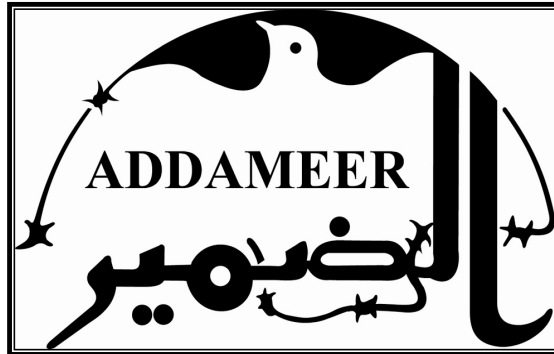


Isolation and Solitary Confinement of Palestinian Prisoners and Detainees in Israeli Facilities

Addameer Prisoner Support and Human Rights Association



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Addameer Prisoner Support and Human Rights Association (Addameer) is a Palestinian non-governmental, civil institution that focuses on human rights issues. Established in 1992 by a group of activists interested in human rights, the center offers support to Palestinian prisoners and detainees, advocates for the rights of political prisoners, and works to end torture through monitoring, legal procedures and solidarity campaigns.

Addameer (Arabic for conscience) 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. To this end, Addameer's work comprises four main program areas, namely: legal aid, research and documentation, advocacy, and the Training and Awareness Program.

Addameer is a member of the Executive Committee of the Palestinian NGO Network, the Palestinian Council of Human Rights Organizations, and works closely with international human rights organizations such as Amnesty International, Human Rights Watch, OMCT and FIDH to provide regular information on the situation of Palestinian political prisoners and detainees.

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INTRODUCTION

Since the Israeli occupation of Palestinian territory in 1967,¹ an estimated 700,000 Palestinians have been detained under Israeli military orders in the occupied Palestinian territory (OPT),² which constitutes approximately 20 percent of the total Palestinian population in the OPT, and as much as 40 percent of the total male Palestinian population. There are currently at least 7,834 Palestinians in Israeli prisons and detention centers, of which 53 are women and 355 are children under the age of 18.

Every year, dozens of Palestinian prisoners and detainees³ are held in solitary confinement, as a disciplinary measure, or in isolation, for reasons of state, prison or prisoner's security. An unknown number of detainees who pass through interrogation facilities are held at any given time in isolation. With regards to persons in prison custody, between 35 and 40 prisoners are currently held in isolation for mental health conditions, and 12 are held in isolation for reasons of state or prison security. An unknown number of prisoners are held at present in solitary confinement. Although rules exist under Israeli and international law to closely govern the use of solitary confinement and isolation, both measures are often used impermissibly and at great cost to Palestinian prisoners and detainees.

DIFFERENCES BETWEEN 'SOLITARY CONFINEMENT' AND 'ISOLATION'

Solitary confinement

Solitary confinement and isolation are both measures imposed during a prisoner's detention or prison sentence. Solitary confinement is facially used by Israel as a disciplinary measure and is also common practice during interrogation, typically employed immediately following arrest. Solitary confinement combined with a monetary fine is the most common punishment taken against Palestinians held in Israeli prisons.

Detainees and prisoners held in solitary confinement are completely cut off from the world. They are held in an empty cell containing only a mattress and a blanket. Other than their clothes, they are not allowed to take anything with them into solitary confinement, including reading materials or a television set. The detainee or prisoner is held in their solitary confinement cell, which does not contain a toilet, 24 hours a day. When the detainee or prisoner wishes to use the toilet he or she must call out for a guard and wait until one agrees to take the prisoner out.

Article 56 of the Israeli Prisons Ordinance (New Version), 1971 (Ordinance), lists 41 disciplinary offenses for which solitary confinement may be imposed on prisoners and detainees, and establishes who among the prison officials may order such measures. According to the Ordinance, the Commissioner, the Prison Director, and prison officers of the rank of Captain or

¹ Addameer operates under the legal assumption that the West Bank, East Jerusalem and the Gaza Strip comprise the occupied Palestinian territory (OPT), which Israel has held in belligerent occupation since 1967.

² *Human Rights Situation in Palestine and Other Occupied Arab Territories: Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian territories occupied since 1967*, John Dugard, A/HRC/7/17, 21 January 2008.

³ For the purposes of this article, "prisoners" refers to persons who have been held in prison custody – remandees or convicts. "Detainees" refers to persons held prior to indictment or under administrative detention orders.

higher who have been so authorized by the Commissioner each have the power to take disciplinary action against a prisoner by imposing a punishment of up to seven days in solitary confinement. The Prison Director is authorized to sentence a prisoner to a maximum of 14 days in solitary confinement; each successive confinement period may not exceed 7 days.

Article 56 also includes a number of broadly-defined offenses that may engender solitary confinement, such as “made noise unnecessarily” or “any action, behavior, disorder or neglect that disrupts good order or discipline, even if not detailed in the preceding clauses”. These open provisions establish no restrictions on what may be considered ‘disruption of order’, and therefore leave the imposition of solitary confinement vulnerable to abuse.

Isolation

By comparison, the Israel Prison Service (IPS) uses, or claims to use, isolation as a preventive measure. The Ordinance provides five general categories that warrant the isolation of a prisoner: State security; prison security; protecting the well-being and health of the prisoner or other prisoners; preventing significant harm to discipline and the proper prison routine; and, preventing violent offenses, offenses included in the Law to Combat Organized Crime, or drug transaction offenses. As with solitary confinement, broad definitions of “harm” to state security, prison security, discipline, or proper prison routine leave considerable liberty for authorities to claim that there are grounds for isolation.

Prisoners held in isolation are held in a cell alone or with one other prisoner⁴ for 23 hours a day. They are allowed to leave their cell for a daily one hour solitary walk; on the way to their walk, the prisoners’ hands and feet are typically shackled. Handcuffs may sometimes be removed, but prisoners have reported to Addameer that, in many cases, they remained handcuffed and sometimes even leg shackled during the walk. During every transfer from the isolation cell, including for attorney visits, the prisoner’s hands and feet are shackled, and he or she is accompanied by a prison officer.

Isolation cells in the various Israeli prisons are similar in size – typically from 1.5 by 2 meters to 3 by 3.5 meters. Each cell usually has one window measuring about 50cm by 100cm, which in most cases does not allow in sufficient light or air from the outside. One prisoner held in isolation reported that there was no natural light or fresh air in his cell and that for two months his cell was lit by artificial light, day and night. Isolation cells also include a toilet and shower; prisoners typically hang a curtain to separate the toilet and shower area from the rest of the cell. The cell usually has an iron door, which includes an opening at its lower part, through which guards insert food trays. Prisoners held in these cells are thus prevented from having any eye contact with other prisoners in the isolation wing or even with guards.⁵

Isolated prisoners are generally allowed to keep a television set, radio, electric hotplate, and electric kettle in their cells. These appliances may be bought at the prisoners’ own expense in the canteen and are sometimes taken away as a punitive measure. Isolated Palestinian prisoners may

⁴ A prisoner held in isolation may be held with additional prisoners also requiring isolation. However, this remains a rarely-used provision.

⁵ In a few prisons, the doors of isolation cells are made of iron grid, allowing eye contact to be maintained.

receive books from the ICRC and their families during visits, but the prisons impose restrictions as to the kinds and number of books prisoners are allowed to receive. Prisoners also receive newspapers in Arabic free of charge, such as the Jerusalem Arabic daily *Al Quds*, but other newspapers in Hebrew or English are distributed only to those holding a subscription. The newspapers are always distributed after a delay and are typically not current. Although Palestinian prisoners in Israeli prisons are allowed to study via correspondence at the Open University of Israel, prisoners who are held in isolation are not allowed to do so.⁶

Prisoners and detainees are typically reliant on canteens for food, clothes, personal hygiene items and most cleaning products, as the IPS does not provide many essential items. Sometimes, prison authorities close an isolated prisoner's canteen account, as has occurred to dozens of prisoners, especially those who have been identified with Hamas. When this occurs, the prisoners receive from prison authorities essential personal hygiene products and cleaning products for their cells, but may be forced to go without other basic items.

Isolation can be ordered by the courts, and by security authorities such as the Israeli Security Agency (ISA),⁷ but is most frequently levied by prison officials. The length of time in isolation that prison officials may order depends entirely on their rank, and can extend from 12 hours to longer periods of six to 12 months, with approval of the court. The courts may order that a prisoner be isolated for up to 12 month renewable periods, and the ISA may order isolation for similar long periods as well when citing security concerns.

Under Article 19D of the Ordinance, prisoners subjected to isolation have the right to a court hearing if the duration of isolation exceeds 96 hours.⁸ The hearing must be conducted in the presence of the prisoner and his or her attorney, though broad provisions disable any protections engendered for the prisoner by enabling the courts to use confidential material not disclosed to the prisoner or his or her counsel.⁹ The court's decision at this hearing may be challenged on appeal to the Israeli High Court.

SOLITARY CONFINEMENT AND ISOLATION UNDER INTERNATIONAL LAW

Treaties and international agreements that address prisoners' rights prohibit the use of solitary confinement as a punitive measure or attempt to limit its use significantly. For example, article 10 of the International Covenant on Civil and Political Rights (ICCPR) provides that all persons

⁶ Palestinian prisoners in Israeli prisons are allowed to study *only* at the Open University of Israel, and may not continue their studies at any other institution, even if they were enrolled there prior to their incarceration or if the university so approves. The IPS claims that prisoners are barred from participating in study programs in conjunction with Arab universities for security reasons.

⁷ Formerly known as the General Security Service (GSS).

⁸ Commission Ordinance 04.03.00, Article 6, states that extending individual or joint isolation beyond the initial 96 hours requires holding an oral hearing before the person who made the decision. Article 7 of the Commission Ordinance indicates that the hearing is to take place only prior to the first extension; subsequently the prisoner may make his or her arguments in writing against the decision to extend isolation. Article 7E stipulates that the IPS has the authority to order isolation even after the court has denied the IPS's request to isolate, if grounds for isolation continue to exist after the decision.

⁹ Articles 19B and H authorize the court to review confidential material that is not disclosed to the prisoner or his attorney on the grounds of state security, prison security or prevention of real harm to discipline or to the prison's proper routine, on the condition that doing so is crucial for the making of justice.

deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.¹⁰ The Standard Minimum Rules for the Treatment of Prisoners¹¹ clearly express that solitary confinement, as a form of punishment, should be used infrequently and exceptionally. It also stipulates in article 31 that corporal punishment or punishment by holding a prisoner in a dark cell and any other cruel, inhuman or degrading punishment are prohibited as a disciplinary measure.¹² The Basic Principles for the Treatment of Prisoners (1990), a UN General Assembly resolution, encourages the restriction or abolition of solitary confinement as a punishment.

In addition, in certain cases and in specific circumstances, solitary confinement and isolation can rise to the level of torture and ill-treatment and are therefore prohibited by international law.¹³ The European Committee for the Prevention of Torture has stated that “[s]olitary confinement can, in certain circumstances, amount to inhuman and degrading treatment; in any event, all forms of solitary confinement should be as short as possible.”¹⁴ Similarly, in its general comment on article 7 of the ICCPR, the Human Rights Committee stated that, “[e]ven such a measure as solitary confinement may, according to circumstances, and especially when the person is kept incommunicado, be contrary to this article.”¹⁵ It therefore becomes a question of fact whether a particular form or incident of solitary confinement or isolation amounts to torture or ill-treatment in violation of article 7 of the ICCPR. Factors to be considered in this assessment may include: the duration of the solitary or isolated confinement; whether the use of solitary confinement or isolation is more extreme than necessary to achieve reasonable disciplinary objectives or the protection of the prisoner from other inmates; and, whether the decision to institute solitary confinement or isolation was made following a controlled decision making process or whether it was the result of arbitrary or vindictive behavior by the prison administration.

¹⁰ International Covenant on Civil and Political Rights, 999 UNTS 171, 6 I.L.M. 368. (March 23, 1976).

¹¹ Passed by the UN in a 1995 convention ratified by the Economic and Social Council in Decisions 663C (D-24) on 31 July 1957 and 2076 (D-62) on 13 May 1977

¹² The Standard Minimum Rules for the Treatment of Prisoners, adopted Aug. 30, 1955 by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, U.N. Doc. A/CONF/611, annex I, E.S.C. res. 663C, 24 U.N. ESCOR Supp. (No. 1) at 11, U.N. Doc. E/3048 (1957), amended E.S.C. res. 2076, 62 U.N. ESCOR Supp. (No. 1) at 35, U.N. Doc. E/5988 (1977) (available at: <http://www1.umn.edu/humanrts/instree/g1smr.htm>). Articles 9-14 of the Standard Minimum Rules for the Treatment of Prisoners also stipulate the conditions of prison cells: each prisoner must have appropriate living space, sufficient daylight, and proper ventilation. Article 39 of the Standard Minimum Rules stipulates that the prisoner must be kept informed regularly of the more important events in the world outside prison via newspapers, periodicals, radio, or lectures. Article 40 stipulates that each prison must have a library that meets prisoners’ needs and from which prisoners can receive the maximal benefit. Article 77 stipulates that prisoners should be allowed to continue their studies and that illiterate minors must be taught to read and write. It is important to note that the Standard Minimum Rules emphasize that the prison sentence must be utilized to rehabilitate prisoners, support them, and help them be integrated into society upon their release, partly in order to prevent recidivism, and that prisoners may not be punished or oppressed.

¹³ Mary Howells, “A Study of the Effects and Uses of Solitary Confinement in a Human Rights Perspective”, (August 1994), p.4 (available at: <http://www.hamoked.org.il/items/3614.pdf>)

¹⁴ See, Nigel S. Rodley, *The Treatment of Prisoners under International Law* (Second Edition), Oxford University Press, 1999, pp. 295-296.

¹⁵ Report of the Human Rights Committee, General Comment No. 07: Torture or cruel, inhuman or degrading treatment or punishment (Art. 7), 30/05/82, Sixteenth session (1982), para. 2.

ISSUES ARISING FOR PALESTINIAN PRISONERS AND DETAINEES

Any use of solitary confinement or isolation exacerbates underlying structural isolation

The use of solitary confinement and isolation against Palestinian prisoners and detainees further exacerbates the underlying structural isolation imposed on all Palestinian prisoners resulting from their illegal imprisonment inside Israel. In 1995, Israel transferred all Palestinian prisoners from the OPT to facilities inside Israel, directly violating international humanitarian law¹⁶ and effectively isolating them from their families, community and the outside world. Although the International Committee of the Red Cross runs a family visit program to help family members their detained relatives inside Israel, access criteria and visit frequency are limited. For prisoners from Gaza, also held inside Israel, this underlying isolation has been even more devastating: following the capture of an Israeli soldier by Hamas on 25 June 2006 at the Kerem Shalom Crossing on the Gaza Strip border, family members resident in Gaza have been prohibited from visiting their detained relatives.

Additional documented restrictions imposed by the IPS and other security authorities exacerbating the isolating conditions for the general population of Palestinian prisoners and detainees include: the prohibition of telephone communication between prisoners and their families and friends; restrictions on the receipt of letters, newspapers and books; the requirement to coordinate attorney visits, which is contrasted with the ability of prisoners of all other categories to meet their attorneys without delay during designated hours and without prior coordination; and, education and work restrictions. These restrictions all serve as indicators of an intentional policy to disconnect the population of Palestinian prisoners from one another, from their families and from their community.

Degenerating Israeli laws regarding the imposition of isolation

The Israeli High Court of Justice has established through their rulings that a prisoner's right to "sunlight, air, and ventilation" should be anchored in legislation.¹⁷ In 2000, the Knesset passed an amendment to the Ordinance, which established internal and external mechanisms for review of isolation. The amendment stipulated that isolation be employed as a last resort only, that a judge's ruling be required in order to extend individual isolation beyond six months and joint isolation beyond twelve months, and that prisoners had a right to a hearing during isolation proceedings. This amendment resulted in a significant decline in the number of prisoners held in isolation.

In 2006, however, the law was amended again, producing many of the provisions detailed above. The criteria for isolating a prisoner were expanded, as were the powers of those authorized to

¹⁶ All but one of the more than 17 prisons, four interrogation centers and three provisional detention centers where Israel detains and interrogates Palestinian prisoners are located inside Israel. Moreover, the one prison located inside the 1967 borders of the West Bank, Ofer, is still located inside an Israeli military base, on the Israeli side of the Annexation Wall, and is therefore similarly inaccessible to Palestinians from the West Bank. This is a direct violation of Article 76 of the Fourth Geneva Convention, which states that an Occupying Power must detain residents of occupied territory in prisons inside the occupied territory.

¹⁷ H CJ 4624/04 Physicians for Human Rights-Israel and the Association for Civil Rights in Israel v. the Minister of Public Security and the IPS Commissioner, Piskei Din.

order isolation, and additional controlling mechanisms were canceled. The amendment also broadens the ability of the detaining authorities to use confidential material in justifying isolation, critically limiting the prisoner's ability to challenge their detention conditions and nullifying the effectiveness of court proceedings.¹⁸

Solitary confinement and isolation during interrogation

Following the September 1999 Israeli High Court of Justice decision in *The Public Committee Against Torture v. The Government of Israel*, in which the Court ruled that some of the interrogation methods used by the GSS against Palestinian detainees were illegal, alternative, non-physical methods of interrogation – not necessarily in accordance with the Court's decision – began to be used more frequently. These include solitary confinement, separation from legal counsel, insults and curses, threats of harm against the detainee or a family member, threats of being imprisoned for an indefinite period of time, allegations that family members have been arrested or imprisoned, threats that the detainee's work or study permits would be revoked, and threats that the detainee would be sexually abused, attacked by a dog or that his or her family home would be demolished.

In most cases, during interrogation, Palestinian detainees are held for varying periods in total isolation. According to Israeli military law, security authorities may hold a detainee for interrogation without charge for up to 188 days,¹⁹ and may prohibit a detainee from meeting with a lawyer for up to 90 days. Delayed access may also apply to meetings with ICRC representatives, who are authorized by international agreements to visit Palestinian detainees who are under interrogation. The detainee is thus completely disconnected from the outside world for a prolonged duration.

The use of collaborators and isolation in combination

Frequently, detainees held for interrogation allege that after an often lengthy period in isolation, they are transferred to what appears to be a prison section, but is actually a mock-up unit created by Israeli interrogators. Inside the unit, referred to by detainees as "the birds", detainees are held with persons who they perceive to be fellow Palestinian detainees, but who are actually collaborators working for the interrogators. After a certain period, during which time the collaborators persuade the detainee to reveal information, incriminating or not, the detainee is transferred back to the main interrogation unit where the interrogation resumes. The period in which the detainee is held in isolation clearly is designed not merely for the safety of the detainee or the detained population, or to preserve the integrity of any information the detainee may have, but is instead utilized to exert pressure, to "break" the detainee, and is, in extreme uses, one element of the methods of ill-treatment applied against Palestinian detainees.

¹⁸ As for evidence, the new amendment allows the court to hear evidence in the presence of one party, not only on security grounds, but also for the reasons listed in Article 19B; that is, prison security or prevention of real harm to discipline or to the prison's proper routine, on the condition that doing so is crucial for the making of justice.

¹⁹ Palestinian detainees may be held for up to 8 days before being brought before a judge; the judge can authorize up to 90 days for interrogation, which can be extended by another 90 days by a judge in the Military Appeals Court.

Isolation during detention and imprisonment

As mentioned above, isolation in prison is typically used for one of three reasons: As a punishment with the sentence or for offense in the prison (referred to as “security isolation” by the IPS); for health issues, typically in cases of mental illness; and, occasionally, at the detainee or prisoner’s request. However, isolation is also used to silence prominent Palestinian political figures, as a form of punishment, as a method to push prisoners to collaborate and as a means of vindictive long-term treatment.

Isolation of political leaders

Isolation is a frequent measure used against prominent political detainees and prisoners, in an effort to keep them from contributing to internal facility and external community political discourse. The case of Ahmad Sa’adat, the former Secretary-General of the Popular Front for the Liberation of Palestine (PFLP), and an elected Palestinian Legislative Council member, directly illustrates this trend. Now serving a 30-year prison sentence following his conviction in December 2008 for offenses arising from his leadership of the PFLP, Sa’adat has been moved repeatedly, from Hadarim prison to Nafha and back, then to Ashkelon and finally Rimonim, where he remains at present. Beginning with his abduction by Israeli authorities from Jericho jail on 14 March 2006, he has been held in solitary confinement or isolation for long periods. On 16 March 2009, Sa’adat was ordered into isolation until June 2009; this isolation has been renewed twice, from June to July 2009, and again from July to September 2009. Sa’adat’s isolation extends further than his confinement to a particular cell: he suffers from cervical neck pain, high blood pressure and asthma and has reportedly not been examined by a medical doctor. For the first seven months of his detention, he received no family visits. When Sa’adat went on a nine-day hunger strike in June 2009 in protest of his ongoing isolation, Ashkelon prison administration imposed further restrictions on him, including denial of family visits, a ban on visits to the prison canteen and on smoking, a fine of 200 shekels and an order to serve an additional week in isolation. It is clear that Sa’adat serves as a particular target both because he is a Palestinian national leader and because he has become a leader among the prisoners as well. Israeli prison authorities are often quick to use isolation to remove those whose presence within the prison strengthens the prisoners’ unity and steadfastness.

Isolation as a punishment

Isolation is also used in some cases not as a security measure as allowed under the Ordinance, but as a punishment. For example, Akram Moussa Khalaf Jebreen was held in isolation for nearly two months as punishment for the offense of another. Detained by Israel on 22 January 2009, Jebreen was charged with a number of offenses relating to membership in Hamas, communication with Hamas and Syria and plans to commit violent acts and engage in illegal arms trading. Jebreen confessed to these charges, and was sent to Ofer prison, where he was visited by his family, including his father Musa, his 10 year-old brother Mohammed, and two sisters, 12 year-old Israa and 16 year-old Maimoona. When prison officials searching his family discovered a knife on Maimoona, Jebreen was taken to his cell and held there in for 12 days with no recreation period and bathroom visits limited to just 10 minutes a day. Jebreen was then moved to Ashkelon prison, where he was held in further isolation for a month and a half. He was

allowed no visits for a month, and was denied receipt of any mail. After one month held alone in isolation, he was placed with another isolated prisoner who suffered from mental illness and talked to himself constantly.

In another example, Noura Mohamed Shokry El Hashlamon was held in isolation for nearly a month as punishment for her decision to go on a hunger strike protesting her ongoing detention without trial. Hashlamon was detained on 17 September 2006 and held under administrative detention orders. Following a High Court ruling on 12 December 2007 that offered her the options of moving to Jordan or continuing as an administrative detainee, Hashlamon refused either of these options and instead embarked on a hunger strike. As a result, she was moved into isolation for the entirety of her 27 day strike. During her time in isolation, Hashlamon was held in a two meters square cell, with sewage leaking from the plumbing, glass fragments on the floor and a one meter by one-half meter barred window without any glass to protect the cell from the cold weather. Prison officers repeatedly came to her cell, insulting and taunting her. She was allowed a recreation period of one hour after two weeks in isolation, and went a full two weeks without any electricity. She ended her hunger strike after the prison manager promised that her administrative detention order would not be renewed and she would be released, and that he would bring her young daughter and would allow her to visit her husband, who was also held in administrative detention, and her parents. None of these promises were ever carried out and Hashlamon remains in administrative detention.

Long-term isolation

Of significant concern is the use of permanent, long-term isolation for a limited number of Palestinian prisoners. Such extreme isolation measures may be ordered in specific cases, such as by the ISA on the premise of state security or by the courts citing the mental health of the prisoner. However, as with shorter-term isolation, little or no proof is required in practice to make such an order, and prison authorities often have no say in its imposition. Moreover, long-term isolation takes an enormous mental toll on the prisoners and detainees involved, and as discussed below, they have little effective recourse under the law to challenge its imposition.

Mahmoud Ahmed ‘Abd Allah El Helbi has been imprisoned in isolation since 23 October 1989. Convicted along with his brother Mohamed of the murder of seven Jewish Israelis, he was sentenced to serve seven life sentences. Every six months, Helbi’s isolation is renewed on the premise that he poses a danger to the other detainees. Transferred from prison to prison over the years – from Ramleh to Ashkelon and Eshel, again to Ashkelon, and then to Ohal Keidar, Shatta and finally Gilboa – Helbi has suffered greatly from his years under permanent isolation, without family visits or meaningful social interaction. He stated during an interview in January 2009 that he feels as though the prison management intends to push him into a state of depression where his only option is to commit suicide or do something to himself, and wants only to be moved from isolation.

Resulting mental health toll on those subjected to isolation

Addameer contends that, as the above case indicates, isolation causes mental and physical damage, both among mentally healthy prisoners and among prisoners with a history of mental

illness. This becomes a complicated problem, as mental health services in Israeli prisons are wholly inadequate. Services are typically limited to medication only and do not include accompanying supportive therapy sessions, and, in most cases, prison psychiatrists do not speak Arabic but rather must interact with patients through a prison staff translator. Prison mental health personnel are generally unfamiliar with the culture and social codes of the Palestinian population, which creates additional barriers to the provision of optimal mental health treatment

Like Mahmoud El Helbi, Fares Baroud has been held in isolation for a period of many years, and wishes only to be moved back into the regular units. Baroud hasn't had any visit from family since 2001, and says that despite a number of requests, he hasn't been allowed to phone his family either. Baroud suffers from migraines, fits, tightening around the chest and says his ongoing isolated detention causes "horrible thoughts that get into his head". According to Baroud, though it is of utmost importance that he sees a doctor, he dreads dealing with the prison administration, as they levy emotional stress on him after any request he makes and well before they act on it, if ever.

Difficulties inherent in legal challenges to isolation orders

Both the Prisons Ordinance (New Version), 1971, and the Commissions Ordinance provide isolated prisoners with the right to a hearing.²⁰ However, most Palestinian prisoners do not receive legal representation during court proceedings on isolation. The proceedings are conducted in Hebrew with poor or ineffective translation. Isolation orders on state security grounds are typically based on undisclosed information to which neither the prisoner nor his attorney is privy. Thus, prisoners and detainees subjected to isolation have no effective recourse to challenge the conditions of their detention under the law.

CONCLUSION

Addameer is concerned by the excessive use by the Israeli authorities of solitary confinement and isolation against Palestinian detainees held in prison custody as well as under interrogation. The use of isolation under interrogation is particularly worrisome as it is applied in combination with other methods in order to exert pressure which may amount to ill-treatment or torture. In addition, the severe, sometimes irreversible mental reactions to isolation, resulting from the minimal environmental stimulation and social interaction, undermine the very definition of isolation as a preventive measure.

²⁰ See footnote 8, *supra*.