



Annual Violations Report

Violations against Palestinian Prisoners in Israeli Detention

2014

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Prisoners in Israeli Detention**

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Addameer Prisoner Support and Human Rights Association
Ramallah - Occupied Palestine

2015

This report focuses on human rights violations perpetrated against Palestinian prisoners in Israeli detention in 2014.

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Ramallah - Occupied Palestine

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Methodology

The violations of prisoners' rights report follows a rights-based, descriptive, and analytical methodology. It is based on 100 affidavits of prisoners and detainees, given to Addameer attorneys in 2014.

Violations committed against prisoners, detainees, and their family members were primarily described and analyzed in light of the principles of International Humanitarian Law (IHL) and International Human Rights Law (IHRL). This serves as the theoretical framework addressing the rights and treatment of prisoners, in addition to the international law framework in approaching violations committed against them.

The report addresses the issue of Palestinian prisoners as a singular issue, stemming from the conviction of Addameer's Prisoner Support and Human Rights Association that prisoners of Jerusalem, 1948 lands, Gaza Strip, and West Bank carry one flag, have similar concerns, are subjected to highly difficult circumstances, and are undertaking a struggle that shall be unified for the sake of their dignity and freedom.



Introduction

The report provides a comprehensive picture of the status of prisoners and of developments that took place in 2014. This is in light of the open confrontation between the Palestinian Prisoners Movement and the Israeli Prison Services, particularly the hunger strike of administrative detainees to protest against the policy of administrative detention employed by the occupation forces. It is worth noting that this policy contravenes the provisions and rules of International Humanitarian and Human Rights Law. At a time when the Prisoners Movement is fighting to restore the rights of prisoners and detainees, and ensure enjoyment of rights as stipulated in the Third and Fourth Geneva Convention, and other relevant human rights treaties, the Prison Service follows a systematic policy to withdraw and compromise the achievements of the movement, and transform the issue of prisoners into a burden on the Palestinian society and pressure the Palestinian Authority to provide more political concessions.

In 2014, the occupation forces executed tens of Palestinians during their attempted arrests or arrests of others. Israeli security forces have also resumed the subjugation of detainees to the so-called “military interrogation”, which has led to the death of a number of Palestinian detainees. Also, the Israeli Prison Services consistently worked on denying prisoners and detainees their most basic rights, deprived hundreds of them of their right to receive family visits, and isolated tens of them in solitary confinement cells under security pretences or those of breaching prison regulations. The Prison Service continued to deprive prisoners of their right to education and continuously repudiated on their commitments under the 14 May 2012 agreement, which provided for the release of prisoners from isolation, improvement of living conditions, regular family visitation, and oral commitments to curb the policy of administrative detention.

Foreword:

The Need for the Formulation of a Legal Strategy for Accountability for Crimes Committed Against Palestinian Prisoners and Detainees

The occupation forces have arrested more than 6000 Palestinian civilians in 2014, which is an increase by 56% compared with 2013. The average number of arrests stood at 505 cases per month. Additionally, the intensity of collective punishment practiced by the occupation forces against Palestinian civilians increased since mid-June 2014, following the reported killing of three settlers in Hebron. This was followed by a vast military campaign that continued for approximately two weeks; the campaign targeted Hebron in the beginning, but quickly spread to the remainder of the West Bank.

The occupying state uses the issue of Palestinian prisoners as a bargain tool to pressure their official Palestinian counterparts by refusing to release 30 prisoners of the fourth installment of prisoners captured prior to the Oslo agreements. The date set for release of this last installment was 29 March 2014.

The occupation forces uses the policy of detention as a tool to breakdown the social and political structures of the Palestinian society. This comes with the purpose of perpetuating their control over the Palestinian people, looting land and resources, forcibly displacing people, and hindering the practice of the right to self-determination. Findings indicate that the occupation forces have arrested more than 800,000 Palestinians since 1967, which constitutes about 40% of the total population. Since 1967, 10,000 Palestinian women have been arrested by occupation forces. Additionally, 50,000 Palestinians have been arrested and placed in administrative detention, without charge or trial.

Palestinian prisoners, for the 66th year in a row, are subjected to cruel, inhuman, and degrading treatment. The occupation forces and its security forces continue to systematically use torture on a wide scale against Palestinian prisoners and detainees. Every Palestinian who was arrested was subjected to some form of physical or psychological torture, cruel treatment including severe beatings, solitary confinement, verbal assault, and threats of sexual violence. Torture extends to be practiced against prisoners and detainees, irrespective of the reasons of their arrest, age group, and health conditions.



In 2014, the intelligence agency of the occupation forces exploited the disappearance of three settlers as a pretext to subjugate tens of Palestinian detainees to military interrogation. Military interrogation allows for the severest methods of physical and psychological torture under pretences of the protection of public security of the occupation forces and the state.

Torture and premeditated murder increased following the disappearance of the settlers on the 12th June 2014, and during the assault on the Gaza Strip, which commenced on 8th July 2014 and continued for 50 days. During this period, two prisoners were killed as a result of torture: Jordanian national Wael Salim Mustafa (39 years old), who died in a detention and interrogation center of the Israeli police days after his arrest in August 2014, and Raed Abdul Salam Al-Ja'bari (37 years old), who died on 09 September 2014 following the assault on him by special units in Eshel Prison.

The occupation forces also continued in 2014 the practice of the extrajudicial execution policy, particularly following the reported disappearance and murder of the three settlers and during the assault on the Gaza Strip. In the West Bank, including occupied Jerusalem, occupation forces killed 14 Palestinian civilians while raiding Palestinian villages, refugee camps, and cities to carry out arrests. Israeli occupation forces also executed tens of civilians and fighters after their arrest and during the assault on Gaza, particularly in the areas of Khuza'a and Al-Qarara, which are adjacent to the buffer zone.

In 2014, occupation forces arrested hundreds of Palestinians and held them under administrative detention orders without charge or trial, and based on a secret file. These arrests, and particularly those that took place during the military incursion launched by the occupation forces in June, are characterized by collective punishment, prohibited by article 33 of the IV Geneva Convention. Additionally, these arrests led to a significant increase in the number of administrative detainees, which increased from 192 in May 2014 to more than 480 in August 2014. The occupation forces detain Palestinians administratively, contravening the provisions of article 47 of the Fourth Geneva Convention, which stipulated that the occupying State cannot detain protected persons except for compelling security reasons with the legal procedures prescribed by the occupying State, and in accordance with the provisions of the Convention.

The occupying state does not acknowledge the applicability of the Fourth Geneva

Convention on the Occupied Palestinian Territory, and does not respect its provisions in protecting civilians under occupation. Additionally, it deprives Palestinian prisoners from fair trial guarantees. In 2014, occupation forces issued and renewed more than 700 administrative detention orders. This led to an increase in the number of administrative detainees, reaching 550 detainees, which is the highest since 2009.

In contravention with international law, since 1967, the occupation forces have continued to illegally transfer Palestinian prisoners and detainees from the occupied territory into the occupying power. This contravenes article 76 of the Fourth Geneva Convention, is considered a grave breach of the Fourth Geneva Convention under article 147, and constitutes a Crime of War under article 8 of the Rome Statute of the International Criminal Court.

The recognition of the United Nations General Assembly of the State of Palestine as an observer non-member state in November 2012, and subsequent ratification of the State of Palestine of the Four Geneva Conventions and a number of international conventions, particularly human rights conventions, including Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, is an important development on the level of provision of protection to Palestinian prisoners and detainees. This provides for an important stage that necessitates the need for formulation of a Palestinian legal strategy to hold the occupying state accountable for its crimes against prisoners and detainees, and impose sanctions.

On 31 January 2014, President Mahmoud Abbas ratified 19 international conventions, including the Rome Statute, acknowledging the jurisdiction of the International Criminal Court over Palestinian land from 13 June 2014. This is an important development in activating accountability procedures to the crimes of the occupation committed against Palestinian prisoners and detainees in prisons and detention centers.

The international committee investigates facts of war crimes perpetrated by the occupation forces during the assault, including premeditated murder of civilians following their capture. Torture and premeditated murder of civilians is considered a grave breach of article 147 of the Fourth Geneva Convention, and a war crime under article 8 of the Rome Statute. Addameer aspires that this report contributes in exposing the blatant violations perpetrated by the occupation forces against prisoners and detainees, which amount to war crimes and crimes against humanity, and fall within the substantive jurisdiction of the International Criminal Court. Addameer believes



that the time has come for the international community to hold the occupation state accountable, and calls upon the chief prosecutor of the International Criminal Court Fatou Bensouda to accelerate the opening of a preliminary interrogation in these crimes, and hold its perpetrators accountable. It also calls, alongside the legitimate struggle in line with International Humanitarian Law for the release of prisoners, boycott of the occupation state, divestment from investments, and imposition of sanctions.

Major Events of 2014

- 6 January: Prisoner Kareem Younis, from Ara village in the lands occupied in 1948, enters his 32nd year in occupation prisons.
- 25 February: Occupation forces break into the premises of “Tadhamun”, Solidarity for Human Rights Organization in Nablus, and arrests 5 employees, 3 of whom are attorneys.
- 27 February: Occupation forces extrajudicially execute liberated prisoner Mutaz Washaha (25 years old) in Birzeit, Ramallah, following the besiegement of his house for nine continuous hours to arrest him, using tens of missiles and bulldozers, and firing directly at him.
- 6 March: Occupation forces launches a campaign of arrests that led to the arrest of five Jerusalemite lawyers, who are defenders of the rights of prisoners and detainees. They are subsequently transferred to the Russian Compound interrogation center, and some are indicted.
- 22 March: Occupation forces extrajudicially execute three youth, Hamza Abu Al-Hejja, Mahmoud Abu Zeina, and Yazan Jabareen, in Jenin refugee camp during an attempted arrest.
- 29 March: Occupation forces evade their commitment in realizing the fourth installment of the pre-Oslo prisoners, which includes 30 prisoners, among which are Kareem and Maher Younis, who have spent more than 32 years in prison.
- 24 April: More than 120 administrative detainees in three prisons (Ofer, Negev, and Megiddo) launch an open hunger strike, demanding that the occupation terminate the policy of administrative detention, contravening the Fourth Geneva Convention and principles of International Humanitarian Law.
- 18 May: Israel’s Ministerial Committee for Legislation ratifies a draft law proposed by the Israeli Ministry of Public Security in 2012. The ministry proposed the law following a wave of strikes undertaken by Palestinian prisoners and detainees in occupation prisons to demand their legitimate rights. The draft law allows the Israeli Prison Service, following an injunction, to force feed prisoners on hunger strike, and forcibly treat them in life-threatening circumstances.
- 11 June: Labor Committee in Israeli Knesset approves a draft law that deprives Palestinian holders of Israeli nationality of their national insurance and other legal allocations if they were released prior to completing their sentences. It



was decided that the law will soon be presented for voting in the second and third readings.

- 12 June: Occupation forces announce the disappearance of three settlers in Hebron, pointing blame at Hamas movement, without presenting evidence.
- 13-30 June: Occupation forces and intelligence launch a massive 3-week military campaign against Palestinian people in the West Bank. The campaign resulted in the killing of Palestinian Ahmad Al-Sabareen (23 years old) from Jalazon refugee camp in Ramallah. The campaign involved mass arrests, raiding of approximately 800 houses and facilities, closure of more than 125 roads, besiegement of 300,000 Palestinians in Hebron governorate, a blanket exit ban on Hebron's residents preventing them from travelling outside the occupied territory, the arrest of approximately 1,500 Palestinians, demolishing homes, and raiding and shutting down social and educational organizations.
- 13 June: Israeli Prison Services imposes a set of collective punishment measures on Palestinian prisoners and detainees in the wake of the disappearance of the three settlers, including: depriving them of family visitation, reducing the number of satellite channels accessible to them, reducing the number of hours in the prison yard, reducing the buying ceiling in the cafeteria, intensifying the incursions by special units of divisions and rooms, particularly after midnight and before sunrise, and deliberately destroying prisoners' belongings.
- 13-30 June: Occupation forces arrest 62 Palestinians¹ liberated in the "Wafa' Al-Ahrar" Prisoner Exchange, which was completed in October 2011.²
- 19 June: 26 administrative detainees in Megiddo prison announce their boycott of military court hearings, to protest administrative detention. Additionally, lawyers refrained from standing before military courts in judicial review hearings.
- 25 June: Administrative detainees announce the termination of their 62-day hunger strike (the longest collective strike in the history of the prisoners movement). Reasons announced were the circumstances in the occupied Palestinian territory following the Hebron operation and killing of three settlers, the subsequent military campaign launched by the occupation forces, and threats of launching a massive attack on the Gaza Strip.

1 51 of these were arrested on 19 June 2014, one week after the incidence of the settlers in Hebron.

2 The arrest took place under military order 186, which allows a special military committee to restore previous ruling of liberated prisoners based on a secret file.

- 8 July: Occupation forces launch an assault (aerial attack followed by land invasion) on the Gaza Strip. The assault spanned for a period of 51 days, and led to the death of 2204 people (approximately 530 of which were children), 10895 injured, and the arrest of 200 prisoners and detainees. The assault ended on 26 August 2014.
- 11 August: Occupation forces extrajudicially execute Zakaria Mousa Dawoud Aqra' (24 years old) after besieging, bombing, and destroying his house in Qabalan village, south of Nablus.
- 21 August: Military commander of occupation forces in the West Bank issues a military order that provides for the forcible transfer of Palestinian Legislative Council member and member of Board of Directors of Addameer Prisoner Support and Human Rights Association, Mrs. Khalida Jarrar, to Jericho for a period of six months.
- 9 September: Death of prisoner Raed Ja'bari (35 years old) in Eshel prison. He was arrested by the occupation forces on 26 July 2014 from his house in Hebron under pretences of attempting to run over settlers with his car. His death followed the rejection of the military prosecution of the military court judge order to release him with a financial bail of 8,000 shekels. Autopsy results confirm that he died as a result of severe beating on the head by special unit forces of the Israeli Prison Service.
- 18 September: Occupation forces re-arrest colleague Ayman Nasser, coordinator of legal unit at Addameer Prisoner Support and Human Rights Association. Ayman is placed in administrative detention on a 3-month order; on 17 December his administrative detention is renewed for 3 additional months.
- 20 September: Administrations of Shatta and Gilboa prisoners place 15 prisoners and detainees in solitary confinement, after claiming to find a tunnel inside one of the rooms.
- 22 September: Israeli Knesset approves a law that enables Israeli courts to prevent the granting of pardons to Palestinians sentenced to life imprisonment, and those accused of murder on nationalistic backgrounds, in any future exchange or political deals.
- 28 September: Occupation forces renew the prohibition order on the chairman of Addameer Prisoner Support and Human Rights Association, Mr. Abdul Latif Gaith from entering the West Bank for an additional 6 months. It is worth noting that this is the 7th time that the prohibition order is renewed, per a military order issued on 9 October 2011. This decision was accompanied



by the renewal of prohibition on travelling for an additional 5 months.

- 30 October: Military and police forces of Israeli occupation assassinate liberated prisoner Mutaz Hijazi (32 years old), following a military force breaking-into his house in Al-Thory neighborhood in occupied Jerusalem. The military forces shot him directly, under pretences of suspected involvement in an attempted assassination of rabbi Yahuda Galik.
- 3 November: Israeli government proposes an amendment to the Penal Code, whereby Palestinian citizens convicted of throwing rocks and Molotov cocktails at Israeli soldiers and their vehicles in Jerusalem may be sentenced to 20 years imprisonment. The proposed amendment is to be presented to the Israeli Knesset for approval.
- 26 November: Israeli state releases the “8 Articles Plan” which serves to subjugate and collectively punish Palestinian Jerusalemites. Article 4 includes the classification of throwing stones and Molotov cocktails on Israeli police and army under “terrorist activity”. Those caught in these acts are to be arrested, and would remain in prison until the termination of all judicial proceedings; they are to be automatically deprived of their social security rights, including national insurance allocations.
- 3 December: Occupation forces issue an order that provides for the forcible transfer of three ex-prisoners from Jerusalem, for a period of 5 months.³
- 10 December: 70 prisoners in different prisons launch an open hunger strike demanding the termination of the policy of isolation against prisoner Nahar Al-Sa’di. Their number later increased to 90 prisoners.
- 22 December: Israeli prosecution submits indictments against eight Jerusalemites, accused of inciting violence and racism on the social media outlet “Facebook”.
- 30 December: Occupation forces arrest child Malak Ali Yousef Al-Khatib (14 years old) near her school in Biteen village close to Ramallah. With this arrest, Malak became the youngest female prisoner; the number of female child detainees increased to four in 2014.

³ This is followed with subsequent orders for three other residents later in the year.

Numerical Data

Number of Detainees in 2014

The Director of Statistics in the Commission of Detainees' and Ex-Detainees' Affairs, Abdul Nasser Farawneh, monitored 6059 arrest cases in 2014. He indicated that the average number of arrests per month is 505 cases, and approximately 17 cases daily. He also indicated that the percentage of arrests in 2014 is a 56% increase compared with 2013, a 57.5% increase from 2012, and an 83% increase from 2011.

Estimated findings indicate that occupation forces arrested over 1266 children and approximately 112 girls and women in 2014. The highest percentage of arrests, according to the estimations of Addameer, was in occupied Jerusalem standing at 1580, followed by Hebron, which stood at 1465, particularly during the military campaign launched by the occupation forces between 13 and 30 June 2014. 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. Additionally, 2014 witnessed a significant increase in the number of arrested Jerusalemite children, particularly following the mass demonstrations that protested the crime of kidnapping, murdering, and burning the child Mohammad Abu Khdeir on 17 June. Data of Israeli police indicate that 406 children were arrested, subjected to interrogation, and judicial action was taken against them.⁴ Additionally, occupation forces arrested tens of Jerusalemite girls and women who work in the yards of Al-Aqsa Mosque.

⁴ Findings of Palestinian human rights organizations, including Addameer, indicate that the number of children who were arrested, detained, or called for interrogation exceeds the numbers published by the Israeli police.

Table 1: Number of Arrest Cases in 2014

Month	Jan.	Feb.	March	April	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.
Number	360	317	377	355	390	800	750	620	580	390	600	520

Table 2: Number of Prisoners and Detainees Between 2010-2014

Month	Jan.	Feb.	March	April	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.
2014	5032	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

The data on the number of prisoners became conflicted during June and July 2014, particularly after the arrests campaign launched by the occupation army in mid June in the West Bank. The numbers significantly increased following the latest assault on the Gaza Strip.

Table 3: Number of Imprisoned Palestinian Legislative Council Members 2010-2014

Month	Jan.	Feb.	March	April	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.
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

Table 4: Number of Administrative Detainees Between 2007-2014

Month	Jan.	Feb.	March	April	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.
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

Table 5: Number of Prisoners and Detainees at the Beginnings and Endings of the Years 2010-2014

	1948 Lands	Jerusalem	Gaza Strip	Pre-Oslo	PLC Members	Females
End of 2014	100	376	376	30	22	23
Beginning of 2014	226	163	389	30	12	17
End of 2013	216	169	395	53	14	16
Beginning of 2013	191	167	437	111	12	10
End of 2012	191	165	439	111	13	11
Beginning of 2012	180	161	462	112	27	8
End of 2011	165	152	443	112	23	5
Beginning of 2011	187	197	684	300	10	37
End of 2010	191	198	686	300	9	39
Beginning of 2010	200	198	726	300	12	36

Table 6: Number of Imprisoned Children Between 2010-2014

Month	Jan.	Feb.	March	April	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.
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

Table 7: Number of Raids of Prisoners' Rooms and Divisions by Special Forces Between 2010-2014

Year	2010	2011	2012	2013	2014
Number	120	100	140	175	185

Military Campaign in the West Bank and Arrest of Prisoners Liberated in the Wafa' Al-Ahrar Prisoner Exchange

On 13 June 2014, the occupation army and its intelligence bodies launched a wide military campaign against the Palestinian people in the wake of the disappearance of three settlers. The campaign continued for three weeks, during which mass arrests took place, in addition to incursions into approximately 800 houses and facilities, closures of more than 125 roads, besiegement of approximately 300,000 Palestinians in Hebron governorate who were prevented from travelling outside the occupied territory, demolition of homes, raids, and closures of media, educational, and community organizations.

Approximately, 1500 Palestinians were arrested, 400 of whom were issued with administrative detention orders for varying periods, including 26 members of the Palestinian Legislative Council. As such, the number of administrative detainees increased to 550. The occupation forces arrested 62⁵ Palestinians previously liberated in the Wafa' Al-Ahrar deal of October 2011,⁶ and killed Ahmad Al-Sabareen (23 years old) from Jalazon refugee camp in Ramallah.

Concurrently with the military campaign, the Israeli Prison Services imposed a set of collective punishment measures on Palestinian prisoners and detainees, including: depriving them of family visitation, reducing the number of satellite channel accessible to them, reducing the number of hours allowed in the prison yard, reducing



the buying ceiling in the cafeteria, and intensifying the incursions by special units of divisions and rooms, particularly after midnight and before sunrise, and deliberately destroying the belongings of prisoners and detainees.

5 51 of which were arrested on 19 June 2014, one week after the incidence of the settlers in Hebron.

6 The arrest took place under military order 186, which allows a special military committee to restore previous ruling of liberated prisoners based on secret information.

Chapter 1

Extra-Judicial Executions

In 2014, occupation forces continued to practice the policy of extrajudicial execution. During the year, 14 Palestinians were extrajudicially executed in the West Bank during attempts of arrests or arrests of others. This is a significant increase in the cases of deliberate killing in comparison to 2013, which witnessed the execution of 8 Palestinians while trying to arrest them or arrest others. Willful killing of civilians is a grave breach under article 147 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Times of War, and a violation under article 75 of the First Additional Protocol of the Geneva Conventions. Deliberate killing is also considered a War Crime under article 8 of the Rome Statute, and a Crime against Humanity under article 7.

Table 8: Extrajudicial Killings during Incursions and Attempts of Arrest

	Name	Place of Residence	Age	Date of Death
1	Motaz Washaha	Ramallah – Birzeit	25	27/02/2014
2	Hamza Abu Al Hija	Jenin - Jenin Refugee Camp	21	22/03/2014
3	Mahmoud Abu Zainah	Jenin - Jenin Refugee Camp	27	22/03/2014
4	Yazan Jabarin	Jenin - Jenin Refugee Camp	23	22/03/2014
5	Ahmad Arafat Al Sabareen	Ramallah - Al Jalazoon Refugee Camp	23	16/06/2014
6	Mohammad Jihad Dudeen	Hebron – Dura	13	20/06/2014
7	Ahmad Saeed Khaled «Shanu»	Nablus - Al Ain Camp	27	22/06/2014
8	Mahmoud Atallah Tarifi	Ramallah – Beitunia	30	22/06/2014
9	Mustaga Aslan	Ramallah –Qalandia	24	25/06/2014
10	Yousef Abu Zagha	Jenin - Jenin Camp	16	1/07/2014
11	Zakaria Al Aqra»	Nablus – Qabalan	24	11/08/2014
12	Issa Al Qatari	Ramallah - Al Am'ari Refugee Camp	23	10/09/2014

13	Muṭṭaz Hijazi	Al Quds - Al Thory	32	30/10/2014
14	Mahmoud Abdallah Olwan	Ramallah -Qalandia Refugee Camp	21	16/12/2014

Table 9: Deaths as a Result of Heart Attack during Incursions by Occupation Forces

#	Name	Place of residency	Age	Date of death	Comments
1	Jamil Ali Souf	Salfit/ Haris	60	21/06/2014	Heart Attack
2	Fatima Ismael Rushdi	Hebron/ Al Aroub Refugee Camp	78	26/06/2014	Heart Attack

Table 10: Deaths as a Result of Torture in 2014

Name	Date of arrest	Date of death	Age	Place of residency	Comments
Wael Salim Mustafa	08/2014	08/2014	39	Amman	Jordanian Citizen
Raed Abdul Salam Ja'bari	26/07/2014	9/09/2014	37	Hebron	Detained under the pretext of running over a settler

Case Study: Motaz Washaha

Name: Motaz Abdul Rahim Washaha

Marital Status: Single

Date of Birth: 11/02/1988

Date of Death: 27/02/2014



Motaz lived with his family that consists of his parents, brothers, and sisters (7 family members) in a house located on Prince Hasan street west of Birzeit. Occupation forces previously arrested Motaz on 1/01/2013. He was sentenced 6 months by the Military Court, and was released in June the same year.

At 5 AM, the morning of Thursday 27/02/2014, occupation forces surrounded the house of Washaha's family, in conjunction and cooperation with a unit from the Israeli Special Forces. The force that surrounded the house consisted of at least 35 soldiers and 15 military vehicles. They used explosions causing cracks and breakings of the house windows. As a result, family members woke up to a one minute notice by the occupation forces to evacuate the house. They evacuated the house in their pajamas.

Occupations forces attacked Ramez Washaha, Motaz's brother, and questioned the rest of the family about the place of Motaz. It is clear according to testimonies provided by Washaha family to the Documentation and Research Unit of Addameer that the incident of assassinating Motaz was not accidental, but on the contrary, the occupation forces intended to murder him. The Intelligence Officer responsible for the operation who identified himself as "Alon" told Tha'er, Motaz's brother: "We are confident that Motaz is inside the house. He either comes out, or soldiers will completely demolish the house."

The siege of the house continued for 6 hours. Occupation forces fired two rockets towards the basement of the building, an anti-tank missile, and another missile type (Law M and Law 72). They also used a bulldozer to demolish the front side of the house. They introduced dogs with bullet-proof jackets and security cameras to discover what is inside the house. They used explosives which lead to a fire in one of the rooms in the house. As a result, the Palestinian Civil Defense interrupted to extinguish the fire.

The Palestinian Civil Defense spent almost two hours extinguishing the fire, in which they found out that Motaz is inside the house. Motaz refused to turn himself to the occupation forces, according to the officer of the Civil Defense. As a result, the occupation forces broke into the house at about 11 AM. Eyewitnesses said they heard sporadic shooting at the beginning, then continuous shooting accompanied with screaming coming from inside the house. After the withdrawal of the occupation forces, the dead body of Motaz was found near the entrance.

The results of the autopsy conducted in the Judicial Institute at Al Quds University showed that the cause of death was due to several bullets in the head, chest, and heart area (the fatal one was in the heart area). This contradicts the story published by the occupation's media about the execution of Motaz Washaha. Their media claimed that soldiers found Motaz dead inside the house as a result of firing rockets and missiles.

Case Study: Motaz Hijazi

Name: Motaz Ibrahim Hijazi

Marital Status: Single

Date of Birth: 28/04/1982

Date of Death: 30/10/2014



Motaz comes from a Jerusalemite family living in Al Thory neighborhood. During the 2000 Intifada, he was arrested and sentenced to 6 years in prison. Later, he was sentenced for an additional 5 years after allegedly attacking a jailer who was repeatedly assaulting and attacking him. Motaz spent 10 and a half years in prison, of which approximately 6 months was in isolation. After being released, Motaz went back to his ordinary life. He enrolled in electricity technician courses, and learned motorcycle driving.

The occupation forces surrounded the house at 5 AM on 30 October 2014. Motaz was in the house with his brother Odai. Odai then went to the house yard after hearing voices in the surrounding, to find himself surrounded by occupation forces who demanded he sit on the floor. He narrated hearing shooting at that time. It was found that Motaz went to the roof and was assassinated by Israeli snipers from the top of a nearby house. The medical report later showed that Motaz was injured by 22 crump bullets shot at him by the occupation forces. He was left to bleed to death.

The occupation forces claimed that Motaz shot at Yehuda Glick - an extremist known for leading settlers to storm Al Aqsa Mosque - when he was leaving a conference hall in the West of Jerusalem. Occupation police claimed as well that Motaz went to the roof of his house and shot at police units that came to arrest him. Motaz's family denied the occupation police's allegations, saying that the units came to control the nearby house roofs and started shooting at their house. This is sufficient evidence that they came to the place to assassinate and not to carry out an arrest. This is what pushed Motaz to run away to the roof to take a shelter from the occupation forces' bullets.

The Military Commander of the occupation forces issued a decision to demolish

the house of the Hijazi family. Addameer and Hamoked presented an appeal to the military decision of the Military Commander, who rejected it. Addameer and Hamoked approached the Supreme Court in order to prevent and cancel the demolition order issued by the Military Commander of Jerusalem. The Supreme Court issued recommendations to the Military Commander to take less harmful procedures and actions than the demolition of the house.⁷

It is noteworthy in this regard that the Intelligence Services was unable to provide any concrete physical evidence to the Supreme Court holding Mr. Hijazi responsible for the attempt of assassinating the extremist Yehuda Glick. Moreover, neither the family nor the defense received any investigative reports about the assassination of Motaz. The occupation forces did not return confiscated items from the house to the family.

⁷ Later, Odai Hijazi stated that the Supreme Court decided to close the room of Martyr Motaz in the family house located in Al Thory neighborhood.

Settlers Crimes against Palestinians, Impunity, and Complicity of the Occupation Forces

The year 2014 witnessed a remarkable increase in the percentage of crimes against Palestinians living in the occupied West Bank. The attacks largely targeted children and in some cases the attacks involved murder and deliberate killing.



The 5 year old child Inas Khalil was killed after she and her friend were ran over by a settler on the road leading to Sinjel, North of Ramallah in October 2014. The operation of killing the child Inas Khalil comes in the context of escalating crimes by settlers in general leading to killing Palestinian children.

The Applied Research Institute in Jerusalem (ARIJ) documented and recorded the crimes perpetrated by settlers in 2014. The number of crimes committed against civilian Palestinians reached 224 during military operations. The report indicated that the attacks included assaulting Palestinians using hands and sharp tools, in addition to throwing stones and running over civilians in cars. The attacks were not limited to elderly people, but also affected young people, particularly students on their way to and from schools. In September 2014, a settler ran over the 6 year old child Islam Bader Al Amour near Hebron, resulting in moderate injuries.

At the dawn of November 17, 2014, the 32 year old Yousef Al Ramouni was found hanging in a bus he was driving close to a settlement in Occupied Jerusalem. Clear signs appeared on his body, showing that he was tortured before being killed by hanging using a metal wire. The occupation's media claimed that he died as a result of committing suicide. This claim was refuted by the Palestinian doctor, Saber Al Aloul, who supervised the anatomy of the Al Ramouni's body. The results affirmed that Al Ramouni was killed as a result of hanging, and refuted claims that the case was one of suicide, with evidence that the upper part of the neck was not broken, which typically happens to people who had committed suicide.

The occupation's state fails to hold settlers accountable for their repeated crimes against civilian Palestinians, and does not open serious investigations about these crimes. On the contrary, numerous human rights organizations have revealed the complicity of the army with settlers in their daily crimes. According to the report by the Israeli human rights organization Yesh Din, the occupation forces evades its duties in protecting Palestinian inhabitants in the West Bank from the violations committed by Israeli civilians against them.⁸ The organization indicated between 2005 and October 2014, it followed 1045 complaints by Palestinians to the Israeli Authorities against soldiers and settlers, including shootings, violence attacks, throwing stones, and burning, mostly carried out by settlers, while the remaining were carried out by soldiers of the occupation army. 7.4% of investigative files resulted in submitting indictments against Israeli suspects for assaulting Palestinians and their properties.

The human rights organization says that it followed 159 investigative files of complaints in the years of 2013 and 2014. The responsible authorities of investigation completed 106 files, and merely submitted indictments in two files against two suspects. The investigation was closed in 86 complaints claiming that they did not find the perpetrators or due to so-called "lack of evidence." From 53 cases that are still open, only two indictments were submitted against perpetrators.⁹ Ha'aretz, the Israeli newspaper, revealed in November 2014, a document showing that the Israeli court closed the investigation in a case presented by the citizens of the Gaza Strip, because complainants were not present in front of the Israeli Judiciary. They were not able to be present because of the refusal of occupation forces to allow them out of Gaza Strip.

Moreover, the Israeli Knesset enacted a law preventing Palestinians from lodging complaints against the forces of the occupation army and the Israeli Authorities on the damages incurred, under the pretext of a state of war. The Israeli Supreme Court has also delayed responses to the petitions filed by several human rights organizations to challenge this law.

The occupation forces continued to raid Palestinian villages, refugee camps, and cities on a regular basis. They arrested more than 6000 Palestinian during 2014 and committed crimes of willful killing against unarmed civilians in the West Bank and Gaza Strip. During the military assault on the Gaza Strip, prisoners were severely

⁸ For more information, please see Yesh Din on the following link: <http://www.yesh-din.org/infoitem.asp?infocatid=636>

⁹ For more information, please see Yesh Din on the following link: <http://www.yesh-din.org/infoitem.asp?infocatid=636>

Chapter 2

Torture, Abuse, and Inhuman and Degrading Treatment



beaten, subjected to field interrogations in dangerous areas, and were detained near conflict zones and sites under harsh conditions.

Palestinian prisoners suffer from ill treatment from the first moment of arrest. They are exposed to torture and degrading treatment. According to prisoners and their families testimonies, occupation forces deliberately make the operation of arrest take a form of collective punishment. They systemically appropriate the process for purposes of intimidation and physical, psychological, and financial harm to the prisoner and the family. Ultimately, they aim to affect the prisoner and the family, to break their and their family's will, and destabilize their confidence to lose faith in the justice of their cause, pushing them to question their ability to endure the hardship to defend their rights.

Arrest operations usually happen in late hours of the night without an arrest warrant. Families are not informed about the reason of arrest nor the place of detention. Moreover, occupation forces detain family members as hostages until arresting the wanted person. The prisoner and the family are exposed to cursing, swearing, verbal threats, and threats of killing by machine guns. Their home belongings are also destroyed under the pretext of inspection, and their computers, laptops, and cell-phones are confiscated. The confiscation of items extends to include not only those of the prisoners but also of their families. The occupation soldiers deliberately insult the prisoner in front of his parents or the whole family. Often they throw tear gas bombs or sound grenades, and in other times, prisoners are subjected to strip-searches inside the house or the interrogation center.

There was a noticeable increase of shooting during arrest operations in 2014, as demonstrated in the case of the prisoner Daoud Abdul Muhdi Abu Hayya from Askar Refugee Camp in Nablus, and in the case of the prisoner Amal Taqatqa who was shot by five bullets in the chest, waist, and thigh area under the pretext of stabbing a settler. Below are testimonies from prisoners about their accounts of harassment, torture, and degrading treatment during their arrest and subsequent detention.

Abuse During Arrest

Testimony of Mahmoud Abdul Hadi Abu Sa'eed- Resident of Rafah.

Mahmoud who is a resident of Rafah in Gaza, was arrested during the military attack on Gaza Strip in July 2014, stated:

We were at my uncle's house during the shelling and fighting. Almost 30 people gathered at the house. My dad was shot in the chest and was hurt because of other

fragments while we were at the house at around 2:30 A.M. Soldiers entered our house, gathered us in one room. Then they settled in the house, and prevented us from leaving despite my father's injury. They kept us locked inside the house without being able to move until 6:00 A.M. They allowed us to leave at that time, ordering us to Rafah. At that time the shooting and sound of gunfire was calm. When we all left, one of the soldiers called me. When I arrived, he ordered everyone to move and go far away. He tied my hands behind my back and put me back in the house one more time. They made me sit in a room and soldiers were around me. They were shooting from windows and from around the house. I was hearing voices, but did not know what was happening outside the room. They were in constant motion. I was held on the ground with my hands tied to my back until almost 1:00 P.M. At that time, 3 soldiers beat me on my head and face, they punched and slapped me more than one time. They were going and coming back to beat me. Later on, and as my hands were tied, they brought a dog into the room. The dog's mouth was closed with an iron hooking. They would bring the dog closer to me. It would try to bite me, and jump over my body.

In the afternoon, a group of soldiers came, bundled my eyes with a piece of cloth, transferred me to a jeep or a military vehicle – I do not exactly know. They transferred me to Ashkelon detention center. I was beaten and punched more than one time on my head by the investigator during the interrogation. He was constantly asking me for information about the tunnels, rockets, and about different people, or people who I know work with Hamas.¹⁰

Testimony of Prisoner Amal Taqatqa who was Shot with Five Bullets during Arrest

On 01 December 2014 at exactly 9:30 A.M. near the junction of Gush Etzion Settlement, soldiers started screaming at each other after I was running towards our village, Beit Fajjar. Soldiers fired two bullets causing an injury in the left side of my chest. I continued running. They fired two bullets again that didn't hit me. They later on shot a tear gas bomb towards me, so I fell on the ground. After a while, I got up and continued running, soldiers then started shooting towards me. The bullet settled in my chest, just below the first one. I put my hand on the wound, and when I saw the blood, I stopped for a while. I, again, continued running, then they fired bullets towards me for the fourth time and injured me in the waist area (the left thigh). I kept on running, and they shot at me for the fifth time, causing an injury in the thigh area. It was an explosive bullet this time. I felt my body was exploding at that time, and fell on the ground. I could not stand up at that moment. I left my head to see that my left leg was oddly and largely swollen. There was blood all around me. Once I moved my head back to the ground, I saw many soldiers around me who started attacking me. After searching and tearing apart all my clothes, I was sent to a hospital by an ambulance.

¹⁰ Two days after his arrest, his detention was extended for an additional seven days. He was released before the court. The occupation forces sent him to Erez Checkpoint. An ambulance took him to Gaza from there. From an interview with the field researcher of Addameer.

Case Study: Firing of Bullets During Arrest Attempt and Injury of Detainee by Three Bullets

Name: Daoud Abdul Mahdi Abu Hayya¹

Date Of Birth: 31/12/1986

“On Tuesday, 11 March 2014 at 5:30 AM, I was sleeping in my room in the second floor of my house. I heard loud knocking on the outer door of the building near the first floor at the turn of the stairs. I stepped up to the next floor where there is a balcony to see what was happening down by the main door. The minute I entered the balcony and before even looking down, carrying my slippers with no weapons, or any intention to run, I was surprised that two soldiers were standing few meters away from me on the roof of a building next to ours. They started shooting at me, they were wearing masks and helmets. They shot 3 bullets before saying anything. The bullets hit me in the right and left leg. My right knee and thigh were injured, as well as my left thigh.”



The prisoner was beaten by one of the soldiers while being transferred to Huwara as he was bleeding profusely before receiving treatment. He underwent a surgery in Biltson Hospital, where doctors implanted platinum in his thighs. He was told that there is an injury in his right knee and that a nerve chord is ripped. Doctors said that they will know whether the operation was successful 6 months later. They also said that if he is not able to walk, he will need another operation.

Attorney Mahmoud Hassan, the Legal Unit Director at Addameer considers the prisoners testimonies, including the testimonies of Abu Hayya and Taqatqa, as evidence that occupation forces have expanded the scope of power enjoyed by its soldiers power in shooting towards unarmed civilians, who do not pose as any real danger on the lives of the soldiers. This is confirmed by the high number of crimes of execution committed by the occupation forces during the past two years during continuous raids and operations in Palestinian refugee camps, villages, and cities to carry out arrests. This expansion led to killing 14 Palestinians. The army does not only expand soldiers’ power but also provides impunity to them that prevents them from persecution. It is sufficient for a soldier to claim that he or she felt threatened or in danger to be accorded full immunity from trial or from being

held accountable. Attorney Hassan also considers the guidelines given to soldiers to shoot, and the pace at which crimes of murder and investigation processes are carried out, as indicators that the Israeli military and judicial authorities not only condone the illegal practices, but perhaps encourage them.¹¹

¹¹ An interview held with lawyer Mohammad Mahmoud on April 19, 2015.



Assault During Arrest

Many Palestinian female prisoners and detainees are subjected to various forms of physical and psychological torture, in addition to degrading treatment and assault on their human dignity. In her testimony to Addameer lawyer, 18 year old university student Lina Khattab said that one of the soldiers beat and verbally assaulted her during the arrest operation on 13 December 2014. They deliberately tied her with iron handcuffs, strongly holding her arms, which caused her severe pain.

Testimony of Prisoner Amani Al Mughrabi from Mount Olive in Jerusalem to Addameer Attorney

“When soldiers started pushing me, I tried to defend myself. Eight soldiers attacked me brutally. One of them violently twisted my arm to the back causing severe pain, while another two soldiers were stepping on my chest. At the same time, a female soldier started beating me on my waist and feet causing severe pain, leading to scarring of my body. After that, soldiers brutally pulled me and tied me with iron handcuffs. When I wanted to fasten my clothes, they were pulling me, cursing, beating, and verbally assaulting me until we arrived to the military jeep. When I refused to step in, one of the soldiers hit me with the back of his weapon on the right side of my back, causing severe pain. Ultimately, I was forced to step into the military jeep.”

Testimony of Ghassan Zeidan Saleh Najjar (24 years old) from Burin - Nablus

Ghassan was arrested on 28 August 2014 at 2:30 A.M. He told Addameer’s attorney that he was beaten during arrest. He stated: “The minute I stepped in the military jeep, they pulled me down on the ground, and two soldiers started beating me, sometimes with their shoes and other times with the back of their weapon until we reached Huwara Military Camp. The beating was on the lower region of the back.”

Testimony of Prisoner Bilal Al Qawasma

“I am the aforementioned Bilal, born on 14 February 1984, married and a father of two children. On 14 June 2014, a great army force entered my house in Hebron at 3 A.M. after blowing up the main gate and entering from the front yard. Another troop of soldiers came and twisted my hands to the back and pushed my face towards the ground. They started beating me with their feet on my head while I was on the ground. My nose and mouth were bleeding while they were asking about my name. I was answering, as they continued beating me. The beating lasted for five minutes. One of the soldiers was stepping and pushing on my head while I was still on the floor. They beat me in different parts of my body. Bruises of beating lasted almost 10 days.

Many soldiers entered the house with their dogs, and obviously this was horrifying for the children who woke up to the sound of beating and screaming.”

Torture, and Cruel, Inhuman and Degrading Treatment during Interrogation

The occupation state systematically and on a large scale practices various types of psychological and physical torture against Palestinian prisoners as a form of collective punishment regardless of the reasons of arrest, age, or medical condition. They use torture as a tool to extract information from prisoners, or in effort to coerce them to incriminate themselves or others, and as a tool of repression.



The attacks of the occupation forces during arrest operations involve shootings and deliberate killings, leading to the death of 14 people in 2014 as a result of the excessive use of force, as stated previously in the section on extrajudicial execution. Torture is also practiced by special forces guarding prisons and detention centers during raids and assaults during transport operations. The torture policy implemented by the occupation state resulted in the death of two prisoners in 2014 as a result of being tortured during interrogations, or being assaulted by special forces.

Torture continues in the dungeons of interrogation by interrogators to push prisoners to disclose information and confessions. The year 2014 saw a marked intensification in subjecting prisoners to military interrogation, particularly those who were arrested during the military campaign waged by the occupation forces after announcing the disappearance of settlers, whose tracks were lost in the city of Hebron in June. The military interrogation also targeted a number of prisoners who were arrested by the occupation forces after the ground attack on the Gaza Strip in July 2014.

The use of torture and ill treatment does not end with the end of interrogation or referral to court. Prisoners are subjected from torture and interrogation even after issuing the sentence under the pretext of having connections with operations outside the prison, as in the case of prisoner Nahar Al Sa'di.¹²

12 For more information about the case of prisoner Nahar Al Sa'di, please refer to the section on isolation.



Definition of Torture under International Law

The definition of torture in article 1 of the Convention Against Torture is:

“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”¹³

Torture is a violation of the International Human Rights Law according to the four Geneva Conventions and First Additional Protocol of 1977. The conventions include articles prohibiting torture, cruel treatment, inhumane, and degrading treatment, particularly by the common article 3 of the four conventions, article 12 of the First and Second Geneva Conventions, articles 17 and 87 of the Third Convention on Prisoners of War, article 32 of the Fourth Convention on Protection of Civilians in times of Armed Conflict, and article 75 (2) of the First Additional Protocol to the Geneva Conventions.

The practice of torture is also considered a violation of articles 50, 51, 130, and 147 of the Fourth Geneva Convention. Torture is also a crime of war according to article 85 of the First Additional Protocol. This was reaffirmed in the Rome Statute of 1998, which classifies torture as a crime against humanity under article 7 (1) (O) and (K) and a war crime under article 8 (2) (A) (1) (3) (11) and (2) (1) (2).

Deaths as a Result of Torture in 2014

The documentation of Addameer points to the death of 73 prisoners under torture between 1967 and 2013. The year of 2014 witnessed the killing of two prisoners under torture: Wa’el Saleem Mustafa, a 30 year old Jordanian citizen who died in a detention and investigation center of the Israeli police days after he was arrested in August, 2014, and Ra’ed Abdul Salam Al Ja’bari a 37 year old man who died on September 9, 2014 after being brutally attacked by special forces in Eshel prison. This increased the total deaths as a result of torture to ⁷⁵.

Torture During Interrogation

During interrogation Palestinian prisoners and detainees are subjected to more than 100 techniques involving various types of physical and psychological torture and

13 The Convention Against Torture and other Cruel, Inhuman, and Degrading Punishment in 1984.

cruel and degrading treatment, to coerce them to make statements incriminating themselves or others. This is in line with the established definition of torture as stated in article 1 of the Convention Against Torture. The major techniques of torture used against Palestinian prisoners during interrogation can be summarized as follows:

Severe beating, various shabah techniques, shaking, long hours of interrogation, sleep deprivation, solitary confinement, food deprivation, prevention from using bathrooms, prevention from connecting with the outside world, degradation and verbal abuse, arrest of a family member, death threats, threats of rape, blindfolding eyes, stripping, threats of exile, exposing prisoners to irritating sounds, exposing prisoners to extreme temperatures, sexual violence, burnings with cigarette butts, and detaining prisoners in a room with collaborators who use deception, coercion, and death threats if they do not give confessions, and subsequently provide confessions as evidence in the interrogation. Sometimes prisoners are forced to write and sign their oral confessions at the police station. Forms of torture by the collaborators include severe beatings on all body parts, particularly sensitive ones, death threats, and beating by scalpels and sharp objects.

Testimony of Prisoner Amany Mughraby at the Russian Compound Investigation Center

“When they pushed me into the Russian Compound, I was suffering from pain because of the beating I went through during the arrest operation. They placed me near the door until 6:30 P.M. I was tied and handcuffed all the time, sitting on a chair. Whenever a policeman or a soldier pass, they tried to be provocative. It is worth mentioning that an Arab soldier would beat me every time he passes by me. I met Mohammad Mahmoud, my lawyer, afterwards, who visited me upon my arrest. After the lawyer left and while I was sitting on a chair, a soldier called Edon came - the same one who I fought previously with in front of the house - and pushed me from the chair towards the corner of the room, and started to beat me with his feet and hands all over my body causing severe pain. At a certain point he twisted my handcuffed hands, inflicting more pain and forcing me to fall on the ground. At that time, I felt I was about to lose conscious. After this incident, I was transferred to the interrogation with my hands tied and handcuffed all the time. There was a detective interrogating me in Arabic questioning me, and accusing me of what happened in front of the house.”



Case Study: Subjection of Civilian Detainees from Gaza Strip and the West Bank to Military Interrogation

Dozens of detainees from the West Bank and 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 shabah, shaking, and severe beating, arguing that subjecting a detainee to such to obtain information might save the lives of Israelis. The occupation state used the disappearance of the three settlers as a pretext to subject many Palestinian detainees to military interrogation in order to purportedly save the lives of the settlers who disappeared.

Due to the absence of serious judicial control over the use of torture against Palestinian detainees, many of them were exposed to military interrogation without having any relation to the incident of the settlers' disappearance, which nullifies the legal pretext used by the Israeli security forces to justify the use of "military interrogation."¹⁴ During the military assault on the Gaza Strip 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 distinguishes between civilians and militants or other fighters in period of armed conflict. This is a clear violation of articles 13 and 17 of Third Geneva Convention on the treatment of Prisoners of War¹⁵, and articles 71, 31, and 32 of Fourth Geneva Convention on the Protection of Civilians in Times of War.¹⁶

14 Among whom were arrested as a result of the settlers disappearance was prisoner Shukri Khawaja.

15 This stipulates that prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity. It also prohibited any measures of reprisals against prisoners of war. Both the Third and Fourth Geneva Conventions prohibited the torturing of civilians and combatants, and article 17 of the Third Geneva Convention emphasized "No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind."

16 As for the Fourth Geneva Convention, article 27 emphasizes that "Protected persons are entitled, in all circumstances, to respect for their persons, their honor, and their family rights. They shall at all times be humanely treated." Article 31 emphasizes the prohibition of subjecting protected persons to physical or moral coercion, in particular to obtain information from them or from third parties. Article 32 of the Fourth Geneva Convention prohibited the subjection of protected persons to murder, corporal punishment, torture, and mutilation. The subjection of civilians to military interrogations is considered a violation of the principle of discrimination between civilians and combatants, which is considered one the main pillars of International Humanitarian Law.

Military Interrogation

Interrogators force detainees to sit on a chair without a back with their feet tied to the bottom of the chair. The investigator then pushes the detainee from the chest until they fall on the ground from the back and this is very painful. This is what is called the Banana Shabah. The investigator then lifts up the detainee in an obtuse angle to fall back again.

An hour later, the interrogators tie the detainee's hands to a table placed behind the detainee's back and handcuff their hands with a 7 centimeter iron chain. One of the interrogators then starts pulling the detainee towards him while the other reversely pushes on their shoulders, and a third interrogator pushes the chain upward. This causes pain in hands and shoulders from all sides.

From the Testimony of Ibrahim Mohammad Riyad Ibrahim Abu Shawish, a 27 year old resident of Khan Younis. He was arrested during the military attack on Gaza on 23 July 2014. He spoke to Addameer lawyer in Eshel Prison on 17 September 2014.

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 backwards, or holding the hands and handcuffs and starts pulling, while another interrogator pushes my head backwards 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.

Case Study: Prisoner Shukri Khawaja

The occupation forces arrested 47 year old Shukri Khawaja, a resident of Ni'lin near Ramallah on 14 February 2014, and submitted an indictment against him. While he was in Ofer Prison, on 14 June 2014, he was sent back to the Russian Compound Interrogation Center under the pretext of his responsibility of a military unit for Hamas. This was two days after the incident of the disappearance of the three settlers.

He was subjected to a cruel military interrogation. They used the banana shabah method with him for half an hour, exerting pressure on his thigh muscles. They would handcuff his feet and hands, then would use pliers to put more pressure on the handcuffs and pull his handcuffed hands to the back while they are placed on a higher table.



Each move will continue for about half an hour, for about 12 hours of continuous interrogation daily. The military interrogation continued for 4 days for almost 100 hours. The interrogation lasted for about 50 days, allowing the detainee to have 2-4 hours maximum of sleep. The interrogation room had an air conditioner but he was sweating as a result of exhaustion. They sent him back to Ofer Prison without any new charges. He was prevented from meeting his lawyer during the whole period of 45 days of interrogation. The prisoner said that the doctor at the Russian Compound was worse than the interrogators themselves. He would give him pain relievers for the pain caused by the prolonged military interrogation.

On 16 December 2014, the Israeli Prison Service made a decision to isolate the prisoner Shukri Khawaja in a cell in Ayalon Prison until 30 January 2015. He was banned from visits until 13 January 2015, which was renewed again for another month.

As a result of the torture he was subjected to, Shukri Khawaja now suffers chronic aches in the back, left thigh, and feet areas. He did not receive the proper medication during his previous arrest. He lost his sight between 2004 and 2006 during his stay at Negev Prison. He was released in 2006 to have two eye operations at a specialized hospital in Nablus.



The Testimony of Mohammad Hussein Abdullah Rabe' (33 years old)

The occupation forces arrested 33 year old Mohammad Hussein Abdullah Rabe' on 27 July 2014 near Bitar Checkpoint near his village in Bethlehem Governorate. He was exposed to beating the minute he was arrested after occupation forces claimed of having suspicion that Mohammad wanted to commit an operation using the gas balloons in his work car. For 28 days, he was exposed to a cruel military interrogation. He denied all charges against him. As a result he faced death and rape threats.

Mohammad Rabe' was exposed to torture, abuse, and degrading treatment during the first stages of interrogation, before being transferred to military interrogation. This included beating up during long hours interrogation sessions lasting for 6 hours for 4 continuous days, in addition to blindfolding and stripping him only to his underwear. The interrogation lasted for more than 18 days, 15 days of which he had a back injury as a result of the military interrogation.

After four days of interrogation, Rabe' was told that he will be subjected to a military interrogation on July 30. He was transferred to the interrogation room where interrogators attacked him and started pushing on his fingers. They forced him to sit on a chair without a back with his hand handcuffed backward and his legs tied to the chair legs. In the meantime, the interrogators would keep the detainee's back bent in an obtuse angle, pushing him to make a bow position, until he gets tired and falls on the ground. Interrogators repeated this using the same position 10 - 11 times during the military interrogation, which lasted for three continuous days. The position would last more than half an hour each time.

Interrogators also forced him to sit on a low chair with his hands tied backward but placed on higher table. In addition, they would force him to stand against the wall with his knees bent 45 degrees, after which they would start pushing on his shoulders. They would beat him when he would fall on the ground as a result of exhaustion.

Rabe' had a back injury as a result of using the banana shabah style with him during military interrogation. The doctor recommended to give him a rest, but the interrogation continued. Interrogators placed him on a wheel chair, and the interrogation lasted for 12 days after he was injured.

The Threat of Forcible Transfer to Gaza Strip or Many Years of Administrative Detention

Rabe' also said: "At the end of the interrogation, they offered to transfer me to Gaza in exchange to stop the interrogation. The interrogator said if the sentence was not long, they would transfer me to administrative detention. They advised him to accept the Gaza Strip transfer offer considering it best for everyone. I completely refused."

Case Study: Detainee Mohammad Fawzi Mohammad Al-Khatib: 20 Days of Military Interrogation

Occupation Forces arrested 29 year old Mohammad Al-Khatib from his house in Hebron on 17 June 2014. Mohammad was subjected to initial interrogation in his first three days before being put under military interrogation. One of the methods used with him during military interrogation was to force him to sit sideways on a chair, forcing his back to be in an obtuse angle. This forced him to fall on the ground after a while of applying this position. Interrogators also used the banana shabah (hands handcuffed backwards and placed on a higher table). Types and methods of torture included blindfolding, with one of the interrogators beating him while he is against a wall with his knees 45 degrees bent, while placing pressure on his shoulders.

Round of interrogation continued for several hours for three days. Later, the interrogation was intensified to last for days and nights. Interrogators allowed him to sleep for two hours daily. The interrogation with Al-Khatib lasted 20 days.

After 39 days of detaining and interrogating Al-Khatib, they found that he has no connection to the kidnapping of the three settlers to which he was arrested. Eder, the officer heading the interrogation, asked Mohammad Al-Khatib to forgive them for their practices during the interrogation and for bringing in his wife for interrogation. He added that the Intelligence Services, in return, would forgive him for participating in demonstrations supporting Palestinian detainees and prisoners.



Testimony of Hasan Hussein Al-Astal

Hasan Hussein Hashem Al-Astal, a 28 year old, was arrested on 18 July 2014 during the assault on Gaza. He was subjected to a long military interrogation in Ashkelon Interrogation Center. He explained to Addameer's Lawyer who visited him in Eshel Prison on 16 September 2014, the process of torture he was subjected to:

“They forced me to sit on a chair with a back with my hands handcuffed. One of the interrogators would sit in my lap, while the other would pull my back backward with my head down towards the ground. This would last for a few minutes causing severe pain. As a result of my back and stomach aches, I started screaming. Two minutes after that, they would lift my head a little bit, then do the same thing again. Interrogators later changed the method of torture. One of them grabbed my handcuffed hands and was tightening the handcuffs on my wrists. Suddenly he would lift my hands upward putting much pressure on my shoulders, as if it was broken. On the fourth day of the military interrogation, the torture doubled and was very painful. The beating using the knee and the thigh increased and this was also very painful. Many interrogators would be present at the same time, screaming, spitting in my face, and assaulting me at the same time.”

Case Study: Prisoner Ibrahim Abu Shaweesh

Ibrahim Abu Shaweesh, 27 years old, was arrested in Khan Younis in the Gaza Strip on 23 July 2014 during the first days of the assault of the occupation forces on the Strip. Ibrahim Abu Shaweesh was in Al Qarara area with another person when the occupation soldiers arrested him.

Abu Shaweesh underwent intensive interrogation in one of the settlements on the periphery of Gaza. Five interrogators participated in the first day of interrogation. He was transferred to Ashkelon Interrogation Center and was subjected to three days of military interrogation.

The detainee was exposed to the most cruel ways of psychological and physical torture to coerce him to disclose information about the Palestinian resistance in the Gaza Strip. Methods included banana shabah position, which is seating a detainee on a chair without a back, with his feet tied to the seat legs, after which one of the interrogators would push him down until he falls to the ground. The interrogator later on lifts him in an obtuse angel, and implements the same method every time the detainee would fall on the ground. Interrogators handcuffed his hands backwards as

well while a third interrogator would push his chain upward. The latest method caused severe pain for the detainee in the shoulder, arms, and neck. The detainee confirmed to Addameer lawyer that he was exposed to severe beating through kicking, face slapping, and harsh insults. The interrogation with Abu Shaweesh lasted for 37 days, 3 days of which were military interrogation, and five days in rooms of collaborators. The detainee indicated that the interrogation process was held in the presence of newly trained interrogators who were only eighteen years old.

Chapter 3

Systematic Destruction of Childhood



Occupation forces escalated the arrests of Palestinian children, and of arrests in general, following the brutal crime perpetrated by settlers against Mohammad Abu Khdeir (16 years old), and the subsequent clashes that erupted between youth and occupation forces in occupied Jerusalem and the remainder of the occupied West Bank.

Data and Statistics Pertaining to Detainment of Children

The year 2014 witnessed an increase in the number of Palestinian children (as defined as individuals under 18) who were arrested. Official Palestinian statistics indicate the arrest of over 1266 children in 2014, a sharp increase compared with 931 arrested children in 2013. The occupation forces continued in their policy of arrest of Palestinian children, denying protection due to them by more than 27 international conventions. In this context, since the Aqsa Intifada of 2000, the occupation forces arrested more than 12,000 Palestinian children.

The occupation forces have arrested Palestinian children systematically, and within arrest campaigns for collective punishment. These children are subjected to different forms of psychological and physical torture, and are not afforded protection due to children. The occupation forces exploit the arrest of children for purposes of recruiting them to work as informants, extort their families financially, and force their families to pay large financial fines to secure their release. Arrest of children has a destructive impact on the level of children's mental health, often leading to children's drop-out from schools.

Military Laws and Orders and Legal Changes Pertaining to Arrest of Children in the West Bank

Children detained in the West Bank are treated in accordance with the military orders issued by the military commander of the area. In the forefront is military order 1651, which includes "security provisions" used by the occupation forces in the treatment of Palestinian security prisoners. Article 212 (2) of order 1651 identified the penalty of stone throwing on persons or property (the charge levied against the vast majority of detained Palestinian children) at imprisonment for 10 years, while article 212 (3) identified the penalty of imprisonment for 20 years if the stone thrower targeted a moving vehicle, and with the intent of causing harm to subjects inside the vehicle.

Some military orders, or articles therein, are specialized for the military courts of the occupation state; for example, military order 1711 of the year 2013, allows for the

detainment of a child, whose age falls between 12-13 for a period of 24 hours before referral to the court, while the period reaches 48 hours for children between 14-15; this could be extended to up for 96 hours by the police of the occupation for purposes of interrogation in the cases of that have emergency reasons. As for children between 16-18, their detainment period may reach 96 hours without referring them to court, which is exactly the same treatment adult detainees receive. The period of preventative detention of children before submitting an indictment may be extended to 15 days in necessary cases with the purpose of interrogation, as per military order 1726 of the year 2013; the military court may extend the detention for a period of 10 days each time, for a maximum total of 40 times; thereafter, the only body authorized with giving extensions is the military court of appeal.

Additionally, military order 1727 of the year 2013 specifies procedures followed in juvenile military courts. Among these procedures is the appointment of a lawyer by the court and the presence of the child's parents in the court sessions. The order also included the creation of detention centers and special military courts for juveniles. Additionally, military order 1727 specified the age of children to be any person less than 18. Military order 1745, issued in the year 2014, specified that interrogation sessions of children should be audio-visually recorded, and should be undertaken in a language understood by children. However, military order 1745 excluded children arrested within security pretexts, allowing the occupation forces to deny all of the aforementioned rights under security cases.¹⁷

Detainment of Jerusalemite Children

Regarding Palestinian children arrested in Jerusalem, the Israeli Juvenile Law of 1971 applies to them. The Israeli courts introduced a substantive change in its policies in dealing with detained Jerusalemite children, following protests and clashes that erupted in occupied Jerusalem after the kidnapping and burning of child Mohammad Abu Khdeir.

During the first half of 2014, the court would release children who were detained under allegations of stone throwing or participation in clashes, without waiting for the report of the Discipline Officer based on article 10 (A) of the Israeli Juvenile Law of 1971, which applies to Jerusalemite children. This law requires the court to take all necessary measures and procedures to refrain from arresting children or perpetuating their arrest.

¹⁷ UNICEF Report about military arrest of children in the West Bank
http://www.unicef.org/oPt/UNICEF_oPt_Children_in_Israeli_Military_Detention_Observations_and_Recommendations_-_6_March_2013.pdf

This was not the only change; in the past, the rulings of underage detainees accused of stone throwing without causing injuries ranged between acquittal or conviction with a suspended sentence and a fine. After 12 June the court started to convict children and incarcerate them for a period of 2 months to 3 months and a half.

In an interview for the purposes of this report, the attorney of Addameer Mr. Mohammad Mahmoud explained the difference between judicial rulings against Jerusalemite children as follows:

“Since 2010 and until the end of 2013, the Israeli court used to release underage stone throwers without waiting for the report of the Discipline Officer; the ruling used to be issued without condemnation of legal address as per the Juvenile Law of 1971, and particularly article (10/A), with a bail ranging between 1,000-4,000 Israeli Shakels.

Around the end of 2013 the Israeli prosecution submitted an appeal to the central court in Jerusalem with the purpose of tightening the penalty on stone throwers. The court accepted the appeal, and was able through it to issue an order that tightens the judicial punishment of stone throwers. This was the beginning of the change in convicting children, in addition to receiving a suspended sentence, and a bail.

With the beginning of 2014, this situation persisted, except for some exceptional cases, including the inability of the parents of paying the bail, or the refusal of the child of house arrest and preferring doing actual jail time. Only in these two cases children were incarcerated.”

The attorney explains:

“In the midst of the vast arrest campaign undertaken by the occupation forces following the killing of Mohammad Abu Khdeir, Israeli courts started to change its judicial policy in refusing to grant requests of release of children before the issuing of the report of the Discipline Officer, which requires 20-25 days, and without releasing them after the issuing of the report. This made parents prefer not to wait for the issuing of the report and request lawyers to make deals with the prosecution, such that the child spends 2-3 months in jail, and avoid the procedures that entail hearing the testimonies of witnesses, which require 4-5 months. This has practically led to the incarceration of numerous children under allegations of committing security offenses without verifying their occurrence of the perpetrator. Nowadays, courts do not accept to release children to their houses in the period preceding conviction; instead, the ruling is house arrest away from his place of living, where is not allowed to go to school; this is coupled with the paying of a bail.”¹⁸

¹⁸ Interview with the attorney of Addameer Prisoner Support and Human Rights Association,

The summer of 2014 witnessed a substantial change in the ways that Israeli judiciary addresses the issue of detained Palestinian children, particularly following the kidnapping and burning of Mohammad Abu Khdeir, and the military assault on Gaza. This was coupled with an increase in the intensity of the clashes in occupied Jerusalem, and the number of arrests of Jerusalemite children, reaching unprecedented numbers compared with the past five years. Israeli courts implemented rulings that constituted collective punishment of Jerusalemite children, and halting application of article 10(A) of the Juvenile Law of 1971, ordering the detainment of every underage that is served with an indictment. Additionally, there was a change in the nature of rulings against indicted children, such that after the 12 June, it became normal that the courts would convict children of stone throwing, and incarcerate them for a period ranging between 1 month and 3 months and a half.

From Interview with Attorney Mohammad Mahmoud
Addameer Prisoner Support and Human Rights Association

2012: Israeli courts in Jerusalem ruled mainly the penalty of house arrest of children without a report from the Discipline Officer.

2013: The military courts began to rule for house arrests for Jerusalemite children away from their home following the issuing of the report of the Discipline Officer. The issuing of the report requires 20-25 days.

2014: Israeli courts, following the events that took place in the summer, tightened penalties against children (14-18) who were indicted, and did not release any of them, neither before nor after the issuing of the report of the Discipline Officer.

Table of findings about the charges submitted against detained children from Jerusalem from July-December 2014

	Charge	Legal Article of Charge	Indictment	No Indictment	Total
1	Participating in illegal assembly (demonstration)	151	-	2	2
2	Participating in clashes	152	13	72	85
3	Participating in clashes that caused damages	157	8	32	40
4	Participating in clashes leading to property damage	157	17	31	48
5	Assaulting a police officer	273	5	29	34
6	Assaulting a police officer to hinder fulfillment of his work	274	6	18	24
7	Assaulting a police officer with a weapon	274	96	266	362
8	Assaulting a police officer by three persons	274	64	8	72
9	Jeopardizing the life of a traveler on the road	332	52	222	274
10	Jeopardizing the life of a traveler on the road on nationalistic grounds	332	48	115	163
11	Possession of a knife for an illegal purpose	186	20	41	61
12	Incitement of violence or terrorism	144	9	10	19

Table of children indicted or detained until completion of judicial proceedings compared with number of adults between July 2014 and the end of the year 19

Charge	Detained until end of proceedings as per court order	Child	Adult	Total
Present	Yes	120	194	314
Present	No	2	22	24
Not Present	No	284	562	846
-	Yes	286	584	870
Total		406	778	1184

Human Rights Violations Associated with Detainment of Children

Despite the guarantees of international conventions and treaties, the occupation state denies the protection afforded to children by 27 treaties, as evidenced by the treatment of detained Palestinian children. The most notable violations perpetrated by the occupation forces during the arrest of children can be summarized as follows:²⁰

- Deliberately storming into houses after midnight or in the early hours of dawn.
- Preventing parents from attending interrogation with children.
- Preventing the detainee from consulting a lawyer.
- Forcing detainees, particularly children, to sign testimonies written in Hebrew, which they do not understand, and without knowledge of the precise content.
- Blackmailing and bargaining children: The intelligence units and police deceive children by saying that they will release them if they accept the alleged charges against them; in case they refuse to incriminate themselves they are threatened with the arrest of their parents.
- Beating children during the arrest and interrogation.
- Tying children with plastic constraints.
- Verbal abuse, insults, and humiliation.
- Threats of killing and sexual violence.

From the findings of Israeli police 19
Interview with the attorney Mohammad Mahmoud. 19 April 2015 20

Abuse of Child Tareq Abu Khdeir during Detainment

A special unit of the occupation's police force brutally assaulted the child Tareq Abu Khdeir (15 years old) while arresting him on 3 July 2014 in front of his house in Shufat neighborhood, during the protests and clashes that followed the killing of Mohammad Abu Khdeir, the cousin of the victim Tareq Abu Khdeir.



The taped video from the cameras' of the nearby houses demonstrate how members of the special unit brutally assaulted the child Tareq Abu Khdeir. The beating was concentrated on the face, chest, and back and led to disfigurement and bruising in the face, head, and chest. Tareq lost consciousness due to the severe beating and was transferred to the hospital for treatment for several hours. Despite the severity of his health condition, he was transferred to an interrogation center, a decision made by the Israeli intelligence.²¹ Mohammad Mahmoud, attorney of Addameer, considered that the beating Tareq Abu Khdeir was subjected to almost led to his death, and that the purpose behind it was to kill him.²²

Despite the brutal assault Abu Khdeir was subjected to, the Magistrate Court refused to release him when he appeared before it on 5 July 2014. The court extended his detention for one more day under the pretext of fearing his escape from the country as he held an American citizenship.

Torture of Jerusalemite Children

Detained children are subjected to the most horrendous forms of physical and psychological torture by the occupation forces during interrogations; these methods are intensified when the occupation forces and police deal with

21 http://www.youtube.com/watch?v=r7-qcQ-sl_E

22 See interview conducted with child Tareq Abu Khdeir following his release: http://www.youtube.com/watch?v=7nh8vHALu_o

Jerusalemite children. The occupation forces exploit the weakness of these children to push them to make various confessions. As such, the occupation forces associate torture with deception and false promises to convince children that their confession of stone throwing or any other charge will bring an end to their subjugation to torture and inhuman treatment. The occupation forces arrest the parents of the children and subject them to interrogation to push the children to confess, who are led to believe that they are protecting their parents from arrest. Methods of interrogation used with detained children from Jerusalem leave a negative psychological and physical impact on the children.

Threats of Sexual Violence

From the Testimony of Child Othman Sulaiman (15 years old)

The occupation forces arrested Othman on 25 December 2014. He was subjected to interrogation in the Russian Compound Interrogation Center for 28 days. Sessions of interrogation spanned over 8 hours daily, during which the child was beaten and was threatened with rape. The child told the field researcher of Addameer:

More than one interrogator threatened to rape me, saying “if you don’t want to talk from your mouth we’ll make you talk from elsewhere.” I felt very scared and confessed to something that I didn’t do and that never happened.

House Arrests of Jerusalemite Children

The Magistrate Court ruled in the case of child Mahmoud Ramadan Obeid (17 years old) 6 months in house arrest for the charge of stone throwing. He is a resident of Assawyie and a student in 11th grade in the Abdullah Ibn Al-Hussein in Skeikh Jarrah. The child told field researcher of Addameer:

I still suffer from the impact of house arrests and going to the center. Despite the fact that my father paid a 5000 shakel bail, the case is not over. My house arrest is now affecting the small details of my life, where my academic achievement has declined, and I feel lonely because I can’t play with my friends in the neighborhood. I started to feel that the Israeli forces are watching me every moment, which psychologically bothers me. I don’t know until when I’ll stay like this.

Case Study: Assaulting the Child Abdul Rahman Izz Al-Din Barbar

Name: Abdul Rahman Izz Al-Din Barbar

Date of Birth: 19 July 1998

Place of Residency: Ras Al-Amoud-Jerusalem

Date of Arrest: 10 March 2014

Affidavit

I am Abdul Rahim Barbar. I am 16 years old, live in Ras Al-Amoud, and go to Shufat Secondary School. This is my fourth arrest. My first one was when I was 13 years old. My previous arrests were for purposes of interrogation and then followed by house arrest. I was arrested on the 10th of March 2014 at about 5:00 am after a large force of the border police and special forces besieged my house. They woke us up by continuously ringing the bell; the moment that my father opened the door, intelligence officers barged in and asked him about the location of my room. I was sleeping at that moment but woke up when the intelligence officer woke me up.

When I woke up he said good morning in Hebrew, informed me that he was from the police, and that he was going to arrest me. They only allowed me to put on my shoes and then they took me out of the room, asked me to keep standing in the living room, and immediately three officers started to violently search the house, beginning with my room. The officers wreaked havoc in the house, particularly my room, breaking the bed I sleep in, searching my closet, confiscating my shoes, pant, and athletic shoes.

After letting me say goodbye to my mother, two intelligence officers accompanied me outside, and I saw that they closed the whole street completely. When I



reached one of the civilian cars, they put me inside it and one of them tied me with iron handcuffs, then placed my hand over my neck, and asked me to hide my face down so that I don't see where they are taking me. After driving slightly to the entrance of the street, one of the officers asked me if I liked Yasser Arafat, and I said not much. He then slapped me with his hand on my neck, and asked me why I throw stones. When I would deny that I threw stones, he used to hit me with his hand on my head. He beat me maybe 4 times, and then we reached the interrogation center in Al-Qishla.

When we entered the center, I was asked to take off my blouse, and when the upper part of my body was naked he brought a piece of cloth and blindfolded me; he then tied my hands to the back, and asked me to sit on my knees. He also told me that if I moved or changed my sitting position in any way he will slap me; I stayed like this for like an hour and a half. I also want to add that I felt very cold during that time.

He then changed the position of the handcuffs and asked me to put my clothes on. He removed the cloth piece from my face and photographed me.

I stayed for two hours like this, standing in the police center. After two hours, he asked for my father's phone number, and called him, informing him that he can't attend my interrogation; immediately thereafter, he blindfolded me another time, and I was taken to the interrogation room. When I entered the interrogation room they uplifted the piece of cloth from my eye, and my hands and legs were tied. I was accused of inciting and encouraging people to go to Al-Aqsa and throw stones; the interrogation went on for four hours, during which I was shown pictures they claimed were of me. In reality, the pictures of this person did not show his head.

After that they led me outside for half an hour, and then took me back to interrogation after changing the interrogator. This time the interrogation persisted for one and a half hours; however, this round of interrogation was pure torture, where the officer in charge of the Old City, his name is Tal'at, used to hit me with his hands on my head, and then with his feet on my hands and belly. He used to stop to only ask about the personality of the person in the picture, and when I used to say that I didn't know, he used to start all over again; this caused me severe pain.



The officer then took me out of the room, and showed some pictures of my mother during her arrest by the intelligence officer. The truth was that she was called for interrogation after my arrest, to pressure me to confess. The interrogator told me that they extended her detainment for another day because she confessed that the person in the picture is me. The truth is that the interrogation with my mother only took half an hour, and they also asked her about the picture. Then he presented me with another group of photos to pressure me, and said that another person confessed on me.

Then I was moved to inside the room, and my father was summoned. He was asked to sign a bail amounting to 2,000 shakels, a 5-day house arrest, and a 30 day prohibition from going to Al-Aqsa Mosque. I would also like to add that I completely can't leave the house, and can't go to school, which negatively impacts my academic and social life.

12 March 2014

Cruel, Inhuman, and Degrading Treatment of Children

The occupation forces deliberately subject detained children to cruel, inhuman, and degrading treatment, within a systematic policy to destroy childhood.

Case Study: Child Rashid Ramsi Rashid Al-Rashiq

Name: Rashid Ramsi Rashid Al-Rashiq

Date of Birth: 6 July 1999

Date of Arrest: 9 February 2014



Affidavit

I am the child Rashid Al-Rishiq, and I live in Al-Khaldie neighborhood in the Old City of Jerusalem. I am a student in 9th grade in the Islamic Orphan House School, and I am 14 and a half years old.

I was arrested Sunday the 9th of February 2014 at 6:00 pm, while I was leaving the house and going to the shop. While on my way to the shop in Al-Wad Street, I saw approximately 30 or more members of the Israeli police force and army, and a few intelligence officers; as soon as they saw me, approximately 10 of them lunged on me, and one of them choked me by putting his arm around my neck, while another twisted my arm behind my back. The others attacked me and started hitting me, mainly on my head and face. The soldiers then hit me with their fists on my belly and shoulders; I was trying to protect my face and avoid hitting in self defense, but they continued to punch and hit the lower part of my body with their feet. Additionally, they also cursed me using abusive words directed at my mother.

Thereafter, approximately 3 members of the police force and intelligence pinned me to the ground and prevented me from moving; they quickly took me to the Western Wall. There, they handcuffed my hands to my frontal side using iron handcuffs, as well as my feet, and then they made me sit on the floor. After sitting, one of them kicked me on my foot and stamped on it while I was tied; It was very painful, and the most painful part was my head due to the high number times they punched me on my head.



One hour later, approximately, they brought a big white car for the Israeli police, and they put me inside it. With me rode another 8 members of the Israeli police and intelligence agency. When the car started moving, they forced me to sit in one of the car's chairs, and one of them pressed his foot on my chest and pressed hardly; when I tried to remove it he slapped me, while my hands and feet were tied, and started cursing me.

When I reached the Al-Qishla police station, they removed the handcuffs off my arms and feet, frisked me, and confiscated all my clothes. Here I want to emphasize that they took all my clothes and kept me completely naked. After stripping me completely, they placed me in a room - an interrogation office essentially - that had a cold air conditioner, where I stayed for one hour and a half while I was completely naked. I was trembling with cold, and was very careful to cover my genitals, fearing embarrassment if anyone saw me.

After this one hour and a half two officers entered the room, one of them called "Shlomi" and he had my clothes; he had brought them from the house after they violently searched the house and broke the cupboards in the house. After that he gave me my clothes, and after I put them on he took me out of the room with my hands tied behind my back; they placed me in a smaller room with a recorded that issued high and intense noises. The interrogator asked me why I was throwing Molotov cocktails at the settlers in the neighborhood, and who was with me. When I denied the charges he used to hit and slap me, stop to ask me again, and when I deny the charges again, he would continue to hit me. He beat me violently in my belly, chest, and abdomen.

After approximately half an hour I was taken out of the room and taken back to the first interrogation room. A person with a briefcase entered; he had two black papers. He asked me to hold the papers and close my hands on them; after that he brought white plastic bags and covered by hands with these bags, asking me to keep them as such. He explained that this was to test the percentage of gases in my hands; this situation persisted for two hours. During these two hours I was taken into another room, where

an interrogator started asking me the same questions; he tried to look nice and good, wanting me to believe that he sought to help me. He offered his help in return of my confession, while my hands were in the bag. In order to tempt me, he turned on the heater; I would like to mention that during this whole period I was barefoot, because they didn't bring me any shoes. I remained in this interrogation for approximately an hour, and immediately after that they took me to another interrogation room with one officer; the room was equipped with a camera, and my hands and feet were tied during the interrogation. This was a long interrogation that extended until 2 am; every time I denied the charges, they took me out of the room, hit me, and returned me to the interrogation.

Around 2:00 am, I was transferred from Al-Qishla to the Russian Compound Interrogation Center, tying my hands and legs; the transfer took about half an hour. When I reached the Russian Compound Interrogation Center, I was placed in a small room - approximately one meter by one meter - where three jailers frisked me, and made me take off my clothes. After the inspection immediately, I was taken to a solitary cell with a toilet, mattress, and cover; the room had yellow lighting that was turned on at all times. When I got into the cell I slept immediately as a result of the tiredness and exhaustion. At 5:00 am I was taken to the court, and remained in the cell of the court from 5:00 - 10:00 am; I would like to point out that the first three court sessions were confidential, where my parents were not allowed to attend; my detainment was extended for two weeks.

Directly after returning from the court I was put in interrogation immediately; the interrogation continued until 10:00 pm. But after approximately 4 hours of interrogation, I was taken to the outer yard because I refused to confess. An intelligence officer named "Shlomi" came, and placed me in a room, where I was beaten and attacked with hands and legs; this persisted for half an hour, and then they returned me to the interrogation room until 10:00 pm.

I want to mention that the interrogation persisted for 9 days, the average interrogation was from 9:00 am - 10:00 pm daily. The interrogation was continuous without any breaks; the questions focused on accusing me of



throwing Molotov cocktails on settlers, which I would deny despite threatening me to fire my father from his work in an Israeli bus company, and threatening me to arrest and interrogate my mother. They also tried to implicate me in confessing against the children in the neighborhood, but I denied all charges, because I did not do anything. Also during the interrogation, they offered me papers written in Hebrew for me to sign. I did not understand the content of the papers and refused to sign them. I would also like to point out that I was prevented from eating food during interrogation; and I refused to go the bathroom or drink water, fearing that they might have put something in the water that would affect my health. I was also feeling very exhausted because of lack of sleep; even when they returned me to my dungeon they used to bother me by hitting the door of the dungeon, and turning on loud and annoying music outside, which deprived me of sleep. I do not recall that in day of the interrogation that I slept a complete hour at any time; this made me exhausted. As for dinner, it was a very cold meal as put me in the interrogation room at 6:00 pm and brought me back from the interrogation at 10:00 pm.

I remained in the Russian Compound Interrogation Center for approximately 25 days, where I was allowed into the yard only twice. During the last day of interrogation, an officer called "Shlomi", slapped me 22 times in a row because I refused to answer his question. After the end of my stay in this interrogation center, I was taken to Ovek civil prison, where I remained for one night, and then to the juvenile section of HaSharon prison; in this section was approximately 39 juveniles.

I remained in this prison for one month and five days. I want to mention that the state of the rooms inside the prison was difficult; the rooms were humid and water was dripping from the ceiling. We had to cook our own food, which varied based on what was available in the prison. I was released on the 25th March 2014 under full house arrest, until my trial on the 23rd April 2014. I suffer now from complete house arrest, where I cannot go to the schools of neighborhood. I was very bored from this confinement, and suffer from not going to school and finishing my education.

Signed 30th March 2014

Chapter 4

Fair Trial Guarantees

In 2014, the occupation forces continued to arrest Palestinian civilians in accordance with military orders, which have exceeded 1,700 in number, imposed on the occupied Palestinian territory since 1967. Through these military orders, the occupation state controls all aspects and sectors of Palestinian life. Also, the occupation forces continue to prosecute detainees before its



military courts, which do not acknowledge the applicability of the Fourth Geneva Convention on the occupied Palestinian territory; as such, it violates the normative framework of the provisions of the Fourth Geneva Convention.

The occupation state does not acknowledge the applicability of the four Geneva Conventions over its occupation of Palestinian land. However, at the same time, it grants itself the authority to subjugate the occupied Palestinian territory to its military orders, and try them before its military courts, whose establishment violates the framework of International Humanitarian Law.

Article 64 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, dated 12th August 1949, states: “The Occupying Power may, however, subject the population of the occupied territory to provisions which are essential to enable the Occupying Power to fulfill its obligations under the present Convention, to maintain the orderly government of the territory, and to ensure the security of the Occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them.” Article 66 of the convention also states: “In case of a breach of the penal provisions promulgated by it by virtue of the second paragraph of article 64, the Occupying Power may hand over



the accused to its properly constituted, non-political military courts, on condition that the said courts sit in the occupied country.”

The act of the occupation state in ignoring the applicability of the Fourth Geneva Convention on the occupied Palestinian territory is proof that its military courts lack the legality and legitimacy stipulated in articles 64 and 66 of the Fourth Geneva Convention. These practices extend to be considered in violation of article 14(1) of the International Covenant on Civil and Political Rights on the right of the defendant is entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

According to military order 1651, judges are appointed by the military commander in the occupied Palestinian territory. The military commander also shoulders the responsibility of issuing the military orders according to which Palestinians are persecuted. The judiciary, prosecution, and administrative employees that form the constituencies of military courts in the occupied Palestinian territory, are also an integral part of the organizational structure of the military system, and fall under a unified leadership, as is the case of the forces of the occupation army that execute operations of arrest and interrogation. This mixture between legislative, executive, and judiciary authorities in one singular body (occupation army), forms a space of arbitration and expansion in implementing racist policies followed by the occupation army in the occupied Palestinian territory.

Military order 1651 places conditions in the appointment of judges the possession of 5-7 years of experience (depending on the degree of the court). This means that Palestinian detainees and prisoners are subjected to arbitrary rulings by “judges” that lack the specialized scientific qualification and appropriate training.²³

The conviction rate of Palestinians on trial before military courts exceeds 97%, clearly exposing that Palestinian prisoners and detainees do not enjoy the right to presumption of innocence until proven guilty, as stipulated in article 14 of the International Covenant on Civil and Political Rights, which is considered customary international law. On a regular basis, Palestinian prisoners stand trial and are convicted based on confessions they or others made, coerced under duress.

Military orders also deprive the prisoner from his or her right to appropriate legal defense, through a set of obstacles enforced by the security forces, police,

²³ For more details on the appointment of judges in military courts, review articles 11 and 12 of military order 1651 of 2009.



prosecution, and military judges. Usually, the first meeting between the detainee and lawyer is after 30-45 days of arrest. When this takes place, the meeting between the lawyer and detainee is under surveillance. The inability of the defense to prepare an appropriate legal defense in administrative detention files is due the so-called “secret file”. The administrative detention ruling is usually based on a “secret file” that is inaccessible to anyone except Israeli security forces, prosecution, and military judiciary. The administrative detention files are considered in closed privately-held sessions.

The prerogative of military courts exceed those stipulated in the Fourth Geneva Convention. Over 1,700 military orders control all aspects of Palestinian life and criminalize all political, economic, cultural, and social activism, such that the Oslo Accords failed in ending the occupation, while military orders, issued by the military commander, are still viable over the occupied Palestinian territory and its civilian population.²⁴

In this chapter, we will briefly present the most important components of the report on the Work of Military Courts of the occupation forces in the occupied Palestinian territory for the year 2013,²⁵ to highlight the vast violations of Palestinian prisoners rights afforded by the applicable Fourth Geneva Convention.

General Findings:

The report reflects an increase in the number of opened files compared with the past five years, reaching a total of 8850 in 2013, compared with 7267 files in 2012, 8635 in 2011, 8516 in 2010, and 8459 in 2009.

24 Following the unilateral withdrawal undertaken by the occupation forces in the Gaza Strip in 2005, the occupation stopped ruling Gaza by means of military orders; however, this does not mean that Gaza is not occupied. In the same context, Arab Jerusalem, an integral component of the occupied West Bank was de facto annexed in 1967 and legally and constitutionally annexed in 1980. As such, the applied law in the occupied city is the Israeli Civil Code, and not military orders.

25 The annual report of military courts is issued in June of the subsequent year.

I. Table of examined files by military courts in 2013:

Courts		Salem	Ofer	Total
Number of accused persons presented with indictments	Sabotage	839	1015	1845
	Subversion	289	597	886
	Criminal	186	418	604
	Entry without permit	525	1226	1751
	Traffic Violations	1525	2230	3755
	Total	3364	5486	8850
Number of persons whose files were completed	Sabotage	599	884	1483
	Subversion	297	603	900
	Criminal	187	397	584
	Entry without permit	525	1245	1770
	Traffic Violations	1427	1841	3268
	Total	3035	4970	8005
Procedures Terminated		24	199	223
Extension of Detention		6583	10993	17576
Various Requests		40	280	320
Total Fines		5069662	9592501	14662163

- o “Aggressive Sabotage” Cases: In 2013 a 40.5% increase was documented in the number of files classified under aggressive sabotage acts, compared with 2012.
- o “Subversion” Cases: In 2013 a 2.9% increase was documented in the number of files classified under aggressive sabotage acts, compared with 2012.
- o Criminal Files: 2013 witnessed a 17.5% increase in the number of indictments submitted under criminal files.
- o “Entry Without Permits” Cases: In 2013, an increase of 28.9% was recorded in the number of opened files.

- o Traffic Violations: The number of traffic violations examined in the military courts in Salem and Offer reached a total of 3755, a 16.4% increase compared with 2012.

II. Table of Indictments (2009-2013):

	2009	2010	2011	2012	2013
Sabotage	1962	1405	1123	1317	1854
Criminal	648	629	707	514	604
Subversion	662	707	721	861	886
Entry without permit	1628	1887	1180	1358	1751
Traffic Violations	3559	3888	4904	3224	3755
Total	8459	8516	8635	7276	8850

The year 2013 witnessed an increase by 21.6% in the total number of indictments.

Administrative Detention Files:

- During 2013, 421 administrative detention orders were issued, a 39.7% decrease compared with 2012.
- Of the total, 323 were confirmed; the sentence was reduced in 101 orders, while only 7 were canceled by order of the military commander.

III. Table Summarizing Administrative Detention Orders:

	2013	2012	2011
Orders Issued	421	699	855
Files Opened since Beginning of the Year	35	37	23
Orders Confirmed by Judge	340	506	539
Orders Reduced by Judge	84	182	272
Orders Canceled	7	15	21
Orders Canceled or Reduced by the Military Commander	7	10	5
Total Number of Orders that Finished	438	713	841
Insubstantial Reductions	71	155	246

Substantial Reductions	13	27	26
Confirmation with Condition(s)	17	57	9
Files Opened Until End of the Year	3	15	37

IV. Table Classifying Administrative Detention Orders: New and Renewed Orders 2009 - 2013

	2009	2010	2011	2012	2013
New Administrative Detention Order	284	191	297	150	150
Renewal of Administrative Detention Order	1023	523	588	549	271
Total	1307	714	885	699	421

V. Table of Period of Detainees in Military Courts Between 2009-2013:

	2009	2010	2011	2012	2013
Detained for One Year	944	605	622	956	1343
Detained for Two Years	235	79	78	111	151
More than Two Years	27	11	6	7	13
Total	1205	695	706	1083	1507

VI. Table of Bails Imposed by Military Courts:

Year	2007	2008	2009	2010	2011	2012	2013
Total	9605743	-	13787242	15940910	13141813	13229170	14662163

Case Study: Administrative Detention of Eteraf Al-Rimawi

Name: Eteraf Bajes Al-Rimawi

Date of Birth: 30 April 1976

Place of Residence: Ramallah

Date of Arrest: 15 September 2014

Place of Detention: Ofer Prison

Legal Status: Administrative detention since 18 September 2014

Profession: Executive Director of Bisan Center for Research and Development

Social Status: Married with 3 children



Arrest:

The family of Eteraf Al-Rimawi woke up at 5:00 am on the sound of explosions and noise in their building in Al-Irsal neighborhood in Ramallah. It turned out the occupation forces were present in the building in large quantities and had forcefully taken off the door of one apartment and stormed in. When they identified its residents and found out that it does not belong to Al-Rimawi family, they headed to Eteraf's house on the first floor. Eteraf's wife, Rinad, took the initiative of opening the door to avoid its forceful removal. At that moment, fifteen soldiers stormed into the house with their weapons facing the family and children. Some of the soldiers were yelling loudly until an intelligence officer in military clothing arrived; the intelligence officer allowed Rinad to take the three children into a separate room, as the soldiers in the beginning refused. The soldiers took Eteraf outside of the house, and after a while returned him to the house, and he was handcuffed. They asked him to bid his children goodbye; his wife, Rinad, refused to say goodbye, but his son Majd embraced him and burst into tears.

Previous Arrests: Prior to this time, Eteraf was arrested five times, the last of which was on 25 August 2008, when he spent a year in administrative detention and was released on 7 November 2009. In the year 2003 he spent four months in administrative detention. In 2000 he was sentenced to 16 months and fined 5,000 shakels, and in 1996 he spent a year in prison. He was subjected to a lengthy interrogation which lasted 60 days, and was released without charge in 1995.

Legal Status: Judge Durani took the stance in the judicial review session of the administrative detention order in Ofer military court, held on 23 September 2014, that detainee Eteraf Al-Rimawi is an activist in a prohibited political party, and has political activity in his area of residence with others, some of whom have been arrested, and that he was arrested more than once and returned to his previous activism.

Defense attorney Aouda Zbeidat requested from the court and prosecution to identify those that the military prosecution claims to be involved in prohibited activities with Eteraf, whether they were interrogated, whether they were under administrative detention, or were presented with indictments. The prosecution, however, refused to answer the question, and was satisfied by replying that the details are available in secret material. The judge also refused to answer the question, and confirmed that the sources of information is secret, emphasizing the right of only the court to look into secret information.

Zbeidat also said in the session that the detainee Eteraf Al-Rimawi has occupied for the past two years the position of Director of Bisan Center for Research and Development, which specializes in social and economic development. Zbeidat also said that the organization was established in 1989, and confirmed that the detainee has a vast network of relations with persons and organizations on different levels by virtue of his work.

According to the search of the lawyer in the court files, there was only one public piece of information regarding Al-Rimawi's case since 2010, which involved the detainee's alleged organization of a summer camp for a prohibited political party. This information does not constitute adequate legal grounds to issue an administrative detention order that assumes it prevents future activities, which is prohibited to be used as a punishment on an already implemented activity.

Detainee Eteraf Al-Rimawi stated to the military judge that the administrative detention order was issued against him without justification and legal ground, emphasizing his right to access the materials that allow for his detainment. He also informed the judge that the intelligence forces did not interrogate him on suspicions, and that the investigators were satisfied with asking him one question that he did not understand, asking that he be interrogated seriously. Eteraf Al-Rimawi also emphasized that the contents of the secret files are inaccurate and



that due to the nature of his work he has to build relations with all sectors and groups of the society.

Despite the statements of the defense and detainee, the military judge decided to confirm the administrative detention order for six months, as per the order issued by the military commander, and based on the request of the military prosecution. As is normally the case with military judges in administrative detention orders review sessions, the judge clarified that his decision was due to his conviction that it is not possible to reveal any of the details of the secret material, fearing jeopardizing the security of the region. The judge continued by stating that he came to the conclusion that without doubt he had to confirm the administrative detention order for the full requested period due to the vast high risk posed by the detainee, adding that the secret material is of a trustworthy nature, and indicates the presence of a security threat in case of the release of the detainee. He added, "I am convinced that I am unable to reduce the period of administrative detention. I am also convinced that administrative detention is the only way to block the danger posed by the detainee; as such, I verify the order on the full period."

The case of Eteraf reflects without doubt that the policy of arbitrary arrests practiced by the occupation forces against Palestinians, and particularly administrative detention, is in clear violation of international humanitarian law and international human rights law. This case exemplified the ways in which the military commander uses the policy of administrative detention against Palestinian political activists and human rights defenders.

The arrest of Eteraf Al-Rimawi is a blatant violation of his right to movement and freedom of expression as a human rights defender; it also represents a disavowal of the 1998 UNGA Declaration on Human Rights Defenders, including the protection of human rights defenders, freedom of movement, and freedom of expression.

Family: Eteraf is married with three children. His wife, Rinad Zo'rob, is the Director of Public Relations and Media in the Union of Palestinian Women Committees. He has two sons and a daughter: Majd (12 years old), Wajd (9 years old), and Basel (2 and a half years old). He is also the brother of prisoner Ahmad Hajjaj, who was arrested on 16 July 2003, and sentenced to 17 years in prison.

Itiraf has not been able to visit his brother since his arrest due to proclaimed security reasons, as he is an ex-detainee. Eteraf submitted a request to the Israeli prison service to have his brother transferred from Naqab prison to Ofer prison to live near him. His request is still under consideration.

Also, Itiraf's wife has not been granted a permit that would allow her to visit her husband. This is in light of considerable restrictions and penalties imposed on family visitation by Israeli forces since June 2014.²⁶

²⁶ For more information: <http://www.addameer.org/node/1715#sthash.xkqXPVfV.dpuf>



Occupation Forces Arrests a Number of Palestinian Academics and Deprives them of Guarantees to a Fair Trial

In 2014, the occupation forces arrested Palestinian academics teaching in Palestinian universities. These arrests complete a series of arrests that targeted, a number of lawyers, journalists, and university students during the year.

These arrests targeted Mr. Ghassan Nayef Talab Thouqan from Nablus, who specializes in children psychology, and who teaches in Al-Najah National University in Nablus, and Dr. Fouad Rashid Fouad Al-Zaru from Hebron, who holds a PhD in power supply systems from King Fahed University in Saudi Arabia, and who works as a lecturer in Polytechnic University in Hebron.

These arrests are part of the wider policy of systematic destruction of the educational, political, cultural, and economic life of the Palestinian people on a daily basis. This policy of the occupation state and occupation forces seek to perpetuate control over the Palestinian people, and hinder their practice of their right to self-determination.

The arrest of academics is undertaken through military orders imposed by the occupation forces over the occupied Palestinian territory, in contravention of the provisions of the Fourth Geneva Convention, which is applicable to the occupied Palestinian territory. The majority of the arrests of academics are an implementation of administrative detention orders issued by the military commander, without a charge or trial, and based on a secret file that neither the detainee nor lawyer can access.

The detainees are placed before military courts, whose composition contravenes article 66 of the Fourth Geneva Convention, which stipulates the need for “properly constituted, non-political military courts, on condition that the said courts sit in the occupied country.” It also contradicts article 71 of the Fourth Geneva Convention, which stipulates “No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial. Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought to trial as rapidly as possible.”

The arrest of the occupation forces of Palestinian academics violates article 13 of the International Covenant on Economic, Social, and Cultural Rights²⁷, which stipulates that high contracting parties to respect individual’s rights to education, and article 15

27 The occupation state ratified the international covenant on economic, social, and cultural rights in 1991.

(1) (A), which emphasizes the right of every person to participate in cultural life. These practices also violate article 26(1) of the Universal Declaration of Human Rights, which guarantees and emphasized the right of every human being to education.

Name: Ghassan Thouqan

Date of Birth: 11 December 1957

Place of Residence: Nablus City

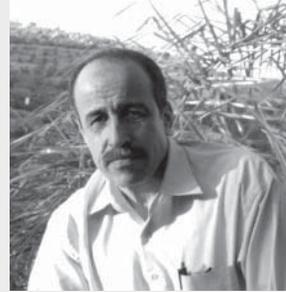
Profession: Lecturer in Faculty of Education in Al-Najah National University

Academic Achievement: Masters degree in Psychology- Children's Education

Date of Arrest: 6 July 2014

Legal Status: Administrative Detainee

Current Prison: Negev Prison



Arrest:

The occupation forces stormed into the house of Mr. Ghassan Thouqan (57 years) on 6 July 2014 at 2:00 am. During the inspection of the house, the soldiers destroyed the contents of the house and detained the members of the family at gunpoint in one room.

After one hour of storming the house, the occupation soldiers requested the identity card of Mr. Ghassan to verify his name and identity; thereafter the occupation soldiers handcuffed Mr. Ghassan's hands and legs using iron handcuffs and led him outside the house, without notifying his family of the reason for arrest or destination point.

Legal Analysis:

The arrest of Mr. Ghassan Thouqan is part of the military campaign launched by the occupation forces in the beginning of June 2014, the collective punishment procedures imposed, and the arrest campaign that reached hundreds of Palestinian civilians. The campaign included a number of political activists, advocates of prisoners' and detainees' rights, lawyers, human rights defenders, and 70 ex-detainees liberated during the Wafa Al-Ahrar Exchange of 2011.

Since his arrest, the military prosecution did not announce the reasons behind his arrest, and has not disclosed any materials that necessitate his arrest. The prosecution issued a three month administrative detention order, that was renewed for another three months on 7 October 2014. The Supreme Court of the occupation state rejected the petition of his lawyer for his release following

the second period of administrative detention. The military prosecution also renewed his administrative detention on 7 January 2015, which persists based on a secret file under pretences that he poses as a security threat to the region and is involved in security or hostile activity.

The review sessions of the administrative detention order indicate, and as proclaimed by the military prosecution, that the arrest came against suspicions of funding and organizational activities for the benefit of Hamas, without specifying the purpose and timeframe. Also, the suspect was not interrogated on these matters, and there is not a single piece of evidence that the detainee undertook these activities. He was, also, not allowed to defend himself to deny the suspicions. In the last confirmation session, held on 8 April 2015, the military prosecution stated that “there is no new materials against the detainee, but the detainee is a significant aspect of Hamas movement.” As such, the prosecution requested the verification of the order over the full period.

No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial ... Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought to trial as rapidly as possible.

-Article 71 of the Fourth Geneva Convention

Health Conditions

Mr. Ghassan suffers from asthma, which forces him to take necessary medication on a daily basis. He also suffers from spinal osteoarthritis, which causes chronic pain in the back and hands. Lately, he has been suffering from the symptoms of Rheumatism, where he sometimes is unable to move, and he suffers from a severe pain in his right arm, which causes him to lose the ability to use or move it.

Social Status:

The family of Mr. Ghassan Thouqan consists of ten members. He is married and has four sons: Muath (29), Mohammad (23), Bara (19), Baha' (16), and four daughters: Shaima' (31), Lababa (30), Ala' (27), and Hiba (22).

It is worth noting that the occupation forces have been tracking and pursuing Mr. Ghassan for years. He spent more than 8 years in prison, mostly under



administrative detention. As such, Mr. Ghassan was deprived from participating in numerous significant occasions for his family, including graduation from school and university, Muath's and Ala's weddings, and the birth of his grandchildren.

Military Campaign in the West Bank

The occupation army and its intelligence bodies launched a vast military attack against the Palestinian people in the West Bank on the 13th June 2014, under pretences of searching for three settlers whose tracks were lost on the road connecting Hebron and Bethlehem. The campaign continued for three weeks. This campaign involved mass arrests, raids of approximately 800 houses and facilities, closure of more than 125 roads, besiegement of approximately 300,000 Palestinians in Hebron governorate, demolition of homes, raids and closure of media, educational, and social organizations, and a travel ban placed a number of the West Bank's residents



preventing them from leaving the occupied Palestinian territory. During this campaign, the youth Ahmad Sabareen (23 years old) from Al-Jalazon refugee camp in Ramallah was killed, and 1,500 Palestinians were arrested, 400 of which under administrative detention orders, 26 of which were members of the Palestinian Legislative Council. Consequently, the number of administrative detainees increased to 550.

Arrest of Prisoners Liberated in the Wafa' Al-Ahrar Exchange Under Article 186 of Military Order 1651

During the military campaign launched by the occupation forces in the West Bank, the occupation forces arrested 63 Palestinians²⁸ liberated during the Wafa' Al-Ahrar Exchange of October 2011.²⁹ These arrests took place in accordance with section 186 of military order 1651, thereby increasing the number of liberated prisoners who were re-arrested by the occupation forces to 73.



²⁸ 51 of which were arrested on 19 June 2014, one week after the death of the settlers in Hebron

²⁹ The liberated prisoners were arrested in accordance with military order (186), which allows a special military committee to reinstate the old sentence of liberated prisoners based on a secret file.



Section 186 (cancellation of reduction in penalty) of military order 1651, issued in 2009, allows a special military committee (headed by officers in the occupation army) to re-arrest prisoners who liberated in an exchange to serve the remainder of their sentence, based on secret material submitted to the committee in the presence of the representative of the military prosecution, and without revealing this material to the prisoner or his lawyer. This is a blatant violation of the guarantees to a fair trial emphasized in articles 71 and 72 of the Fourth Geneva Convention.

The occupation forces have arrested 23 prisoners liberated during the Wafa' Al-Ahrar Exchange in 2012 and 2013, and forcibly transferred another four to the Gaza Strip,³⁰ and with the end of 2013, the occupation forces continued to arrest 12 liberated prisoners, including liberated prisoner Muna Ka'adan. These latest round of arrests against liberated prisoners came within a series of collective punishment measured enforced by the occupation forces against Palestinian civilians, with the purpose of pressuring Hamas movement, who was accused of kidnapping the three settlers.

On 20 February 2013, the Supreme Court addressed an appeal submitted by a group of attorneys in the case of Ayman Al-Sharawneh.³¹ The Israeli Supreme Court refused to respond to the appeal, and considered that it would be premature for the Supreme Court to take a position on the legality of section 186. Addameer considered the position of the Supreme Court at the time as serving the efforts of the occupation forces and their intelligence body in perpetuating the use of section 186 of military order 1651. This entails the arrest of a higher number of prisoners liberated in exchange deals, and promotes the policy of forcible transfer to the Gaza Strip, vindicated by the facts we see today.

Living Conditions inside Occupation Prisons

I: Number of Prisoners and Detainees

The occupation forces continue, since 1967, to transfer Palestinian prisoners and detainees to lands occupied in 1948, contravening rule 59 of the Standard Minimum Rules for the Treatment of Prisoners, also known as Mandela Rules 2015, in that

30 Those forcibly transferred to Gaza included: Hana' Shalabi, Ayman Sharawneh, Iyad Abu Fanuneh, and Ayman Abu Daoud.

31 The lawyers submitted an appeal in the name of the prisoner Ayman Al-Sharawneh (38 years) from Hebron, who was released in the first instalment of the Wafa Al-Ahrar Exchange after serving 10 years in prison. The occupation forces re-arrested him on 31 January 2012 under section 186, and presented him to the military committee emanating from section 186, attempting to put him in prison to serve the remaining 28 years of his sentence. Al-Sharawneh announced on 1 July 2012 his hunger strike, which extended for a period of 260 days in a partial hunger strike that led to his release on 17 March 2013, when he was forcibly transferred to the Gaza Strip.

prisoners be distributed as much as possible to prisons close to their homes. Also, the transfer of prisoners and detainees from Palestinian land occupied in 1967 to prisons outside that the occupied territory constitutes a violation of article 76 of the Fourth Geneva Convention “Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein”; it also amounts to a grave breach in accordance with article 147 of the Fourth Geneva Convention that prohibited torture, and unlawful deportation or transfer. It also amounts to a war crime in accordance with article 8 of the Rome Statute of the International Criminal Court.

Prisoners and detainees are distributed in the occupation’s prisons as follows:

1. Ramon Prison: 840 prisoners and detainees distributed into 7 sections, each consisting of 120 detained and sentenced prisoners and detainees. No administrative detainees are present in this prison. Also, the prison has both an isolation cells section and a solitary confinement section.
2. Hadarim Prison: The prison has approximately 120 Palestinian prisoners and detainees, divided into 40 rooms, with an average of 3 prisoners per room. In 2014, there were three administrative detainees in Hadarim Prison: Khader Adnan, Jamal Al-Natsheh, and Ra’fat Naseef.
3. Nafha Prison: In his interview with Addameer attorney on 4 February 2014, prison Ala’ Abu Jassar said that the number of prisoners and detainees in Nafha prison reached 544, distributed over 7 sections, with each section having 80-120 prisoners. There is a section for solitary confinement that has four prisoners from Hamas, and two sections for criminal prisoners. During the assault on Gaza, the administration of the prison vacated the prisoners of Hamas from section 11.
4. Shatta Prison: 120 prisoners and detainees in section 7.
5. Negev Prison: Prisoner Yasser Al-Mash’ati says that the prison is divided into different towers: tower a has 6 sections, each with 120 prisoners/detainees; tower b has 4 sections, each having 96 prisoners / detainees; tower c has 6 sections, each having 120 prisoners/detainees. The number of administrative detainees in Negev prison is approximately 300; and the prison has a total of 1,800 prisoners/detainees.
6. HaSharon Juvenile Prison: The administration of Hasharon prison devotes section 11 for juveniles. It has 36 prisoners, 33 of which are juveniles and 3 are adults.
7. Eshel Prison: Prisoner Sami Suboh indicated that the number of detainees in Eshel prison reached 144, most of which are detained.
8. Gilboa Prison: Prisoners and detainees are distributed into 3 sections in Gilboa prison, and their number ranges between 300 and 330 prisoners.
9. Ofer Prison: The prison consists of 5 sections, each having 120 prisoners/ detain-

ees. A sixth section has “security” and criminal prisoners. Among the sections, the one dedicated to juveniles is section 13.

10. HaSharon Women’s Prison: The findings of Addameer indicate that by January 2014, 17 women and girls were imprisoned in the jails of the occupation state. This number increased to 21 prisoners and detainees during the first quarter of 2014. The number then decreased in the spring and beginning of the summer to 17 in May. By the end of the year, the number of female prisoners and detainees reached 21, living in 6 rooms; four of the females were minors.
11. Megiddo Prison: Prisoner Bilal Zayed said that the number of prisoners and detainees in Megiddo prison reached 1100, distributed in 9 sections, which include one for solitary confinement, one for children, and two for prisoners and detainees accused of belonging to Hamas movement. There are tens of administrative detainees in Megiddo.

II: Special forces storm into the sections and rooms of prisoners and detainees

The year 2014 noted a significant increase of 85%, in the number of raids undertaken by special forces, compared with 2011. This indicates that the forces of the Israeli prison service rely on provocative and punitive incursions, and is granted the authority to incur bodily, psychological, emotional, and physical harm and damage against prisoners and detainees.

Prisoner Abu Al-Jazzar, one of the representative of prisoners in Nafha prison, said that the real goal behind these incursions is to disturb prisoners, prevent them from feeling a sense of stability, remove their belongings, and deprive them of their needs and diaries. After every incursion the prisoners and detainees spend two complete days in searching for and organizing their belongings. Many times, special units – like “Elisam” unit – enter looking for drugs, and they know perfectly well that Palestinian prisoners and detainees are political prisoners and patriots. This verifies that these incursions are provocative and involve a training component.

Most important violations during raids:

- Incursions mostly take place in the late hours of the night, and continue for about 4-6 hours.
- Special forces of the prison services (Al-Nahshon, Al-Matsada, Al-Yamaz, and Drur) carry out these incursions.
- The special forces are heavily loaded with firearms and poisonous gases, and



- sometimes they are accompanied by a unit of police dogs.
- Prisoners and detainees are subjected to a humiliating and degrading strip search.
 - Sometimes, these incursions include the subjugation of the prisoners and detainees to physical torture through beating, stealth, and shackling; leaving them in the yards in the cold and rain in the winter, and under the summer sun; and depriving them of food and going to the bathroom.
 - Special forces destroy the belongings and items of prisoners and detainees, leaving behind a mess that is difficult to sort, and confiscating many of the belongings and personal papers of the prisoners.
 - Sometimes, the incursions are followed by the imposition of a set of punishments on the prisoners and detainees, and include: solitary confinement, closure of rooms and sections, deprivation of family visits, arbitrary transfer, prevention of shopping from canteen, and imposition of financial fines.

Table of number of incursions carried out by special forces against prisoners sections and rooms for the period 2010-2014

Year	2010	2011	2012	2013	2014
Number	120	100	140	175	185

Raids of special forces:

The practices of the Israeli prison service contravene article 27 of the Fourth Geneva Convention that emphasizes that protected persons are entitled, in all circumstances, to respect for their persons, their honor, their family rights, and shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats. These incursions also contravene article 100 of the Fourth Geneva Convention, which necessitated that the administration of the prisons should be consistent with humanitarian principles, and prohibited the imposition of measures that cause any physical exertion, inconvenience, and all other punishment measures and military drills.

Article 1 of the Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules of 2015) stated that prisoners shall be treated as such to preserve their inherent dignity and values, that it is prohibited to subject any prisoner to torture, or cruel, inhuman or degrading treatment or punishment, that all prisoners should be protected from all of that, and that it is impermissible to exploit any circumstances to rationalize their torture.



Rule 51 of the Standard Minimum Rules prohibited the use of inspection to harass or intimidate the prisoner, or unnecessary intrusions, and document bodily inspections, inspection of dungeons, and their results. Rule 52 constituted that unless it is absolutely necessary, that inspections through incursions, including strip searches should not be undertaken.

Testimonies of prisoners and detainees about the incursions:

▪ **Testimony of Ala' Abu Jazar - Nafha Prison:**

Prisoner Ala' Abu Jazar clarified that members of the security of the administration of the prison inspect and search the rooms weekly, and the inspection is of one or two rooms. The same applies with the incursions by the special forces of the Israeli prison service under pretences of inspection; they target, each time, one section, and the inspection is of one or two rooms. Usually the incursions take place on the late hours of the night. The members of the special unit undertaking the incursion vacate the rooms from the prisoners and contents, and spend 4 - 5 hours searching and inspecting.

▪ **Testimony of Ammar Abdullah - Ramon Prison:**

Prisoner Ammar said that the special units of the Israeli prison service undertake monthly incursions of each section. Mostly, the incursion involves two rooms under pretences of inspection, and entails subjecting the prisoners and detainees to a strip search in a degrading and insulting manner. With every incursion, the rooms are emptied of food, clothes, pictures, and books, and the beds are dismantled and thrown over each other. This leaves considerable damage behind. Often, chairs, books, photographs, and diaries are confiscated. The inspection by the members of security of the prison's administration takes place weekly.

▪ **Testimony of Yasser Al-Mash'ati - Negev Prison:**

Prisoner Yasser Al-Mash'ati said that the special units of the Israeli prison service stormed into the Negev prison 40 times in 2014. These incursions take a violent, vandalizing, and vindictive nature. The incursion takes place over the period of 6 hours, and they leave behind a destruction that is difficult to fix; they confiscate the belongings of the prisoners, as well as their personal papers. Sometimes, it involves the suppression and beating of the prisoners in the case of any friction taking place between the prisoners and the special units. The inspection by the administration of the rooms and sections, takes place once a week on average, where 10-20 hooded jailers, holding batons and teargas bombs enter the room, lead by an intelligence officer.

▪ **Testimony of Ammar Mardi - Hadarim Prison:**

In 2014, the section was subjected to 5 incursions. The prisoner said that the special units storm into the prison, closes it, and continues to search for 3-4 hours in the presence of one of the prisoners or detainees. Despite this, considerable damage of the prisoners' equipment and belongings remains, and reorganizing the room takes a substantial amount of time.

▪ **Testimony of Nader Sadakah - Shatta Prison:**

Prisoner Naser Sadakah said that incursions in the northern prisons are much less frequent than in southern prisons (Ramon, Nafha, and Eshel), asserting that in 2014 only one incursion took place in Shatta prison. It was undertaken by Al-Yamaz special unit and extended from 7:00 am to 3:00 pm. It seemed that they were looking for something, but to no avail. They have, nonetheless, left considerable damage behind.

▪ **Testimony of Amir Makhoul - Gilboa Prison:**

Prisoner Amir Makhoul said that the special units of the Israeli prison service forces stormed into Gilboa prison at least 15 times between the beginning of 2014 and up until the assault on Gaza. These incursions are the responsibility of the "Al-Matsada" unit, while "Al-Yamaz" unit are delegated with the inspection operations. He added that the latest incursion was undertaken by Al-Matsada unit at 4:00 am, and continued for approximately 6 hours. They searched the rooms thoroughly using police dogs and drilling tools.

▪ **Testimony of Bilal Kayed - Megiddo Prison:**

Prisoner Bilal Kayed says that the different section of the prison witness periodic incursions by the special forces of the Israeli prison service; while the administration of the prison conducts weekly inspections.

He added that the incursions of the special units fulfill provocative and punitive purposes. For example, section 7 witnessed more than 13 incursions under pretences of inspection during the last three months of 2014, 3 of which were by special units (Matsada, Yamaz), 3 were training incursions, and 7 implemented by the administration of the prison. At the speak of the protests in September 2014, the Matsada unit stormed into the prison carrying heavy weapons and with police dogs. A number of the prisoners were beaten and were attacked by the police dogs that lunged on them with the purpose of controlling, handcuffing, isolating them in solitary cells, and impose sanctions on them. The incursion

left considerable damage to the belongings of the prisoners and detainees, and significant financial losses that affected their purchases from the canteen.

▪ **Testimony of Ayman Nasser - Ofer Prison:**

Prisoner Ayman Nasser said that the prison's administration conducts weekly incursions under pretences of search and inspections. As for the external units, they storm into the different sections once every two months, and like all other prisons, put into practice vandalism and assaults.

Attacks by Nahshon Unit against Prisoners and Detainees during Transfers

The assaults by special units against prisoners and detainees are not limited to only incursions; they extend to include abuse, cruel, and degrading treatment while transporting the prisoners/detainees from and to prisons. Prisoners and detainees describe their transfer as torture.³²



Assault of “Al-Nahshon” Unit on Detainee Abdul Qaser Omari (20 Years) from Aroub Refugee Camp during his Transfer

I walked with them to the door of the car. One of the “Al-Nahshon” members, standing close to me, grabbed me from the handcuffs on my hand, and pulled downwards and then hit my right foot with his foot; this was very painful and I almost fell. There were another 3 members, other than this one who hit it. I turned to the soldier who hit me and said to him “Why do you hit”, and directly after that the officer, a black Ethiopian slapped me strongly without saying anything. I tried to hide my face, because we as prisoners know about this unit and jailers in general: once one of them starts hitting they all take part. And so one of them pulled the handcuffs on my legs forward and so I fell backwards, and they all started hitting and kicking me with their feet, fists, and hands, hitting every part of my body but mainly my face and head. The hitting persisted for one or two minutes, and every time I tried to move to protect my face, they attacked me once again with quick and painful beating.

32 For an expanded reading on the assaults by the special units against prisoners and detainees during incursions and their transportation, see the study of Addameer on the following link: http://www.addameer.org/sites/default/files/publications/Natshon_Metseda.pdf

Assault by Israeli Prisoner on Detainee Bilal Al-Qawasmeh during his Transfer
The prisoner Bilal Al-Qawasmeh, arrested 14 July 2014, informed the attorney of Addameer that he was assaulted during his transfer from Ofer prison by an Israeli criminal prisoner. He said:

Afternoon I was taken by the Nahshon and the car stopped in the Beersheba prison. Right there was another prisoner in the car in a civilian purple dress, wearing the kippah of religious Jews. He immediately lunged on me and hit me with the handcuffs around his hand on my brow close to my right eyebrow, and also on my face and nose. Blood spilled from my brow and nose, and immediately the soldiers from the Nahshon unit came and sprayed the assailant with teargas. I was affected significantly by the gas with the bleeding.

III: Forces of Israeli Prison Services Tighten Sanctions on Prisoners and Detainees

One week after military campaign waged by the occupation forces in the West Bank in June, the Israeli prison service informed Palestinian prisoners and detainees of their intention of increasing sanctions on them. They added that this decision is awaiting the approval of the Minister of Public Security.

Interviews by Addameer lawyer with prisoners and detainees documented the sanctions imposed by the forces of the Israeli prison service. These sanctions followed an exponential nature with the beginning of the military campaign in June 2014, and reached their peak during the military assault waged by the occupation army on Gaza on the 6th July 2014.

The prisoners and detainees informed Addameer that the forces of the Israeli prison services sought to break the unity within the prisoners movement by announcing sanctions on the prisoners and detainees of Hamas and Islamic Jihad. Prison Ihab confirmed that the meeting with the Director of Intelligence in the prison service "Baton" revealed that the political level issued the instructions to punish the prisoners and detainees, and that the goal was to null the achievements that were accomplished over the years of struggling and striking, under pretences of punishing Hamas for kidnapping the settlers in Hebron. He added that the prison's administration asked the remaining prisoners and detainees in "Ofer" prison to exit the sections dedicated to the prisons of Hamas, which was completely refused by prisoners and detainees from the Popular Front for the Liberation of Palestine and the Islamic Jihad, in order to maintain the unity of the prisoners movement.

Prisoner Mohammad Ghazal confirmed that the special units of the Israeli prison



service intensified their incursions under pretences of inspecting sections dedicated to prisoners and detainees of Hamas in Megiddo prison, leaving behind them utter destruction and immense vandalism. The prisoners and detainees provided information that indicate their preparedness for protest moves in case their talks with the administration of the prisons in canceling the sanctions fail.

Some of the sanctions imposed on the prisoners movement include:

- o Lowering the maximum ceiling of procurement from the canteen from 1200 shakels to 400 shakels monthly.
- o Reducing the outdoor hours to two hours a day, one hour in the morning and one at night.
- o Prevention of family visits: this sanction included the prisoners of the Popular Front for the Liberation of Palestine and Islamic Jihad, as family visitation continued for Fatah prisoners only (family visitations were terminated following the disappearance of the three settlers).
- o Stopping the broadcast of seven satellite channels, including Palestine TV, and keeping on the Israeli Channel 10 and Channel 2, and Al-Arabia Channel.
- o Excluding representatives of the prisoners and detainees of Hamas from participating in representing prisoners and detainees before the administration of the prison.
- o Stopping the transfer of canteen and allocations sent by the Ministry of Detainees and Ex-Detainees.
- o Banning the entry of Arabic newspapers.
- o Isolating prisoners and detainees of Hamas into different sections, as happened in Megiddo, as well as prevent the general speaker from commuting between the sections.

IV: Policy of Deliberate Medical Neglect

The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.

-Rule 24 of Standard Minimum Rules for the Treatment of Prisoners in May 2015 (Mandela Rules).

The forces of the prison service employ a policy of deliberate medical neglect against prisoners and detainees. During 2014, the number of ill persons among the prisoners and detainees increased to over 1000, an increase compared with 800 sick cases in 2013. The testimonies of prisoners and detainees indicate the presence of 200 prisoners suffering from chronic illnesses, 25 suffering from cancer, and 85 from various disabilities (physical, mental, psychological, and sensory), while another 25 prisoners and detainees permanently reside in the clinic of Ramleh prison.

The increase in the number of sick cases may be attributed to a number of factors. Firstly, there is a policy of **medical neglect** and the continuation of the forces of the prison service in denying their responsibility in providing appropriate healthcare, and periodic medical checkups for prisoners and detainees. Secondly, the **environment** of the prison plays a role. The majority of the prisons are old and are not in line with international standards in terms of size and architecture; insects and rodents are all over the place and the climate is harsh. Prisons in the south have a desert atmosphere, while those in the north are highly humid. Thirdly, administrations of prisons neglect their **responsibility towards the needs of personal and public hygiene**, and taking the measures to ensure the health of the prisoners and detainees. Fourthly, health is impacted by **overcrowding** due to the increase in the number of prisoners and detainees in 2014.³³

Article 76 of the Fourth Geneva Convention states that prisoners and detainees should enjoy conditions of food and hygiene sufficient to maintaining good health, which should be “at least equal to those obtaining in prisons in the occupied country.” It also states that shall receive the medical attention required by their state of health, and that they shall have the right to receive at least one relief parcel monthly. Article 85 also emphasizes that the detaining power is bound to take all necessary and possible measures to ensure that protected persons shall, from the outset of their internment, be accommodated in buildings or quarters which afford every possible safeguard from humidity, and with sufficient warmth and lighting, in addition to having sufficient sleeping space and ventilation.

Regarding medical attention and inspections, articles 91 and 92 of the Fourth Geneva Convention emphasize that every place of internment shall have an adequate infirmary, under the direction of a qualified doctor, where detainees may have the attention they require, in addition to medical inspections of internees shall be made at least once a month, whose purpose is to supervise the general state of health, nutrition of internees, and to detect contagious diseases.

³³ The average monthly number of prisoners and detainees in the occupation jails in 2014 reached 6000 prisoners and detainees, compared with 5000 prisoners and detainees on a monthly average in 2013.

Status of Medical Neglect inside Prisons

HaSharon Prison: Prisoner Lina Al-Jarbouni emphasized that Palestinian prisoners in HaSharon prison live under difficult conditions that do not take into account their physical and medical needs, in addition to being subjected to physical assaults and psychological pressure. She added that “there are five female prisoners who suffer



from different diseases like hypertension, diabetes, inflammations, and ulcers, and therefore require special healthcare. The prison services also refuses to let volunteer doctors to enter the prison, and refuse to allow female prisoners from purchasing shoes from outside, which forces them to buy very pricy shoes from the canteen.”

Hadarim Prison: Prisoner Ammar Mardi revealed the presence of 35 patients who require urgent surgeries in Hadarim prison, like prisoner Musalamah Thabet, who suffers from three types of spinal osteoarthritis. Prisoner Iyad Abu Nasser suffers from problems in the liver and spleen, as well as blood problems. Despite these revelations, the forces of the prison service decided to return him to Hadarim prison from the clinic of Ramleh prison. Ammar Mardi added that many of the sick prisoners follow a special diet that is not provided by the administration of the prison, and hence they buy it out of their own money.

Nafha Prison: The attorney of Addameer conveyed the statements of prisoner Ala’ Abu Jazar, who confirmed that in each of the 7 sections of Nafha prison, there is at least 20 medical cases. Some of the prisoners require medical follow-up and periodic testing, while other need urgent surgeries. He considered that medical neglect tops the priorities of the prisoners in Nafha prison, adding that the administration delays allowing the entry of an external dentist to treat the cases. He was allowed to enter only once, and thereafter it seemed that the administration of the prison backed down on the agreement. Abu Jazar clarified that the transfer of a prisoner or detainee for treatment in the hospital requires 60-72 hours, while the road from Nafha prison to Beersheba hospital in a regular transport requires 40-50 minutes, but that the forces of the prison service procrastinate the transfer in both directions by

passing by a number of prisons and detention centers on the way to the hospital. Abu Jazzar considered the practices of the occupation to be within a systematic policy of humiliation that seek to subjugate prisoners. The prisoner or detainee is forced to sit on an iron chair with his hands and legs handcuffed, and he is not allowed to use the bathroom and is not given food or drink during transportation, which drives many to waive their right to medical care in hospitals. When the patient arrives to the hospital, the members of security of “Al-Nahshon” unit refuse to remove the handcuffs and allow the medical team to provide treatment and run necessary tests. Visits to the hospital require follow-up, x-rays, and medical tests, and those needing treatment require follow-up visits. However, due to these humiliating and exhausting practices, approximately 50% of the sick prisoners waive their right to medical treatment.

Ramon Prison: According to prisoner Ammar Abdullah Sadeq Zwaid, no improvement took place on the living conditions of prisoners since the 2012 strike, in terms of food, education, and transfers. This is an evasion of the 14 May 2012 deal that was to improve the livelihoods of prisoners, including attainment of lifestyle needs, as well as improvement of healthcare. No substantial improvement was witnessed, and changes occurred only on the formal level, such that the administration of the prison interacts more quickly with the request of the detainee or prisoner to go to the clinic of the prison. However, all other procedures remained the same and require the same amount of time, in addition to that chronic problems are predominantly not treated. The number of sick prisoners is on the rise, and findings indicate the presence of 20-30 patients in each section, 10 of which (in every section) require surgeries.

Megiddo Prison: Prisoner Bilal Zayed said that the number of medical cases in Megiddo prison that require immediate and serious care exceeds 300 cases. Also, hundreds of the detainees that arrive in the prison after the end of interrogation with them suffer from depression, introversion, and lack of self esteem due to the harsh interrogation methods that involve psychological torture, physical torture, solitary confinement, degrading treatment, and verbal abuse. Tens of prisoners suffer from chronic illness, such as strokes, heart disease generally, neurological diseases, and cancer. The administration of the prison also prevent the entry of winter clothes for prisoners during the winter season. There is a large shortage in winter blankets and covers, and prisoners and detainees suffer from cold all the winter season. The administration does not supply the rooms with heaters in the winter.

Gilboa Prison: Prisoner Amir Makhoul stated that the administration of Gilboa prison follows the policy of medical neglect against ill prisoners and detainees, whose



number is estimated at 70 prisoners. They suffer from hypertension and diabetes, and 15 of them are on regular medication. For example, the administration of the prison did not allow the orthopedic doctor to enter the prison for eight months, while he is supposed to be allowed entry every three months.

HaSharon Prison: The prisoners in HaSharon prison indicated the presence of a child, Mohammad Khalil, who is wounded in his right leg. He was lying in the clinic of Ramleh prison before coming to the prison, and needs a surgery to remove the platinum from his leg.

Shatta Prison: Prisoner Naser Sadakah said that out of the total 120 prisoners in Shatta prison, 10 prisoners have chronic illnesses that require immediate attention and medication; the administration procrastinates and ignores their need for treatment.

Negev Prison: Prisoner Yasser Al-Mash'ati clarified that there is not a clear number of the medical cases in the Negev prison; however, there is in every section a number of prisoners who require medical care. Yaser Al-Mash'ati also indicated the spread of skin diseases that result from the spread of insects.

Eishel Prison: Prisoner Sami Suboh explained that a number of prisoners suffer from different diseases and require serious medical care and that the administration of the prison procrastinates in attending to their treatment. He also added that prisoners suffer from the presence of insects, rats, and bedbugs, which endangers their health, if for example one of the prisoners was bitten by a rat.

V: Food and the Canteen in Prisons

The administration of the prisons does not provide appropriate quality or quantity of food to Palestinian prisoners and detainees, in accordance with article 89 of the Fourth Geneva Convention.³⁴ This is also in contradiction with rule 22 of the Standard Minimum Rules for the Treatment of Prisoners,³⁵ which emphasizes the necessity of providing meals with sufficient nutritional value to maintain the health of the prisoner, in addition to supplying drinkable water.

34 Article 89 of the Fourth Geneva Convention states "Daily food rations for internees shall be sufficient in quantity, quality and variety to keep internees in a good state of health ... Internees shall also be given the means by which they can prepare for themselves any additional food in their possession... Sufficient drinking water shall be supplied to internees.

35 Standard Minimum Rules for the Treatment of Prisoners, reviewed in May 2015, and also known as Mandela Rules.

The Israeli prison service does not allow prisoners and detainees to procure food from outside of prison. It does not allow them to receive food from their families or from associations, as is stipulated in article 108 of the Fourth Geneva Convention.³⁶ This forces them to cover their food and livelihood needs by shopping from the pricy canteen that is run by an Israeli private company,³⁷ contravening article 87 of the Fourth Geneva Convention, which stipulated:

“Canteens shall be installed in every place of internment, except where other suitable facilities are available. Their purpose shall be to enable internees to make purchases, at prices not higher than local market prices, of foodstuffs and articles of everyday use such as would increase their personal well-being and comfort.

Profits made by canteens shall be credited to a welfare fund to be set up for each place of internment, and administered for the benefit of the internees attached to such place of internment. The Internee Committee have the right to check the management of the canteen and of the said fund.”

The forces of the prison service impose collective punishment measures on prisoners and detainees, that sometimes involve depriving them of shopping from the canteen, which aggravates their food suffering. Also, their food purchases are destroyed and damaged during provocative inspection incursions that are undertaken regularly by the special forces of the prison service in the sections and rooms.

The evasion of the Israeli prison service of their responsibility is a blatant violation of the provisions of the Fourth Geneva Conventions, and the points of emphasis in the Standard Minimum Rules, reviewed in May 2015, also known as the Mandela Rules.

The avoidance of the Israeli prison service of shouldering their responsibility towards the provision of sufficient and good food for Palestinian prisoners and detainees forms an additional financial burden on the families of prisoners, the Commission of Detainees and Ex-Detainees, and the budget of the Palestinian Authority in general.³⁸

36 Article 108 states: “Internees shall be allowed to receive, by post or by any other means, individual parcels or collective shipments containing in particular foodstuffs, clothing, medical supplies, as well as books and objects of a devotional, educational or recreational character which may meet their needs. Such shipments shall in no way free the Detaining Power from the obligations imposed upon it by virtue of the present Convention.”

37 The prices in the canteen are almost twice as much as they are in the Israeli market.

38 The Commission of Detainees and Ex-Detainees provided 400 shakels monthly to every prisoner to support his food basket; this means that the Ministry spends 2.4 million shakels monthly and 28.8 shakels yearly, provided that every 3.85 shakels equal one US dollar.



This is part of a systematic policy employed by the Israeli prison service to pass on the financial implications of the occupation on the Palestinian society, mainstream the policy of trading rights with privileges, and use these financial burdens as tools of punishment and deterrence.

Testimonies of Prisoners and Detainees on the Status of Food in Occupation Prisons

Nafha Prison: Prisoner Ala' Abu Jazar estimated that 80% of the food of the prisoners in Nafha prison is obtained at their own expense and from their purchases in the canteen, due to the poor quality of food provided by the administration. Ala' Abu Jazar also added that the administrations supplies each prisoner with 65 grams of beef, 80 grams of chicken, 80 grams of turkey and vegetables, and 2.5 kilos of fruits and vegetables weekly. This of course does not cover the needs of the prisoners, which pushes them to buy more food and rely on canned food. As for the canteen, like in other prisons, each prisoner is allowed to deposit 1,200 shakels monthly, and is allowed to shop for the amount of 1,600 shakels. The expenditure of prisoners vary according to the status and needs of prisoners, such that the expenditure of sick prisoners and smokers exceeds the average, which is estimated at 1,200 shakels monthly.

Ramon Prison: Prisoner Ammar Abdullah said that every prisoner and detainee in Ramon requires approximately 600 shakels monthly, over the 400 shakels allocated from the Ministry if they were non-smokers. In the case of smokers, an additional 750 shakels monthly will be required. He clarifies that purchases from the canteen is very important to prepare meals, and almost reaches 80% of entire canteen sales, while the remainder is for other items like hygiene materials, clothes, shoes, and blankets.

Negev Prison: Prisoner Yasser Al-Mash'ati indicates that he spends 80-90% from the cash in his personal account on food because of the poor quality and quantity of the food provided by the administration. He explained that each prisoner and detainee receives 400 shakels from the Commission of Detainees and Ex-Detainees, which are allocated for general purchases like hygiene items, meats, and vegetables. Additionally, the average expenditure of the prisoner reached 500 shakels for the remaining food and personal supplies, equaling a total of 900 shakels. As for smokers, they need at least 1,600 shakels monthly.

Eshel Prison: Prisoner Sami Suboh estimated that prisoners in Eshel prison contribute 70% of their own money to cover the expenses of their daily food. He adds, each prisoner receives 400 shakels from the Ministry of Detainees (Commission of

Detainees), and 500 shakels from their family, while smokers require an additional 750 shakels monthly. Regarding the entry of clothes, he says that the administration of the prison allows the entry of clothes only once every three months.

Shatta Prison: Prisoner Nader Abu Sadaqah said that 80%, if not 90%, of the food and needs of the prisoners is covered from their own money. He added that the food provided by the administration is unfit for human consumption and supplied in small quantities, which enforces prisoners to rely on the canteen, which increases the burden on them and their parents. The expenditure of a non-smokers is estimated at 800-1000 shakels, while smokers require at least 1,500 shakels monthly.

Ofer Prison: Unlike other prisons, the administration of the kitchen in Ofer prison falls within the responsibilities of the detainees themselves, except that the prisoners and detainees spend 75% from their own financial resources on their food and cleaning needs, which is attributed to the evasion of the administration of its responsibilities in providing sufficient meals, and sufficient amounts of general and personal hygiene materials. The monthly expenditure of the prisoner or detainee is estimated, like other prisons, at 900 shakels monthly for non-smokers and 1,750 for smokers.

Hadarim Prison: Prisoner Amar Mardi says that 60-70% for the food basket of prisoners and detainees in Hadarim prison is covered by the purchases of the prisoners from the canteen to improve the meals provided by the administration. Each non-smoking prisoner requires 700 shakels to cover his food needs and personal hygiene items, while smokers require 1,400 shakels. In cases where the prisoners need shoes, a razor, or a blanket the costs increase as the administration of the prison refuses to let the family's of prisoners and detainees of supplying such equipment, and the high prices in the canteen; for example, the price of the shoes in the canteen reaches 700 shakels, while disk recorders cost 300 shakels.

Gilboa Prison: Prisoner Amir Makhoul said that the average expenditure of each prisoner in the canteen reaches 1000 shakels, while cigarettes are supplied from outside. Amir Makhoul also added that there are rooms that completely rely on the canteen, while other rooms rely to a lesser degree. He clarified that some prisoners spend 100 shakels per week in the canteen, while others spend 50 shakels per week.

HaSharon Prison for Children: Prisoner Amin Ziadeh, one of the adult prisoners in HaSharon prison says that the food supplied by the administration is inappropriate quality and quantity wise, which subsequently increases financial burdens on parents. The administration also does not supply detainees with blankets, and pushes

detainees to buy them from the canteen from their own money; the cost of a single blanket reaches 120 shakels and it is of poor quality. Children rely on their monthly allocations and money sent by their parents to their accounts in the canteen to cover their food needs. This means that each child requires 1000 shakels to cover their needs of food, drink, and personal and general hygiene items; smokers require an additional 500 shakels.

HaSharon Prison for Women: As is the case in other prisons, the administration of the prison does not provide sufficient meals for female prisoners and detainees, pushing them to rely on the canteen to cover their needs of food, drink, and personal and general hygiene items, whose cost reaches 1000 shakels monthly for each prisoner and detainee. The administration of the prison refuses to let female prisoners and detainees to buy heaters from the canteen, or buy more than one blanket.

Megiddo Prison: Prisoner Bilal Kayed said that the canteen is the primary source for food for the prisoners and detainees in Megiddo prison. He clarified that the number of prisoners and detainees in Megiddo prison reaches 1100, divided into 9 sections. The amount of expenditure per section, which has 120 prisoners and detainees exceeds 40,000 shakels monthly, and hence the amount of monthly expenditure of the prison on food exceeds 360,000 shakels. Regarding other needs, their expenses differ; for example, smokers require at least an additional 800 shakels per month.



Solitary Confinement

Israeli prison service forces have practiced the policy of isolation against the prisoners and detainees, as well as detention in secret prisons since 1967. The prison service forces exercise the policy of isolation either as a punitive measure, as permanent isolation or as security isolation based on the recommendation of the occupation intelligence services. The prison service law (the new version) of 1971, allows the prison service to follow the isolation procedure against the prisoners and detainees for the following reasons:

- To maintain the security of the state
- To maintain the security of the prison
- To maintain the safety and health of the detainee or the other detainees
- To prevent serious harm to the discipline or order followed in the prison
- To prevent violent breach

In fact, the forces of the Israeli prison service exercise the policy of isolation against Palestinian prisoners and detainees, especially their leaders, as a punitive measure against them in order to undermine their stability and deprive them of their rights to communicate with the outside world and receive family visits. The forces of the prison service also use the isolation policy against prisoners and detainees as a mode of suppressing them, to weaken their organizational ability, disband their union, and paralyze their ability to organize their struggle towards the achievement of their rights as prisoners of war and freedom fighters, the rights that are guaranteed in the Third and Fourth Geneva Conventions, and other human rights conventions.

Isolation is considered to be a form of psychological torture, which is forbidden under article 1 of the Convention Against Torture, which entered into force in 1984. Isolation is also considered to be as an inhuman and degrading act prohibited under article 7 of the International Covenant on Civil and Political Rights. In addition to that, the isolation conditions do not comply with the minimum health standards for prisons and detention centers required according to articles 91 and (92) of the Fourth Geneva Convention.

On 17 April 2012 the Palestinians prisoners and detainees launched an open hunger strike against the policy of isolation in a battle named by the prisoners' movement "Battle of Victory or Death" in which around 2,000 prisoners and detainees participated. The strike stopped on May 14 after reaching an agreement according to which the occupation government committed itself to end the isolation of 20 detainees and prisoners, and to transfer them to the regular sections of the prison within 72 hours.

A year after the agreement, the forces of the Israeli prison service began to refute and deny the agreement of the 14th May 2012, as the occupying power continued to exercise the policy of isolation against Palestinian prisoners and detainees, and sent 27 prisoners and detainees to isolation under the pretext of "security reasons" during 2014.

There is no precise data on the number of detainees who have been subjected to solitary confinement as a punitive measure, and usually it is extended for 14 days under the pretext of violating the regulations of the prison service related to the rules of discipline and conduct in prison. Solitary confinement is imposed based on administrative decisions and the detainee is not allowed to defend himself/herself in an effective way, and is not allowed to request legal assistance from a lawyer.

Addameer data indicates that there were five prisoners and detainees in the isolation cells at the beginning of the year 2014, and they are:

#	NAME	DATE OF ARREST	SENTENCE	DATE OF ISOLATION AND PERIOD	PLACE OF ISOLATION
1	Nahar Ahmad Abdallah Al Saadi	18 September 2003	4 life sentences + 20 years	20 May 2013 (unlimited)	Ayalon prison
2	Musa Said Musa Sufan	28 May 2003	Life sentence + 8 years	29 September 2013	Megiddo Prison
3	Nur Addin Abdallah Omar	2 February 2003	30 years	29 September 2013	Megiddo Prison
4	Husam Yusef Omar	26 February 2002		29 September 2013	Megiddo Prison
5	Murad Nimer Sirhan	2010	10 years	3 October 2013	Megiddo Prison

The forces of the Israeli prison service also transferred 17 prisoners and detainees in Nafha prison to the isolation cells on the 6th December 2014 under the pretext of discovering a tunnel to escape from the prison:

#	NAME	DATE OF ISOLATION AND PERIOD	PRISON OF ISOLATION
1	Abduljabbar Shamali	12 June 2014 (unlimited, released from isolation after the strike)	Nafha
2	Fahed Sawalha	12 June 2014 (unlimited)	Nafha
3	Yacoub Ghawadrah	12 June 2014 (unlimited)	Nafha

4	Jaffar Al Turabi	12 June 2014 (unlimited, released from isolation after the strike)	Nafha
5	Samir Tubasi	12 June 2014 (unlimited)	Nafha
6	Ismail Abu Shaduf	12 June 2014 (unlimited)	Nafha
7	Muhanna Abu Zayud	12 June 2014 (unlimited)	Nafha
8	Dia' Abu Qasideh	12 June 2014 (unlimited, released from isolation)	Nafha
9	Mahmoud Abu Sbeiha	12 June 2014 (unlimited)	Nafha
10	Mahmoud Kalibi	12 June 2014 (unlimited)	Nafha
11	Aiham Kamji	12 June 2014 (unlimited, released from isolation)	Nafha
12	Mustafa Subuh	12 June 2014 (unlimited, released from isolation)	Nafha
13	Mahdi Fayyad	12 June 2014 (unlimited, released from isolation)	Nafha
14	Suhaib Al Zaqili	12 June 2014 (unlimited)	Nafha
15	Mahmoud Al Arda	12 June 2014 (unlimited)	Nafha/ Megiddo
16	Adnan Abu Sari	12 June 2014 (unlimited)	Nafha
17	Thabet Mardawi	12 June 2014 (unlimited)	Nafha/ Megiddo

The prison service of the occupying power transferred another 3 prisoners and other detainees to isolation by the end of 2014:

#	NAME	PLACE OF ISOLATION	SENTENCE	DATE OF ISOLATION AND PERIOD
1	Abdulrahman Suleiman Othman	Megiddo/Ramon	Life sentence	24 October 2014
2	Mohammad Ismail Albil	Ramon/Askalan	14 years	Beginning of 2014
3	Shukri Al Khawajah	Ayalon/Megiddo	Detained for trial	16 December 2014

The case of prisoner Nahar Al Saadi

Name: Nahar Abdullah Al Saadi

Date of Birth: October 30, 1981

Place of residence: Jenin

Social status: Single

Date of Arrest: 18 September 2003

Isolation Date: 20 May 2013

Legal Status/Sentence: 4 life sentences and 20 years



The Isolation Case:

The prisoner Nahar Al Saadi was subjected to interrogation in February 2013 for a period of 10 days. He was accused of planning to capture soldiers while being in prison. Al Saadi initiated a hunger strike since the first day of interrogation in protest for the inhumane interrogation conditions. Al Saadi was threatened and put under psychological pressure during interrogation, as well as not allowed to pray and to attend to his physical needs. Three months after the end of his interrogation, the Israeli prison service forces put him in solitary confinement on the basis of a secret file, in addition to the accusations presented against him during interrogation.

"No prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defence."
-Rule 30 (2) of the Standard Minimum Rules

Health Status: The health status of Nahar Al Saadi deteriorated while in solitary confinement, and a tumor suspected to be malignant was found on his neck. Al Saadi has also suffered from bacteria in the stomach and colon diseases for eight years, in addition to back pain due to a herniated back disks and a bend in the spine since 10 years ago. Nahar also suffers from severe pain in the hands, feet, and joints.

As a result of the deliberate medical neglect policy by the forces of the Israeli prison service, the health conditions of the prisoner Nahar Al Saadi aggravated

and worsened, especially the back pain he suffers, since he is not provided with the necessary treatment, but only given painkillers.

Isolation and Hunger Strike: Forces of prison service proceeded to isolate the prisoner Al Saadi on 20 May 2013 after being classified as a “security threat” prisoner. Al Saadi has been transferred to several prisons including Shatta, Megiddo, and Rimonim. He ended up in the Ayalon solitary confinement in Al Ramla Prison.

On 20 November 2014, Nahar Al Saadi went on hunger strike to protest his isolation and the inhuman conditions of the isolation, as well as his deprivation of family visits since his isolation. More than 100 prisoners and detainees joined the strike in 10 December 2014 in solidarity with him, and demanding an end to the policy of isolation practiced against other 20 prisoners.

Al Saadi and the other prisoners ended their strike on 17 December 2014 after reaching an agreement with the prison service to transfer Al-Saadi to the collective isolation in Ramon prison, and after the Israeli prison service forces made promises to allow him to receive family visits. It was part of the agreement also to end the isolation of the other prisoners gradually.

After a short period, Al Saadi was transferred to the isolation of Ramon according to the agreement, but the prison service broke its commitment to the agreement, and Al Saadi was not transferred to the collective isolation, and was not allowed to receive family visits, although the prisons service took out some of the isolated prisoners to the regular sections of the prison.

Isolation Conditions in Ramon Prison: Addameer lawyer met the prisoner Al Saadi after he ended his hunger strike and was transferred to the isolation in Ramon prison. Al Saadi told the lawyer Samaan that the isolation conditions in Ramon prison are better than in other prisons, especially since isolation in Ayalon takes place in a section dedicated to the criminal prisoners. Al Saadi was confined in a 3x3 meter room, where no natural ventilation or sun light is available. He was allowed out into the courtyard only for one hour every day, and was strictly forbidden from communicating with the rest of the prisoners. Al Saadi said that although the prison administration broke the agreement, according to what he was going to be in collective isolation in a section that is assigned to political Palestinian prisoners and detainees, the conditions in the new isolation are relatively better, where the area of the cell is 3x2.5 meters, has a toilet and shower, and there is a window overlooking a high wall. There is daily

“fora” (recreational time) of one hour in a yard with an area of 5×15 meters. He also told Addameer’s lawyer that he is allowed to do shopping from the canteen, has a TV, a kettle, air conditioning, and cleanliness is acceptable.

Extension of Isolation: The isolation of the prisoner Al Saadi was according to the recommendation and decision of the Israeli intelligence service, based on “secret material.” The occupation intelligence services claims that the prisoner Al Saadi is dangerous for the security of the occupying state. Al Saadi is sent to Israeli civilian courts every six months (Ramleh, Nazareth) to extend the isolation period. The Israeli law allows the occupation courts to issue a decision in order to keep the detainee in solitary isolation for a period of six months, and 12 months in a room with another detainee. That court is authorized by law to extend the period of isolation for additional periods indefinitely, in contradiction of article 119 of the Fourth Geneva Convention, which stresses that the duration of any single punishment should not exceed thirty consecutive days.

Family: The last strike of the prisoner Al Saadi was under the title “Mother’s Visit”, since his mother (65 years old) was deprived of visiting him since he was isolated. This prevention of receiving family visits was on the pretext of security reasons as well, even though his mother and sisters used to get a visit permit twice a month. The prison service forces did not fulfill the commitment to allow his mother to visit him if he ends his strike. After his mother got a one month permit for a single visit, on the same day of the visit she was informed by the Red Cross that her visit has been rejected, and she was not allowed to board the bus that carries the families of the prisoners and detainees to the prisons. This constitutes a violation of his right to receive family visits as a punitive measure and revenge against him and his family.

The family of the prisoner Al Saadi affirmed that the prison service forces impose numerous restrictions on the entering of the basic needs of her son Nahar al-Saadi, and that they have not been able to send him any item throughout the year 2014.

Role of the International Committee of the Red Cross in Monitoring Prisons and Protecting Rights of Prisoners and Detainees

Palestinian prisoners and detainees in the prisons of the occupation expect the International Committee of the Red Cross (ICRC) to respect its mandate and its role in the occupied Palestinian territory in general, and before the forces of the Israeli prison service in particular, confirming and emphasizing its role as the international organization in charge of the protection of international humanitarian law and its application. It is the role of the International Committee of the Red Cross as a humanitarian organization to ensure that detainees receive the necessary health treatment and attain humanitarian conditions of detention that conform to international standards, in addition to respect of the warranties and protection guaranteed to them.

The International Committee of the Red Cross says it seeks through regular visits to detention centers to respect the life and dignity of detainees, to prevent torture and other forms of abuse and forced disappearance, or execution without trial, and to ignore the fundamental judicial guarantees.³⁹ The organization looks to improve the conditions of detention and the preservation of family links between detainees and their families.⁴⁰

Following we will present testimonies of representatives of prisoners and detainees in a number of prisons, regarding the role of the International Committee of the Red Cross, which are full of severe criticism concerning the deterioration of its role in the last years.

Ramon Prison: Prisoner Ammar Abdullah Sadiq Zayoud considered that the role of the International Committee of the Red Cross is declining, and could be described as weak. During 2014, its delegates visited the Ramon prison 3 or 4 times, but these visits often are for the purposes of obtaining power of attorneys, so the delegates

³⁹ To read more about the position of the International Committee concerning visits to detainees, see the following link: <https://www.icrc.org/ara/what-we-do/visiting-detainees/overview-visiting-detainees.htm>

⁴⁰ This includes:

- Negotiating with the authorities in order to obtain a permit to meet the persons that are deprived of their freedom.
- Visiting all detainees, evaluate their detention conditions, and define all forms of shortage and human needs.
- Providing certain protection, or supplies and medical equipment etc.
- Secure communication between the detainees and their families, and to maintain it through facilitating family visits or carrying letters whenever necessary.
- Providing relief materials and medical supplies for detainees, or to work in cooperation with the detention authorities within a specific projects framework.
- Promoting effective dialogue with authorities at all levels concerning humanitarian problems that may arise, and work towards finding tangible solutions.



do not enter the rooms, which makes the visit lose its examination role and cannot be considered as an inspection visit in order to assess the prison's situation and the prisoners and detainees conditions, as it is intended.

Zayoud explained that during 2014, there was not a single visit of any doctor of the Committee to the Ramon prison, although the number of medical cases in the prison is at least 140 cases, including 70 patients that require operations. As for the ICRC's role in the introduction of books, Zayoud said that the Committee provided them with only 15 books throughout the year 2014, only one chess table for section 6, and one domino game for section 10.

Nafha Prison: Prisoner Alaa Abu Jazar said that the delegates of the International Committee of the Red Cross visit the Nafha prison twice a year. Sometimes they enter the rooms, and sometimes they sit in one of the rooms, spending several hours according to the tasks they want to complete. The visits of the ICRC delegates often are for the purpose of obtaining powers of attorney and transferring messages. For example, during the war on Gaza, the delegates of the Committee came twice to deliver reassuring messages to the prisoners from their families. Abu Jazar added "The visit team is limited to the delegates, and it does not include any doctor except in the cases of hunger strike." He added that he considers the role of the Committee to be weak.

Megiddo Prison: Detainee Bilal Kayed said the delegates of the International Committee of the Red Cross visit Megiddo prison four times during the year. The delegation is usually composed of three members that are distributed among the sections, and rarely includes a doctor. Their role is restricted to listening to the prisoners and detainees and signing powers of attorney. The meetings often take place in the canteen, and are usually very brief. He added that the supervisory and monitoring roles of the International Committee and its follow up concerning authorizations and transfer of letters, can be considered as good, but its medical role and its support regarding the introduction of books and recreational and sports materials is poor.

HaSharon Prison for Women: Female prisoner Lina Al-Jarbowni said that the role of the International Committee of the Red Cross is weak, and that the delegates of the International Committee do not meet the detainees and prisoners, except in case they are informed of the detainee's desire of sending a message to her family. The Committee's doctor visits the prisoners' section twice a year. Prisoner Lina reported that the Committee stopped bringing books and necessary materials for handicrafts and intellectual games, under the pretext of lack of budgets.

Eshel Prison: Prisoner Sami Subuh said that the prisoners in Eshel Prison complain that the International Committee of the Red Cross ceased the introduction of books in 2014.

Negev Prison: Prisoner Yaser Al-Mashati said that the delegates of the International Committee of the Red Cross came to the prison once during the year 2014. The team is composed of a group of delegates that do not include a doctor, and the visit was limited to meet with the prisoners and detainees for one hour in the canteen in order to complete the powers of attorney. They did not enter the rooms, and did not bring with them any sports or recreational equipment, or any books. The prisoner Yaser considers the role of the Committee weak, since the Committee respects Israeli government much more than they respect the prisoners. He added that the families are subjected to humiliation by the Israeli soldiers at the checkpoints during family visits, and sometimes the soldiers take children who come alone to visit off the bus, and leave them to figure out their return on their own accord, and that this is done in front of personnel from the Committee without any intervention from their part.

Hadarim Prison: Prisoner Ammar Mardi said that the role of the International Committee of the Red Cross is almost constricted to two issues, the collection of powers of attorney that are presented through the delegate, and the introduction of about 30 books annually. He added that the Committee brings a small number of books per year, and recently started bringing books without any variety, that do not necessarily suit all the prisoners and detainees and focus on the religious aspect. The prisoner considered that the role of the Committee must be improved and should take care of other equally important rights, especially the deprivation of many of the prisoners and detainees from receiving family visits (first degree relatives) under the pretext of security bans.

HaSharon Prison for Children: It is clear from the testimonies of the detainees that there is a feeling of satisfaction about the role of the International Committee of the Red Cross concerning following up on the conditions of child detainees and providing for their needs. According to the testimony of the detainee Amin Ziadeh, the current ICRC commissioner visits the prison on a regular basis reaching up to four times a year (there was a fifth visit to a detainee from the Gaza Strip in 2014). Among the visits there is a medical visit by a crew of three specialists: an ophthalmologist, a dermatologist, and a general practitioner. However, the former commissioner of the International Committee used to visit the prison once every two months.

The visit of the Commissioner of the International Committee of the Red Cross to the HaSharon prison differs from the visits of the Committee to the other prisons, as this visit carries the serious nature of monitoring and inspection, and lasts from ten o'clock



in the morning to four o'clock in the afternoon, during which the commissioner enters all the rooms, meets each prisoner separately, listens and takes notes about the cells and themes that come up, and takes action concerning the requests made to him/her.

Shatta Prison: Prisoner Nader Sadaqa said that the International Committee of the Red Cross delegates visited Shatta prison twice during the year 2014, and in last visit there was a doctor. However, he considered the work of the International Committee as superficial, and that its role is humanitarian, ineffective, and weak in general.

Ofer Prison: Administrative detainee Ayman Nasser said that the International Committee of the Red Cross delegates visit Ofer prison three times a year. During those visits, the delegates of the Committee collected powers of attorney and transferred messages, which represents a recoil in the performance of the Committee's role concerning inspection visits.

Palestinian administrative detainees in Israeli prisons declared an open hunger strike on 24 April 2014 which continued for 63 days with the participation of more than 130

Chapter 5

Hunger Strike of Administrative Detainees



administrative detainees, under the slogan of “ending the policy of administrative detention.” During the strike of the administrative detainees, and following the incident of the disappearance of the three settlers on 12 June 2014, the Israeli forces launched a wide campaign of mass arrests, which raised the number of administrative detainees held in prisons and detention centers to more than 550 administrative detainees.

Moreover, the prisons administration confronted the escalation by denying the administrative detainees from receiving family visits, and threatened to deprive them from accessing the canteen, limiting the length of the fora (recreational time) from five hours to one hour, as well as threatening to transfer them to a special section in the Negev prison. It also imposed as punishment a collective isolation on many of them especially the hunger strikers. The prison service and military intelligence bargain with the administrative detainees to sign a paper that allows the military court to hold a hearing session, or the renewal of the administrative detention without the presence of the detainee or the presence of his or her lawyer, or to oblige them to attend by force.

The administrative detainees on hunger strike raised the slogan of “ending the policy of administrative detention” practiced by the occupation forces against them as one of the policies of the occupation for the destruction of the Palestinian society, and to perpetuate its control over it, and to deprive it from exercising its legitimate rights, at the forefront of which is the right to self-determination.

During the strike, many of the ministers and officials in the occupation state released inflammatory statements against the prisoners and detainees in general, and against the strikers in particular, threatening their lives and their rights. Members of the Israeli Knesset presented a set of proposed racist laws against the prisoners and detainees, the most dangerous of which was the force-feeding law⁴¹, as the spokesperson of the prime minister’s office, Ofir Gendelman, said that the hunger strikers are active in terrorist organizations targeting the citizens of Israel, and expressed his vision of administrative detention as an effective instrument to fight terrorism.

The popular solidarity with the detainees’ strike is considered to be a decisive factor in the success of the detainees in their hunger strike. Mr. Amin Shoman explained that the High Commission for Prisoners Affairs, implemented 83 activity and performance during the days of the strike, which were concentrated in the cities, the headquarters of the International Committee of the Red Cross, and in the public squares. There were also demonstrations in front of Ofer prison, and others at Qalandiya checkpoint. Shoman attributed the concentration of the demonstrations in the cities due to weak

41 The force-feeding law was approved in July 2015.

participation, and to the negligence of the political factions, students groups and the youth movement.

The weekly sit ins in solidarity with the striking prisoners continued every Tuesday at the headquarters of the International Committee of the Red Cross. Solidarity events took different forms including confrontations with the occupation forces, solidarity marches, visits to the sit in tents, commercial strike, and the suspension of work in the courts. Hebron and Nablus witnessed wide demonstrations that were attended by thousands in support of the administrative detainees' strike, since a large number of the administrative detainees come from the cities of Hebron and Nablus and surrounding villages.

Despite the signing of the Shati' Agreement on 23 April 2014 between Fatah and Hamas in order to end the division, the marches realized in the West Bank upon the demand of Hamas were attacked by the security forces of the Palestinian Authority in the West Bank, which overshadowed the magnitude of the popular participation in the solidarity marches and demonstrations to support the prisoners on hunger strike.

Addameer documented the 13 most outstanding legal and judicial encounters during the period of the administrative detainees' strike. These encounters, meetings, and conferences revealed the harmony among the different components of the Palestinian society on the need to develop a legal strategy capable of protecting the rights of prisoners and detainees, based on the Four Geneva Conventions, and the need to activate the international mechanisms made available after the State of Palestine joined more than 15 international conventions, including the Four Geneva Conventions.

The decline in the importance of the prisoners and detainees issue in the Arab countries became obvious, where only two meetings were organized, the first in Beirut on 30 April 2014 upon the invitation of the Arab International Center for Communication and Solidarity, and the National Committee for the Defense of Prisoners and Detainees, and the second in 15 May 2015 in Cairo within the 45th round of the Conference of Arab Ministers of Information.

The Ministry of Detainees and Ex-Detainees played an important role in the activation of the prisoners and detainees' issue in general, and in particular concerning the hunger strikers. The Ministry took the initiative to hold several meetings in the headquarters of the United Nations in Geneva and in the occupied Palestinian territory, in order to develop an international position based on International Humanitarian Law and International Human Rights Law, that requires the occupying power to respect

the rights of civilians under occupation, and the fulfillment of its obligations as an occupying power according to the Four Geneva Conventions of 1949.

However, those efforts did not succeed in making the high contracting parties hold a special meeting to discuss the mechanisms that oblige the occupying power to deal with Palestinian prisoners and detainees according to the provisions of the Third and Fourth Geneva Conventions. However, these meetings and conferences resulted in numerous recommendations which should be used in order to formulate a Palestinian legal strategy related to the issue of prisoners and detainees. Following we will present the most prominent of those recommendations:

The international interaction with the strike of the administrative detainees was delayed, which infuriated the families of the detainees. This induced numerous Palestinian human rights organizations to criticize the silence of the international organizations affiliated with the United Nations concerning the continuation of the practice of administrative detention by the occupation forces, in contradiction to the provisions of the Fourth Geneva Convention, as well as the continued denial of the rights of the administrative detainees on hunger strike. A review of the United Nations data, shows that it issued its first statement regarding the strike of the administrative detainees on hunger strike after more than 40 days from the start of the strike. It also shows that throughout the strike, which lasted 63 days, the UN only issued four statements and the European Union released one statement. The statements addressed the strike, the health conditions of the strikers, and the force-feeding law.

However, this delay does not make these statements less important, particularly those issued by the United Nations which expressed a clear condemnation of the occupation forces practice of administrative detention in contravention of the provisions of the Fourth Geneva Convention, considering it to be arbitrary detention, as well as asking for the satisfaction of the demands of the hunger strikers, and urging the occupying power to desist from endorsing the force-feeding law.

End of the Strike after 63 Days: Causes and Consequences

After 63 days of hunger strike, the administrative detainees announced the end of their strike on 25 June 2014, due to the circumstances that were affecting the occupied Palestinian territory following the Hebron operation, the killing of the three settlers and subsequent launch of a wide military campaign by the occupation forces in the West Bank, and threats of launching a broad assault on the Gaza Strip.

Several statements come from the political level in the occupying state about the strike of the administrative detainees, as the occupation leaders considered that their

success in breaking the strike allows them to obtain some confidence from the public, after their failure to find the three disappeared settlers. Hebrew media affirmed that the only profit that the administrative detainees on hunger strike will get after the termination of the strike, is not to be exposed to punishment by the forces of the prison service for their strike, “which had escalated the situation on the ground to a very dangerous level.”

Israeli observers stated: “The motive behind the consent of the administrative detainees to suspend their hunger strike is the closely approaching holy month of Ramadan, their understanding that the disappearance of the three settlers diverted the attention from the issue of the strike, and the absence of the possibility that Israel will release them.”



Chapter 6

Imprisonment of Women and Girls

Palestinian women are exposed to imprisonment like other groups and sectors within the Palestinian society. In 2014, occupation forces arrested 112 Palestinian woman and girls, representing an increase by 70% compared with the number of women and girls arrested in 2013, which reached at its maximum to 17 prisoner and detainee in May. These arrests targeted various social sectors



and age groups, including mothers, female journalists and three prisoners that were released within the Wafa' Al-Ahrar Exchange. These arrests particularly affected the female students of Al-Aqsa Mosque in the occupied city of Jerusalem. The occupation forces also arrested the child Malak Al-Khatib (14 years old), and sentenced her to two months in prison and a fine of six thousand shakels, as well as university student Lina Khattab (18 years old), was accused by the occupation forces of participating in a march and throwing stones, and the military court sentenced her to six months in prison.

The occupation forces deliberately arrested Palestinian women during late hours of the night, without presenting an arrest order. A large number of the members of the occupation army participate in the detention operations, aiming in terrorizing the families and diminishing their morale. The raid operations by the occupation forces are often accompanied by bombing the houses doors and destruction of the contents of the homes, under the pretext of searching and inspection, in addition to the retention of its inhabitants in a room separated from the place where the sought person is detained and searched.

Female Palestinian prisoners and detainees are exposed to various forms of physical and psychological torture and cruel or inhuman treatment, during the detention and interrogation process, in the prison sections, and during the transport operations in the *bosta* (buses used for the transfer of prisoners).

Data and Statistics about Female Detainees and Prisoners

Addameer data indicates that by January 2014, there were 17 women and girls in the prisons of the occupation state, and the number increased to 21 prisoners and detainees before the end of the first quarter of 2014. The number decreased in the spring and early summer to 17 by the month of May 2014.

Number of Prisoners and Detainees in 2011-2014

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
2014	17	17	21	20	17	□	17	19	18	19	18	23
2013	10	12	12	14	17	15	12	13	12	15	14	16
2012	8	5	5	6	7	6	6	6	7	9	10	11
2011	40	37	37	36	38	36	35	33	33	10	10	6

After the kidnapping and killing of the child Mohammad Abu Khdeir, and the assault on the Gaza Strip, the severity of detentions intensified in the West Bank including occupied Jerusalem, bringing the number of female prisoners and detainees in December to 23 prisoners and detainees, 21 of which were detained in HaSharon prison, and two in Beersheba prison. Among these were 17 detained prisoners, while the rest were sentenced by the military courts and the civil courts in Jerusalem. None of them was given an administrative detention order. The number of detainees includes four children, the youngest of them Malak Al-Khatib whose age is 14 years, and five mothers.



Arrest of Three Female Prisoners Liberated in Wafa' Al-Ahrar Exchange and Arrest of Activists in Prisoners' Rights

In 2014, the occupation forces arrested two of the female prisoners that were liberated in the "Wafa Al-Ahrar" exchange, raising the number of prisoners that were arrested after being liberated and are now in the occupation prisons to three. It is noticeable concerning the arrest of female prisoners liberated in the Wafa Al-



Ahrar Exchange that the occupation forces are targeting female Palestinian activists who have been repeatedly arrested for their participation in solidarity activities with the prisoners and detainees. The occupation therefore continued to target and arrest women that are active in human rights issues, particularly female activists on issues concerned with prisoners and female prisoners in the occupation prison. This targeting is part of the occupation policy of persecuting activists that advocate for and defend the issues of the prisoners, which is in contravention with of the guarantees in the UN Declaration on Human Rights Defenders issued by the United Nations General Assembly in 1998, which recognizes the right and responsibility of individuals, groups, and associations to promote respect for human rights and basic freedoms, as well as enhancement of knowledge about it at the national and global levels.

Lawyer Shirin Tarek Issawi: The occupation forces arrested the lawyer Shirin Issawi, (36 years old) on 3/6/2014 after raiding her home in the village of Isawiya in occupied Jerusalem. Shirin is considered to be a prominent lawyer in the defense of the prisoners, as she is a member of the Union of Palestinian Lawyers, a volunteer at the Mandela Foundation, and is active in the Jerusalemite popular movement, in addition to her work as a lawyer representing prisoners in the courts and visiting them. Shirin was arrested during a wide arrest campaign executed in the city of Jerusalem against many of the lawyers who work in particular in the defense of male and female prisoners, and accused of 3 main charges: (1) Maintaining contact with the enemies of Israel, (2) Provision of services to terrorist organizations, and (3) Allowing terrorist organizations to use her private property. These charges against Shirin Issawi come within the framework of tightening the noose on the work of the Palestinian lawyers under purported security reasons. The detentions campaign during which Shirin was arrested reached also other members of her family, who are her brothers Medhat, Shadi, and Samer. Samer was released in 2012 after he went on a long hunger strike

to protest his re-arrest, as he was released in the Wafa Al-Ahrar deal. Shirin has been previously arrested more than once, as she was arrested in 2010 for a full year, and was arrested in 2012 for a period of 24 hours, and the third time was in 2013, where she was detained for 24 hours during her participation in an activity in solidarity with her brother Samer Issawi, who at that time was on hunger strike.

Youth Activist Bushra Jamal Al Tawil:

The occupation forces arrested the youth activist Bushra Al Tawil (21 years old) on 02/07/2014 after raiding her home in the city of Al-Bireh. Bushra was treated in a brutal way during her detention, as she was insulted and received a cruel treatment while she was inside the military jeep, handcuffed, and blindfolded. She was threatened during her interrogation at Ofer detention center that she will be placed in administrative detention without charge or trial, because she is suspected of hiding security issues. During the interrogation, which lasted for about 5-6 hours, she was interrogated about her activities in solidarity with the prisoners, and specifically an electronic site that publicizes information and facts about the prisoners and female prisoners.

Bushra is a previous prisoner in the occupation prisons. On 6/7/2011 she was arrested and sentenced to 16 months of imprisonment, but she completed about 6 months, as she was released within the Wafa Al-Ahrar deal. Bushra is considered to be one of the prominent activists in the defense of the rights of prisoners and female prisoners, as well as a volunteer in various institutions and associations concerned with prisoners' issues, and a journalist for the electronic site "Anin Al Qaid" as media spokesperson. Bushra is the daughter of the detainee Jamal Al Tawil, one of the leaders of Hamas, mayor of Al-Bireh Municipal Council in the 2005-2006 elections, and currently is an administrative detainee, who has been arrested more than once. Bushra is currently detained pending sentencing, and according to the course of the court hearings, the remaining period of her previous sentence will be added to the current arrest as part of the new punishment.

Muna Hussein Ka'adan: The occupation army re-arrested Mona Hussein Ka'adan from Jenin on 13/11/2012, and she is still detained despite being taken to court 18 times.

Prevention of Special Rapporteur on Violence Against Women from Entry into Occupied Palestinian Territory

On 15 January 2015 the occupation state prevented the Special Rapporteur of the UN on Violence Against Women Ms. Rashideh Manjoo, from entering the occupied Palestinian territory.

Ms. Manjoo had decided to visit the occupied Palestinian territory in response to an invitation received from the State of Palestine, in order to collect data on violence against Palestinian women at the national and external level, and to help the State of Palestine in



the adoption of policies and development of laws designed to protect women and to end gender-based discrimination against them.

The decision of the occupation forces to prevent Ms. Manjoo from entering the occupied Palestinian territory, is a continuation of the application of a systematic policy of the occupying power in order to prevent the State of Palestine from enjoying the acquired rights and the performance of its duties due to its access to the international treaties and conventions. This serves to deprive the Palestinian people of exercising their civil, political, and social rights, and in the first place its right to self-determination, through the development of policies and laws that aim to advance the conditions of the groups that constitute the Palestinian people. Previous to this prohibition was the prevention of the investigation committees that were scheduled to arrive to the Occupied Territory in order to investigate violations of international law since June 2014. This prohibition is against the recommendations made by the Human Rights Council on the need to have the occupying state to cooperate with the special rapporteurs, in order to improve the human rights situation on the ground.

Chapter 7

Arrest and Prosecution of Human Rights Defenders

Human Rights Defenders in the occupied Palestinian territory face various types of harassment and rights violations by the occupation forces, irrespective of the protection afforded to them in international conventions, and particularly the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. In 2014, the occupation forces intensified prosecution of human rights defenders in the occupied Palestinian territory, aiming to silence them and punish them for their role in exposing violations and crimes perpetrated against the Palestinian people.

The Israeli occupation forces arrested six Palestinian journalists during 2014, bringing the number of journalists detained in Israeli jails to 16 journalists, six of whom were arrested during 2013.⁴² These arrests and prosecutions reached dozens of human rights activists, most of which were detained under administrative detention orders; this includes Addameer colleague Ayman Naser, the Coordinator of the Legal in Addameer. He was re-arrested under an administrative detention order on 18 September 2014. In addition Mr. Osama Shaheen, Director of the Palestinian Prisoners Studies Center, was arrested in December 2014.

Following is a table of the names of journalists arrested by the occupation forces in 2014:

Name	Place of Residence	Place of Work	Type of Arrest	Date of Arrest
Aziz Kayed	Ramallah	Director of Al-Aqsa Channel	Charges	17/06/2014
Nidal Abu Aker	Bethlehem	Director of Voice of Unity Radio	Administrative Detention	28/06/2014
Bushra Tawil	Ramallah	Freelance Journalist	Charges	02/07/2014
Ahmad Fathi Khatib	Tulkarem	Photo in Al-Aqsa Channel	Administrative Detention	04/07/2014

⁴² For more information on the arrest of Palestinian journalists and the violations they are subjected to, see the report of Palestinian Center for Development and Media Freedoms, available in Arabic at: http://www.madacenter.org/images/text_editor/AnnualrepA14.pdf

Hammam Atili	Tulkarem	Media Student in Najah National University	Charges	12/08/2014
Lina Mohammad Atta Khattab	Ramallah	Media Student in Birzeit University	Charges	13/12/2014

“Everyone lawfully within the territory of a state shall, within that territory, have the right to liberty of movement and freedom of choose his residence.”

-Article 12 of International Covenant on Civil and Political Rights

Cases of Travel Ban and Ban of Entry into West Bank

The occupation forces prosecuted a number of human rights defenders and employees in human rights organizations during the year 2014, imposing a set of arbitrary measures, including summoning them for purposes of interrogation, threatening them, handing them military orders that prevent them from commuting across the West Bank, and preventing them from leaving the occupied Palestinian territory under security pretences. The occupation state sought to stop human rights defenders from communicating with international organizations and submitting their testimonies before fact finding missions on violations and crimes committed by the occupation forces in the occupied Palestinian territory, a clear denial of the protection afforded to them by means of the Declaration on Human Rights Defenders 1998.

The occupation forces continue to prevent the chairperson of Addameer Prisoner Support and Human Rights Association, Mr. Abdul Latif Gaith, from commuting between Jerusalem and the remainder of the West Bank, where the premises of the organization is located, for the fourth year in a row. This has been through seven orders issued between 9 October 2011 and 15 September 2014 that prevent Mr. Abdul Latif Gaith from entering the West Bank for six months.

The latest of these orders extends from 15 September 2014 to 15 March 2015. The orders that prevent movement are issued by a decision from the general in the occupation army Nitsan Alon, under pretences of compelling security reasons that entail preventing Mr. Abdul Latif Gaith from commuting in order to maintain the security of the region and public order.

Travel Ban

The occupation forces continue to ban Mr. Abdul Latif Gaith from leaving the occupied Palestinian territory for security reasons; these decisions are made without clarification of the security reasons, and the threat that he may pose on the national security of the occupation state and forces if he were allowed to travel.

On 24 September 2014, the intelligence of the occupation forces summoned Mr. Gaith to their headquarters in occupied Jerusalem and handed him an order that renews the ban on his travel. The travel ban commences on 24 September 2014 and extends to 23 February 2015. It was also mentioned in the travel ban order that this is an extension of an order issued on 21 August 2014, which Mr. Gaith insists that he did not receive nor sign.

Forcible Transfer: Palestinian Legislative Council Member Khalida Jarrar

The military commander of the occupation forces in the West Bank issued a military order that requires the forcible transfer of the Palestinian Legislative Council member, and member of Board of Directors of Addameer Prisoner Support and Human Rights Association, Mrs. Khalida Jarrar to Jericho governorate for a six months renewable period. The order entered into force on 21 August 2014, and she would not be allowed to move outside of Jericho governorate except after obtaining a permit from the military commander. The deportation order was accompanied with a map of the borders of Jericho governorate, where she would be allowed to commute, and she was given 24 hours to leave Ramallah.



Within the merits of the decision was that the forcible transfer, issued by the military commander of the occupied Palestinian territory, is based on military order 1651, section 297 of 2009, under pretences that the member of Legislative Council Khalida Jarrar poses a threat to the national security and public order of the region. The nature of the threat was not clarified.

The continuation of the occupation forces in the forced displacement policy of Palestinian Legislative Council members is a blatant assault on the right of the Palestinian people to self-determination, and a transgression on the right to choose representatives, contravening article 49 of the Fourth Geneva Convention that prohibited Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not regardless of the motive. The decision of the occupation forces against Mrs. Jarrar is a grave breach of article 147 of the Fourth Geneva Convention, and amounts to a war crime according to article 85 of its first additional protocol.

Administrative Detention of Nader Jaffal

The occupation forces arrested Nader Jaffal (43 years old) from his house in the town of Abu Dis on 26 December 2014. The military commander issued an administrative detention order against Jaffal, who is a postgraduate students at Al-Quds University. He is considered a prominent human rights defender in general, and particularly a prisoners and detainees' rights defender, being a member of the central committee of the Democratic Front for the Liberation of Palestine. The current detainment of Nader Jaffal confirms the vindictive and arbitrary nature of administrative detention practiced by the occupation forces against human rights defenders, for he was arrested numerous times and spent nearly an total of 15 years inside prison.

Raids on Institutions

During the military campaign waged by the occupation forces in the West Bank in June 2014, occupation forces stormed into a number of human rights and media organizations, particularly in Hebron, during their search of the three missing settlers. The occupation army invaded the premises of the company TransMedia on 18 July 2014 in Nablus, Ramallah, and Hebron, and confiscated their equipment. They also handed a leaflet that prohibited that work of Al-Aqsa TV channel under the pretext that they are affiliated with the Islamic Resistance Movement Hamas. The occupation forces also stormed into the premises of PalMedia company in Ramallah on 21 July 2014, and confiscated special equipment for media work, and sabotaged the internet connection inside the organization. The occupation forces stormed into 12 charitable and civic organizations during their campaign, including feminist organizations, research centers, and orphanage support charities.

The practices of the occupation forces in storming into and invading media organization is in breach of article 19 of the Universal Declaration of Human Rights,

which guarantees freedom of opinion and expression. This is also a violation of article 6 of the Declaration on Human Rights Defenders that guaranteed “freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms.” The invasion of charities and media and civic organizations is also a breach of article (20) of the Universal Declaration of Human Rights, which stipulated freedom of assembly and association.

Additionally, these invasions constitute an interference in internal Palestinian affairs. The goal behind this interference is to prevent the Palestinian people from exercising their basic rights, and foremost their right to self determination, particularly since the closure of organizations and preventing their work is carried out under pretences of being affiliated with prohibited Palestinian political parties, and takes place by means of military orders imposed by the occupation forces on the occupied Palestinian territory. This contravenes the provisions of international humanitarian law, and particularly the Fourth Geneva Convention, which is enforceable in cases of occupation.

Arrests of Legislative Council Members

During the first half of 2014, the number of Legislative Council members in detention decreased to 11. However, following the military campaign waged by the occupation forces, the number of detained Legislative Council members rose to 38, 32 of which under administrative detention, held without charge or trial, based on a secret file.



In July 2014, the number of detained Legislative Council members rose to 38, 32 of which under administrative detention, held without charge or trial, based on a secret file.

The occupation forces continued to prosecute members of the Palestinian Legislative Council since 2006, and arbitrarily incarcerate them after putting them on trial before military courts that lack guarantees to a fair trial. It also prevented a number of Legislative Council members from travelling outside of the occupied Palestinian territory. The occupation state also revoked the residencies of Jerusalemite Legislative Council members, and forcibly deported them to the remainder of the West Bank, depriving them of reaching Jerusalem.

Members of Legislative Council Detained 2010-2014

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
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

Case Study: Administrative Detention of Human Rights Defender Ayman Nasser

Name: Ayman Amin Ahmad Nasser

Date of Birth: 20/6/1970

Marital Status: Married with 4 children

Profession: Coordinator of Legal Unit at
Addameer

Date of Detention: 18/9/2014

Governorate: Ramallah and Al Bireh

Legal Status: Administrative Detainee

Place of Detention: Ofer Prison



Detention:

The wife of the detainee Ayman Nasser says: “the occupation army stormed our house in the village of Saffa, governorate of Ramallah at 1:30 in the night, while we all were sleeping. We heard the sound of strong knocking on the main door of the house, so Ayman went quickly towards the door and opened it, to find around 15 soldiers storming all around the house, and screaming at us to get out from the rooms while the children were sleeping in their beds, and they woke up to find the soldiers over their heads.”

“I headed with the children to the guest room, accompanied by five soldiers and a female soldier pointing their weapons towards us. While Ayman was in the room changing his clothes the remaining soldiers were with him and another number of them were searching the wardrobes and the rooms, and confiscated 4 cellular phones. The soldiers were pointing their weapons towards us. After half an hour of being in the house, a military officer came, recognized Ayman and took him outside the house, and after 10 minutes Ayman came back and started to tell his children goodbye, what was striking was the crying of our younger son Nadim who embraced his father and started to scream loudly. Then I asked the officer to give me back our cellular phones and he did.”

Ayman was detained in Ofer prison located near the city of Ramallah and was rapidly interrogated for 15 minutes, then his detention was extended on 21 September for 72 hours, and on September 22, an administrative detention order for three months was issued against him.

Previous Detentions:

Ayman Nasser had been released from the prisons of the occupation less than one year before his last detention, where he was arrested 15/10/2012, and exposed to a brutal interrogation at the Russian Compound, where he went on several rounds of interrogation that exceeded 20 continuous hours every day, while he was tied to a chair, and his hands tied back all the time throughout the interrogation. After going through 39 days of interrogation, Ayman was accused of supporting the issue of the prisoners by participating in marches and demonstrations in support of the prisoners in the occupation prisons. The occupation linked this participation to affiliation with a hostile political party, and sentenced him to 13 months imprisonment, and a 15 month suspended sentence for a period of 4 years, and a fine of 4000 shekels. He was released on 21/10/2013.

Ayman was arrested in February 1992, was sentenced to 6 years, which he spent in several Israeli prisons, and was released on 27/10/1997.

Administrative Detention:

The administrative detention order against Ayman Nasser was confirmed on 29 September 2014 in Ofer military court, where the military prosecutor asked the court to confirm the full period from 22 September 2014 until 17 December 2014. The prosecution claimed that the secret material confirms that the detainee is an activist in a banned political party, and it is suspected that he has security activities with other persons in the same organization. Based on the questions of the defense, the prosecution confirmed that recollection of information started since Nasser was released in November 2013, and that he was detained this time based on the availability of information that confirms the involvement of the detainee.

The defense lawyer of Addameer, Ms. Sahar Francis asked about the actions that Ayman is being charged with, but the prosecutor confirmed that the activities are organizational and continuous, and rejected to disclose whether the actions are related to the issue of the prisoners, but reassured that this is detailed in the secret material, and that the materials of the current detention are similar to the materials of the previous detention of Ayman. The prosecutor also refused to respond about the diversity and sources of information and the extent of compliance.

It must be emphasized that Ayman returned to his work in Addameer immediately after his release, and participated through his work in all the



activities of solidarity with the Palestinian political prisoners, especially during the hunger strike of the administrative detainees, and during the military offensive on the Gaza Strip.

Judge Michael Ben-David, said after reviewing the secret material: “The secret materials are of high credibility, and confirms that the detainee is a senior activist in a banned political party.” The judge added that he was convinced of the detention of Ayman Nasser in order to maintain the security of the region and the public, and to prevent any future danger from the detainee. The judge also claimed that he examined the possibility of transferring the detainee to prison for interrogation and trial, and found that it is not practical to make him undergo thorough interrogation or trial, there is no unrestricted material that can be exposed. He stated that interrogating the detainee is useless and there is no other way less than detention to prevent the detainee’s danger. For all this, the judge confirmed the entire duration of the detention requested by the intelligence of the occupation.

Ayman was detained and transferred to administrative detention in the context of mass detentions that affected dozens of community activists, politicians and human rights defenders regarding the military assault on the Gaza Strip, and the consequences of this assault in the West Bank. In less than half a year, the number of administrative detainees had increased from 137 detainees to more than 550 detainees.

The case of Ayman Nasser indicates that the occupation authorities are using administrative detention arbitrarily as collective punishment in contravention with its obligations as an occupying power according to international humanitarian law, and specifically article 78 of the Fourth Geneva Convention of 1949.

The detention of Nasser contravenes international law, and is part of a collective punishment campaign against the Palestinian people that started during the recent assault on the Gaza Strip, and continued even after a truce with the factions of the resistance was reached at the end of the assault. This campaign targeted all segments of the society, human rights defenders and community institutions. The case of Ayman also demonstrates that the military commander uses the administrative detention policy against Palestinian political activists, as all the Palestinian factions are illegal and terrorist according to the military orders, and this is in the context of the occupation power seeking to criminalize the rights of the Palestinian people in their resistance and freedom.

Work in Addameer:

Since the beginning of 2008, Ayman Nasser has worked at Addameer Prisoner Support and Human Rights Association, a Palestinian non-governmental organization concerned with human rights and supports the issue of prisoners and detainees. The recurring detention of the human rights defender Ayman Nasser confirms that his role in advocating for the issue of prisoners and their defense is targeted, and represents a defiance of the guarantees of the International Declaration on Human Rights Defenders adopted by the General Assembly of the United Nations in 1998.

The Family:

Ayman is married to Ms. Halima Nasser and has four sons: Amin (16 years), Nagy (14 years), Nadim (11 years), and Mohammed (5 years). In 2014, it has not been possible for the family to obtain a permit from the Israeli authorities to visit Ayman in prison. This difficulty in obtaining the permits, is part of the collective punishment campaign launched by the occupation forces since June 2014 on the Palestinian prisoners in the occupation prisons, including the denial of their right to receive family visits.

Chapter 8

Draft Laws that Discriminate against Prisoners and Detainees



In 2014, a number of Israeli political and parliamentary bodies submitted draft laws that seek to impose higher degrees of collective punishment over detainees and prisoners, impose harshest sanctions, and deprive them of their basic rights. These proposals and legal drafts are in light of official Israeli statements of killing Palestinian prisoners and detainees.

Draft Law giving Courts the Power to Prevent Granting of Pardon to Palestinian Security Prisoners if Financial Compensation is not paid

In the midst of the hunger strike of administrative detainees (24 April- 25 June 2014), and particularly on 14 May 2014, the Israeli Knesset adopted in its first reading for a draft law that that gives courts the power to prevent granting of pardon to Palestinian security prisoners if financial compensation is not paid to “those affected by his crime.” The Knesset referred the draft law to the specialized parliamentary committee to continue the legislation process.

Force-Feeding Law

At the time when the hunger strike of administrative detainees was closing in on its fourth week, the Israeli Ministerial Committee of Legislative Affairs adopted on 18 May 2014 a draft law submitted by the Ministry of Public Security. The law allows Israeli Prison Service, following the receipt of an injunction, to force feed Palestinian prisoners and detainees on hunger strike, and forcefully provide them with medical treatment in cases where their life is in danger. Less than a month later, particularly on 18 June 2014, the Israeli Knesset adopted the law in its first reading, such that 29 members voted with and 18 members voted against. The law was referred to the Knesset committee to prepare it for the second and third reading. Consequently, the legal advisor of the Ministry of Public Security, Ya’el Adar, stated that doctors can place Palestinian prisoners on hunger strike under anesthesia and force feed them, adding that doctors decide the type of anesthesia, be it partial or complete. This is despite the prohibition by the Israeli Doctors’ Syndicate on its members to force-feed prisoners or detainees, as it contradicts the law and international conventions.

Deprivation of Palestinian Prisoners Holders of Israeli Nationality from National Insurance Allocations

On 11 June 2014, the labor committee in the Knesset adopted a draft law that deprives Palestinian prisoners holders of Israeli nationality of their national insurance allocations, or any other legal allocation, if they were released before completing their sentence. It was decided that the law would soon be submitted to the General Assembly for voting in its second and third readings.

Draft Law to Increase Penalties on Palestinian “Stone Throwers” in Preparation for Final Adoption

The Israeli Knesset announced on 4 December 2014 that the “Constitution, Law and Justice” Parliamentary Committee adopted a draft law that increases penalties on stone-throwers. The Knesset also pointed out that the draft law enables the sentencing of stone-throwers on a person in a vehicle to up to 20 years, indicating that for the conviction of the stone thrower to take place, the prosecution will need to prove the intent of the stone thrower in causing harm to the driver of the vehicle or the vehicle or endanger his life. According to the new law, the court can convict the person who throws objects on moving vehicles for up to 10 years. Also according to this new law, a person who throws stones or any other object on a police officer or a police vehicle, and with the intent of obstructing the work of the police, is subjected to 5 years of imprisonment. It is expected that the final adoption will be given to the draft law in its second and third readings (final version). This draft law was pushed forward following the wide scale demonstrations in Jerusalem after the kidnapping and murdering of Mohammad Abu Khdeir by a group of settlers.⁴³

43 The law was adopted in 2015.

Chapter 9

Conclusions and Recommendations



The occupation forces annually arrest thousands of Palestinian civilians, not to ensure its security as stipulated in article 78 of the Fourth Geneva Convention, but to devastate and subjugate the Palestinian society, and push it to accept the Zionist colonial project on the remainder of its occupied land. The torture of Palestinian detainees and prisoners is a continued, ongoing, and widely used policy that affects all Palestinian prisoners; the practice constitutes crimes of war and crimes against humanity. The arrest of Palestinians takes place in accordance with military orders, which exceeded 1700 in number; these orders criminalize all aspects of Palestinian life, in a blatant and continuous violation of the four Geneva conventions. Palestinian detainees are prosecuted before military courts that lack independency and legality, and fall short of respecting fair trial guarantees as identified in articles 66, 67, 71, 72, and 78 of the Fourth Geneva Convention. Their treatment is regulated by means of the procedures of the Israeli Prison Service, which classifies them as security prisoners, depriving them of their very basic human rights.

Today, the State of Palestine has ratified the Four Geneva Conventions, and a number of human rights treaties and conventions, including the Convention Against Torture, in addition to the Rome Statute. This requires immediate and serious work to formulate a comprehensive legal strategy for the defense of prisoners and detainees, and protect them in accordance with the Third and Fourth Geneva Conventions and all other relevant international conventions. It also requires holding accountable perpetrators of torture, premeditated killing of prisoners and detainees, and other blatant violations of the Third and Fourth Geneva Conventions, alongside the legitimate struggle that is consistent with international humanitarian law for the release of prisoners. As such, Addameer recommends the following:

I: State of Palestine:

- Invest the accession of the State of Palestine to the Four Geneva Conventions, and other international human rights and international humanitarian law conventions, and request an advisory opinion on the legal status of Palestinian prisoners and detainees in the occupation's jails, and the legality of the military orders that are imposed by the occupation state on the occupied Palestinian territory.
- Hold a meeting with the contracting parties to the Fourth Geneva Convention to work on lobbying the occupation state of implement the Geneva Conventions on the occupied Palestinian territory, and treat Palestinian prisoners and detainees in accordance with their guaranteed rights in the Third and Fourth Geneva Conventions.

- Undertake serious and genuine work to hold the leaders of the occupation forces accountable before the International Criminal Court for their crimes against Palestinian prisoners and detainees.
- Stipulate the immediate, full, and unconditional release of all Palestinian prisoners and detainees in the occupation prisons, as a precondition to any negotiations with the occupation state, and demand an end to the policy of arrest of Palestinians.
- Undertake serious and genuine work to boycott and hold accountable companies that provide logistical and security services for the benefit of the Israeli Prison Service, in light of their complicity in torturing and abusing Palestinian detainees.
- Integrate the Ministry of Justice and Ministry of Foreign Affairs in the Palestinian Authority in activating the issue of prisoners on the international level, expose the violations and crimes committed by the occupation against prisoners, and work on holding the occupation accountable for committed crimes and crimes that continue to be committed against prisoners and detainees, in addition to undertaking serious work to impose a boycott on the occupation state, hold it accountable, and divest from it locally and internationally.
- Undertake serious work to provide medical and psychological care, and social, vocational, and educational rehabilitation of ex-detainees, to ensure they assume the status that they are entitled to, and put into perspective their suffering during arrest and torture, to come to terms with themselves and their lives.

II: Commission of Detainees and Ex-Detainees Affairs, and Palestinian Legal and Human Rights Organizations

- Organize and host a comprehensive national dialogue that involves human rights organizations, stakeholders in the prisoners issue, and prisoners themselves, of all political factions to boycott the military courts of the occupation at all levels.
- Activate joint and unified work in terms of submitting international complaints permissible by United Nations mechanisms and legal monitoring committees.
- Advance joint and unified work to expose the crimes of the occupation forces and special forces of the Israeli Prison Service in the sessions of the Human Rights Council of the United Nations in Geneva, and during the sessions of the Universal Periodic Review committees.
- Unify the Palestinian legal and human rights discourse on Palestinian prisoners and detainees, and end discrepancies in numbers, terminology, and demands.



III: International Organizations:

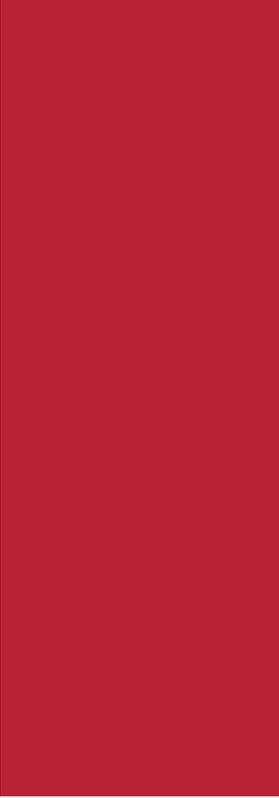
- Addameer urges the United Nations, its committees, and human rights organizations to undertake serious work to provide necessary protection to Palestinian prisoners and detainees in the occupation jails; form international commissions of inquiry to identify and assess the violations and crimes perpetrated by the occupation against prisoners and detainees, particularly premeditated killing during arrest, and torture during arrest, detention, and interrogation, which are committed by the special units of the Israeli Prison Services; and the policy of medical neglect.
- Addameer urges the High Contracting Parties of the Fourth Geneva Convention to fulfill their promise to respect the Four Geneva Conventions, and ensure their respect in all cases; Addameer demands that they force the occupation state to respect its obligations as an occupation force as stipulated in the Four Geneva Conventions, implement them over and across the occupied Palestinian territory, and Palestinian prisoners and detainees in all its prisons.
- Addameer urges human rights committees of the United Nations to enforce the occupation state to allow international commissions of inquiry entry into its prisons and detention centers, identify and assess the status of prisoners, and undertake serious investigation into the complaints of prisoners and detainees generally, particularly those pertaining to crimes committed by the special forces of the Israeli Prison Service.
- Addameer urges International Committee of the Red Cross (ICRC) to carry out its functions pertaining to the protection of detainees in accordance with its mandate, hold on to its right to sudden visitations of prisons, detention centers, and interrogation centers as is customary in the “monitoring visits of prisons”, which include comprehensive identification and assessment of the status and conditions of livelihood of prisoners and detainees, in accordance with the customary mechanisms, including entry into divisions and rooms; holding singular meetings with prisoners and detainees, and listening to their complaints and demands; submitting their demands to the Israeli Prison Services Directorate; and demanding that the Israeli Prison Services Directorate to undertake immediate and serious work to fulfill its obligations as a detaining authority in accordance with international humanitarian law.
- Addameer urges the ICRC to follow-up the medical status of the prisoners and detainees, and identify and assess the medical services provided by the Israeli Prison Service.
- Addameer urges the ICRC to protect prisoners and detainees in general, and those on hunger strike particularly; safeguard their right to go on hunger strikes as a

means of protest to attain their internationally guaranteed rights in international human rights law and international humanitarian law, and foremost their right to be acknowledged as prisoners of wars, combatants, and freedom fighters.

- Addameer urges international organizations, particularly the UN, and international and diplomatic missions, to lobby the occupation State to immediately release Palestinian Legislative Council members, all human rights defenders, and employees in Palestinian human rights organizations, and safeguard their rights as stipulated in the in UN Declaration on Human Rights Defenders.

IV: National Prisoners' Movement:

- The Palestinian prisoners movement is invited to contribute to the formulation of a Palestinian legal strategy based on the Four Geneva Conventions and remainder of international conventions.
- Addameer calls upon all components and stakeholders of the prisoners movement to unify ranks and undertake collective struggle against the policies of administrative detention, solitary confinement, deprivation of family visits, and compromise of achievements.
- Addameer calls upon the prisoners' movement to refuse the policy of forced transfer and exile against prisoners and detainees, and any conditions imposed by the occupation forces within the framework of release deals.
- Continue in legal and logistical struggle, to push the Israeli Prison Service to acknowledge the legal status of Palestinian prisoners and detainees, as prisoners of war and protected civilians, and thereby treat them in accordance with the provisions of the Third and Fourth Geneva Conventions, and all human rights conventions pertaining to those deprived of their freedom.
- Addameer urges prisoners and detainees to document assaults against them, and send them to local and international human rights organizations, to activate accountability tools against Israeli Prison Service. Addameer also recommends the provision of psychological treatment for prisoners and detainees, to combat the goals and impact of torture, as well as the policies of the Israeli Prison Service.



APPENDICES



Appendix 1 Prisoners on Hunger Strike during 2014

21 Palestinian prisoner and detainee went on hunger strike. Among these, 12 of them went on hunger strike to protest their administrative detention, while others did to protest the solitary confinement policy. Prisoner Kifah Khattab went on hunger strike in four consecutive years to be recognized and treated as a prisoner of war.

Number of Individual Hunger Strikes and Reasons

	Administrative Detention	Article 186	Illegal Fighter Law	Solitary Confinement	Medical Neglect	Rejection of Torture	Family Visits	Recognition as War Prisoner	Others	Total
2014	12	1	0	4	1	1	0	1	1	21
2013	17	4	0	2	4	0	10	1	2	38

1. Ibrahim Hamed

The Israeli occupation forces arrested Mr. Ibrahim Hamed on 22/5/2006. Since his arrest, he was detained in the solitary confinement cells and transferred to several sections in various prisons. The military court sentenced him to 54 life sentences. He participated in the collective hunger strike carried out by the prisoners and detainees in the period between 17 April to 14 May 2012, that resulted in an agreement according to which the Israeli prison service forces guaranteed to end the isolation of 19 Palestinian prisoners and detainees, including Ibrahim Hamed.



He began his hunger strike on 09/01/2014 after the special units of the prison service transferred him from Nafha prison to the isolation cells in Ohal Keidar prison in Beersheba. He ended his open hunger strike on 16/01/2014, based on an agreement between the leaders of the Hamas movement inside the prisons and the Israeli prison services to limit the period of his isolation to a maximum period of three months.

2. Palestinian Legislative Council Member Yaser Mansour

Yaser Mansour, from Nablus (46 years old), was re-arrested by the occupation forces on 23/11/2012. He is an elected deputy representing the “Change and Reform Bloc” in the Palestinian Legislative Council since 2005. Immediately after his arrest, the military commander issued an administrative detention order for a period of 6 months, and it was renewed more than once.



Legislative Council member Mansour started an open hunger strike on 17/1/2014, to protest against the policy of administrative detention, and the renewal of his detention without charges or a trial. He suspended his hunger strike on 23/1/2014, after he was promised by the Israeli authorities that his administrative detention file will be reconsidered, but they reneged these promises and he was not released until 20/11/2014.

3. Akram Yusef Mohammed Al-Fasisi

The occupation forces arrested Akram Al-Fasisi, who is from Idhna, Hebron (32 years old), on 16/11/2012 and he was placed in administrative detention. He began his open hunger strike in the beginning of January 2014, to protest against his continued administrative detention. After the deterioration of his health conditions in the Ofer prison, he was transferred to Kaplan Hospital to receive medical treatment.



He suspended his open hunger strike on 19/3/2014, after his attorney reached an agreement with the military prosecutor to limit his administrative detention, and he was released in August 2014. But occupation authorities re-arrested him less than two months after his release, on 25/11/2014, with an administrative detention order for 5 months. He still is detained. It should be noted that Al-Fasisi carried out a hunger strike from 29/9/2013 to 26/11/2013, and suspended it due to the deterioration of his health condition in Asaf Harofe hospital.

4. Wahid Hamdi Zamel Abu Maria

Beit Ummar, Hebron (46 years old).

The occupation forces arrested Abu Maria on 30/10/2012 and he was placed in administrative detention. He started an open hunger strike on 09/01/2014 demanding an end to his administrative detention. He was transferred from the isolation in Ofer prison to several hospitals and at the end he settled down in Wolfson hospital. His administrative detention was renewed while he was on hunger strike. He ended his open hunger strike on 01/04/2014 after his lawyer reached an agreement with the prosecution to extend his administrative detention only until October 2014.



5. Moamar Banat

Al Arroub Camp, Hebron (27 years old).

Banat has been held in administrative detention since 13/8/2013, and began an open hunger strike on 19/01/2014 to protest his administrative detention. After the deterioration of his health he was transferred from Ofer prison to the clinic in Ramleh prison, and then was transferred to the Kaplan Hospital. He suspended his open hunger strike on 19/03/2014, after his lawyer reached an agreement with the military prosecutor in order to limit his administrative detention and allow him to be released in August 2014.



6. Amir Adli Mohamad Shammass

Ras Al-Jora, Hebron (22 years).

Shammass has been detained since 02/09/2013, and an administrative detention order for a period of 6 months has been issued against him. He announced his open hunger strike on 11/01/2014 to protest his administrative detention. He was then in the Megiddo prison, and after a while was transferred to the Tel Hashomer hospital. He suspended his open hunger strike on 15/04/2014 due to a serious deterioration of his health, and was not released.



7. Abdulmajid Khudeirat

Tubas (45 years old).

The occupation forces arrested Khudeirat on 15/05/2013 at a military checkpoint near the city of Nablus as he was on his way back from Ramallah, and took him to the Huwara detention center to the south of the city. From there he was transferred to the Jalameh interrogation center, where he was subjected to interrogation for a period of 30 continuous days, and after the end of interrogation, the military prosecutor presented an indictment against him at Salem military court.

Abdulmajid has been previously arrested in 2002 and was sentenced by the military court to fourteen years and a half, from which he spent nine and a half years, and was released within the Wafa Al-Ahrar deal on 18/12/2011.

He went on hunger strike more than once to protest his re-arrest. His first hunger strike was on 01/07/2013 until 03/10/2013, and ended it based on an agreement with the prosecution stating that he will be released in exchange to be sentenced for a short period, but the military prosecutor of the court of Salem reneged its commitment to this agreement. So, he declared a hunger strike again on 15/01/2014, to protest against his re-arrest, and postponement of his release. After he was isolated in Megiddo, he was transferred to the Ramleh prison clinic. He ended his hunger strike on 18/2/2014, after the court sentence was released, sentencing him to 30 months of imprisonment.



8 & 9. Husam Omar and Musa Sufan

From Tulkarem, in Megiddo isolation.

The occupation forces arrested Husam Omar on 26/02/2002 and sentenced him to 30 years of imprisonment. In April the Israeli prison service forces transferred him along with the prisoner Musa Sufan who also was arrested in 2002 and sentenced to life imprisonment, to the Jalameh interrogation center at the request of the intelligence services “Shabak” for interrogation, accusing them of planning to capture soldiers of the occupation army. The military prosecutor presented an indictment against them.

After they came back from interrogation on 17/06/2013, the Megiddo prison management transferred them both to the isolation cells of the Megiddo the prison. As a result, they started a hunger strike on 25/01/2014, and suspended their hunger strike on 26/02/2014 without reaching an agreement in order to end their isolation.



10. Ayman Suleiman Tbeish

From Dura, Hebron (34 years old).

The occupation forces arrested him based on an administrative detention order on 05/09/2013. He announced an open hunger strike on 28/02/2014 after the military prosecution reneged a previous agreement with his lawyer according to which he was going to be released on 09/01/2014. The detainee Ayman Tbeish had announced an open hunger strike to protest against his administrative detention, which he ended after receiving promises from the military prosecutor that his file will be studied and a decision will be made regarding whether or not his administrative detention order would be renewed.



His life was exposed to serious danger during his last strike and he was transferred to several hospitals, the most recent one at Asaf Harofe hospital. He participated in the collective strike of the administrative detainees and continued his individual strike until 30/6/2014, after the collective strike ended. He ended his hunger strike after reaching an agreement with the intelligence services according to which, he is to be released in January 2015.

11. Aref Hureibat

From Dura, Hebron (28 years old).

Hureibat was arrested on 18/08/2013, and an administrative detention order was issued against him. The occupation forces had arrested him in 2002, and he spent 13 months in Israeli prisons. He was arrested by the occupation forces on the basis of administrative detention orders for 24 months between 2003 and 2005.

In 2007, the occupation forces held him in administrative detention for 17 months. He announced his open hunger strike on 28/02/2014 to protest his administrative detention, and ended his strike on 19/03/2014 after reaching an agreement to be released in August 2014.



12. Ahmad Abu Ras

From Dura, Hebron (33 years old).

Abu Ras was arrested by the occupation forces on 2/01/2014, and an administrative detention order for six months was issued against him. This is not his first detention – in 2006 he was detained for 17 months and in 2011, he was in administrative detention for four months. He announced his hunger strike on 28/02/2014 to protest against his administrative detention. He suspended his open hunger strike on 18/03/2014 after reaching an agreement to limit his administrative detention.



الأسير/ أحمد، أبو راس

13. Kifah Mohamad Abdulrahman Khattab

Tulkarem (54 years old).

The occupation forces arrested Khattab on 04/06/2003, and was sentenced by a military court to 2 life sentences based on charges of leadership in an illegal political party. He went on hunger strike several times during the years 2011 - 2014, demanding to be treated as a prisoner of war, as he holds the rank of colonel in the aviation of the Palestinian civil defense services, and was the personal pilot of the late Yasser Arafat.

Khattab is the first one who went on individual strikes in the occupation prisons. In 2014, he went on hunger strike on 02/02/2014, to protest against being forced to wear the Israeli prison service forces



uniform, despite the fact that there was an agreement with the prison administration on this issue, and this contravenes his status as a prisoner of war, and to protest being repressed and transferred to several prisons. He ended his strike on 19/03/2014 based on an agreement with the prison administration. It is worth mentioning that this is the 16th consecutive strike carried out by the prisoner Khattab, to demand his recognition and treatment as a prisoner of war.

14. Mohamad Qashou

Tulkarem.

Qashou has been detained since 18/11/2005 and was sentenced by a military court to six life sentences and 20 years. He suffers from loss of teeth and ear pain, and needs to be operated in his ear, but the prison administration refuses to provide him the appropriate treatment. He then embarked on hunger strike, demanding the right to medical treatment. He started his hunger strike on 02/03/2014 until 07/03/2014. He suspended the strike when the forces of the prison service agreed to provide him with the needed treatment.



15. Ahmad Khatib

Qalandia Refugee Camp.

He was detained on 16/03/2014, and transferred to the interrogation section in Ashkelon prison. He went on hunger strike for nine days to protest against the interrogation methods and inhumane treatment he was subjected to, as he suffers from several diseases.

16. Daoud Hamdan Al-Shwawrah

Bethlehem.

Al-Shwawrah is an administrative detainee that declared himself on hunger strike on 31/03/2014 to protest his administrative detention. He suspended his strike after few days. However, no additional details are available due to the arbitrary restrictions imposed by the forces of prison service on the work of lawyers and their visits to Palestinian detainees and prisoners.

17. Saleh Salahat

Bethlehem (34 years old).

Salahat was arrested by the occupation forces on 10/03/2014, and an administrative detention order was issued against him for a period of 4 months. He announced his open hunger strike on 31/03/2014 to protest his administrative detention. Before this current detention he spent three years in administrative detention. He suspended his strike, but no details are available.

18. Adnan Mohamad Ata Shanaita

Ibediyeh, Bethlehem (25 years old).

He was arrested by the occupation forces on 03/02/2014, and an administrative detention order was issued against him. He went on hunger strike on 22/02/2014 to protest his administrative detention, and was transferred to Tel Hashomer hospital for treatment after his health condition deteriorated. He ended his hunger strike on 14/05/2014 on the basis of limiting the period of his detention, and he was released on 04/02/2015, which is one year after his arrest. Adnan Shanaitah was previously arrested by the occupation forces in 2006, and was sentenced by a military court to 7 years of in prison.



19. Lawyer Shirin Issawi

Issawiyeh, Jerusalem (36 years).

The occupation forces arrested the lawyer Shirin Issawi on 06/03/2014 along with other 5 lawyers from Jerusalem, in addition to her brothers, Medhat and Shadi Issawi. She went on hunger strike from 13/05/2014 until 20.05.2014, to protest her re-arrest. While the occupation forces released her brother Shadi and the other lawyers under specific release conditions, the Israeli prosecution presented an indictment against the lawyer Shirin Issawi.

Shirin had been previously arrested and spent more than one year in the prisons of the occupation. She is a lawyer, works in the defense of prisoners and detainees, and is a human rights defender.





20. Raed Musa

Silet Aldhaher, Jenin (35 years old).

He is an administrative detainee since 29/11/2013, and went on hunger strike on 23/9/2014, to protest against his administrative detention. Musa had announced his hunger strike more than once but the intelligence service did not respond to his demand, so he started a strike again demanding his right to be released. He continued his hunger strike for a period of 60 days, and ended it on 18/11/2014, after the military appeals court issued a definite decision stating that he would be released 21/12/2014. He was released on that date.

21. Nahar Ahmad Abdallah Al Saadi

Jenin (33 years old).

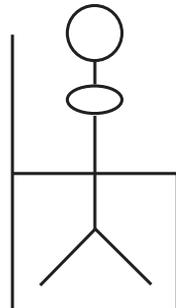
Arrested on 18/09/2003, he was sentenced to 4 life sentences and 20 years. On 20/05/2013 the Israeli prison service forces sent the prisoner Al Saadi to isolation under the pretext that he was carrying out "terrorist" activities while in prison, and he was transferred to several isolation sections in various prisons, until he was settled in the Ayalon isolation in Ramleh prison. He went on hunger strike on 20/11/2014 to protest against his isolation and deprivation of family visits. More than 100 prisoners and detainees in the occupation prisons joined him on his strike on 10/12/2014 in solidarity, demanding the end to the policy of isolation against him and against 20 prisoners that placed in isolation. The strike of Al Saadi and his companions ended on 17/12/2014, after reaching an agreement with the prison service to transfer Al Saadi to the collective isolation of the Ramon prison, and to allow him to receive family visits.

Appendix 2

Affidavit on Subjection to Military Interrogation

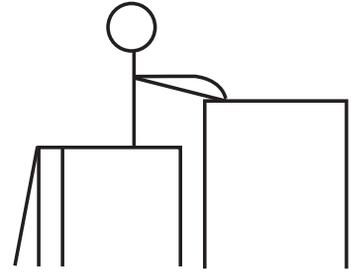
I, the undersigned Mohammed Fawzi Mohammed Khatib, ID No. 945578193, having been warned that I should declare only the truth, and that I will be subjected to penalties according to law if other than the truth is declared, declare the following:

1. I, Mohammed the one mentioned above from Hebron born on 20/05/1985 married and father of an 8-month baby girl, used to work as food supplies sales agent and I lived with my family before my arrest.
2. On 17/06/2014 at 2:00 am, an army force (dozens of soldiers) came to my family home, and there I was arrested along with my brothers Hudhaifah and Abdulrahman. I was handcuffed with plastic to the back, and my eyes were covered with a cloth, they searched the house, broke its contents and took me to a military jeep.
3. They took me to a nearby area, there they checked my blood pressure and they asked me if I suffer from diseases.
4. Immediately after the examination they took me to the Petah Tikva interrogation center, and we reached there at 7:00 am. There was a medical examination, and then they took me to a 2x2 meters cell with a hole on the ground for defecation. After two hours they took me to the intelligence for interrogation. Detective Idir (Abu Shibel) interrogated me most of the time, and they interrogated me for three days, the interrogation was from the morning until midnight by more than one interrogator. I was handcuffed to the sides of an interrogation chair, and they were threatening to bring all the members of my family, and demolish the house, and threatened to beat and imprison me for long periods and with deportation to Gaza.
5. After 3 days the interrogator (Abu Shibel) and Major Doron said that they took the approval to start military interrogation.
6. Actually, they started the interrogation on almost the evening of Friday 20/6/2014.
7. They sat me on the same interrogation chair but on the side so that I cannot recline my back on the backrest of the chair, with my hands tied on the back.
The interrogator was shouting and pushing my back to become in an obtuse angle. When I was not able to tolerate this after half an hour I would fall to back, there was a blanket on the



floor ground behind me so I fall over it, they left me for a little while then I felt the pain of the back, but in the beginning the pain is in the abdomen before falling back.

8. There was also another act of torture that is to pull the tied hands to the back away from the body, I would be sitting on the chair and behind me. There is a table they put my hands over, this is painful for the shoulders, they made this throughout 3 days dozens of times each time approximately for 20 minutes. And also the previous movement to bend the back as a banana, they did it dozens of times during the 3 days.



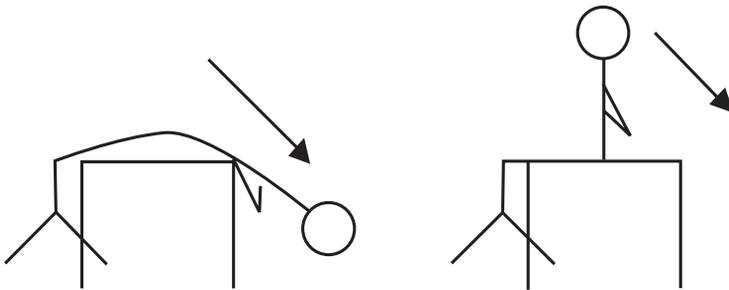
9. Another act of torture was that they covered my eyes and more than one interrogator began to beat on the thigh with their feet and slapping my face 4-5 slaps every time, and beating the legs, and this happened several times. Major Doron hit me and another one was watching and hitting more, this one was short and blond, and there were others as well.

10. Another torture act was to make me to stand up with my back to the wall, and to fold my knees in an obtuse angle while they put pressure on my shoulders to down, after a period of time I fall down to the floor from the pain in the tights, this interrogators said that whenever I fall down on the ground he would beat me on the face. Pressing with the shackles on the forearm was very hard and painful for the hands.

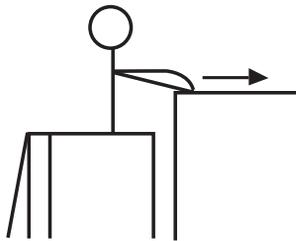


11. There was constant screaming and insulting of the honor, and they were pulling me from my clothes in a barbaric manner to make me stand again.
12. This situation lasted three days, with this interrogation every day, and also interrogation on the interrogation chair for hours, then they leave me to sleep for two hours, and then again back to the same distress and torture.
13. After the three days, interrogation would become continuous day and night, sometimes eating was in the interrogation room, and sometimes in the cell for a quarter of an hour, and again taken back to interrogation leaving me to sleep for two hours (depending on the time of the interrogator).

14. This situation lasted for 20 continuous days including also the weekends.
15. After the 3 days of military interrogation they no longer beat me.
16. They took me for interrogation to an area they said is Acre, and stayed there on continuous interrogation for 3 days, this was the 20th. day of interrogation.
17. I remember that on the 19th day of interrogation they took me from “Petah Tikva” to the Etzion area, and before that were threatening to bring my wife.



18. I got there in the morning, and indeed I saw my wife there in the interrogation office in order to match my words with the words of my wife, on where I was on the day when the three settlers disappeared in Hebron.
19. Then they took me back to Jalameh prison, they did not interrogate me for 4 days, and then moved me to Hadarim for 3 days and there were people as if they were prisoners started to ask me about the topic of the interrogation and the case.





20. Then they took me back to interrogation in “Petah Tikva” for an additional ten days, but the interrogation decreased, and it was just for few hours every day.
21. On the 39th day of detention the interrogation finished, and the officer Idir said that they discovered that I do not have anything to do with the operation, and that they will release me, and he even asked me to forgive them for what they did to me, the military interrogation and practices like bringing my wife, and said that they will forgive me that I used to participate in the marches for the prisoners organized by the Prisoners’ Club and human rights organizations.
22. After four days on the 43rd day of detention, they took me from “Petah Tikva” to Ofer where I am now.
23. I received a decision to be released 20 days ago, the prosecutor appealed and defended the case for the reason that I participated in marches organized by Hamas, and that I am a friend of Marwan Al-Qawasmi, who they claim that is hidden, and that they are afraid I will provide him with help if I am released. They told this to the lawyer but not to the protocol.
24. They also presented charges in connection to being active with the Islamic Movement from 2006, but the judge said that this is not a reason for detention.
25. According to what I understood from the lawyer, the judge is convinced that the material they have is not enough to keep me in detention, but the prosecution has the intention to put me on administrative detention if I am released.
26. This is my name and this is my signature and the content of this affidavit is true.

Authentication

I the lawyer Samer Saman verify that on the day of 18/09/2014 in Ofer prison, Mr. **Mohammed Fawzi Mohammed Khatib, ID number 945578193**, after I warned him that he must declare only the truth, and that he will be subjected to penalties according to law if he declares anything but the truth, confirmed the content of his affidavit and signed it before me.

AFFIDAVIT

I, the undersigned Mohammed Hassan Abdullah Rabi, ID No. 946451762, having been warned that I should declare only the truth, and that I will be subjected to penalties according to law if other than the truth is declared, declare the following:

1. I, Mohammed, mentioned above, 33 years, resident of Beit Anan, Ramallah, married, I used to work in the selling and installation of alarm and monitoring equipment before my arrest.
2. On 27/07/2014 I was on my way from Jerusalem to Bethlehem, on the "Btar" checkpoint near Bethlehem the soldiers stopped me and then they were suspicious about something specific that I didn't understand in the beginning. Immediately, 4 soldiers or more attacked me and started to beat me with their weapons, their legs and hands, punching and slapping all over my body and face. They took me to a small room inside the crossing point and continued beating me.
3. The soldiers tied my hands with iron to the back, tied my legs and continued to beat me while I was without clothes except the underwear.
4. The beating continued and two civilians came after half an hour and started to ask details about me and details about the car while the soldiers continued beating me with their hands and feet on my back and face.
5. The civilian ones took me to an area like a parking near the checkpoint and said they are from the intelligence. It was a field interrogation saying that I wanted to do a bombing operation and I denied it.
6. They put on me additional shackles and started to tighten them on my hands in a very painful way, I still have the marks here and there. I denied any intentions of



doing a bombing operation or anything against the security.

7. They kept interrogating me there from 9:00 in the morning until 15:00 in the afternoon, then they took me in a civilian jeep and started to ask again, and the soldiers too started to beat me again in the presence of two interrogators, one of them named Miguel and the other Ben as I remember.
8. It was Ramadan and I was fasting and I felt severe pain, blood came down from my face and I asked them to loosen the shackles after 5 hours of pain in my hands but they refused.
9. At 18:00 in the evening they took me to "Maskubiya" (Russian Compound) and kept by the door near with my underwear for about a quarter of an hour, and this was humiliating, I could hear the voices of the people around me, I heard people cursing as far as I understood in Hebrew. I was able to see a little bit from under the blindfold.
10. They sent me to the doctor, I could not walk on my own, and the doctor refused to receive me because of my condition and the contusions and bruises on my body, so they transferred me to "Hadassah Ein Kerem" Hospital.
11. I stayed there one night, they did tests, radiographies, injections and solution, twice, each one of 1 kilogram.
12. In the morning at 5-6 am the "shabak" interrogators took me back to the "Maskubiya" (Russian Compound), they were with me in the hospital.
13. A police investigator "Radi" as long as I remember, came before I was sent to the hospital, and said my detention has been extended for five days, and he saw my severe condition.
14. I remember that the doctor in "Maskubiya" wanted to photograph me, and after that he claimed that the camera doesn't have batteries, it was before they took me to the hospital.
15. On the morning of the following day after I came back from the hospital, they took me for interrogation with the interrogator "Artsi" from the intelligence, and he interrogated me until night, and until the morning of the following day, another one interrogated me. This continued for several days of constant interrogation, sleeping around 2 hours with my hands cuffed to the interrogation chair.

16. In the evening of Wednesday 30/07/2014 colonel Sony came to the interrogation room, and there were the interrogators Ezri and Shimon and Major Nora, and he asked if I want to change my words, and then said that they will transfer me to military interrogation, they claimed that the gas tank and several other items in the car can be used to implement an operation, they kept asking about the operation and who is with me, although I denied this allegation in the first place, additionally, four days in interrogation prove that that they did not expect that any bomb will explode, or that they must race against time.
17. They took me to room 26 and blindfolded my eyes, inside this interrogation room the interrogator Sony slapped me on the face, and then hit me with his knee on my left thigh. They sat me on a chair without a back secured to the floor, and the interrogators Ben and Shimon were also tightening my legs on the chair, and tied my hands with iron shackles to the back. Then, they kept my back bent to the back in an obtuse angle until I became tired and felt back, at this moment the pain was very severe on the abdomen and the back, and the interrogators were directing their questions while I was lying to the back in an arch position.
18. This process takes half an hour, during 3 days this process was done 10-11 times, the rest of the time they were kicking me with their knees on my thighs and slamming my face which was very painful then after that they took me to another place for torture in a different way.
19. In the same office they put iron shackles on my hands with a chain to the back, they made me sit on a low chair with a high table behind me, and put my hands over the table, there was severe pain in the shoulders and they tighten my hands towards them away from my body. They did this 10 times, each time for a period of about half an hour during three days.
20. They used to send me to the cell for one hour or two in the morning, and then took me back again for interrogation.
21. On Friday night, most probably on 01/08/2014, a person came with the interrogators and claimed that she is in charge of the interrogators in Ramallah, she is about 40 years old, she beat me 3-4 times on my face, her nails were long and blood came down from my an area on my left eye, then she brought something like a wet tissue and cleaned the blood.
22. This Major cursed my father, mother, sisters and religion, and she said if I don't confess what they want me to and change my words, they will bring my wife and



make the criminal prisoners rape her.

23. Interrogator Shimon and interrogator Diego were forcing me during the military interrogation to stand back to the wall with my knees bent 45 degrees putting pressure, when I got tired after half an hour or I fell on the floor, they would slap me on the face and with their knees on my the thigh, this was very painful.
24. Interrogators Ezri and Shimon said I am a homosexual and insulted me, and the interrogator Shimon talked to me in a humiliating manner and was asking me if I want to have sex from the mouth, "you want to suck?", and Ezri said he will do sex with me if I did not change my words, and said "I want to...." meaning that he will rape me.
25. On Saturday night, while I was in the position with my knees bent 45 degrees, there were the interrogators Shimon and Diego and one of them punched my bottom with something, either a pen or a key, I was blindfolded and it was painful and humiliating.
26. I remember that Saturday night after midnight, while they were putting me in the position of the banana with my head on the floor and my back bended to the back, we heard the sound of a crack in the back and the pain became unbearable. I started to scream from the pain, then immediately they take off my ties and threw me on my stomach on the floor. The doctor came quickly and squeezed the lower area of my back, gave me an injection and a pill, and I heard him saying some words and recommended to let me rest.
27. I was transported to the cell by 3 warders, they put me there and the nurse came, he spoke Arabic and he said that the pain will decrease now and I am going to have an injection twice a day to relieve the pain.
28. The following day they took me on a wheel chair for interrogation, the pain was severe and the interrogator who was Ezri said they will interrogate me in a more tough way after the pain decreases a little, and if I did not change my words I will stay on the chair.
29. Interrogation continued with my hands tied to the chair, and my back was hurting me too much. Interrogation continued from the morning until the morning of the following day, as I saw the clock of the interrogator and according to the schedule of breakfast, lunch, and dinner. This situation continued until 13/08 that is about 12 additional days after I was injured in my back, the pain in my back was severe and interrogation was continuous.
30. After 13/8 they kept me in the cell for a week without interrogation, after that small interrogations for some hours, and few days later a simple interrogation. On

28/08/2014 they took me to the Ofer court and then to the Ofer prison where I am now.

31. I am still suffering from pain in the top of my back near the neck and in the lower part of my back, the doctor here gives me pain killers and he said he will transfer me to a specialist but he didn't yet.
32. It is worth to note that the interrogators of the intelligence proposed me to be deported to Gaza, this way the interrogation will be finished, because after the sentence, if it is light, they will put me under administrative detention, and therefore it is better to accept the deportation so I will be relieved and they too, but I refused that.
33. This is my name and this is my signature and the content of this affidavit is true.

Authentication

I the lawyer Samer Saman verify that on the day of 18.9.2014 in Ofer prison, Mr. **Mohammed Hassan Abdullah Rabi, ID No. 946451762**, after I warned him that he must declare only the truth, and that he will be exposed to penalties according to law if he declares anything but the truth, confirmed the content of his affidavit and signed it before me.



Appendix 3

Testimonies on Torture of Children

CASE STUDY: Threatening the child Othman Amer Suleiman Said with Sexual Abuse

Name: Othman Amer Suleiman Said

Date of Birth: 19/12/1999

Date of Detention: 25/12/2013

AFFIDAVIT

I am the child Othman Said, living in Bab Hutta neighborhood in the Old City, born on 19/12/1999.

I was arrested on 25/12/2013 at about five in the morning, I was arrested along with my brother Obaida. At that hour we were all sleeping, there was a knock on the door of the house, and my family woke me up. The army showed an order of immediate arrest against me and my brother. I would like to mention that the intelligence were the ones who knocked the door, and they were accompanied by forces of the occupation army. They allowed us to change our clothes, and then immediately they handcuffed me and my brother. After that they took us walking under the cold of December to police station of the post office and soon after that we were transferred to the Qishleh police station in Jaffa Gate.

Upon our arrival to the Qishleh center, they threatened us that if anyone of us raise his head from the ground they will beat us, although they hit us my brother and I in the Qishleh center without any clear reason, and we stayed about half an hour in that place.

I was transferred with my brother in the same police car to the detention of "Maskubiya" the Russian Compound, and to the section known as rooms (4), and when we arrived there, we stayed standing outside for some time and it was cold. After that they took us inside the Maskubiya, where we were searched and fully stripped.

After the inspection we were taken directly to the interrogation rooms, and then I was entirely separated from my brother. When I entered the interrogation room and was put on the chair while handcuffed, there was one interrogator and I would like to mention that he was not present during the interrogation, as well as the lawyer was not present too, and the police refused to allow the parents to enter the interrogation room.

The interrogation continued for four hours, and the interrogation was going around their accusations of throwing a Molotov cocktail in the Sultan Suleiman Street, and I denied that all the time.

I was under interrogation for about 28 days, and I would like to point out here that the interrogation was continuous for about eight hours. I remember that I was interrogated by about 10 interrogators and I was all the time handcuffed, and I would like to mention that during the second week of interrogation I was beaten more than once and during more than one day in a very severe way, it was knocking and kicking with the feet, and this was because I refused to confirm the accusations against me.

At around the tenth day I was threatened to be raped by more than one interrogator, and they told me (if you don't talk from your mouth we will make you talk from another place). I felt very scared, and I admitted to something I didn't do and doesn't exist in reality, which is that I threw a Molotov cocktail in Jerusalem.

After that I was presented to the Magistrate's Court, and then to the District Court for about seven or eight times, and each time the court was postponed.

Then I was released on 22/01/2014 after my father signed a bail for 10,000 shekel and house arrest for an indefinite period, and I am still on trial waiting for a hearing on 11/02/2014.

I am now subjected to house arrest and absolutely forbidden to leave the house. The police or the army come almost on daily basis to make sure I am at home, by identifying me at the entrance of the house. I am completely banned from going to school, which significantly affects my academic achievement.



Appendix 4

Statement of Committee of Administrative Detainees on Hunger Strike

The Committee of Administrative Detainees on Hunger Strike issued a statement on 07/07/2014, announcing the results and circumstances of the collective strike, and stating the following:

We wanted in our present epic to expose the jailer, and to highlight its injustice and point it out to the public opinion in order to expose the reality of the crime, and to put the administrative detention file on the front line, in an attempt to examine the reality of this world, and the values it advocates.

1. We bow ourselves down in front of our mothers, our wives and our children whose cries have been silenced by the ears of this world, and who are hearing the voice of our empty stomachs from everywhere in a state of consecration of the real human dimension in the march of our people's struggle, this with emphasis on the sacredness of the cohesion in the duality between freedom and life. The world today is being accused before a court in which the real judges are our children.
2. It was our Palestinian people with all its strength, as always, the echo of our hunger, and proved to be the presence that is never absent, and if necessary the thousands of free people anxiously awaiting for the moment of emancipation, and preparing themselves to pay the necessary for a Palestinian distinctive scene, in response to the screams and pains of our hunger.
3. We highly appreciate this solidarity movement in which it was our people, wherever they are, located its firm core, and participated with the liberals of the world in a wonderful human connection that will someday triumph over the oppressor.
4. We have taken the decision to suspend our strike, the longer in the prisoner's movement history, due to the recent developments in our occupied territories, and in accordance with an aware and responsible analysis of the scene, and to avoid who is in solidarity with us to be exposed to the revenge of this criminal occupier, and to be compassionate with our families who exchanged their homes for the sit up tents, before the blessed month.

5. We made the decision to suspend the strike due to the circumstances where the occupier's revengeful instinct has climbed to the top of the tree, using the events that took place as a pretext to retaliate against our people and our prisoners at one of the more serious and sensitive stages.
6. The suspension of our strike came into the context of giving an opportunity to this oppressor to reconsider its position, especially after the formation of a committee to review the tools of the crime, its instruments, and its disastrous consequences. Perhaps it will recuperate consciousness and wake up from the state of obsession and security fanaticism, especially after seeing this raging popular trend invading all the streets of our occupied nation, screaming against the flagrant crime of administrative detention in rhythm with our hunger and the persistence of the knights of this phase.

We on our side will sit with this committee during the period of suspension of the strike, and if they insist in proceeding with their crime, we are not staying in the same trench, there are numerous steps and tools in our humanitarian stock with which we will fight this crime without any hesitation.

Appendix 5

Names of Prisoners Liberated in the Wafa Al-Ahrar Exchange Arrested in 2014

#	NAME	AGE	PREVIOUS DETENTION DATE	RESIDENCE	PREVIOUS SENTENCE	NOTES
1	Ala' Al Bazian	57 years	20/4/1986	Jerusalem	Life Sentence	Previous Sentence
2	Naser Abed Rabo	48 years	9/2/1988	Jerusalem	37 years & 8 months	Previous Sentence
3	Rajab Al Tahhan	47 years	29/10/1998	Jerusalem	Life Sentence	Previous Sentence
4	Ibrahim Mash'al	51 years	27/3/1990	Jerusalem	Life Sentence	Previous Sentence
5	Jamal Abu Saleh	51 years	20/8/1990	Jerusalem	Life Sentence	Previous Sentence
6	Adnan Maragha	46 years	20/6/1990	Jerusalem	45 years	Previous Sentence
7	Ismail Abu Eid			Jerusalem		Previous Sentence
8	Samer Issawi	36 years	11/4/2002	Jerusalem	29 years	Previous Sentence
9	Nidal Zaloum	51 years	5/3/1989	Jerusalem	2 Life Sentences	Previous Sentence
10	Wahib Abu Alrub			Jenin/ Qabatia		Previous Sentence
11	Ashraf Al Wawi	42 years	9/11/1993	Tulkarem	2 Life Sentences	Previous Sentence
12	Hamza Abu Arqub	36 years	16/8/2002	Nablus	2 Life Sentences	Previous Sentence
13	Taha Al Shakhshir	50 years	12/1/1992	Nablus	Life Sentences	Previous Sentence

#	NAME	AGE	PREVIOUS DETENTION DATE	RESIDENCE	PREVIOUS SENTENCE	NOTES
14	Ahmad Hamad	36 years	18/3/2002	Nablus/Tel	29 years	Previous Sentence
15	Mahmoud Sweiti			Hebron		Previous Sentence
16	Bushra Al Tawil			Ramallah	16 months	Previous Sentence
17	Haniyeh Naser			Ramallah	28 months	Previous Sentence
18	Mohamad Ahmad Haj Salah			Jenin/Qabatia		Previous Sentence
19	Ibrahim Shalash	46 years	23/9/1995	Ramallah/Shuqba	2 Life Sentences	Previous Sentence
20	Moayad Jalad	43 years	27/11/1994	Tulkarem	19 years	Previous Sentence
21	Ismail Abdulhadi Masalmeh	55 years	24/12/1999	Hebron	27 years	Previous Sentence
22	Salman Abu Eid			Jerusalem/Bidu		Previous Sentence
23	Imad Musa	37 years	23/5/1998	Jenin	24 years & 8 months	Previous Sentence
24	Abdul Minem Tumeh			Tulkarem		Previous Sentence
25	Rabi' Shibli Barghouthi			Ramallah/Kobar		Previous Sentence
26	Abbas Shabaneh			Hebron		Previous Sentence

#	NAME	AGE	PREVIOUS DETENTION DATE	RESIDENCE	PREVIOUS SENTENCE	NOTES
27	Mahdi Shukri Al Assi	40 years		Nablus	20 years	Previous Sentence
28	Khaled Makhmrah	43 years	27/7/2006	Hebron	Life Sentence	Previous Sentence
29	Nayef Hussein Al Shwamreh	57 years		Hebron	Life Sentence	Previous Sentence
30	Wael Abu Jalbush	35 years	12/10/2002	Jenin/ Markah	Life Sentence & 30 years	Previous Sentence
31	Majdi Ajouli			Tulkarem		Previous Sentence
32	Zaher Khatatbeh			Nablus/Beit Furik		Previous Sentence
33	Ayed Khalil			Tulkarem/ Qaffin		Previous Sentence
34	Moath Al Rumuz			Hebron		Previous Sentence
35	Samer Al Mahroum	49 years	22/1/1986	Jenin	Life Sentence	Previous Sentence
36	Moamar Ghawadreh	32 years	27/11/2003	Jenin	Life Sentence	Previous Sentence
37	Mohamad Barakat			Tulkarem/ Anabta		Previous Sentence
38	Ahmad Khalil Mohamad Awaudeh			Hebron		Previous Sentence
39	Nidal Abulhaq			Nablus		Previous Sentence
40	Khaled Ghidhan			Ramallah		Previous Sentence

#	NAME	AGE	PREVIOUS DETENTION DATE	RESIDENCE	PREVIOUS SENTENCE	NOTES
41	Ibrahim Al Masri			Ramallah/ Shuqba		Previous Sentence
42	Amer Muqbel			Tulkarem		Previous Sentence
43	Imad Abulrahim			Salfit		Previous Sentence
44	Aref Al Fakhouri					
45	Nael Barghouthi	57 years	4/4/1978	Ramallah/ Kobar	Life Sentence	
46	Zuheir Sikafi					Detained
47	Abdulminem Tumeh					Detained
48	Mohamad Nayef Barakat					Detained
49	Imad Abdulrahim Fatuni					Detained
50	Shadi Odeh					Detained

Support and Human Rights Association

Addameer (Arabic for conscience) is a Palestinian non-governmental, civil institution that focuses on human rights issues. Established in late 1991 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 is surrounded by a group of grassroots supporters and volunteers, Addameer, who share Addameer's beliefs and goals, actively participate in its activities, and endeavor to support Addameer. Addameer is a member of the Palestinian NGO Network, the Palestinian Human Rights Organizations Council, the Palestinian Coalition for the Defense of Civil Rights and Liberties, and the Regional and International Coalition to Abolish the Death Penalty. Addameer is also a member of the International Network against Torture.

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 strives to:

- End torture and other forms of cruel, inhumane or degrading treatment or punishment and abolish the death penalty.
- End arbitrary detention and guarantee fair, impartial, and public trials.
- Support political prisoners by providing them with the legal aid and social and moral assistance and undertaking advocacy on their behalf.
- Push for legislation that guarantees human rights and basic freedoms and ensure its implementation on the ground.
- Raise awareness of human rights and rule of law issues in the local community.
- Ensure respect for democratic values in the local community, based on political diversity and freedom of opinion and expression.
- Lobby for international support and solidarity for Palestinians' legitimate rights.



Addameer Prisoner Addameer's programs:

- **Legal Aid:** Addameer provides free legal counseling and representation to Palestinian detainees and their families. Services include legal defense; regular visits to prisons, detention and interrogation centers; submission of petitions and complaints against cases of torture, ill-treatment and other violations.
- **Research and Documentation:** Addameer documents violations committed against Palestinian detainees, monitors their detention conditions through regular lawyers' visits, and collects statistics and lists of detainees, providing the basis for the publication of research papers and reports.
- **Advocacy and Lobbying:** Addameer publishes statements and urgent appeals on behalf of detainees, submits alternative reports and complaints to the United Nations and other international forums, and briefs international delegations as well as the media on the situation of Palestinian prisoners. The advocacy and lobbying unit also works towards building local, Arab and international solidarity campaigns to oppose torture and arbitrary detention while supporting the rights of Palestinian prisoners.
- **Training and Awareness:** Addameer raises local awareness regarding prisoners' rights on three levels: by training Palestinian lawyers on the laws and procedures used in Israeli military courts to improve their efficiency; by increasing the prisoners' own knowledge; and by reviving grassroots human rights activism and volunteerism and working closely with community activists to increase their knowledge of civil and political rights from an international humanitarian law and international human rights perspective.

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