

## On Int'l Human Rights Day, Palestinian People's Suffering Continues



07 December 2016

This year, Palestinians commemorate **International Human Rights Day** mourning over **266 Palestinians** including **76 children** who were killed by Israeli Occupation Forces since October 2015. Palestinians mark this day following over a year of nonstop violence and widespread human rights violations by Israeli Occupation Forces against the Palestinian population used as a form of collective punishment and a method of control of Palestinian society. These consistent and systematic policies by the occupation include, mass arrests campaigns, torture, hunger strikes, extrajudicial executions and issuance of discriminatory legislations.

### Extrajudicial Executions and Withholding of Bodies

In 2016 there have been 120 Palestinians killed and extrajudicially executed. Since October 2015, there have been 266 documented Palestinians killed since October 2015, 78 from Hebron, 58 from Jerusalem, 24 in Ramallah, 21 in Jenin, 19 from Nablus, 15 in Bethlehem, 5 in Tulkarem, 4 from Salfit, and 3 from Qalqiliya, 2 from 1948, and 34 from Gaza (Jerusalem Center for the Study of Israeli-Palestinian affairs/Addameer). 76 of those have been children, about 29% of the total number. 24 of them are female.

Currently, the bodies of 25 Palestinian extrajudicially executed Palestinians are being held, including the bodies of seven children. Of the 25 bodies withheld, 24 are from the West Bank and one is from occupied Jerusalem (Jerusalem Center for the Study of Israeli-Palestinian affairs/Addameer.)

### Arrests of Palestinians

Under **Article 3** and **Article 9** of the **Universal Declaration of Human Rights**, all human beings

have the right to liberty and the right not to be subjected to arbitrary arrest and detention. Palestinians, however, have suffered from a widespread policy of arrests and use of arbitrary detention by IOF for decades. In the months following October 2015, and throughout 2016, mass arrests campaigns have continued throughout occupied Palestine. The number of daily arrests has increased over the past year and has included the arrests of different ages and social groups, children, women and men. Since October, at least 7955 Palestinians were arrested, including 1963 children, 229 women and girls, 41 journalists and five members of the Palestinian Legislative Council. Currently there are approximately 7000 Palestinian political prisoners held in Israeli detention, including 400 children, 7 Palestinian legislative council members, 64 females, and over 720 Palestinian administrative detainees held without charge or trial.

### **Administrative Detention of Palestinians**

The use of administrative detention continued throughout 2016 in a widespread and systematic form. Addameer documentation unit finds that between 1 January 2016 and 30 November 2016, there were 1586 total administrative detention orders issued, among them 588 new orders and 998 renewed orders. Among the current 720 Palestinian administrative detainees, there are 5 children, 3 Palestinian Legislative Council members, and one female. These include, for example, the case of Hamza Hammad, a 16-year old Palestinian child from the village of Silwad who is held under administrative detention without charge or trial since 28 February 2016.

### **Hunger Strikes for Dignity**

Throughout 2016, following the escalation of the use of administrative detention, a number of Palestinian detainees have resorted to hunger in protest of their detention without charge or trial based on "secret information". The most recent mass hunger strike began in June 2016 following the administrative detention of Bilal Kayed, who had completed serving over 14 years in prison; over 100 Palestinian prisoners and detainees joined a solidarity hunger strike. Numerous individual hunger strikes have occurred throughout 2016 in protest of administrative detention – such as Mohammad Al Qeeq (2015-2016), Malek Al-Qadi (2016), Mohammad Al-Balboul (2016), and Mahmoud Al-Balboul (2016).

Currently, two Palestinian prisoners, Anas Shadid and Ahmad Abu Fara, are on hunger strike against their imprisonment without charge or trial under Israeli administrative detention. Abu Fara, 29, and Shadid, 19, have been on hunger strike since 25 September. Both have been imprisoned without charge or trial since 1 and 2 August, respectively, and are on strike to demand their release.

### **Imprisonment of Palestinian Children**

Under International Human Rights Law, children must be afforded special protection and their best interest should always be a primary consideration. The Convention on the Rights of the Child, which was ratified by Israel in 1991, prohibits the arbitrary detention of children and stipulates that the detention and imprisonment of children should only be used as a measure of last resort and for the shortest appropriate period of time. Palestinian children, however, are regularly subjected to arrests and detention by Israeli occupation. Children often undergo ill-treatment at the hands of IOF forces and are subject to a wide array of violations. Arrests usually take place in night raids and are often physically and verbally abused during arrest, transfer and detention.

Almost one-fourth of those arrested since 1 October were children, which resulted in tripling the number of Palestinian minors held in Israeli occupation prisons to reach **least 400 children**. 5 of them are currently held under administrative detention considered to be a "*direct and immediate threat to the national security of Israel.*" Israeli occupation also continues to target children with new

harsh policies and laws including a new Knesset law which would allowed custodian sentences for children as young as 12-year-old.

### **Torture and ill-Treatment**

Torture and ill treatment has continued throughout 2016. Addameer has documented an escalation of the use of violence and excessive force against Palestinians during arrest and detention. Several Palestinian youth were arrested after being shot by IOF forces in the aftermath of alleged stabbing attacks. Many of those who were arrested after being shot were subjected to field interrogations while bleedings, interrogations during treatment in hospitals while chained to bed as well as being subjected to harsh interrogations shortly after release from hospitals. It has been noted by Addameer's documentation unit that the use of shaking has become more prominent in the interrogation centers. Other practices include sleep deprivation, deprivation from food and water, threats against family members, threats of sexual violence, and threats of administrative detention without charge or trial. Medical negligence continues to be a policy, with specialized medical care unavailable to prisoners and detainees.

### **Medical Negligence**

The Israeli Prison Service (IPS) has adopted a policy of deliberate medical neglect against prisoners and detainees. Human rights organizations estimate that since the beginning of the Al-Aqsa Intifada in 2000 until 2008, 17 Palestinian prisoners have died in Israeli prisons and detention centers as a result of medical negligence. In HaSharon prison, there are approximately 10 Palestinian females that have been injured from the time of their arrests as a result of attacks by Israel forces, who are not provided with adequate medical treatment. HaSharon and Damon prisons continue to lack specialized medical care for women.

### **Human Rights Defenders and Journalists**

2016 witnessed the crackdown and repression of human rights defenders and journalists. These include Addameer media officer Hasan Safadi, who was arrested on May 1<sup>st</sup>, 2016. On October 2016, Israeli Forces arrested Mr. Salah Khawaja, the coordinator of the Popular Campaign against the Wall and Settlements and member of the Boycott, Divestment and Sanctions National Committee, in central Ramallah, and caused destruction in the property of his home in the raid and sprayed tear gas in the neighborhood resulting in suffocation of residents.

### **Re-arrest of Released Prisoners**

In 2016, Article 186 of Military Order 1651 has continued to affect Palestinians who were released in the prisoner exchange deal of 18 October 2011. Since then, several of these formerly released prisoners were then re-arrested based on secret information. Currently, there are approximately 60 prisoners and detainees who have been rearrested since 2011 under article 186 who remain in detention, and the majority of those sentenced were ordered to serve the remainder of their previous sentences based on secret information.

For example, Nael Barghouti, 59, continues to be held despite having served his latest sentence of 30 months. An appeal was submitted by the prosecution on 25 November 2015, who seek to re-instate a previous life sentence on Mr. Barghouti. The military court is to provide an answer to the prosecution's appeal by 17 December 2016. Mr. Barghouti faces the possibility of re-instatement of life sentence based on secret information.

### **Discriminatory Legislation**

Since October 2015, a series of discriminatory legislation has also been passed. In 2015, an amendment was made to institute mandatory minimum sentences of no less than one-fifth of the potential maximum sentence for throwing stones, and up to 10 and 20 years for adults. The Knesset also passed an amendment to the national insurance law, which effectively denies social benefits to children convicted of “nationalistic-motivated” offenses and “terrorist activities” during their imprisonment. The change also allows Israeli courts to fine their families with up to NIS 10,000 (US\$2,580). In addition, the Israeli Knesset approved a bill to allow custodial sentences for children as young as 12, which is exclusively used against Palestinian children.

### **“Incitement” charge as Obstruction of Freedom of Expression**

The year 2016 also witnessed an increasing number of Palestinians being arrested for incitement charges based on social media posts. Since the beginning of October 2015, Addameer has documented more than 200 cases of arrests of Palestinians, including children, for alleged incitement. The prosecution of Palestinians for social media posts is based on information obtained from the intelligence. The intelligence and prosecution analyze the detainees’ publications by addressing its content, the number of people that interacted with the post (likes and shares), and the comments received.

### **Conclusion**

On the occasion of International Human Rights Day, Addameer calls for an end to ongoing collective punishment by Israeli occupation forces in the form of mass arrest campaigns, rapidly increasing use of administrative detention, continued denial of fair trial, and illegal transfer and deportation of detainees. Addameer therefore calls on members of the international community, particularly UN Member States and relevant UN bodies and agencies, to hold Israel accountable for the ongoing collective punishment and harsh policies against the Palestinian population. Israeli mass incarceration of Palestinians is an inextricable part of the ongoing violence of occupation. Tearing at the fabric of Palestinian society, recent arrest campaigns seek to quash Palestinian ability to endure in their struggles against the occupation. It is important that on this day, we all stand united to call for an end to Israeli violations of Palestinian rights. As Israel acts with ever growing contempt for international law and the will of the international community, action is now needed more than ever.

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