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December 2017

As of December 2017, there were approximately 320 prisoners originating from the Gaza Strip in Israeli prisons. One of these prisoners is still held under the legal regime created by the Unlawful Combatants Law (see section on [administrative detention](#)), which allows for the detention of an individual who, amongst other things, “is a member of a force perpetuating hostile acts against the state of Israel” and who is not entitled to prisoner of war status under international humanitarian law.

**The number of Gaza residents held in Israeli prisons at the end of the month since January 2010 until December 2017.**

Year	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
2017	350			330	330	330	300	322	322	322	326	320
2016	328	339			341		340	340		350		
2015	371	376	374	375	365	360	359	353	350	355	355	352
2014	389	381	381	377	377	-	-	-	-	381	381	380
2013	437	437	433	433	423	423	421	422	400	400	395	395
2012	459	462	461	456	453	451	454	449	445	-	-	-
2011	684	676	669	658	653	647	-	634	627	613	588	483
2010	-	-	733	710	711	710	703	-	698	691	694	686

### FAMILY VISITS

In June 2007, as part of its policy of treating the Gaza Strip as an enemy entity and isolating it geographically through restrictions on the movement of people and goods following the 2006 Palestinian legislative elections, Israel implemented a total prohibition on family visits to prisoners from Gaza. In addition, starting in November 2009, Israel has effectively prevented these prisoners from receiving money from their families to buy basic necessities by requiring that transfers of money be conditional on the physical presence of a family member at an Israeli bank-an impossibility for families residing in the Gaza Strip.

As a result, Palestinians from Gaza detained in Israeli prisons became completely isolated from the outside world. They are largely unaware of the major events taking place in the lives of their families, including the deaths of close relatives. Similarly, their relatives are kept in the dark about their general detention and health conditions. These prisoners' access to basic necessities is also severely limited since such supplies are usually brought by family members during visits or purchased by prisoners from the prison canteen with funds transferred from their families.

Israel's policy has been condemned, among others, by Palestinian and Israeli human rights organizations, the International Committee of the Red Cross (ICRC), and the UN Fact-Finding Mission on the Gaza Conflict in its [report](#) on the 2008-2009 Israeli offensive. On 9 December 2009, however, the Israeli High Court of Justice [ruled](#) against two petitions filed by Palestinian and Israeli human rights organizations in 2008 protesting the legality of the ban on family visits. The court held that the right to family visits in prison is not within the "framework of the basic humanitarian needs of the residents of the Strip, which Israel is obligated to enable".

During Palestinian prisoners' mass hunger strike in April 2012, one main demand of the prisoners was to reinstate family visits to Gaza prisoners. Though Israel agreed to resume the visits upon the conclusion of the hunger strike, as of 30 August 2012, only around half of the 445 Gaza detainees had received one family visit, and it remains unclear whether any will receive consistent visits.

## **ISRAELI 2014 OFFENSIVE ON GAZA**

On 7 July 2014, the Israeli government launched a devastating military offensive against the Gaza Strip. By 26 August 2014, more than 2000 Palestinians had been killed and large areas of Gaza, including schools, residential housing and hospitals were razed to the ground. The military offensive, codenamed Operation Protective Edge by the Israeli military, were 50 days of death and destruction. During the military action, large numbers of Palestinians, including children, were arbitrarily detained by the Israeli military. During the military assault on the Gaza Strip, approximately 60 fishermen from Gaza Strip were arrested in the year, and a number of business people and ill people were arrested while traveling between the Gaza Strip and West Bank. Also, the occupation forces arrested more than 200 Palestinians and subjected them to military interrogation as an attempt to gather information about the Palestinian resistance, contradicting the basic principles of International Humanitarian Law which distinguish between civilians and militants or other fighters during armed conflict. This is a clear violation of articles 13 and 17 of Third Geneva Convention on the treatment of Prisoners of War, and articles 71, 31, and 32 of Fourth Geneva Convention on the Protection of Civilians in Times of War. Dozens of detainees from the Gaza Strip were subjected to cruel physical and psychological torture under the so-called military interrogation - a type of interrogation where the Intelligence Services are allowed to use the ugliest types of shabab, shaking, and severe beating, arguing that subjecting a detainee to such to obtain information might save the lives of Israelis.

The detention of people in these circumstances amounts to a contravention of the obligation to act humanely toward those deprived of their liberty recognized in many human rights treaties and conventions. A significant number of detainees were used as "human shields" by the Israeli military during the assault. The Report of the United Nations Fact-Finding Mission on the Gaza Conflict concluded that such action is prohibited by international humanitarian law and: "puts the right of life of the civilians at risk in an arbitrary manner and constitutes cruel and inhuman treatment. The use of human shields is also a war crime." A number of people detained in Gaza during Operation Protective Edge were brought to Israel and incarcerated in Israel Prison Service facilities. Some of these have been subsequently released back to Gaza whilst other were tried and sentenced to terms of

imprisonment within Israel.

### **Testimony of Prisoner Mohammad Al Agha about Military Interrogation**

The 26-year-old young man Mohammad Al Agha was arrested on 18 July 2014, during the military ground attack on Gaza. In his affidavit to Addameer lawyer on 11 November 2014 in Eshel Prison, he provided a detailed explanation of the process of the military interrogation that he was exposed to in Ashkelon Interrogation Center. He said:

I denied having any information after being asked by an interrogator about the resistance, rockets, and tunnels. Here the rounds of military interrogation started which had psychological and physical pressure. Interrogators called in other huge and masculine interrogators who in their turn started threatening to torture me. One of them told me: "you will get out from here paralyzed and you will never be able to stand on your feet again."

Later, they forced me to sit on a chair without a back, my hands were tied backward. Interrogators started pushing me to the back, until my head reaches the ground, with my hands handcuffed to my back. My body would look like a banana. An interrogator would be holding my feet closer to the chair, while another would be pushing the upper side of my body to the back until it reaches the ground. On the ground there was a blanket! I noticed that there is a paper in front of the interrogators, similar to a to-do list, they would point out the type of torture they used on the paper.

The round of pressure continues for a few minutes, then the interrogators pull me up to rest for one minute. Again they send me back to the banana shape, and again another one minute of rest. This continued for about half an hour, then they change the type and style of interrogation and torture to another position for another half an hour let us say. Then they put you back again to the original banana position or the second or the third position.

Another position is to handcuff my hands behind my back. They would place my hands on a high table, where they would put a blanket, then they start pulling my hands backward, or holding the hands and handcuffs and starts pulling, while another interrogator pushes my head backward or downwards forcefully. This position creates pain in shoulders and neck, but I would always feel pain around my back area. I was always screaming because of pain, but none of the investigators would care. The first position creates pain in the lower back area and abdominal muscles. Another position was to put me against a wall with my knees bent, and interrogators would start pushing down. This creates severe pain in the legs area.

After most interrogation rounds, interrogators would slap me 3-4 times. Many times interrogators would beat me with their knees on my thigh, legs, and feet area, in conjunction with slapping, so I would not be able to turn my face around. They would hold an interrogation this way for hours. Then they would make me sit in a room and leave alone. Sometimes they would send me to a cell to eat for half an hour, and continue the pressure the same way I mentioned above. Other times, they would leave me to sleep for an hour, and again go back to the same methods of interrogation. This continued for 3-4 days. I would not know what time it was back then. I was obviously isolated in a cell. I stayed in the Ashkelon Interrogation Center for 30 days. They did not interrogate me for the last 10 days, except for a single police testimony in the last 10-15 days.

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