426	414	401	480	480	350	343	450	545	660
2014	155	175	183	186	192			480	500	500	530	465
2013	178	178	170	168	156	147	136	134	137	135	145	145
2012	309	309	320	322	308	303	285	250	112	184	156	178
2011	207	221	214	217	220	229	243	243	272	286	278	283
2010	264	264	259	237	222	215	200	190	190	212	214	207
2009	564	542	506	487	449	428	387	363	335	322	291	278
2008	813	788	766	790	776	738	692	649	604	583	569	546
2007	814	788	776	790	761	730	691	651	599	578	569	546



Table6: Number of children prisoners 2010-2017

Years	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2017	300		289	300	300	300	320	300	300	280	311	350
2016	450	406	438	438	414		350	340				300
2015	152	163	182	182	164	162	160	153	156	320	420	470
2014	154	183	210	202	196	200	192	200	201	182	163	156
2013	193	219	185	236	236	222	194	195	180	179	159	173
2012	166	166	183	203	218	192	220	210	194	189	164	177
2011	209	221	216	224	217	211		201	176	262	150	159
2010	318	343	342	355	300	286	281	280	269	264	251	225





Chapter I

Torture and degrading treatment during detention

Torture and degrading treatment during detention

Despite the absolute non-derogable prohibition of torture⁽¹⁾, especially under article 2 (2) of the Convention against Torture, ratified by the occupying Power on 3 October 1991, the reality of the occupation is considerably different. The Israeli occupation authorities resort to torture as a quasi-routine measure, as a method of extracting confessions. The members of the occupation security services continue to disregard the individual rights of prisoners, including their right to bodily integrity and basic dignity. Institutionally, they claim that such acts are legal based on a decision of the occupation Supreme Court, issued in 1999. In 2017, the case of As'ad Abu Ghosh against the Attorney General confirmed the basic ruling of the previous case, allowing for the use of torture in interrogation, citing the security argument. The case represents a confirmation from the highest level of the judiciary of the occupation of the immunity of investigators against criminal accountability, and the state based sanction of torture.



1. Torture and other cruel, inhuman or degrading treatment or punishment is prohibited under articles 7 and 10 of the 1966 International Covenant on Civil and Political Rights.

Supreme Court Decision 5722/12: As'ad Abu Ghosh v. The Attorney General

In September 2007, Israeli forces arrested As'ad Abu Ghosh, 43 years old, from Nablus. He was interrogated by Israeli General Security Service (GSS) interrogators. During the interrogation, the interrogators used harsh methods amounting to torture, which caused Abu Ghosh severe psychological and physical suffering. Among the methods used against him were beatings, hitting him against the wall, sitting squatting with his toes bent, the "Bannana" position, painful bending of the limbs, sleep deprivation and acute psychological pressure, including the threat of bombing his home and harming his family .

In July 2012, the Public Committee Against Torture in Israel (PCATI) filed a petition demanding that the Attorney General open a criminal investigation against the interrogators who tortured Abu Ghosh and bring them to trial. In response to the petition, the prosecution admitted that the interrogators used "means of pressure" against Abu Ghosh, but that, according to the attorney general, this does not represent grounds for criminal proceedings against investigators.

In July 2015, the court called on the attorney general to explain why Abu Ghosh's file was closed and why interrogators were not held accountable. This is the first time that the Supreme Court has asked for an explanation for an Attorney General's decision to not file a complaint about torture.

In response, the Attorney General justified his decision and also presented a brief summary, which claimed that the use of exceptional interrogation methods in this case is protected under the Defense of Necessity (Article 34 of the Penal Code of 1977). Following this, the plaintiff's attorney (the Public Committee against Torture in Israel) presented its arguments and objections to the plaintiff's claims. After several deliberations in a panel of three judges, the court issued its decision on 12/12/2017.

The Supreme Court made the decision not to consider what it called "means of pressure" against Abu Ghosh as torture. The Court also responded to the decision of the Attorney General not to open a criminal investigation against the investigators. In its ruling, the Supreme Court affirmed that the decision of the Attorney General "is not unreasonable". It also authorized the use of the "defense of necessity" because the investigation - according to the Court - was related to attacks that threatened the public's life and to matters related to military information that posed imminent danger. According to the Public Committee against Torture, from 2001 until the High Court of Justice's decision, more than 1,100 complaints of torture were filed to the Attorney General, none of which resulted in the opening of a criminal investigation against intelligence investigators.

The court stated in its decision that during the interrogation, Abu Ghosh was allegedly tortured, but that these methods are not considered torture because they did not cause pain and suffering enough to be considered such.

This decision is extremely dangerous, as it represents a denial of the binding nature of the prohibition against torture. It is a confirmation by the highest judicial body in the State that Israel is above international law and that torture is permitted in



the interest of the intelligence agencies. The Special Rapporteur on torture, Mr. Nils Melzer, described the above-mentioned decision as a grave precedent, severely undermining the universal prohibition of torture, and that the court's decision was a "permit to practice torture."

"I call on the Israeli government, in all its aspects and institutions, to take into account the international obligations imposed on it and the legal and moral considerations that the international community is collecting in the face of investigative methods that are closely linked to barbarism," Mr. Miller said.

Inhumane and degrading treatment during detention

Palestinian villages, camps and cities are subject to the Israeli occupying forces' raids without any regard for international humanitarian law applicable to the occupied Palestinian territories, foremost of which is the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of Conflict, 1949. During the year 2017, the Israeli occupation killed three Palestinians during arrest, through the use of excessive, unjustifiable force. They were Mohammed Amer al-Jallad, 24 years old, from Tulkarem, who died of his wounds in the Israeli Beilinson hospital, after being shot. The Palestinian teenager Fatima Jabreen Tqatqa, 16, from Bethlehem, who was shot dead by Israeli occupation forces at the 'Etzion' junction, North of Hebron; and Raed Salhi, 22 years old, from the Deheisheh refugee camp, who died in the 'Hadassah Ein Karem' hospital due to serious injuries sustained by the Israeli occupation forces during his arrest, in the month of August of 2017. The murder of the three Palestinians is a grave violation of the Fourth Geneva Conventions, where willful killing is a grave violation of the provisions of articles 50, 51, 130 and 147,



and in accordance with article 58 of Additional Protocol I of 1977, and a war crime under article 8.2a.i of the Rome Statute.

The testimonies of the detainees and their families confirm the intent of the Israeli occupation forces to make the arrest a form of collective punishment, and the intention to intimidate and inflict psychological and physical harm on the detainee and his family in a deliberate and systematic manner. The father of the prisoner AL., from the village of Awarta, Nablus District, details the abuse suffered by his family during the raid on the family home and the arrest of his son:

“At 3:30 am on Sunday, July 23, 2017, the four-storey family’s house was broken into by the Israeli occupation forces in the village of Awarta. The main gate of the house was dismantled; all the floors were brutally invaded by the occupation forces. The family lives in the first floor, where the grandfather lives. The rest of the floors were raided as well. The main doors were blown up, the contents of the house were destroyed, the sofas were torn open from the bottom and the closets were broken. The granddaughter of Mr. A.L., 8 years old, suffers from full paralysis and receives nutrition and oxygen through a medical hose. One of the soldiers stepped on the hose, causing it to pull out of her belly, for which she was later taken to the Nablus Governmental Hospital. The search lasted for two hours. The soldiers then left and the son A.L. was arrested.”

During arrest, the Israeli occupation forces undertake severe beatings with hands and legs, using batons, sharp instruments, and other objects. The young man Kh.T. recounts that on 24 May 2017, commemorating the annexation of East-Jerusalem, hundreds of settlers stormed the Al-Aqsa Mosque resulting in clashes between Palestinian youths and settlers. Suddenly, large numbers of special forces, border guards and members of the Israeli police entered the area to protect the settlers. He recalled that that a group of the occupation’s special forces attacked him and began beating him with their black batons. One of them hit him in the mouth using the tip of their gun, breaking one of his front-teeth. He was then dragged to the occupation police center at Al-Silsilah gate. After entering the center, they beat his head violently with a kettle, injuring the back of his head, which started bleeding.

Israeli soldiers routinely undertake field interrogations of the detainees before sending them to interrogation centers. M.H., 20 years old, from the city of Hebron describes the violations during his detention and interrogation, as he was left outside, in the cold, for several hours. On 6 December 2017, after being severely beaten during his arrest, Israeli soldiers took him to the Container checkpoint near Bethlehem. They forced him to lie down. There were dozens of other youths being held there, who were being beaten by occupation soldiers. These youths were then taken to an army camp in the Jaafara area, where they put them in a small room for two hours. During this time, they were not allowed to use the bathroom. They did not give them water, and every few minutes they were beaten. They were then taken to a police station in the Kiryat Arba settlement, where they were kept outside from sunset until dawn, sitting blindfolded on the ground, which was covered with water.



Torture and inhuman treatment during interrogation

The torture and degrading conditions of detainees in the interrogation centers are not confined to the interrogation room, but also to the center of the investigation as a whole. The conditions of the cells in which detainees are held, and the methods of intimidation, aim, first and foremost, to extract confessions from him and to provoke an absolute sense of helplessness as opposed to the absolute strength of the interrogator. This leads to accelerating the collapse of the detainee, especially after the cumulative effect of all the pressure placed on them from their arrest onwards.

In recent years, especially 2017, the use of torture and physical violence by the security and military agencies during the interrogation has become increasingly common despite the fact that it is internationally prohibited, with no accountability for interrogators. As well as the use of multiple types of psychological torture, amounting to cruel, inhuman or degrading treatment.



The most common methods of torture and cruel treatment monitored by Addameer for the year 2017 are:

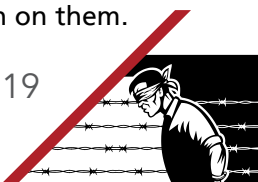
- Being tied for periods to a normal chair;
- Beatings using hands, legs, or other objects;
- Yelling, cursing, and spitting;
- The threat of arresting parents, demolition of homes and high sentences.
- Sleep deprivation;
- Alternating between cold air conditioning and hot air in interrogation rooms;
- Interrogations lasting excessively long times;
- Poor quality of food provided to detainees;
- Isolation during interrogation;
- The employment of undercover spies pretending to be detainees themselves, known as "Asafir" - (birds), to extract confessions and place pressure on detainees;
- Being held in very cold cells;
- Hearing screams from nearby cells.

The 33-year-old detainee, who remained at the Petah Tikva interrogation center for 18 days, was interrogated for the first week on a continuous basis. During this time, he was not sent to the cells at all but remained in the interrogation room. The interrogators would shout at him, and verbally abuse him, threatening him with prolonged imprisonment, demolishing his house and leaving his family homeless. In addition to the continually sleep deprivation, and being tied to a chair (his hands were tied back and the chair was slightly tilted forward), the interrogator would scream at him to ensure he stayed awake. The air conditioning in the interrogation room remained turned on at all times.

The cell was 2 x 2 meters in size, with a mattress on the floor, a blanket, a floor-toilet, and a tap. The air conditioning was turned on at all times, sometimes very hot and sometimes very cold.

The prisoner provided details of the torture and humiliation he suffered while in the Ashkelon interrogation center. The interrogators threatened to arrest his father, mother and girlfriend. One of the interrogators pulled his hair and beard, spat on his face and shouted in his face, cursing him with degrading insults. He describes the cell in the Ashkelon interrogation center as being 160 x 250 centimeters in size, with a mattress on the ground, three blankets, and the wall is coarse and brittle, so much so that it was impossible to lean on it. The bathroom is a hole in the ground, with a low wall that does not provide any privacy.

The 18-year-old prisoner, Mb, suffered from severe fatigue, resulting in fainting in the Al-Muskubiya Interrogation Center. He described the cell as 2 x 2 meters in size, with a 5 cm thick mattress, a hole in the ground for toilet and a tap. He describes the walls as having a rough surface that does not allow the detainee to lean on them.



The light is yellowish and turned on at all times. There is an air conditioner that blows very cool air sometimes and sometimes very hot. There are no windows in the cell.



Interrogations at the Jalama Detention Center

Tying-up to interrogation chair:

The 45-year-old prisoner, F.A. said that he had been held for 15 days tied to the interrogation chair. The interrogators removed his handcuffs only for eating and praying. He ate and prayed while sitting on the interrogation chair.

Banana-position:

The interrogators would repeat this method every half an hour. The method itself involves being laid with your back on the seat of the chair, while your hands are tied under, and your feet bound to the chair legs. Your hands are then bound to your feet, creating a curvature in your back.

While being held in the banana-position, the interrogators would hit him on the nose, and, at intervals, would make him kneeling on the ground. One interrogator would sit on his neck, while another interrogator would raise his arms, putting pressure on the shoulders.



The prisoner F.A. describes the cell at the Al-Jalamah investigation center as follows: Grey walls with a red light, which is always on. The area is 2 x 2 meters, with a hole in the ground for toilet. The walls are rough, and the light is constantly turned on.

Collaborators' rooms:

Based on the experience of Addameer and the declarations collected for this report, it can be said that the undercover collaborators' rooms are one of the most effective means of extracting information, whether by misleading, enticing or threatening detainees. The collaborators utilize intimidation as the primary means of extracting confessions. If the detainee does not respond, they will resort to psychological pressure by accusing them of being a collaborator. In many cases, the detainee is forced to

give up information in order to prove his belonging and be accepted among the other prisoners.

According to Addameer's lawyer, the prisoners usually describe the "collaborators" as the most threatening aspect of the whole process. They will not hesitate to threaten the use of physical violence against the prisoner or their family, especially if the prisoner is asked to cooperate with the collaborators and refuses to do so. In reality, collaborators sometimes resort to pressure using physical violence against the detainee. The 25-year-old prisoner says he was severely beaten by the collaborators after telling them that he knew who they really were.





Chapter II

**Arrest of children: a permanent
policy of the occupation**

Arrest of children: a permanent policy of the occupation

The number of Palestinian children arrested in 2017 was 1467, or 22% of the total number of prisoners. The number of child detainees at the end of last year reached 350, including 9 girls, a child under house arrest and eight children in special juvenile detention centers. These numbers are a clear reflection of a consistent and systematic policy of targeting Palestinian children. For the year 2017, the number of children arrested in was very close to that of 2016, which reached 1332 children. Though, in reality, the figures do not accurately reflect the actual number of children who have been subjected to detention and related violations, for there are cases that have not been monitored and were arrested and interrogated for hours. Some of them released on condition or without conditions, especially children detained from Jerusalem.

In the year 2017, Addameer conducted a comprehensive survey of the details, dimensions and conditions of detention by the Israeli occupation forces. Based on prison visits and testimonies from child prisoners, the occupation did not hesitate to use excessive force during the arrest and abduction of children. Additionally, their destination following arrest were not specified to families, and night raids were a common feature. Children were subjected to insults inside military jeeps, abuse, humiliation, and sexual threats, as well as being kept outside for hours without taking into account their health or harsh weather conditions. Most children were beaten, causing serious physical and psychological harm.

The child A.A., 17 years old, from Hebron recounts the details of the severe beating and the assaults he sustained during his arrest on 8/12/2017. At approximately 14:30, while he was in the Bab al-Zawiyeh area in Hebron, a group of five occupation soldiers attacked and arrested him without warning. At the time of the arrest, two soldiers grabbed him from the neck and the other soldiers began to hit him in the face. He was bound by plastic restraints and forced to walk. The beating continued for about five minutes until they reached an army camp called the Container, near Bab Al-Zawiyeh. After he arrived, they put him with a group of young men in an iron cage, blindfolded. The soldiers proceed to beat them. He told the soldiers that he suffered from kidney



pain. However, the soldiers continued to beat them with their weapons in the kidney area. From time to time, one of the soldiers took off his belt and beat him with that. This situation lasted almost an hour. Because of the beating sustained on his head, he felt that he would lose consciousness, suffered a nosebleed and severe pain in the kidney area.

The Child Sharif Khanfar: amputated leg at the age of seventeen

On Tuesday, January 3, 2017, around 6:00 PM, Sharif Khanfar, 17-years old, and his friends drove to the bypass area near the Jalameh checkpoint in Jenin. He was sitting behind his friend, who was driving the motorcycle. His other friend was driving another motorcycle alongside them. Khanfar told Addameer's lawyer that he and his friends had gone out to race on motorcycles, and had been out for around half an hour. Suddenly, without any warning, he felt a blow to his right leg, and then flew off the bike 15 meters and fell to the ground. He lost consciousness for about 10 minutes, and awoke to see a large amount of blood coming from his leg, with pieces of his leg scattered around him on the ground. Stunned by the scene and suffering great pain, he lost consciousness again. He then woke up and found soldiers putting him into a military jeep with a medic attempting to provide treatment. He was transferred to Afula hospital. He does not remember anything else.



As a result, the lower part of his leg, from under the knee, was amputated. He also suffered fractures at the top of the femur, which resulted doctors placing platinum in it. It should be noted that no indictment was filed against him and he was released without charge.

Home Arrest as Punishment for Jerusalemite Children

The policies and practices of the occupying forces aim to constrict and narrow the lives of Palestinians in general, and Jerusalemites in particular. One of the most important and most active policies in 2017 was the policy of house arrest. Despite it being present as a means of punishment for a number of years, its utilization increased significantly in recent years especially since the popular uprising in November 2015. During the year 2017, about 100 children from the city of Jerusalem were subjected to home arrest.

House arrest is a means of punishment where a person is forced by judicial decision to spend a certain period within the confines of his or her home, or one of the other houses owned by their relatives. One of the parents must be present in the house during the entire period of detention as to accompany the child during their confinement. House arrest is also used in instances where the child is ordered to be 'released until the end of the proceedings'. The consequences of this is that the period of time spent under house arrest is not counted as part of the total sentence. More importantly, this period is not limited by Israeli law. It could range from one

day to potentially indefinite. House arrest is another form of restriction of liberty and individual restriction, but in a place other than the prison, determined by the judge at his discretion. Many children were taken away from their families and places of residence and forced to spend this period in an alternate location, in violation of article 16.1 of the Convention on the Rights of the Child, which states that "No arbitrary or unlawful act shall be taken against a child, their home, family or private life".

It is clear that the Israeli occupation authorities engaged in deliberate and systematic neglect of the rights of the Palestinian children and, the denial of their basic rights, as guaranteed internationally, in violation of the relevant international conventions. In particular, Article 42 (b) of the Fourth Geneva Convention.

Below is a breakdown of the most important rights that are violated:

First: Denial of education:

Article 28 of the Convention on the Rights of the Child guarantees the right to education. It emphasizes that this is a fundamental right under all circumstances. It has been stated that house arrest may be total, thus preventing the child from even attending school. Thus, the policy is similar to others enacted by the occupation that systematically target Palestinian children and deprive them of their most basic rights as children. There are many cases in which Jerusalem children have lost a full school-year due to house arrest. The child A.B., 15 years old, for example, remained in full house custody from 21 January 2016 until 1 April 2017, with the condition of being accompanied by one of their parents.

Second: Child house arrest as collective punishment:

House arrest can be considered a form of collective punishment for the child's family. The child is not the only one who suffers under house arrest. The court forces a parent or relative to ensure that the child does not violate the conditions of house arrest. Such a condition is imposed on the court as part of the 'agreement' for the child to not be put in prison. Thus, the parents become their child's jailers and the house, from the safest place to the child, becomes a prison. This has serious repercussions for children, and the family as a whole. In other cases, the guardian is forced to monitor and follow the child permanently to the extent that the child is accompanied to school on a daily basis if he is partially imprisoned and allowed to go to school. This may result in disruption to the parent's work life.

Another form of collective punishment inflicted on the family as a whole is the constant search and raid of the child's home by the occupation authorities to ensure that the conditions of house arrest are being met. For example, A.B. stated that the Israeli occupation forces raided the family's house three times a week during the night. Thus, the situation of instability extends to all members of the family.

Third: Expulsion from family home and residence:

In some cases of house arrest, the court rules that it is necessary to remove the child from the family home. The period of detention in the alternate location, as decided



by the court, is often far from the child's home. The taking of a child from the family home represents a flagrant violation of article 16 of the Convention on the Rights of the Child, which states that "no arbitrary or unlawful act shall be taken against the child in his or her private life, family or home". Such removals can have severe impacts on children and their psychological and physical development. Such cases are common among Jerusalemite children, including the 15-year-old K.A, who was held in a location different to the family home for four out of his nine-month house arrest.

Fourth: Financial penalties

House arrest orders are often accompanied by a financial guarantee or a fine imposed on the parents. Such a burden weighs heavy on the economic situation of the family. The occupation authorities practice this as a means of coercing, and harassing the family. Such fines represent a heavy burden on the people of Jerusalem, where about two-thirds of Palestinian families live under the poverty line.





Chapter III

Arrest of women and minors

Arrest of women and minors

“Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity. Women shall be especially protected against any attack ... ”

(Article 27 of the Fourth Geneva Convention)

By the end of the year 2017, the number of female detainees in the occupation prisons reached 58, including nine minors; and three administrative detainees. The Documentation unit at Addameer conducted 27 visits to female prisons, through which it monitored the prison conditions and the experience of female prisoners. The female prisoners are living in difficult, and inhumane conditions that involve disregard for the prisoner’s right to bodily integrity and privacy. Such treatment violates the rights of Palestinian female prisoners and detainees contrary to the Convention against torture, which prohibits inhuman and degrading treatment; and contrary to the United Nations Rules for the Treatment of Women Prisoners and the Non-custodial Measures for Women Offenders (Bangkok Declaration). Addameer documented a number of violations committed by the Israeli occupation forces, their medical teams, and interrogators against Palestinian women prisoners, in detention and interrogation centers. The female prisoners informed Addameer that they are deprived of their basic right to health services, and food and water. They are subjected to strip searches as a punitive measure, detained in unhealthy conditions, and subjected to physical and psychological abuse. Conditions of detention and inhumane treatment of Palestinian women prisoners in detention centers cause long-term health, psychological and mental damage.

On arrival at interrogation centers or detention centers, Palestinian women prisoners are denied the right to know the reason for their detention, and to receive an explanation of their rights during detention. They are often denied the right to meet a lawyer and are detained for several days or months in interrogation, where they are frequently tortured. Methods of interrogation include prolonged isolation from the outside world, inhumane detention conditions, blindfolding, handcuffing, sleep, food and water deprivation, medical neglect, long-term bathroom deprivation for days or weeks, and the use of screaming, abuse and sexual harassment.

The occupation does not take into consideration the special situation of minor female prisoners. Occupation soldiers deliberately expose them to traumatic experiences, exploiting their inability to defend themselves and their lack of knowledge of their rights as guaranteed by law.

The 15-year-old, M.A., was arrested on 20 May 2017 at the Qalandiya military checkpoint. During the arrest, pepper spray was sprayed on her face and she was subjected to a full body search. Immediately after the arrest, she was taken to a nearby army camp, hands and legs tied and assaulted by members of the special unit who had transferred her. She described to Addameer's lawyer, during her visit to the Hasharon prison, how she was transferred in the purpose built prisoner transport truck, the 'Bosta', from the court to the prison and vice versa:

"We leave from the prison at 2:30 am and return at 11:00 pm. The guards treat the women prisoners as if they were sheep, screaming and cursing, and when the prisoners ask for something, they don't even respond. Our hands and feet are tied, the cell is small, the seats are iron, and sometimes we are put together with criminal prisoners. The temperature inside the 'Bosta' in summer is high; the air conditioning does not work and in winter it is very cold. There is an iron chain tied to each of your feet. Its sound is very annoying. Prisoners are searched naked. I refused the strip search once. When I did, the guard grabbed me to take my clothes off, but I asked her to allow me to take them off myself. "

Physical and verbal harassment against women prisoners

Many of the prisoners reported to Addameer's lawyer details of their exposure to physical harassment and sexual harassment, both verbal and physical, by female soldiers, during the year. The details of each incident differ, but the goal remains the same: To strip female prisoners of their human dignity and to break their spirit. Many women were subjected to humiliating physical searches, some of which were strip searched by female soldiers. The female prisoner A.H. was stripped of her clothes in front of male soldiers, violating international standards and resulting in a traumatic and painful experience. According to the regulations of the Israeli Prison Administration, this type of inspection is carried out only in exceptional circumstances. International conventions prohibit any searches degrading of the dignity of women prisoners, particularly articles 19 and 20 of the Bangkok Rules. The minor prisoner N.A. was subjected to shameful and humiliating search. The child prisoner recalls that she was subjected to a humiliating search in a room near a military checkpoint. The female soldier asked her to remove all her clothes. When N.A. refused, she and another female soldier pointed their weapons at her and threatened her, forcing her to undress. When she obeyed their orders, they asked her to turn over and squat.

The case of the prisoner A.I.: Assaulted for Refusing a Strip Search

A.I. was arrested in March 2017; at the time she was a university student. In April of that same year, during her transfer from prison to court, she was attacked by soldiers from the Israeli 'Nahshon' unit. On that day, an officer from the Nahshon unit was responsible for the inspection, speaking only in Hebrew. The prisoner A.I. could not understand what she wanted from her. It turned out that she wanted to perform a naked search on her. The prisoner refused the inspection. She had already removed her coat. The officer told her to wear her coat and left the 'Bosta' prisoners' transfer



truck. She then returned with a male officer, who threatened her and urged her not to “cause problems”. He asserted that if she refused the search, she would cause all the prisoners in the truck to be punished. After she refused, four officers entered and tried to persuade the female officer to just use a metal detecting wand only. The soldier refused. She ordered the prisoner to put her hands behind her back to be tied. When A.I. refused, she pushed her so that her back was facing the soldier, and the male officers hit her in order to make her fall to the ground. She was then beaten by a number of the 10 present soldiers. She was then tied up, and a female member of the Nahshon unit searched her with a metal detector wand.

Human rights defenders in administrative detention

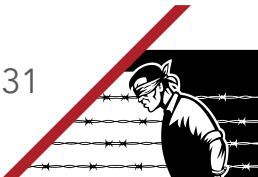
On 2 July 2017, occupation forces arrested Khalida Jarrar, a member of the Palestinian Legislative Council, as well as the head of the Federation of Palestinian Women’s Committees and a member of its General Secretariat, Khitam Saafin. Jarrar was arrested from her house in the city of Ramallah after more than 35 soldiers stormed it. It should be noted that the occupation authorities had released Jarrar in June 2016 after a 15-month detention. Jarrar was elected to the Legislative Council in 2006 and was appointed Chairperson of the Prisoner Committee of the Legislative Council. She is a leading figure in Palestinian civil society and a mother of two daughters. The military judge of the occupation forces issued an administrative detention order for six months against Khalida Jarrar on 12 July 2017. She was transferred that same evening to Hasharon prison.

Israeli occupation forces arrested Saafin from her house in Beitunia after storming it. She was appointed the chairperson of the Palestinian Women’s Committees Federation in 2010. She is a grandmother and a mother of two daughters, a feminist and community activist. On 9 July 2017, an administrative detention order was issued against her for 3 months and she was transferred to Hasharon prison.

The arrest of Jarrar and Saafin is part of the systematic policy practiced by the Israeli occupation forces against political leaders, human rights activists and civilians in the Palestinian society. This policy involves their continuous targeting in order to prevent them from playing their role in raising the awareness of the Palestinian society in regard to political and civil rights. Additionally, the policy aims to halt their activities in support of the Palestinian people’s ability to resist the occupation. In violation of international law, in particular article 19 of the International Covenant on Civil and Political Rights (ICCPR), which guarantees the right to freedom of expression; and article 21 of the Covenant, which guarantees the right to peaceful assembly and political participation.

The detention, abuse, ill-treatment and torture of Palestinian women is part of a systematic policy aimed at fragmenting the structure of Palestinian society and preventing it from being able to resist the occupation. It also comes within the policy of collective punishment against the Palestinian people. Such practices constitute a flagrant violation of the obligations of the occupation, as set forth in the Third and Fourth Geneva Conventions, the ICCPR, the United Nations Convention against Torture (CAT), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the United Nations Rules for the Treatment of Prisoners,

the Bangkok Rules, the Standard Minimum Rules for the Deprived of their Liberty, and other human rights instruments.





Chapter IV

Fair trial guarantees

Fair trial guarantees

First: Racist laws of the Occupation

During the year 2017, the occupation law-makers continued to issue and draft racist laws with the aim of achieving political goals that primarily affect the rights and freedoms of the Palestinians.

- Draft Penal Code "Amendment of the death penalty for those convicted of terrorist killings" 2017

MK Robert Elitov of Yisrael Beiteinu party submitted the bill on 30 October 2017. The bill was put on a fast track for a vote in the ministerial committee for legislation. This is not the first time the bill has been presented to the Knesset. Previously, a formulation of this bill was introduced in the Knesset's General Assembly in 2015, but was supported only by the extreme right-wing party Yisrael Beiteinu.

The text of the draft resolution calls for the application of the death penalty, due to the rise of so-called "terrorist killing acts". This is considered a deterrent, especially since many of those who are convicted for such acts were released without having completed their sentences, under the prisoner exchange deals. The new draft law provides for a relaxation of the condition under which the death penalty can be utilized. First, the death penalty can be applied by means of a military court decision, unanimously approved by two, rather than all three judges. Second, the bill prevents the death penalty from being replaced by another penalty, and also to allow the application of the sentence without the request of the military prosecutor. In addition, the new bill allows for the application of the death penalty in civil occupation courts, and not only in military courts.

The death penalty is a legal penalty under the penal code of the occupation, but it is only applicable under the Nazi Accountability Act of 1950 and the Prevention and Punishment of the Crime of Genocide Act 1950. Additionally, the death penalty can also be utilized currently in military orders. However, the issuance of such a military court decision requires the unanimous consent of three judges, and at the request of the military prosecutor. The military courts have not to this date used this power. However, the occupation routinely extra-judicially execute Palestinians.

Article 6 of the ICCPR prohibits the application of the death penalty if the accused does not receive a fair trial. The Military courts of the occupation routinely prohibit Palestinian detainees from obtaining a fair trial. The death penalty is therefore an illegal punishment.



In addition, the United Nations General Assembly has issued a number of resolutions calling for a restriction on the application of the death penalty, and the European Court of Human Rights has completely banned the use of the death penalty.

This new draft law is a continuation of the racist policies utilized against the Palestinian people. At the same time that the occupation forces are depriving the Palestinians of their rights to independence and self-determination, the application of the death penalty deprives them of their right to life, the right not to be subjected to torture and the right to health and physical integrity.

- Draft law to delete contents published on the Internet of 2016

On 28 December 2016, a joint bill proposed by Minister of Internal Security Gilad Arad and Minister of Justice Eyalit Shakid was submitted to give powers to remove contents judged as "inciting terrorism" according to the text of the bill, from the internet.

On January 3, 2017, the law was passed in the Knesset with the first reading, with the draft of the second and third readings to follow.

According to the draft law, a representative of the State or any other public official is entitled to apply to the Administrative Court for an order for the deletion of content that is considered "inflammatory" on the grounds that it constitutes a criminal offense in accordance with the law. The authority that issues a decision to delete and remove content from personal pages on Facebook, YouTube and Google, is the judge of the Administrative Court. It is required that the judge recognizes that the publication constitutes a criminal offense or a potential threat to the security of a person, the state or of the public. They have the power to take the decision in the presence of one party representing the government (or any other public official), without giving the other party that published the material an opportunity to defend themselves and justify the publication. Article 10 (a) gives the plaintiff "the right to present secret material to the court without the presence of the defendant or its representatives". Item (b) of the same article gives the court the right to "consider these articles, and request the plaintiff, if necessary, ...to issue the order without the presence of the person concerned or his legal representatives".

The draft law, in its broad terms, impinges on the freedom of expression in cyberspace and fundamentally undermines the principles of the right to a fair trial by expanding the power of the executive branch to automatically control individual publications, denying them the right to legal representation and justifying their position on the basis of confidential material. This legal element runs in parallel with the increased arrests regarding publications on social networking sites under the pretext of incitement. Preparations are being made for the law to be presented to the Knesset for the second and third readings.

Second: Inhibiting Freedom of Opinion and Expression on Facebook

Since the end of 2014, the number of individuals arrested based on posts made on social media have increased drastically. The number of detainees during the year

2017 reached 300. The price of freedom of opinion and expression is the deprivation of freedom of the body.

The security pretext used by the occupation authorities has been shown to be rather weak in comparison to the violations it commits daily, which undermine its claim of being the only democratic state in the Middle East. The occupation authorities have always criticised the methods of governance in the Arab countries as dictatorships, based on disregard for basic freedoms. The massive and systematic escalation of the restraint of freedom of opinion and expression is sufficient to prove that the occupation is acutely hypocritical.

According to the Arab Center for the Development of Social Media 'Hamlah', while Facebook is blocking and closing Palestinian accounts, pages and groups on the pretext of incitement to violence, Israeli right-wing pages and groups are promoting violence and incitement against Palestinians without response. The results of the 'Index of racism and incitement in Israeli social networks' indicate that the majority of the violent rhetoric against the Palestinians (82%) is found on Facebook, where the number of pages and right-wing groups has increased. Some of the accounts engaged in the most violent hate-speech include the account of Hitsel, an Israeli right-wing Hip-Hop artist, groups like 'Roaring for the right', 'Left-wing extremist media', 'The restoration of Jewish nationalism', 'Fight for the land of Israel', 'The lies of the left', and, additionally, comments on the pages of news sites.

According to Addameer's lawyer, the Israeli courts issue high sentences for publications on Facebook. The court takes into account the number of friends, the number of comments, and the number of views. By analyzing the indictment of the prisoner N.M., 26 years old, who was arrested on 14 March 2017, under the charge of incitement, 15 posts were published by the prisoner between 10 December 2013 and 28 December 2016. The pictures, videos and texts written by the prisoner were detailed in a commentary on these images and videos. The indictment referred to the number of comments and replies received by each publication. It was clearly indicated in the indictment that the number of friends on his Facebook page is 2334 friends.

The publications included pictures of Palestinian martyrs and speeches of members of the Palestinian resistance movements as well as some comments on these publications. He was sentenced to 24 months in prison, 36 months suspended, and 4,000 shekels fine.

Third: Silencing expression under the pretext of incitement - the arrest of a folk music band

On August 30 2017, the Israeli occupation forces arrested Mohammed Barghouthi, 23 years old, from the village of Kafr Ein in Ramallah, along with two members of his group. The arrest came after a week of performing a popular folk song, which went viral on social media. The song lyrics were adapted to mention Omar Al Abed, from the village of Kobar, northwest of Ramallah, accused of carrying out an attack against an Israeli settlement, that resulted in the deaths of three settlers. Omar Al Abed was arrested wounded. Barghouthi was sentenced to four months and a 10,000 NIS fine, under the pretext that he sang for those who carried out terror attacks.



Member of the band, Naji Ali al-Rimawi from Beit Rima, who plays a musical instrument, was released after 10 days in prison and a 2,000 NIS bail. The owner of the studio which produced the song, Nazzal Barghouthi from the nearby village of Kafr Ayin, had his studio equipment confiscated and destroyed. The damage was estimated at 60,000 NIS. He was tried by the same judge as Mohammed Barghouthi and released on the same day.

Fourth: The Legal Basis for Prosecution of 'Incitement'

When convicting residents of Jerusalem, the occupation's actions are based on article 144 (d) (2) of the Penal Code of 1977 ("incitement to violence and terrorism"). Paragraph (a) of this article states that "Acts of violence or terrorism, matters of sympathy or encouragement of acts of violence or terrorism, displays of support or sympathy for such acts (in this section - inflammatory publication), and in accordance with the contents of the publication and the circumstances associated with its publication, this publication leads to the commission of acts of violence or terrorism, with a sentence of up to five years imprisonment".

Paragraph (b): For the purpose of this section, "acts of violence or terrorism" - a crime that harms the person's body, puts the person at risk of death, or seriously injures a person.

The military court system utilizes Article 85 (1) (f) and (g) of the Emergency Defense Regulations of 1945 when prosecuting acts of 'incitement'.

The Israeli occupation forces claim that the arrest of activists on social media is the only mechanism to preserve the security of the occupying state. Despite this claim, it appears that it has become clear that the occupation has created new policies and methods used to repress Palestinians through depriving them of the freedom of expression. Facebook is an electronic space that does not reflect the reality of things, or the real position of the author. Thus to draw a preemptive correlation between expressions of opinion, and potential for violence, represents a violation of the individual's rights to freedom of thought. The occupation courts' interpretation of publications as real acts is a purely arbitrary measure. Equating real actions and words, published from behind a screen, is arbitrary and unjust.



Chapter V

Administrative detention

Administrative detention

Using the policy of administrative detention, the Israeli occupation forces detain Palestinians without charge or a fair trial. Under such a policy, detainees and their lawyers are prevented from knowing the reasons for detention thus preventing the development of an effective defense. The administrative detention order is often renewed multiple times, at intervals of 6 months. The order is issued through the executive rather than the judiciary power, which violates the principles of a fair trial.

The court proceedings in relation to administrative detention are similar to that of formal court proceedings, which themselves are far from meeting fair trial standards. Even if each stage of the hearing is attended by a judge, a lawyer, a prosecutor and a detainee, the process remains far from transparent or just. No indictment is filed, and there is no room for a genuine defense or witness questioning. In addition, the judge has access to a confidential file of information pertaining to the defendant, which the lawyer and prisoner are not able to view. The session itself is closed, meaning that the public or the family of the prisoner are unable to attend. Thus, it is widely recognized that the role of the judge is simply to provide an air of legitimacy to the overall proceedings.

Administrative detention, in the manner practiced by the occupying Power, is unlawful and arbitrary. It thus constitutes an illegal instrument in the hands of the occupation, which utilizes it as a means to inhibit Palestinians from exercising their political and civil rights as guaranteed under the ICCPR. The process of administrative detention is governed by the Fourth Geneva Convention, which allows the occupying authority to exercise administrative detention within a very tight framework, and for imperative security reasons only. The use of the policy of administrative detention as a widespread and systematic policy constitutes a grave violation, which may amount to torture. Specifically, the policy is a violation of Article 147 of the Fourth Geneva Convention, and is considered to be a crime against humanity under Article 7 and Article 8.2 of the Rome Statute, which prohibits depriving any prisoner of war or protected person of his or her right to a fair and regular trial. Non-public hearings also constitute a deprivation of the right of the detainee to a public trial, which is guaranteed under Article 14.1 of the ICCPR.

Administrative Detention: Facts and Figures

By the end of 2017, the number of administrative detainees reached 450. According to figures from the military court, during the year 2017 the occupation authorities issued (1060) administrative detention orders, including (379) new arrest warrants. It is important to note that the majority of the administrative detention orders this year were issued against youth, especially university students, and those who do not

belong to factions or political parties. The Israeli occupation authorities issued three administrative detention orders against minors during the year. Six arrest warrants and 14 administrative detention orders were issued against PLC members, both new and renewed orders.

Administrative detention against human rights defenders

“Everyone, individually or in association with others, has the right in the legal practice of his craft and profession ... ”.

(Article 11 of the Declaration on the Protection of Human Rights Defenders)

During the year 2017, the occupation demonstrated a clear intent to persecute and silence human rights defenders, and to prevent them from engaging in activity that would work to expose its crimes. Human rights defenders are arrested using Articles 7 and 10 of ‘Military Order 101 of 1967’, entitled “Order on the Prohibition of Acts of Incitement and Hostile Propaganda”, as well as ‘Military Order 1651’.

Arrests of journalists

In 2017, the Israeli occupation authorities continued to target journalists working in various media agencies. Around 25 journalists were arrested in 2017 from multiple locations in the occupied West Bank and Jerusalem. The occupation uses several methods to convict journalists, who work to expose the crimes of the occupation. There are those who have had an administrative detention order issued against them, such as Nidal Abu Aker; and there are some who were charged with incitement as a basic offense. The occupation authorities also violated the right to freedom of press by storming press offices.

On 18 October 2017, the occupation forces conducted raids in the cities of Ramallah, Hebron, Bethlehem and Nablus. They stormed the headquarters of 3 media companies: Pal Media, Trans Media, and Ramses, which provide their services to Palestinian, Arab and international channels. The occupation forces posted, on the doors of the offices, copies of a military order to close these companies for 6 months on charges of “incitement to terrorism”. The order additionally warned owners of shops and neighboring businesses not to deal with these companies at risk of punishment. These companies provide services to 7 Palestinian, Arab and international channels: Al-Aqsa Satellite, Al-Aqsa TV, Al-Quds satellite, Al-Mayadin, Al-Manar, France 24 and Russia Today.

Additionally, the army raided the headquarters and the homes of workers of the Pal Media company in the city of Hebron. The army arrested Ibrahim al-Jaabari, director of Pal Media, and Amer Jaabari, the company’s managing director.



The arrest of members of the Legislative Council

The Israeli occupation authorities arrested 14 representatives during the year 2017, including PLC Khalida Jarrar. A number were released throughout the year, with 10 remaining in prison at the end of 2017.

Most of the lawmakers we held under administrative detention, with eight of the ten held at the end of 2017 being under administrative detention. Many of those who were arrested had been held by the occupation previously. Among them were: Muhammad Jamal al-Natsheh, Hassan Yousef, Ibrahim Dahbour, Ahmad Atoun, Badr, Ahmed Mubarak, Khalida Jarrar, and Mohammed Abu Tair.



In addition to arresting PLC members, the occupation also implements in the policy of forcible transfer. This was the case for representatives from Jerusalem, who have been expelled from the city based on their political engagement. This includes Muhammad Abu Tair, Ahmad Attoun and Mohammad Totah.

On 13 December 2017, Palestinian Legislative Council member Hassan Yousef was arrested. Shortly after his arrest, he was issued a six-month administrative detention order ending in June 2018. It should be noted that the arrest of Hassan Yousef came only three months after his release from his last detention, which lasted more than 22 months. He has spent nearly 11 years in Israeli jails during the last 13 years of his life.

The case of human rights defender Salah Hammouri

On August 23, 2017, the Israeli occupation authorities arrested human rights activist and Addameer field researcher Salah al-Hamouri after breaking into his house in Kafr Aqab, north of Jerusalem. Hamouri was previously arrested in 2004, when he served a sentence of 7 years and was released in the prisoner exchange of 2012. A few days after his arrest in 2017, he was released with several conditions: House arrest for 20 days, 3-month travel ban, a 90-day deportation from Jerusalem and a bail of 10 thousand shekels. However, after the hearing, an administrative detention order was issued against him for a period of six months. At the confirmation session, the Magistrates Court judge canceled his detention order. He was sentenced to complete the remainder of his previous sentence from 2004. Accordingly, the prosecution filed an appeal against the decision. The hearing was



scheduled for the beginning of September. The prosecution's appeal was accepted to refuse to detain Salah for the remainder of his previous sentence before his release in the prisoner swap. Accordingly, the administrative detention order was reinstated for six months and, subsequently, the defense counsel's appeal was rejected.

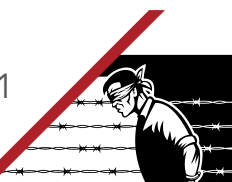
Administrative Detention of Children

The case of Nour Kayed Issa

The occupation authorities arrested Nour Kayed Issa, 17 years old, from Jerusalem on 3 April 2017. He was subsequently issued an administrative detention order and was thus the youngest administrative detainee at the time. After his arrest, Nour was interrogated at Ofer Prison for 11 days and was charged with incitement on his Facebook page. At the hearing, however, the judge refused to detain Nur until the end of the legal proceedings and issued a decision to release him on a bail of 4,000 NIS.

This decision did not satisfy the Military Prosecution, which insisted on keeping Nour in detention. An administrative detention order was issued against him for four months beginning on 13 April 2017 ending on 2 August 2017, claiming that he poses a threat to the security of the region and that he had an intention to carry out violent acts against the occupation. These claims came in spite of the lawyer's assertion that the offence of incitement, as mentioned in the indictment, does not warrant an administrative detention order. Despite this the judge, after reviewing the public and private material, confirmed the administrative detention order for two months, since the detainee was a child. But the prosecution appealed the decision, resulting in restatement of the entire period of four months.

At the conclusion of the first order, the prosecutor requested an extension of three additional months ending on 1 November 2017. The extension was based on the previous claims that the teenager posed a threat to the security of the area. The prosecution claimed that Nour was a participant in a "popular terror act" and that he was an extremist on his Facebook account. The lawyer requested that the extension order be reduced so that the child Nour could spend the Eid feast with his family. However, the judge stated that after seeing all the public and confidential material, that it was necessary to keep him in administrative detention. The judge decided to approve the order for the full period, with the pledge of the prosecutor not to renew the order.





Chapter VI

Collective Punishment

Collective Punishment

During the year 2017, the occupation authorities stepped up their policy of collective punishment, in violation of articles 33 and 34 of the Fourth Geneva Convention. The occupation practiced a policy of collective punishment by undertaking campaigns of mass arrests, raids and searches. This section focuses on the collective punishment imposed on the villagers of Kobar, west of Ramallah since 22 July 2017, following the attack on the 'Halamish' settlement carried out by Omar Al Abed, 20 years old. Additionally, instances of collective punishment were imposed on the residents of Jerusalem from 14 July 2017, after three young men from the village of Umm al-Fahm in the 1948 territory carried out an attack that resulted in the killing of two policemen from the Israeli occupation forces at the entrances to Al-Aqsa Mosque. Accordingly, the occupation authorities imposed collective punishment on all Jerusalemites and others by prohibiting them from entering prayers at Al-Aqsa Mosque, except after passing through electronic gates. Additionally excessive force was used during arbitrary arrests.

In addition, the end of 2017 witnessed a campaign of mass arrests carried out by the Israeli occupation army in the West Bank, in line with the protests that followed the decision of US President Donald Trump on 6 December 2017, to recognise Jerusalem as the capital of the occupying Power. Addameer statistics show that the number of arrests during the subsequent period amounted to approximately 770 Palestinians, most of them concentrated in the cities of Jerusalem and Hebron. The number of children detained in this campaign was approximately 200 children. The organization's documentation unit indicates that the occupation army practiced a policy of violence, abuse and degrading treatment of detainees, especially children.

Declaration of the state of emergency in Jerusalem

On 14 July 2017, the Israeli occupation forces declared a state of maximum emergency in Jerusalem following an operation carried out by three young men from Umm al-Fahm village during which an armed clash ensued. Two Israeli policemen were killed at an entrance to the Al-Aqsa Mosque. As a result, the Israeli occupation authorities imposed a form of collective punishment on all Jerusalemites and others by prohibiting them from praying at Al-Aqsa Mosque until they passed through electronic gates that had been set up near the gates leading to the mosque. Such additions represented an attempt to change the status-quo of the holy place, which had remained the same since 1967. The closure of the Old City of Jerusalem, and the Al-Aqsa Mosque, and the erection of barriers at the entrances to the City prevented individuals, whose addresses on their identity cards did not indicate that they were from the old town, from entering in the evening.



The policy of collective punishment practiced by the Israeli occupation has affected differing segments of the Palestinian people. The occupation routinely violates the Palestinian people's most basic rights, the most important of which are the right to freedom of worship, the right to freedom of movement, the right to privacy, the integrity of the body, and the right to self-determination. The number of arrests in Jerusalem from July 14, 2017 until 25 July 2017 was around 160 cases, including 30 children under the age of 18 years. The arrests were concentrated in the Old City, Bab Al Asbat, Al Tur and Issawiya. Since the outbreak of the clashes on July 14, 2017, the Red Crescent Society has recorded some 400 cases of suffocation and live bullets or rubber bullet injuries.



The brutal attacks during arrest, and extrajudicial executions

During the events, especially after the end of prayer every Friday, the Israeli occupation forces used excessive force while arresting demonstrators. In the Wadi al-Joz neighborhood, a number of special forces and interrogators severely beat a number of youths during their arrest. The beatings were mainly focused on their heads, and involved the use of pistols. These resulted in serious injuries. Testimonies gathered by Addameer indicate that the Israeli occupation forces deliberately used tear gas, sound bombs, rubber bullets and sprayed the worshipers with wastewater, as well as the use of live ammunition. Mahmoud Sharaf, 17 years old, was shot dead by a settler in civilian clothes, using a personal weapon. He was on a roof-top in Ras al-Amud neighborhood. There were eight Palestinians killed during this period.

Attacks within hospitals

The occupation forces did not hesitate to pursue unarmed Palestinian civilians while they are being treated in hospitals. Raids were routinely conducted, attempting to arrest injured youths or to abduct the bodies of killed Palestinians for the purpose of holding them.

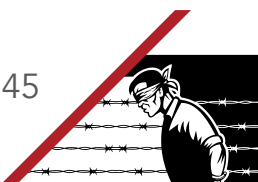
Addameer's field worker in Jerusalem documented the case of the storming of Al-

Maqasad Hospital on July 21, 2017. They collected eyewitnesses accounts of the raid, which took place following the death of Mohammed Hassan Abu Ghannam, 20 years old, who was killed in clashes in Al-Tur neighborhood in Jerusalem. Border guards had fired live ammunition, which led to his death. He was immediately transferred to Maqasad Hospital. A few minutes later, hundreds of members of the Israeli special units and border guards stormed the hospital, firing sound and gas bombs at the residents in order to disperse the people and confiscate the body. The special forces stormed the emergency department and assaulted the doctors. However, a large number of individuals, about 300 young people, prevented them from accessing the body. During this attack, several civilians were injured in the neighborhood surrounding the hospital. Additionally, three young men were arrested. Legally speaking, this process is a direct violation of the principle of discrimination rooted in international humanitarian law. These principles requires forces to distinguish between civilians and combatants, as enshrined in Article 18 of the Fourth Geneva Convention. The Geneva Conventions guarantee the protection of hospitals and places of care for the wounded and the sick at all times, asserting that they are civilian places with special protection.

Storm and siege of the village of Kobar after the 'Halamish' attack

After the attack on the 'Halamish' settlement, which was carried out by Omar Abdel Jalil Al-Abed, 20 years old, from the village of Kobar west of Ramallah in July 2017, which resulted in the death of 3 settlers, the Israeli occupation forces proceed to raid the village on a daily basis with dozens of vehicles, hundreds of infantry soldiers, sniffer dogs and bulldozers. The Israeli occupation forces arrested the brother of Omar and his mother, raided their house more than once, raided dozens of houses in the village, closed its southern entrance with mounds of earth after digging up the road, and placed a roadblock on the eastern road connecting it with Burham village. The army camped there at the entrance of the village. About 15 injuries from rubber-coated metal bullets were recorded from the village of Kobar and the surrounding villages. A barrage of live bullets, sound and gas bombs were fired during confrontations with civilians.

The siege imposed on the village of Kobar and the restrictions imposed on its inhabitants, the roadblocks that have been erected, and the repeated incursions into the houses of the villagers and the sabotaging of their contents, as well as the apprehension of children, are an integral part of the policy of collective punishment as practiced by the Israeli occupation forces. They are fundamental violations of Articles 33 and 34 of the Fourth Geneva Convention. The occupation punished all the people of the town, disrupted their lives and imposed harsh conditions on all individuals, women, children and the elderly.





Chapter VII

Shoot to Kill: a return to the policy of unlawful executions

Shoot to Kill: a return to the policy of unlawful executions

The Israeli occupation forces continued to practice the policy of field executions as an alternative to detention during the year 2017. The number of martyrs during the year, according to the statistics of the Palestinian Ministry of Health, reached 80, including three prisoners who were killed due to the use of excessive force during their arrest. This confirms the deliberate use of lethal force by the Israeli occupation forces against the Palestinians as a first option, not as is required from international standards, as a last resort. In accordance with Article 8 paragraph 2 of the Rome Statute, extrajudicial killing is a war crime and the occupation must bear full responsibility in this context for war crimes against the Palestinian people.



The case of Raed Salhi

Authorized statement:

Bassam al-Salhi, 27, the brother of the Raed al-Salhi, 22, from al-Dheisheh refugee camp, Bethlehem, issued a statement that included the following section:

“At approximately 3:43 am on Wednesday, 9 August 2017, I awoke from my sleep to the sounds of screaming inside the house, specifically my mother’s voice, screaming and crying: “The army killed Raed, they shot him and they arrested him when he was injured”. I went out to the salon and my mother cried and screamed and told me that Raed was martyred. He was wounded and was behind the fence behind our house. My mother was in the company of my little brother Muhammad. I immediately moved to try to rescue Raed. I jumped out of the door onto the neighbors’ balcony in order to arrive to the back wall, since the houses in the camp are close to each other. The soldiers opened heavy fire on the balcony and they jumped onto the house of other neighbors. Raed was lying on the ground near their house, which is directly behind our house. I saw Raed, who was lying and bleeding. I extended my hand to him to pull him out, but at this moment one of the Israeli soldiers pointed the laser sight at me, specifically at the top of my body. Raed had only his left foot raised to protect me and was shot. Immediately, I pulled Raed from his hands quickly and carried him. He was covered with blood. I moved between the houses until we settled in a house far from our neighborhood, which was besieged by soldiers at the time. Throughout this period, Raed was bleeding and talking. He gave me many recommendations, as if these were his last moments. Then blood started to pour out of his mouth. After about 15 minutes, a number of Israeli soldiers stormed the place. They were accompanied by dogs who tracked us because of the blood that we left behind. One of the soldiers commanded me to stay away from him, but I refused. Then another soldier attacked me and cocked his rifle. He fired at me only to frighten me, but I did not move from my place. The soldier hit me on the right shoulder and my right hand and forcibly removed me from Raed. Then they took Raed from me and drove him away. A soldier approached him and examined his pulse. I did not know what was happening and then two soldiers took Raed. One of them carried Raed from his right hand and the other from his right leg. I don’t know where they took him after the army left the camp. He was later pronounced dead. After this, they handed over his body”.



On September 3, 2017, Al-Salhi died from wounds caused by several bullets in the abdomen, liver and thigh. He was shot by Israeli soldiers during his arrest. He was left bleeding for a long time before being evacuated to the Hadassah Ein Karem hospital, where he remained on a respirator until he died.

The Case Bassel Al – Aaraj

Age: 31 years old

Date of death: 6/3/2017

Education: Certificate in Pharmacy

Birth place: Al Walaja, Bethlehem District, Palestine.

Bassel died on 6 March 2017, when Israeli special forces stormed his apartment in al-Bireh, near Ramallah in the West Bank, after pursuing him for nearly six months. During this time, occupation forces raided his family's home in Walaja dozens of times.

The hunt for Bassel, along with five other young men, started after they were detained by the Palestinian security services for five months. The main charge was the possession of weapons. During this period of detention, by the Palestinian security, they were subjected to lengthy interrogation and they undertook a hunger strike until their release.

Addameer represented them before the Palestinian courts until their release. After his release from the Palestinian Authority's prisons, Al-Aaraj became a wanted man by the occupation. The rest of the youths were re-arrested by the Israeli occupation authorities after they were released by the Palestinian Authority. They have been under administrative detention since September 2016.

Addameer's field researcher documented the situation of the house in which Al-Aaraj was killed. The field researcher said that several hours after the assassination of Al-A'raj, he went to inspect the house. He describes a large quantity of empty bullet shells in more than one place in the house. The effects of a large explosion in the attic area, above the bathroom, indicate that part of the attic wall was destroyed. Additionally, there were fragments of bombs and live ammunition around the house (kitchen, living room, bedroom and bathroom). He also explained that there were traces of blood inside the house, on all the stairs, and the main entrance.

According to the preliminary examination of the body after being handed over by the occupation on 17 March 2017, at Al Hussein Hospital in Beit Jala, 21 bullets and shrapnel were found in his body





Chapter VIII

Conditions inside the Israeli occupation prisons

Conditions inside the Israeli occupation prisons

“The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings”

(Rule 5 of the Mandela Rules)

In general, the Palestinian prisoners live in difficult conditions in the occupation prisons. They experience overcrowded prison rooms, poor ventilation, wide-spread infestation of insects, and prison clinics that do not meet the minimum standards of care.

The most prominent events in the prisons during the year 2017 were arbitrary and brutal incursions, the most notable of which was the incursion into Section 16 of the Negev Prison. In addition, the occupation continues to practice a policy of physical and psychological neglect of the prisoners. The High Court of Justice issued a decision to obligate the occupying state to expand the actual space for each prisoner. Below is a summary of the resolution.

High Court of Justice - Decision No. (1892/14)

On 12 March 2014, the Association for Civil Rights in Israel, the Academic Center for Law and Business, and Physicians for Human Rights Association submitted a petition to the High Court of Justice on the subject of overcrowding in the detention centers and prisons. The actual area of living of the majority of prisoners and detainees in Israeli prisons does not exceed 3 square meters per prisoner (including toilets, bathing place, sleeping area) and violates their basic right to human dignity. The petition stated that the space in the prisons is far from the standards to which democratic states adhere to. It also does not comply with the standards that exist in the regulations of the official prison authority for civil prisoners, which provides six meters per prisoner. This is a violation to the occupying power's obligations to avoid inhumane and degrading under international law and custom. On 13 June 2017, the High Court of Justice responded by obligating the 'state' to make the necessary amendments under the petition, in two stages:

The first is to be implemented within 9 months from the date of the decision. The 'state' is to provide each prisoner with a living area of 3 meters (not including latrines and showers).

The second is to be implemented within 18 months of the judgment, and it involves increasing the actual living area to 4 meters (without latrines and bathrooms) or 4.5 meters, including toilets and bathrooms.



Prison incursions

“Prison staff shall not resort to force in their relations with prisoners except in defense of themselves, in cases of physical escape or physical resistance by force, or by passive abstention based on law or regulations. Staff members who resort to force shall use it only at the lowest and to report immediately to the prison director.”

Article 54 (1) of the Standard Minimum Rules for the Treatment of Prisoners

Special units within the Israeli Prison Service (IPS) systematically target detainees and expose them to cruel and degrading treatment, whether in the form of incursions into cells, by beating prisoners, or firing gas. Incursions, or raids, often occur late at night, or during the early hours of the morning. This poor treatment also includes a number of penalties imposed by the department on sections and detainees such as deprivation of family visits for a certain period, denying prisoners the ability of purchasing goods from the prison canteen, imposition of fines, or solitary confinement.

In addition, the IPS forces, through its special units (Nahshon, Metsada, Durur, and Imaz), routinely break into sections and the rooms of prisoners and detainees under various security pretexts. These actions and raids represent a systematic policy of collective punishment against prisoners and detainees, which maintains the aim of inducing the most physical and psychological distress from the Palestinian prison population. These raids occur most often either in the early hours of the morning, after the morning prison count, or in the hours after midnight, so that the intrusion is sudden and achieves a measure of shock and surprise.

In the year 2017, there were about 300 incursions overall. These raids resulted in severe injuries among prisoners and detainees due to the use of tear gas, which causes suffocation and breathing problems in such confined spaces, in addition to physical force, destruction of their property and tampering with the contents of the rooms.

On 1 February 2017, at approximately 17:45, the Special Forces broke into Section 16 of the Negev Prison. The attack was carried out utilizing severe force, as the guards in question were wielding batons. Prisoners were handcuffed and forced to the ground. According to the testimony of the prisoners, documented by Addameer, the beatings primarily focused on the faces and chest as a means of causing the greatest possible damage. The prisoners suffered greatly from the use of gas, which emanated the gas bombs fired inside the section seconds prior to the raid, which resulted in breathing difficulty and loss of vision as well as nausea.

The special forces then gathered all the prisoners in the prison square and pushed their faces to the ground, forcing them to remain in this position for around 8 hours, with their hands and feet tied. Throughout this incursion, the prisoners were cursed, insulted, beaten with both fists and batons, and stepped on. Knowing that the weather in January was very cold, the IPS deprived prisoners of their basic necessities. All the electrical devices and some personal items were confiscated. Only dirty mattresses and blankets were left in the rooms.

Following the raid of Section 16, the prisoners were completely isolated from the rest of the sections for eight days. Every night the section was raided under the pretext of a search. The prisoners were also denied family visits and from purchasing goods at the prison store for two months. Electricity was cut as a punitive measure for one month.

The injuries varied among the prisoners, but the only thing that was common was that all the prisoners were severely affected by the gas. In general, prisoners complained of aches throughout their bodies, especially their backs, and severe exhaustion as a result of indiscriminate beatings and constantly being bound for 8 hours in a row.

These punishments and violations indicate that Palestinian prisoners continue to be subjected to torture and cruel treatment by the special forces of the Israel Prison Service, with the aim of forcing them to abandon their rights under international law, to break their morale and to fracture the solidarity amongst them. Additionally, the raids aim to erode their will to resist the oppressive nature of the occupation prisons. These practices are a direct result of explicit political decisions supported by the Israeli military and security establishment. These attacks also involve grave breaches of the Fourth Geneva Convention and the norms of international law, and are thus considered to be war crimes.

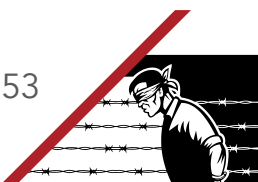
Medical Neglect of Prisoners

The policy of medical neglect is one of the most prominent punitive policies of the occupation. Throughout the period of detention, Palestinian detainees are subjected to physical and psychological torture in conjunction with intentional medical negligence, including detention in an environment that fosters disease, including infections and chronic illness, which threaten the lives of prisoners.

The testimonies of the prisoners and their medical reports indicate that the deterioration of their health condition is due to the lack of respect for the rights of medical care by the Israeli Prison Service, primarily the right to periodic medical examinations.

Prisoner R.S., 22 years old, has a stomach problem where he cannot eat without medicine, and suffers from exhaustion when he does. While in prison, he was suffering from pains along his spine. After conducting an x-ray at Ramleh prison clinic, he was told that he has a rare condition. Despite this, nothing was explained to him and he was not sent to a civilian hospital.

According to the prisoner, the problems in his back began following his initial interrogation, which involved him being confined to a chair at Al-Jalameh interrogation center for long intervals. The prisoner also suffered from two gunshot wounds, one above the left knee and the other, a Dumdum bullet, in the left thigh, above the knee. At Hadassah Hospital, they operated and put platinum along his left thigh. He was taken to the Ramleh prison clinic several times to have x-rays taken of his back and leg. He was told that there was a twist in the platinum, but that they would not perform any medical intervention unless the existing platinum screw was broken.





The prisoner Y.H., 30 years old, from Gaza, has been suffering from skin problems for more than five years and has not been treated by the prison doctor except for the administration of drugs. They have not been effective, as his skin has been flaking and falling off. Recently, a growth of around 2cm in size appeared on the left side of his head. Gradually, the mass increased over time. Addameer lawyers have seen it, and are aware that the prisoner suffers pain and pressure in the head area. There is fear that it may be a tumor. Despite this, the prison administration refuses to allow him to have surgery, as they consider such an operation to be cosmetic in nature.



Chapter IX

Collective hunger strike: The
«dignity strike»

Collective hunger strike: The “dignity strike”

The open hunger strike, known as the ‘Battle of the Empty Stomachs’ or the ‘Dignity Strike’, was a protest where Palestinian detainees abstained from any sustenance beside a little water and salt for a period of 41 days. Such an action is rarely undertaken due to the physical and mental toll that such a protest takes on the prisoners. In the past, individuals have died from such actions.

The Palestinian prisoners resorted to this dire step following the failure of dialogue, between the IPS and the prisoners’ elected negotiation committee, to secure their basic rights. Striking is a means to realize the basic dignity of the prisoners, and never an end in of itself. It remains one of the most important strategies for achieving their collective rights in an inherently dehumanizing system.

On 17 April 2017, approximately 1500 prisoners began an open hunger strike with the aim of achieving a number of demands and basic rights. These included requests to increase the duration of visits, allowing their children and grandchildren to visit, and improving their living condition. The strike continued for 41 days, during which the prisoners were subjected to serious violations by the Israeli Prison Service, as well as attacks by the Israeli occupation forces through repeated incursions and continuous inspections. The administration intentionally delayed providing the prisoners on strike with medical care and placed them in inhuman conditions.



The demands of the strike were as follows:

- End the policy of medical negligence, and ensure the right of detainees to access appropriate health care.
- Termination of the policy of administrative detention, and observance of fair trial guarantees.
- Allow visits of family members on a regular basis, every two weeks.
- Cancel decisions preventing first and second degree relatives from visiting; allow males between the ages of 16 and 35 to visit; allow children and grandchildren to visit; increase family visits from 45 minutes to an hour and a half, establish appropriate facilities for them; and allow detainees to have human contact with their families.
- Ending solitary confinement, which sometimes lasts for years, and ensure that no such harsh punishment is imposed.
- Provide humane treatment during the transfer of detainees between Israeli prisons and courts (the Bosta trucks), and preserve their human dignity.
- Ensure adequate meals, guaranteeing their right to the highest level of health.
- Ensure that the right to education is properly provided.
- Allow access to books and newspapers as well as to all TV channels, in line with the right to communicate with the outside world.

As a result of the strike, the prisoners and their families were subjected to a number of penalties by the IPS administration. The IPS isolated dozens of members of the prisoner movement, headed by prisoners Marwan Barghouti and Ahmed Saadat. Additionally, all communication with the outside world was cut and the striking prisoners were prevented from lawyers visits, which are considered legitimate rights of the prisoner. In addition, they were denied all family visits and subjected to frequent movement between the prisons.

Parallel to the sanctions, the prisoners were subjected to ill-treatment, and strip searches. The IPS also attempted to bargain with sick prisoners, asking them to stop their strike in exchange for receiving medical treatment.

During the visit to the prisoner Mohammed Abu Sakha, in the prison of Ayala Eishel, informed the lawyer that, as a result of the continuous hunger strike, a number of prisoners' health had begun to deteriorate acutely. A number of them were fainting, vomiting blood, and blood in their feces. In these cases, the prisoners called on the jailers to take the sick prisoners out to the clinics to treat them. However, the guards were slow to respond. They only came after the prisoners knock on the doors and screamed out to them. When they arrived, they entered in a provocative manner and carried gas devices as a way of threatening the prisoners. These exchanges would often result in bargaining, urging the prisoners to stop their strike in exchange for medical treatment for the others.





Conclusions

Conclusions

- The proceeding report provides accounts of the occupation using torture, both physical and psychological, and degrading treatment, as a means of oppressing Palestinian detainees. Such treatment starts with the moment of his arrest, is maintained during the interrogation stage, and is practiced systematically. Such practices and actions enjoy the support of the judicial institutions. This is the case despite the fact that the occupation state ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1991.
- The report indicates that in 2017 the Israeli occupation forces used excessive force during arrest, including utilizing live and direct fire, which resulted in the death of three Palestinians during their detention. This brought the total number of killed among the prisoner movement to 213.
- The report attests to the commitment of war crimes by the occupation. This comes in the form of extra-judicial executions, which target Palestinians of all ages and backgrounds. These executions brought the number of killed in 2017 to 80 martyrs.
- The number of detainees relating to publications on social media sites, especially Facebook, clearly increased. Such arrests are clearly a violation of one of the most important rights guaranteed under international and local basic laws; that being the right to freedom of expression. During the year 2017, the number of such detainees reached 300 .
- In keeping with the trend of the previous decade, the occupation continued to utilize the policy of administrative detention in 2017, depriving prisoners of the basic right to a fair trial. Those placed under administrative detention included children, women, youth and human rights defenders.
- The report recounts that the occupation continued, in 2017, to issue racist laws that are applied selectively and discriminately. Additionally, they continued to approve bills based individual cases, or to meet the security needs of the occupying state. Such cases are complemented by a series of racist decisions and laws issued in 2015 and 2016.
- The report examines the deteriorating situation in various prisons. Such deteriorations are made evident through repeated incursions into sections and collective punishments deliberately met out by special units of the IPS. These actions were undertaken in order to harass detainees and subject them to cruel and degrading treatment. Violations took the form of intrusions or raids, which often comes late at night or in the early morning hours, or through direct attacks on detainees. Such attacks were routinely utilized during the raids in section 16 the Negev prison during the month of February 2017, where 96 detainees were subject to such violations.



- The report shows that the occupation has escalated its violations against children and women. Such violations represent an attempt to traumatize and damage Palestinian children, and the Palestinian social fabric. Such actions are undertaken without regard to the special status of children or women, as stipulated in international treaties and declarations. By the end of 2017, the number of Palestinian prisoners in Israeli jails reached 58 prisoners, including 350 minors, out of whom 9 are female.
- The report includes a chapter detailing the policy of collective punishment practiced by the occupation forces against all segments of the Palestinian population. As mentioned above, this policy is contrary to articles 33 and 34 of the Fourth Geneva Convention. The occupation practiced a policy of collective punishment by intensifying campaigns of arrests, raids and searches.
- The report provides details of the events of the 'Dignity Strike'. On April 17, 2017, approximately 1500 prisoners began an open hunger strike in order to achieve a number of basic rights. These included increasing the duration of the visiting periods, allowing prisoners' children and grandchildren to visit, and improving the living conditions in prisons. The strike continued for 41 days during which the prisoners were subjected to serious violations by the Israel Prison Service. In addition, the administration deliberately delayed the provision of medical care, while holding prisoners in inhumane conditions.





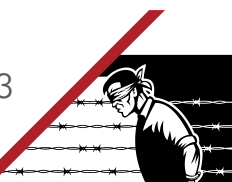
Recommendations

Recommendations

- Addameer believes that the occupation should be prosecuted for the crimes committed against the Palestinian people. These crimes include the utilization of arbitrary detention and torture. Addameer believes in the need to pursue legal proceedings against the occupation for the committing of war crimes. These war crimes include the extra-judicial execution of dozens of Palestinians, and employment of measures of collective punishment against the Palestinian people, the families of the killed and detainees. This collective punishment includes the demolition of their homes, and the utilization of search and detention as retaliatory measures. In addition, Addameer calls for the inclusion of the issue of Palestinian prisoners in the cases filed before the International Criminal Court.
- Addameer recommends that all the Palestinian Prisoners' affairs and legal institutions unite and intensify their efforts to expose the crimes of the Israeli occupation, and the Israeli Prison Service administration. This must involve the utilization of all local and international legal tools in order to hold the occupation accountable for its crimes.
- Addameer calls on the United Nations, its committees and human rights organizations, to take real action to immediately provide the necessary protection for prisoners and detainees in Israeli jails. In particular, protections are needed against murder during detention, torture during arrest, detention and interrogation, the policy of medical negligence, arbitrary administrative detention, the re-arrest of released prisoners in exchange deals, and the suffering inflicted during transfer from one prison to another or to court.
- Addameer also calls upon international institutions to work to compel the occupying state to allow international investigation committees to enter its prisons. This should be done to allow the committees to examine the conditions of prisoners, to seriously investigate the complaints of detainees and prisoners in general and, in particular, those complaints related to the crimes of the Special Forces of the Israeli Prison Service. Addameer also calls on all related international institutions to make efforts to achieve the immediate release of all human rights defenders, the staff of Palestinian human rights organizations detained by the occupation, and to uphold the rights of this category of individuals as enshrined in the Universal Declaration of Human Rights Defenders.
- Addameer recommends that the International Criminal Court open an investigation into the crimes of torture, forced transfer and arbitrary detention within its jurisdiction. The occupation undertakes these practices systematically and publicly against all sectors of the Palestinian people.
- Addameer recommends that the Palestinian Authority, after acceding to the Convention against Torture, harmonizes the existing penal code in Palestine with the Convention in order to allow occupation war criminals to be held accountable

for torture under universal jurisdiction, under article 5 of the Convention against Torture.

- Addameer recommends that the Special Rapporteur on the Situation of Human Rights in the occupied Palestinian territories use all of the mandate's powers to inquire about the utilization of torture by the occupying power in its interrogation centers, and to include his inquiry this in one of his reports to the United Nations Human Rights Council.
- Addameer recommends that the High Contracting Parties to the Geneva Conventions respect their commitment to respect the four Geneva Conventions and to ensure their upholding in all circumstances. Addameer also demands that the occupying Power be compelled to respect its obligations as an occupying power, under the four Geneva Conventions, and apply them to the occupied Palestinian Territory and, to the Palestinian prisoners in all of its prisons.





Annexes

Annex 1: Children in administrative detention

The Case of the Child: Musa Ahmed
Musa Hammad

Date of birth: 2/12/1999

Date of arrest: 7/4/2017

Place of residence: Silwad village,
Ramallah district

High school student



Arrest:

At 4:00 am, a large number of Israeli soldiers, estimated at more than 40, broke into the house. They broke the outside door and searched the house in an aggressive manner before arresting Musa.

It is worth mentioning that the occupation army stormed the house the day before the arrest of Musa Ahmad Hammad at 10:00 am and claimed that Malik Hammad, Musa's brother, had carried out an attack that led to the death of an Israeli soldier and the wounding of others. The family was surprised at the news. Their older son was arrested on the same day and was transferred to Al-Muskoubiyya prison after his arrest.

When Musa was arrested, they did not allow him to change his clothes and arrested him in his pijamas after they tied him up and blindfolded him. According to his testimony, given to Addameer's lawyer on 20 April 2017, Musa was beaten by the soldiers during his arrest. He was beaten inside the military jeep while lying on its floor where he was kicked in his back, stomach and side.

Musa was then transferred to a military area, which he did not recognize. He was subjected to physical examinations. They took him into a room, blindfolded. They sat him on the floor for 10 hours and gave him only water. In the afternoon, he was transferred to another place after an hour's travel. The soldier who accompanied him punched him several times and shouted insults at him. An hour later they transferred him to Ofer prison. On the third day of his arrest, and before the date of the first court issued detainment extension, he was interrogated for half an hour in the same prison. The questions centered on his brother Malik.



Administrative detention

The military commander of the Occupation issued an administrative detention order against Musa to last from 13 April 2017 until 6 June 2017. The order was confirmed at Ofer military court by military judge Rafael Yemini on 18 April 2017. The Military Prosecution claims that the child is suspected of encouraging terrorist activities perpetrated by Hamas

The defense lawyer confirmed that Musa had been interrogated by the police, though he denied all allegations. He denied any connection to what his brother had done. He asserted that Hamed was a school student in the last year, and that his arrest would damage his studies.

Judge Yemini claimed that the classified material he had been given confirmed that the detainee's actions were detrimental to the security of the area. The information was not disclosed, as it was held within a 'secret file'. The information indicated that he had planned to carry out "terrorist" acts of a militant nature. The judge pointed out, clearly, that the brother of the detainee carried out an attack against Israeli soldiers on 6 April 2017, which led to the death of one soldier and the wounding another.

The interrogation of Musa focused on the events of his brother's arrest. The judge's explicit reference to the actions of his brother confirms that Musa's arrest was an instance collective punishment, in violation of Article 33 of the Fourth Geneva Convention. No protected person may be punished for an offense he or she has not personally committed. Additionally, Musa's detention is a violation of article 37.b of the Convention on the Rights of the Child, which ensures that no child is deprived of his or her liberty unlawfully or arbitrarily.

The administrative detention order against Musa was renewed for an additional month, on 6 June 2017. He was released on 5 July 2017.

Annex 2: Female prisoners subjected to sexual harassment during detention

Attached Statement: The Case of the Prisoner A.H., 19 years old.

On 27 December 2017, I was arrested at Qalandia checkpoint at approximately 8:00 AM. I was with my mother and grandmother and my little 17-year old sister, who had Down Syndrome. We were on our way to Jerusalem to have a heart examination for my sister. When we arrived at the checkpoint, the female soldier called me and said, "come on". I felt scared and I dropped my permit.

Afterwards, the female soldier told me to bring your belongings and enter a side room. I took my belongings, and she took me to the inspection room at Qalandia checkpoint. There they took my things, my permit and my ID. They made me sit outside, and then called on the female soldier to enter the room again.

When I entered the room, the female soldier asked me to take off my clothes so that I would be completely for naked inspection. I refused and began to cry. She grabbed

me violently from the neck with her hand, and I asked her to stop. She pulled me out of my covering and threw me to the ground, screaming at me. Then, because of her screaming, two male soldiers entered the room, speaking arabic with a heavy accent.

The two male soldiers ordered me to take off my clothes. I told them to leave but they refused and the female soldier asked them to stay. One of them, bald, thin, short and with a black and white beard, slapped me on the face very violently. It hurt a lot. I was scared and started to cry harder while he was threatening me. I asked him and the other soldier to leave and only the female soldier to remain, but they refused to go out. The female soldier grabbed my clothes and they took out pepper spray from their pockets as a threat.

I took off the jacket and the soldier began to search it. She then took my hijab (veil) off my head and a pin fell from it. I took the pin from the floor and put it in a bag. She then claimed that I wanted to stab her.

After that I took off my blouse. The male soldiers stood watching me. I was scared. They laughed at me and spoke in Hebrew. Then the fat soldier said to me, "Dress-up now, we saw what we wanted".

I put on my blouse, my jacket and the veil without a pin. They handcuffed me to the front and made me sit outside on a seat. I would like to point out that the soldiers filmed me on video, laughed at me and told me to admit that I wanted to carry out a stabbing attack. I refused, but the fat soldier told me that, if I did not confess to the video, he would tell people what he saw in the room when they searched. Out of fear, I said all they wanted me to say, and they recorded my confession on video.

Annex (3): A full year in house confinement

The case of the child Rama Jaabis

Date of Birth: 23/12/2001

Date of arrest: 20/2/2015

Prison: Hasharon

Place of residence: Jabal Mukaber - Jerusalem

Detainment Period: 8 months

Last arrest:

The Israeli occupation forces arrested Rama Ja'abees, 14 years old, from Salah al-Din Street in Jerusalem. The Israeli occupation forces claimed that Rama was carrying a knife. Rama was transferred immediately, after her arrest, to the Moskabiya interrogation center. During the transfer, she was beaten and cursed by Israeli soldiers. She was interrogated for 3 consecutive days in the same room with her hands and feet tied to a plastic chair. The interrogation was undertaken by 3 interrogators.



Home confinement:

The Jerusalem District Court transferred Rama Jaabis to house arrest until the end of the trial proceedings and decided to put an electronic tracking device on her. It was ordered that she must spend her time in a house other than her family's residence in Jabal Mukaber. The family decided to rent a house in Abu Ghosh, to keep their daughter as requested by the court. After 10 months of Rama remaining in Abu Ghosh, she was allowed to return to her home in Jabal Mukaber.

During the period of house arrest, Rama did not leave the house. When she was allowed to remove the electronic device, she went to school, but the Israeli police discovered this. They called her father and threatened to arrest her, and told him to keep her at home and prevent her from going to school.

The Israeli occupation courts in Jerusalem continue to issue sentences of house arrest against Jerusalemites, which prevents them from realizing their right to education. Children who are sentenced to house arrest are denied the right to visit the doctor, while the parents are forced to be their children's jailers.

Actual imprisonment

On 15 February 2018, Rama Jaabis was sentenced to 14 months in prison on charges of possessing a knife. This sentence did not take into account the period of time spent under home arrest, which amount to around a year. Rama surrendered herself at Ramleh prison. Upon her arrival at the prison, she was strip searched and was not allowed to bring in her belongings. She slept in a detention room for one night before being transferred to Hasharon Prison for female prisoners.

Rama was alone in a small section of the prison transport van, the Bosta, where she was sat on an iron chair. She had an Israeli civilian detainee in front of her, who repeatedly cursed her and made vulgar gestures to her with his hands.

Rama's lawyer appealed the ruling in the Supreme Court of the occupation. In turn, the Supreme Court approved the appeal and reduced the sentence from 14 months to 8 months.

Legal analysis

Israeli occupation forces have continued to target Palestinian children with little regard for their age or the international conventions guaranteeing their rights. During the first two months of the uprising which started in October 2015, Israeli occupying forces arrested more than 480 Palestinian children, 177 of them from Jerusalem alone. About 350 Palestinian children are currently in Israeli jails.

In the case of Rama Jaabis, the Israeli occupation forces used excessive force when she was arrested, despite the fact that she did not constitute a threat to the occupation soldiers. Her young age, 14 years old, and her small body size attest to this. However, the occupation's racist policy against Palestinian children prevents it from viewing them as children. It's racist and discriminatory nature can be ascertained by examining and noting statements made by members of the occupation Knesset and the religious authorities of the occupation.

In continuation of the racist policy adopted by the occupation, in mid-2016, the Knesset passed a law allowing the prosecution and imprisonment of children under the age of 14. The bill was submitted by an MK of the Likud party, Anat Barako. Under this law, a child is held in a closed care center until they reach the age of 14 at which point they are transferred to prison.

Addameer also noted that the Israeli police and the military prosecution are detaining Palestinian children without regard to the special protection afforded to them under international law, especially the Convention on the Rights of the Child.

Rama in prison

Rama began to study international law in prison, where prisoners with higher degrees provide the rest of the prisoners with educational courses. Prisoners lead daily morning exercises, with Rama participated in. She lives in a room with the rest of the young prisoners (under the age of 18), but they suffer from a lack of space, and the room has only one bathroom. Rama Jaabis is expected to be released in September 2018.

Annex (4): Report of Military Courts during the year 2017

A. Military courts primary data:

In 2017, 10454 detainees were indicted.

During 2017, 10205 defendants were acquitted.

During the year 2017, 20209 held extension hearings.

As of the end of 2017, 5950 accused persons, including 1824 accused, still have legal proceedings pending.

B. Administrative detainees:

1205 administrative detention orders were issued.

C. Appeals in the Military Courts

117 appeals were filed to the Military Court of Appeals by the Prosecution and the Public Prosecution, and 152 appeals were dismissed.

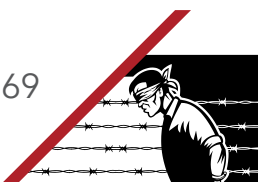
In 1604 cases, the Military Court of Appeal ruled on appeals and requests for detention.

During 2017, 1323 appeals were filed against administrative detention orders.

1395 appeals against administrative detention were denied.

D. Administrative committees

During 2017, 56 procedures were submitted to different administrative committees.



Central violations in accusation lists presented in 2017

Nature of accusation	Number of accused	Percentage
Intentional killing	10	0.48%
Attempt of intentional killing	69	3.33%
Engaging in communications for the purpose of intentional killing	32	1.54%
Firing at persons	52	2.51%
Preparation and throwing of explosives	61	2.94%
Possession or trading of weapons	643	31.03%
Production, preparation or throwing of burning materials	253	12.21%
Membership, responsibility holding, service providing	440	21.24%
Other	512	24.17%
Total number	2072	100%

Organisational belonging

Organisation	Num. of accused	Percentage
Hamas	316	12.25%
Islamic Jihad	51	2.46%
PFLP	37	1.37%
Fatah	1	0.01%
Hazbollah	6	0.29%
DFLP	13	0.63%
Other (global Jihad)	285	13.75%
No organisational belonging	1363	65.78%
Total number	2072	100%

Disturbing order - central violations

Nature of accusation	Nu., of accused	Percentage
Throwing stones	788	77.25%
Attacking a soldier	55	5.39%
Entry without permit	8	0.75%
Other	169	16.57%
Total number	1020	100%

Concentration of accumulative data untill the end of 2017

Type of action	Court	Salem military prison	Ofer military prison	Total num. in the West Bank
Number of accused against whom accusation lists were presented	Security violations	1094	987	2072
	Order disturbing	197	823	1020
	Criminal	109	323	432
	Entry to Israel without permit	170	894	1064
	Transit	1655	4202	5857
	total	3225	722	10445
	Number of accused whose trials are completed	Security violations	845	1150
Order disturbing		149	741	890
Criminal		90	317	407
Entry to Israel without permit		173	937	1110
Transit		1679	4124	5830
total		2936	7269	10205



	Salem military prison	Ofer military prison	Total num. in West Bank
Accused against whom procedures were freezed	5	580	585
Prolonged detention	8408	11894	20209
Ammount of fees imposed	7086200	13503890	20590090

Trial of minors in 2017

Type of action	Courts	Salem military court	Ofer military court	Total number in West BAnk
Number of accused against whom charges were presented	Security violations	67	149	216
	Order disturbing	59	281	340
	Criminal	6	13	19
	Entry to Israel without permit	4	28	32
	Transit	6	35	41
	total	142	506	648
	Number of accused whose trials are completed	Security violations	46	146
Order disturbing		53	232	285
Criminal		6	13	19
Entry to Israel without permit		4	29	33
Transit		6	50	56
total		115	470	585

Minor accused whose cases are still being deliberated until the end of 2017

Court	Detained	Released	Total
Salem military court	52	3	55
Ofer military court	192	33	225
Total	244	36	280

Administrative detainees in Ofer prison until the end of 2017

Orders issued in 2017	New	Prolonged	Total
	498	907	1405
Ratified by a judge		961	
Essential orders		159	
Negligence by the court		147	
Orders canceled by the court		13	
Number of orders on which deliberation is completed	1403		
Cases on which deliberation continues	6		

According to IPS figures at the end of 2017, the total number of administrative detainees in all the prisons of the occupation amounted to 449 administrative detainees.

Committee considering deportation orders:

During the year 2017, 15 deportation orders were requested for the Committee.

During the year 2017, 13 expulsion decisions were made.

At the end of 2017, two deportation orders are still being considered.

Administrative appeals before the military appeal court for the year 2017

	Presented	Accepted	Partially accepted	Denied	Canceled	Closed	Pending till the end of procedures
Lawyer	1229	114	28	1069	92	1303	159
Prosecution	94	49	3	37	3	92	1
Total	1323	163	31	1106	95	1395	160



ADDAMEER (Arabic for conscience) Prisoner Support and Human Rights Association is a Palestinian non-governmental, civil institution that works to support Palestinian political prisoners held in Israeli and Palestinian prisons. Established in 1992 by a group of activists interested in human rights, the center offers free legal aid to political prisoners, advocates their rights at the national and international level, and works to end torture and other violations of prisoners' rights through monitoring, legal procedures and solidarity campaigns.

Addameer's Vision:

Addameer believes in the importance of building a free and democratic Palestinian society based on justice, equality, rule of law and respect for human rights within the larger framework of the right to self-determination. Addameer's work is based on a belief in the universality of human rights as enshrined in international law.

The Programs of Addameer

- 1. Legal Aid Unit:** Since its founding, Addameer's legal aid work has formed the backbone of the organization's work, with Addameer's lawyers providing free legal representation and advice to hundreds of Palestinian detainees and their families every year.
- 2. Documentation and Research Unit:** Addameer documents violations committed against Palestinian detainees and monitors their detention conditions through regular prison visits, and collects detailed statistics and information on detainees.
- 3. Advocacy and Lobbying Unit:** Addameer's advocacy work is aimed primarily at the international community, with the unit publishing statements and urgent appeals on behalf of detainees, briefing international delegations and the media, and submitting reports and individual complaints to the United Nations.
- 4. Training and Awareness Unit:** Addameer raises local awareness of prisoners' rights on three levels: by training Palestinian lawyers on the laws and procedures used in Israeli military courts; by increasing the prisoners' own knowledge of their rights; and by reviving grassroots human rights activism and volunteerism and working closely with community activists.

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