

Quarterly Newsletter — October to December 2018

Throughout the quarter, October to December 2018, Addameer has documented ongoing human rights violations against Palestinian prisoners and detainees amidst the current escalation. Administrative detention continues as a policy which deprives detainees of the right to a fair trial, and the chance to defend themselves against any formal charges. Key issues persistently include the detention and ill treatment of women, child prisoners and the ongoing detention of journalists, Jerusalemites and human rights defenders. Addameer maintains that the meeting of human rights and humanitarian law standards is crucial, and that ill treatment, torture, and arbitrary detention represent grave violations.

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Detention in Numbers

This quarter, from October to December 2018, arrests and detention were perpetrated on a large scale by Israeli occupation forces. At the end of October 2018, there were approximately 5580 Palestinian political prisoners, including approximately 465 administrative detainees, 250 child detainees, 52 female prisoners and 4 Palestinian Legislative Council member. At the end of November 2018, there were 5554 prisoners, including 482 administrative detainees, 230 child detainees, 51 female prisoners and 6 PLC member. Finally, at the end of December 2018, there were 5500 prisoners, including 480 administrative detainees, 230 child detainees, 54 female prisoners and 8 PLC members.

Arbitrary Detention of Injured Prisoner Israa' al-Ja'abees



On the 11 October 2015, Israa was on her way home to Jerusalem from her husband's family home in Jericho. She worked in Jerusalem daily due to poor economic status, and she used to bring back with her whatever her in-laws need for the home. That day she had in her car a gas tube which she used for cooking and also a TV.

When she came close to Al-Z'ayyem military checkpoint, the airbag in her car opened which caused a fire to start in the car. Israa told "Addameer"'s lawyer who visited her in Hasharon prison that "The car caught fire without me noticing, so I got out quickly, a police officer came to me with a raised weapon and started yelling at me to 'drop the knife' in Hebrew, I didn't have a knife. Another officer commanded the soldiers to open fire". "I stayed on the ground for around 15 minutes before the ambulance came." She added.

Israa was then taken to Hadassah EinKarem Hospital in Jerusalem, she lost consciousness due to severe pain from her burns. When she woke up, she saw a nurse and that's how she knew she was in a hospital. Israa was sentenced to 11 years.

Interrogation and Torture of the Journalist Lama Khater

On the very first hours of 24th of July 2018, around 1:00 am, the Israeli occupation forces raided the house of the writer Lama Khater in Hebron. The soldiers searched the house and confiscated Lama's laptop and phone, and without presenting an order of arrest or informing her of the destination she was taken to, they arrested her.

During the arrest, Lama was put in a large military vehicle surrounded by several male soldiers and only one female soldier. The vehicle transferred her to Kiryat Arba illegal settlement South of Hebron. There, she was seated on a chair in a yard and surrounded by the same soldiers who transferred her. She was seated on that chair until 4:00 am which forced her to do her morning prayers on that chair.

After 4:00 am, Lama was taken to a clinic for medical tests. A medic asked her a few questions regarding her medical situation and she informed them that she has Anemia since the birth of the son Yahya. Later Lama was transferred to Asqalan interrogation center.



Lama was interrogated for 34 days, around 14 officers took part in her interrogation with four of them being the main interrogators. Each session used to have from 1 to 3 interrogators who used to humiliate her and insult her and insult Arabs and Muslims.

Lama is a well known writer who writes in several journals and news agencies. She mainly writes about the Palestinian social and political context. Lama graduated from Hebron University with a BA in the Arabic language.

The Re-Arrest of PLC Member Ahmad Attoun

Israeli occupation forces raided the home of PLC member Ahmad Attoun and arrested him on 21 November 2018. Attoun was given a four-month administrative detention order on 27 November 2018 that can be renewed indefinitely. He also was just released from his previous administrative detention on 9 March 2018.

He has spent over 15 years in detention:

- First arrest: sentenced to 4 years (1988 – 1992)
- Second arrest: sentenced to 3 years (1994 – 1997)
- Third arrest: six months administrative detention order (1998 – 1999)
- Fourth arrest: sentenced to three years and a half (2006 – 2010)
- Fifth arrest: 20 months under renewed administrative detention order (2013 – 2014)
- Sixth Arrest: Administrative Detention from 12 April 2017 until 9 March 2018.



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Israel Kills 5 Palestinians and Arrests 187

The Israeli occupation forces continuous to violate the basic rights of Palestinians in the occupied territory. Since the Israeli authorities announced the death of Saleh Omar al Barghouthy on 12 Dec 2018, violence has increased in the West Bank operated by both the Israeli occupation forces and the illegal Israeli settlers.

Since 12 Dec 2018, Addameer documented 187 arrests in the West Bank including East Jerusalem, extrajudicial killings of five Palestinians, and the unlawful demolition of two Palestinian homes. Harassment and violence against Palestinians are still ongoing.

Extrajudicial Killings

12 Dec 2018: According to Israeli announcements the Israeli occupation forces executed Saleh al-Barghouthy (29 years old) from Kobar, a village near Ramallah. The execution happened after Saleh's arrest. According to eyewitnesses, Saleh was in Surda village near Ramallah driving his taxi when an Israeli special force group (undercover forces) attached the taxi and arrested him unhurt. Until this day, there are no clear details about Saleh's execution, since his body remains with the Israeli occupation forces.

13 Dec 2018: Ashraf Na'alweh (23 years old) from al-Shwekeh, Tulkarem was killed by Israeli occupation forces and his body was kidnapped by them. Ashraf was hiding in a home inside Askar refugee camp located in Nablus when he was killed. Ashraf's father, mother and brother are in Israeli prisons waiting for their sentences. Also, Ashraf's brother in law is still in Petah Tikva interrogation center. Ashraf's home was demolished by Israeli occupation forces on the morning of 17 December 2018.

13 Dec 2018: Hamdan al-Ardeh (60 years old) was killed by Israeli occupation forces while he was driving his car in al-Biereh's industrial zone. Israeli occupation forces claimed that Hamdan was attempting to attack soldiers through running them over. Though, later on, Israeli authorities announced that they were mistaken and Hamdan just had a car accident.

13 Dec 2018: Majd Metar (25 years old) from Qalandia refugee camp, was killed in East Jerusalem in the morning after claiming that he attempting to stab Israeli forces.

14 Dec 2018: Mahmoud Nakhleh (19 years old) from al-Jalazon refugee camp was killed by Israeli occupation forced during a demonstration which was happening near the camp.

Collective Punishment in Kobar – a village near Ramallah

Just a few hours after the killing of Saleh al-Barghouthy, Israeli occupation group called "al-Yamam" along with a special forces group (undercover) raided Kobar village. The besieged and raided Saleh's family home and started randomly shooting live ammunition causing three injuries. One of the injured persons was Salah al-Barghouthy (55 years old), who was shot in his leg and then arrested. Salah's leg later got amputated, after transferring him to a hospital for treatment.

In the same night, the Israeli soldiers held around 100 citizens of the village inside Saleh's family home. The soldiers kept the citizens until 2:00 am then they released them after holding them for around 6 hours. The Soldiers left after arresting 5 of them including the injured Salah al-Barghouthy and Saleh's father and brother. Then in the morning the soldiers came back and arrested another 5 citizens of the villages. So far, there are 28 prisoners from the village in less than a months.



Collective Punishment and Forcible Transfer at al-Am'ary Refugee Camp – home demolition

On Friday 15 Dec 2018, hundreds of Israeli soldiers raided al-Am'ary refugee camp in order to demolish the home of Islam Abu Hemaïd. The demolition order came from the Israeli Supreme Court after accusing Islam of killing an Israeli soldiers during a soldier's night raid in May 2018. The family of Abu Hemaïd has six sons in Israeli detention, four of them are serving life sentences, one is under administrative detention, and Islam is still waiting for his sentence which may be also a life sentence.

After raiding the camp, the Israeli soldiers emptied Abu Hemaïd home which was filled with protestors standing in solidarity with the family. The soldiers also emptied all the other homes surrounding it, all of those people were taken to al-Biereh's government school nearby. Around 200 people were held in the yard of the school, those people included elders, women, children and youth who were harassed and some were beaten by the soldiers.

Deterioration in Detention Conditions

It is not new for the Israeli occupation to selectively reduce the standard of conditions of detainment for Palestinian prisoners. Such a limitation in the provision of basic services is utilized as a punishment against the prisoners, many times the prison authorities claim it to simply be 'regular procedure'. Despite such claims, the restrictions Israeli occupation authorities place on Palestinian prisoners are violations for several articles in both international humanitarian law and international human rights law.

In addition to these violations, the Israeli occupation authorities repeatedly carried out these restrictions to collectively punish prisons for actions they did not commit. Article 33 of Fourth Geneva Convention and Article 50 of the Hague Regulations prohibits the punishment of any individual for a crime he/she did not commit, and a violation of this article amounts to a war crime.

This paper will tackle the issue of the continued limitation of the provision of services and restrictions for Palestinian prisoners in Israeli prisons and detention centers. The paper will focus on a new committee formulated by the Israeli occupation authorities in order to reduce the standard detention conditions as much as possible. For the occupation, such limiting is now referred to as the 'depriving of privileges' rather than as the denial of basic human rights.

General Detention Conditions

Palestinian political prisoners are spread around approximately 17 prisons, four interrogation centers, and four detention centers. All but one of the prisons are located inside the territory known as Israel, in direct contravention of Article 76 of the Fourth Geneva Convention. In most of these pris-



ons, there is overcrowding, a lack of very basic amenities, poor hygiene, humidity and a significant lack of fresh air. In recent years, the average living space per prisoner has dropped from 3.4 to 2.9 square meters. Windows in prison cells are often covered by iron sheets, thus reducing the availability of natural sunlight. Prisoners held in al-Naqab prison live in unheated, threadbare tents that do not provide adequate shelter against extreme weather in the winter or summer.

Two Israeli Prison Service (IPS) policies with regard to Palestinian political prisoners deserve particular attention: the use of **isolation** for punitive purposes and **medical negligence**. Every year, dozens of Palestinian prisoners and detainees are held in isolation, for alleged reasons of state or prison "security." The length of time in isolation that prison officials may order can extend from 12 hours to up to longer periods of six to 12 months, with court approval. Prisoners held in isolation are held in a cell typically from 1.5 by 2 meters to 3 by 3.5 meters.

Israeli authorities also systematically neglect their duties to provide medical support to Palestinian prisoners in their care, as required by the Geneva Conventions. Medical problems are widespread, and range in severity from chest infections and diarrhea to heart problems and kidney failure. Although all prisons include a medical clinic, physicians are on duty irregularly and specialized medical healthcare is generally unavailable. Once they are examined, however, most prisoners are simply prescribed painkillers without any thorough medical follow-up. Transfers to hospitals for needed treatment may take place only after weeks or months.

Recent Deterioration in Detention Conditions: Suffocating Prisoners

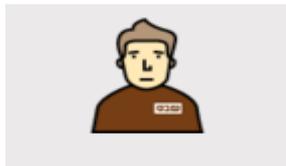
On 13 June 2018, the Israeli Minister for Public Security, Gilad Erdan, announced the formation of a special committee with members drawn from the Israeli Knesset, and the intelligence community. The purpose of such a committee is to evaluate the conditions for Palestinian prisoners being held in occupation prisons, and to determine ways in which conditions and can be reduced to a bare minimum, as stated by Gilad Erdan. The committee was meant to present its recommendations within 90 days of its founding.

The recommendations are not yet published for the public, but actions have been taken against prisoners in recent weeks. Those actions have focused on three main areas: economic (provision of food, Canteen), education (confiscation of educational books) and privacy, with the installation of cameras at the prison that holds Palestinian women, Hasharon. In addition to these three issues, Addmeer recently documented a lack of hot water in several prisons as well. Such sanctions are ongoing and will likely target other rights, such as family visits.

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Child Detention

In 2018, the number of Palestinian children detained in Israeli prisons reached 1080 children from various parts of the Palestinian territory. This number was particularly effected by the events in the last quarter of the year. Addameer's documentation showed that each year around 500–700 Palestinian children get arrested. However, these statistics do not reflect the whole situation of the comprehensive framework of the excessive arrests carried out around the occupied Palestinian territories. Many arrests were not officially documented, as Palestinians were arrested and interrogated for a few hours before their conditional or unconditional release.



Month	Number of Palestinian Children held
October 2018	250
November 2018	230
December 2018	230

The Convention on the Rights of the Child, ratified by Israel on 3 October 1991, states in article 37 that "No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment." The article also states that "No child shall be deprived of his or her liberty unlawfully or arbitrarily" and that detention, imprisonment or arrest should be used only as a last resort.

*UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations

Detainment, Interrogation and Sentencing for Children in East Jerusalem

Based on the collection of information by Addameer's dedicated lawyer, additional documentation staff, and the consultation of additional resources, patterns and trends have become clear in regard to the detainment of Palestinian children in East Jerusalem. It is safe to say that the average experience of a Jerusalemite child under arrest is one of humiliation, intimidation, and the denial of their basic rights.

Children are either arrested from the homes, in the early hours of the morning, or from the street in the afternoon. Then they are either taken to the interrogation facility in the Russian Compound, known as al-Mascobiyya, or they are taken to a police station in Jerusalem.

A.Z, a 17-year-old child from al-Issawiya, who has been arrested 6 different times since he was 14, recalls his latest arrest in 2017. He said that "soldiers broke into our home at 4:00 am, they searched the home, handcuffed me and carried me to the jeep, which then drove me to al-Mascobiyya."

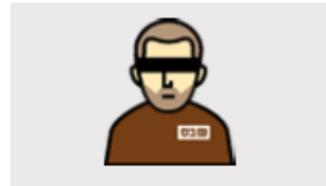
A.H. recalls that during her arrest, "one of them [the police] hit me on my chest; the blow caused internal bleeding." She was later denied adequate medical treatment for her injuries, with prison guards giving her medicine in the water without her knowledge.

Interrogations often begin without parents being aware of their child's whereabouts and, occasionally, even that they have been arrested. These interrogation sessions are conducted without a parent, guardian, or attorney being present, leaving the children completely in the hands of their arrestor. Interrogations can last for hours, and, contrary to domestic and international legislation, involve physical and psychological abuse. The most common abuses observed in the cases documented were slapping, and verbal threats to the child or their family members.

M. A., a 16-year-old from al-Issawiya who was arrested from his home in the early hours of July 19th, 2017, recounted that the Israeli occupying forces

Stop Administrative Detention!

This quarter, October through December 2018, administrative detention continued to be used as a core policy of the occupation.



Administrative detention is a procedure that allows the Israeli authorities to hold prisoners indefinitely, on secret information without charging them or allowing them to stand trial. Administrative detention is used almost exclusively to detain Palestinians from the occupied Palestinian territory (OPT), which includes the West Bank and East Jerusalem. Additionally, the Internment of Unlawful Combatants Law (Unlawful Combatants Law), has been used against residents of the Gaza Strip since 2005, holding individuals without charge or trial for unlimited periods.

Administrative Detention this quarter in numbers

The following numbers are documented administrative detainees at the onset of each month:

Month	Number of administrative detainees
October 2018	465 (2 PLC members)
November 2018	482 (3 PLC members, 2 females)
December 2018	480 (5 PLC members, 2 females)

Jerusalemite Prisoners



Israel's unlawful policies and practices in Jerusalem, including the arbitrary arrest of Palestinians, have had a devastating impact on the daily lives of Palestinian Jerusalemites. Immediately following the end of the 1967 war and Israel's illegal annexation of East Jerusalem, the Israeli government proceeded to register Palestinians living there, providing them with the status of "permanent residents" rather than granting them full legal citizenship. The rationale behind this policy was to slowly erase the Arab population of Jerusalem and replace them with Jewish Israeli citizens.

Furthermore, Israel's ideological and material motives were reaffirmed in 1980 when the Israeli Knesset passed the Basic Law declaring Jerusalem as the "whole and united [...] capital of Israel".

This quarter, Palestinians from Jerusalem continued to be subjected to arrest and detention by Israeli forces and police. This includes children who were subjected to night raids on their homes, torture, ill-treatment, in detention, as well as house arrests and penalties as terms of release.

Month	Number of East Jerusalem Prisoners
October 2018	341
November 2018	365
December 2018	356 (40 children)

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Tension and Isolation at al-Demon Women's Prison

18 December 2018

On 17 Dec 2018 Addameer's lawyer and director Sahar Francis visited al-Demon prison where all Palestinian women detainees are held currently. Sahar's visit did not last for even 15 minutes as the prison administration canceled the visit and informed Sahar that there is an emergency situation.



It came to Addameer's knowledge today, 18 Dec 2018 that women in detention are still targeted especially those who were transferred from Hasharon prison after protesting the operation of the cameras.

Prisoners at al-Damon informed Addameer's lawyers that the prison administration asked some workers from the civil prisoners to repair the sewage system in room number 11 in the Women section at Al-Damon. The room has 7 women prisoners who went into their recreational time during the reparations. Though, the deputy administrator of the women's section claimed that she have asked the women to stay in the toilet during the reparations rather than the yard. The women reaffirmed that they did not know of such a request and this is why they went to the yard to take their recreational time.

The women in detention added that the prison administration got outraged and took the prisoner Yasmin Sha'ban to isolation. Yasmin was put in the lawyer's visit room from 12 PM until 5:30 PM and she was sentenced in a disciplinary hearing to have no family visits for a month, a fine of 100 – 600 Shekels from the canteen money, and to receive no letter for two months.

In addition to the measures taken against Yasmin, Israeli forces raided room number 11 and confiscated all electronic equipment except for one heater. All of this led the girls in this room to protest through refusing the recreational time, and this led the administration to let Yasmin out of isolation at 5:30 PM as mentioned before. The prison administration informed the women in the room that they will have a disciplinary hearing.

Addameer sees that there is direct targeting to women in detention especially those who were transferred from Hasharon prison to al-Demon prison after protesting for two months in September 2018 new punitive measures against them.

According to Addameer there are now 53 women detained at al-Damon, this includes two minors and two women under administrative detention.

Israeli Military Prosecution: The Last Administrative Detention Order for Matar was by Mistake

11 December 2018

The Israeli military judge at Ofer military court, decided today during an appeal session, 11 December 2018, to cancel the last administrative detention order against Tariq Abu Matar (29 years old). According to Addameer's lawyer, the military judge stated that this administrative detention order was illegal.

Also, the military prosecution stated that the issuance of the last administrative detention order on 30 November 2018 was by mistake and it should be canceled. This means that Matar has spent the last 11 days under administrative detention because of a mistake made by the military prosecution and the military intelligence department. This mistake though was confirmed on 5 December 2018 when the military judge Rony Dalomy confirmed the detention order and stated that there is a necessity to keep Matar in detention despite the fact that there were no new secret materials presented by the prosecution against him.



Previously, on 28 October 2018, during an appeal session, a military judge gave Matar a decision stating that he is serving his last administrative detention order. So, Matar was supposed to be released on 30 November 2018 after spending 16 months under administrative detention. However, on the same release day, Matar received another four-month administrative detention order.

Addameer considers the issuance of a new administrative detention order against Matar and confirming this order without having any new updates in his secret file to be arbitrary and illegal. In fact, this administrative detention order comes against a decision by the high court in the case of Abed al-Fatar A'mleh (case number 2320/98). This case states that there cannot be any renewals of administrative detention orders after ruling his with his last one in a court. This makes his last renewal illegal even according to the Israeli military laws.

Solidarity with PLC Member Khalida Jarrar

11 December 2018

Earlier this week a group of four organizations made the initiative to act in solidarity with PLC member and human rights defender Khalida Jarrar. The four NGOs are Comité pour une Paix Juste au Proche-Orient (CPJPO), Amnesty International Luxembourg (AIL), Action des Chrétiens pour l'Abolition de la Torture, Luxembourg (ACAT) and Cercle des ONG (a common coordination of all NGOs in Luxembourg). They all worked together drafting a letter and sending it to all 60 members of Luxembourg Parliament and 6 EU parliamentarians from Luxembourg informing them about the repeated renewal of administrative detention sentence of Mrs Khalida Jarrar and asking them to write a letter, in their name as Parliamentarian, to Israeli Prime Minister with copy to our NGOs asking to liberate Khalida and all detainees under administrative detention and to put an end to this illegal practice. You can find the Letter attached.

Khalida Jarrar was arrested from her house in Ramallah on 2 July 2017, she received an administrative detention order that was renewed four times. Khalida is meant to be released on 28 February 2019, This would mean that Khalida would be held in prison, without charge or trial, for 20 months and this detention order can still be renewed.



Addameer is grateful to this initiative and calls for more similar actions in solidarity with Khalida Jarrar and the rest of the Palestinian prisoners.

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