

Quarterly Newsletter — January to March 2016

Throughout this quarter, January through March 2016, Addameer has documented ongoing human rights violations against Palestinian prisoners and detainees amidst the current escalation, which began in the beginning of October 2015. Administrative detention continues as a policy which deprives detainees of trials, access to evidence, and the chance to defend themselves against any formal charges. Key issues persistently include the detention and ill treatment of women, child prisoners and ongoing detention of journalists, Jerusalemites and human rights defenders. Addameer holds that the fulfillment of human rights and humanitarian law standards is crucial, and that ill treatment, torture, and arbitrary detention are grave violations of those standards.

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Detention in Numbers

This quarter, from January to March 2016, arrests and detention continue on a large scale by Israeli occupation forces. At the beginning of January 2016, there were approximately 6900 Palestinian political prisoners, including approximately 650 administrative detainees. At the end of February 2016, there were approximately 7000 Palestinian political prisoners, including approximately 670 administrative detainees, signifying a slight increase in both the total numbers of Palestinian political prisoners and in administrative detainees. However, during March 2016, occupation forces arrested 647 Palestinians from the West Bank and the Gaza Strip, including 128 child and 16 women and girls.

The Case of Hunger Striking Administrative Detainee Mohammad Al-Qeeq



33-year-old Journalist Mohammad Adib Suleiman Al-Qeeq was arrested from his home in Ramallah on 21/11/2015 at 2:00 am. A large number of Israeli Occupation Forces raided Mohammad's house, shackled him, blindfolded him and took him to Beit El settlement near Ramallah. Mohammad was left there for 20 hours in the open air. He was then taken to Moskobiyyeh interrogation center and later was taken to Jalameh interrogation center. It should be mentioned that Mohammad has been arrested three

times. He was arrested in 2003 for a month, in 2004 he was arrested and detained for 13 months, and in 2008 he received a 16-month sentence where the charges revolved around his student activities in Birzeit Student Council.

Interrogation sessions started immediately after Mohammad's arrest. The interrogation lasted for 25 days, during which he was subjected to torture and ill-treatment. On the fourth day of interrogation, Mohammad launched an open hunger strike on 25/11/2015 in protest of the torture and ill-treatment he was subjected to by the intelligence forces. The interrogation sessions lasted for 7 hours a day. He was forced to sit in stress positions on the interrogation chair with his hands shackled behind his back. He was threatened with administrative detention and sexual harassment. After 25 days of continuous interrogation sessions Mohammad was transferred to isolation cells in Megiddo prison while being on hunger strike. At Megiddo he received a six-month administrative detention order on 17/12/2015. He was transferred to Ramleh prison clinic on 18/12/2015 as a result of severe deterioration in his health condition and on 30/12/2015 he was transferred to Afula hospital.

Mohammad Al-Qeeq was forcibly treated on 10/1/2016 by a group of doctors at Afula Hospital, and force-feeding was proposed in order to forcibly end his hunger strike. On 27/1/2016, Lawyers for Al-Qeeq lost their initial case demanding his release at the Israeli High Court. However, the High Court ordered a "suspension" of the detention order on February 4 due to Qeeq's deteriorating health condition.

On 15/2/2016, the High Court rejected Al-Qeeq's demand to be released and transferred to a Palestinian hospital in Ramallah in the West Bank. The court offered to transfer Al-Qeeq to a hospital in occupied east Jerusalem, but he refused the deal. The medical team at Afula Hospital rejected further calls from the hospital's ethics committee to forcibly treat Al-Qeeq, in accordance with Al-Qeeq's demands not to be treated or receive any medical examination. On 27/2/2016, Mohammed al-Qeeq, the Palestinian activist and journalist, announced an end to his 94 day hunger strike, under a deal with the occupying power that he will remain in custody until 21/5/2016, but that his administrative detention will not be further renewed.

The Administrative Detention of Circus Performer Mohammad Abu Sakha



Mohammad Abu Sakha was arrested on 14/12/2015 at around 4:00 pm while he was crossing Zaatara military checkpoint near Nablus to go to his work in Birzeit village, near Ramallah. Abu Sakha works as a trainer and performer at the Palestinian Circus School since 2007, when he was a school student. He became a performer and a trainer in the circus in 2011. He has participated in many performances in Europe and the United States. He also participates in many tours in Palestine.

A six-month administrative detention order was issued against Mohammad starting from 25/12/2015 and ending on 13/6/2016. The military prosecution claims that Abu Sakha is active in an illegal organization according to the occupation military orders.

An appeal hearing for the administrative detention of Abu Sakha was held on 21 March 2016, but the appeal against his detention has been rejected on 31 March 2016. The case of Abu Sakha grabbed international attention and highlights the arbitrary nature of administrative detention as practiced by the occupation, whereby even a circus performer can be purportedly deemed a security threat.

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Imprisonment of Women and Girls

The quarter has witnessed persisting violations against women and girls inside Israeli prisons and detention centers. The Research and Documentation Unit at Addameer met with several women and girls and they indicated that they experienced human rights violations, ill treatment and abuses during interrogation and while in detention. The treatment of Palestinian women and girls during their arrest and detention contravenes the Convention on the Elimination of all Forms of Discrimination Against Women, ratified by Israel on 3 October 1991, which emphasizes "that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women."

The following table shows the numbers of Palestinian female prisoners at the beginning of each month of the quarter.

Month	No. Female prisoners
January 2016	55
February 2016	60
March 2016	68 (18 female under the age of 18)

* UN General Assembly, *Convention on the Elimination of all Forms of Discrimination Against Women*, 1979, United Nations

The methods of torture and ill-treatment used against Palestinian females inside Israeli prisons cause severe physical and mental suffering. Interrogation methods include prolonged isolation from the outside world, inhuman detention conditions, excessive use of blindfolds and handcuffs, sleep deprivation, denial of food and water for extended periods of time, denial of proper medical treatment, denial of access to toilets, denial of access to showers or change of clothes for days or weeks, being forced into stress positions, yelling, insults and cursing, and sexual harassment. Palestinian women are mainly held in HaSharon and Damon prisons inside Israel, where they are illegally transferred from the occupied West Bank and Gaza into Israel. The illegal transfer of prisoners amounts to a violation of the Fourth Geneva Convention which states that "persons accused of offenses shall be detained in the occupied country."

*Article 76, *Convention (IV) relative to the Protection of Civilian Persons in Time of War*. Geneva, 12 August 1949.

On International Women's day, 8 March 2016, Addameer's report titled [Occupied Lives: Imprisonment of Palestinian Women and Girls](#) highlighted the torture and ill-treatment of female Palestinian prisoners and detainees.

A testimony from the report of 16-year-old Marah Baker from Jerusalem:

Marah Bakeer, a 16-year-old girl from the city of Jerusalem, was arrested after she was shot 10 times in her left arm by an Israeli soldier. Marah was not carrying anything, and when the soldier asked her to raise her hands, she did so, but he pushed her which made her fall on the ground. When the police attended the scene, a police officer pushed her to the ground again, causing her to hit her head with the ground. The police officer started searching her body with his hands, took her headscarf off and took her clothes off until he reached the underwear.

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She was later transferred in an unprofessional manner by an ambulance to Hadassah Ein Karem, while she was left naked despite her requests to cover her body. Later, an investigator from the police attended the hospital, while she was naked and her body bleeding, and asked her if she tried to stab a soldier, which she denied. Later she was forced to enter the operating room without being informed of the nature of the operation or her medical status. She was then put in a room, with her hand and leg tied to the bed all the time, with the presence of two male guards, who cursed her and her mother repeatedly. One of the guards told her to die, and another guard took a 'selfie' with her against her will.

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Marah was taken to the court on a wheelchair with the legs cuffed, and currently she is suffering from fractures in her arm. Marah was transferred to Ashkelon prison on 20 November 2015, where the prison conditions were poor and where she was subjected to medical neglect. She was later transferred to the section for criminal prisoners in Ramle prison.

Force-feeding and Forced treatment

The implementation of force-feeding and forced treatment on Palestinian hunger strikers have captured the attention of the international community and caused misunderstandings regarding the distinctions between each policy. Addameer's publication entitled [Force-feeding Vs Forced-treatment of Palestinian Hunger Strikers: Between Law and Practice](#) aimed to highlight the differences and similarities between both practices in terms of their use and legal aspects under international law.

Force-feeding is the practice of feeding someone against his or her will, normally through a tube inserted through the nose and then down into the stomach. Another method involves injecting nutrients into a vein or into the stomach through surgically cutting open into the abdominal wall.

Forced treatment is the practice of providing medical treatment to competent patients or a detainee without his or her consent, for example, through an infusion of salts and vitamins into his/her body.



Relevant Legislation:

Force-feeding: The Israeli occupation have practiced force-feeding against Palestinian hunger strikers since the 1970s and 80s. On the 30th of July 2015, the Israeli Knesset approved a bill authorizing the Israeli District Court to instruct the force-feeding of a hunger-striking prisoner, without his or her consent.

Forced treatment: Israeli legislators created a mechanism to allow ethics committees to override patients' informed refusal and treat them against their will. The Israel Patient's Rights Act (IPRA) of 1996 (Article 15) allows the forced treatment of competent patients in order to keep him/her alive, under **three separate categories**, **one** of which applies, "if the patient deemed to be in grave danger but rejects medical treatment." Article 15(2) states that medical treatment without consent may be carried out:

(2) Should the patient be deemed to be in grave danger but reject medical treatment, which in the circumstances must be given soon, the clinician may perform the treatment against the patient's will, if an Ethics Committee has confirmed that all the following conditions obtain:

(A) The patient has received information as required to make an informed choice;

(B) The treatment is anticipated to significantly improve the patient's medical condition;

(C) There are reasonable grounds to suppose that, after receiving treatment, the patient will give his retroactive consent.

The policies of force-feeding and forced treatment have been practiced in various contexts in geographic scope and history, where hunger strikes became the prominent method to protest ill treatment, injustice and human rights violations in cases where individuals are deprived of liberty. The Israeli occupation have used both practices against Palestinian hunger strikers, who protest the prison conditions and an unjust detention.

Addameer considers both force-feeding and forced treatment to be forms of degrading inhuman treatment that may amount to torture. Both practices are violent policies that are extremely painful and absolutely violate the principle of individual autonomy. These practices may be dangerous and have a negative impact on Palestinian hunger strikers, and each presents an unsuitable approach to save their lives.

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Child Detention

The quarter has witnessed persisting violations against children. Approximately 700 Palestinian children under the age of 18 from the occupied territories are prosecuted every year. The most common charge levied against children is throwing stones, a crime that is punishable under military law by up to 20 years in prison. From January to March, the occupation forces have arrested Palestinian children systematically, and within arrest campaigns of collective punishment. These children were subjected to different forms of psychological and physical torture, systematically being interrogated in the absence of their parents and/or attorneys, as is exemplified by the case of Marah Bakeer, referred to in page 2.



Month	Number of Palestinian Children held
January 2016	450
February 2016	406
March 2016	420

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

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

Jerusalemite Prisoners



Israel's unlawful policies and practices in Jerusalem, including the arbitrary arrest of Palestinians, have had a devastating impact on the daily living conditions of all Palestinian Jerusalemites. Immediately following the end of the 1967 war and Israel's illegal annexation of East Jerusalem, the Israeli government proceeded to register Palestinians living there, providing them with the status of "permanent residents" rather than granting them full legal citizenship, as part of its unofficial "collective transfer" or "more land and less Arabs" policy. The rationale behind this policy was to slowly erase the Arab population of Jerusalem and replace the land with Jewish Israeli citizens. Furthermore, Israel's ideological and material motives were reaffirmed in 1980 when the Israeli Knesset passed the Basic Law declaring Jerusalem as the "whole and united [...] capital of Israel".

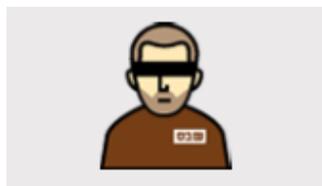
This quarter, Palestinians from Jerusalem continue to be subjected to arrest and detention by Israeli forces and police, including children who are subjected to night raids on their homes, torture, ill-treatment, in detention, as well as house arrests and penalties as terms of release.

Month	Number of East Jerusalem Prisoners
January 2016	500
February 2016	550
March 2016	500

A bill which applies to Palestinian children living in East Jerusalem approved by the Israeli Ministerial Committee for Legislation, proposes custodial sentences for children, as young as 12, who are convicted of "nationalistic-motivated" offences. The first reading of the bill in the Israeli Knesset on November 25, resulted in a vote of 64 in favor and 22 opposed.

Stop Administrative Detention!

This quarter, January through March 2016, administrative detention continues as a policy practiced by Israeli occupation forces.



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

Administrative Detention this quarter in numbers

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

Month	No. held under administrative detention
January 2016	650 (2 PLC members)
February 2016	670 (2 PLC members)
March 2016	700 (2 PLC, 2 female and 6 children)

There has been an alarming increase in administrative detention from January to March 2016. The systematic use of administrative detention has resulted in mass hunger strikes by administrative detainees being held without charge or trial for extended periods. One recent case was that of Palestinian journalist [Mohammad Al Qeig](#).

A Case Study: Administrative Detention of Child Hamza Hammad



At approximately 2.00 AM on 28 February 2016, Hamza's mother woke up to the sounds of explosion of doors of their family home located in Silwad village near Ramallah. Within a few minutes, Israeli soldiers raided the house and entered the room where the family was sleeping. After pointing their weapons at the children inside the house, the children, Hamza and Belal, were told to put their hands up above their heads.

Hamza's mother asked the Israeli soldier about the reason for Hamza's arrest. The soldier responded that the reason was that Hamza's father was allegedly involved in military activities. Hamza was arrested previously on the 28 August 2015, during which he was held in an Masqoubieh interrogation center for 20 days, where he was subjected to torture and ill-treatment.

After interrogation, he was released with a financial penalty, without being charged with any offense.

Hamza has been held since 28 February, with the issuance of a 6-month administrative detention order, which was later limited to 4 months by the military judge on 09 March 2016. The military prosecution claims that he is an active member of an illegal organization, and that he carries out military activities within it. Hamza was placed under administrative detention due to the lack of evidence against him. The use of administrative detention against Hamza exemplifies the arbitrary nature of this policy and its use as a form of collective punishment against various sectors of Palestinian society, including children.

The 16 year old child Hamza, who is currently being held in Ofer prison, was said to pose a threat to the security of the occupying power, despite having not enough evidence to charge him with any offense. This case highlights the vindictive nature of such arrests against children.

There are approximately 6 Palestinian children held in administrative detention, the youngest of whom is Hamza Hammad. The use of administrative detention has severe long-term impacts on the lives of children, including negative effects on their education, social lives, and psychological wellbeing.

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Human Rights and Awareness Raising Activities

This quarter, Addameer's Training and Awareness Unit carried out several activities to bring about increased knowledge on issues related to prisoner's rights and international human rights law.



Addameer Training and Awareness Unit carries out "Know your Rights" session on 17 January 2016 in Esawiye, a village in occupied Jerusalem



Addameer attorney Farah Bayadsi giving "Know your Rights" session in Al-Jalazoun refugee camp in Ramallah on 25 February 2016.



Training and Awareness Unit Activity on 10 March 2016

On 21 March 2016, Addameer Prisoner Support and Human Rights Association and the Palestinian Circus School organized a joint event at the Circus tent in Birzeit that aimed at raising awareness regarding the case of Mohammad Abu Sakha and other administrative detainees through live performances, videos and other activities.



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Security Company G4S Pulls out of Israel



G4S, one of the world's biggest security and imprisonment firms, has finally announced that it will be selling its subsidiary in Israel in the next 12 to 24 months. The news has been welcomed with jubilation from activists and campaigners who have led a successful boycott, divestment and sanctions (BDS) campaign against G4S over the last four years. G4S has been under constant fire for providing services and equipment to the Israeli occupation's prison authority where thousands of Palestinians are detained and tortured, including children. For example, G4S provides surveillance equipment to two interrogation centers, Moscobiyeh and Jalameh, where Palestinian detainees are systematically tortured. The campaign against G4S was endorsed by over 100 international organizations and launched with a video of ex-detainees giving testimony of torture in G4S prisons as well as factsheets and infographics.

Addameer welcomes the divestment by G4S and holds that no private company should profit from occupation, torture, and ill treatment of Palestinian prisoners and detainees, as well all prisoners and detainees across the globe. Addameer calls upon G4S to respect the human rights of all individuals and adhere to company contracts and practices that are in compliance with human rights norms.

The UN Guiding Principles on Business and Human Rights (principle 6) states that "states should promote respect for human rights by business enterprises with which they conduct commercial transactions".

Case Study: Medical Negligence

"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 Israeli Prison Service (IPS) has adopted a policy of deliberate medical neglect against prisoners and detainees. The case of the Mother Israa Jaabes exemplifies this policy of medical negligence. Addameer Documentation and Research Unit documented the following account through an attorney visit at the end of January 2016.

Israa Jaabes, 31, of Jabal Mukaber, currently held in HaSharon prison suffers from medical negligence. Israa's car broke down near Al-Zayem military checkpoint on 10 October 2015, where her airbag exploded causing a fire that led to her severe burns and injuries. Israa was with her 8-year-old child when the incident occurred and later she was transferred to Ein Karem Hospital, where she was given insufficient medical treatment despite suffering from severe injuries. Two months later, Israa was transferred to Al-Ramleh prison, then to HaSharon prison without completing her essential medical treatment. Israa still cannot walk and currently moves around by using a wheelchair and she is being taken care of by her fellow prisoners and not by medical staff. Israeli Occupation Forces accused Israa of attempting to engage in an attack by exploding her car, however, the car did not explode and Israa was the only person injured in the fire inside the car. Israa's child has been unable to see his mother since her arrest. Israa's case

highlights the brutality of the arrest process as well as the detention conditions for Palestinian mothers inside Israeli interrogation, detention and prison centers and even hospitals while in custody.



Withholding of Palestinian Bodies



Addameer Prisoner Support and Human Rights Association and Adalah – The Legal Center for Arab Minority Rights in Israel condemn the Israeli government's continued withholding of the bodies of nine Palestinians, many of who were extra-judicially executed by Israeli forces for alleged attacks against Israelis, despite posing no danger. Further, the Israeli authorities breached their agreement with the family of Mosab Al Ghazali (26 years old) from East Jerusalem, when returning his body at dawn on 29 February 2016. These practices violate the right to dignity of the deceased and of his family, and exemplify the continued policy of collective punishment. Extra-judicial executions and the withholding of the bodies of the deceased violate both domestic and international law.

With the return of the body of Al Ghazali, the Israeli authorities continue to withhold 15 body of Palestinians from occupied Jerusalem, namely: Tha'er Abu Ghazalah, Hasan Manasrah, Baha' Alayan, Alaa Abu Jamal, Mu'taz 'Eiwaisat, Mohammad Nimer, Omar Iskafi, Abdel-Muhsen Hassounah, Mohammad Abu Khalaf, Fadwa Abu Teir, Fouad Tamimi, Abdul Rahman Radad, Mohammad Al Kaloti, Abdul Malik Abu Karroub and Abdul Fattah Al-Shareef.

The practice of withholding bodies obstructs the possibility of conducting an investigation concerning the circumstances of the alleged extrajudicial executions and a proper autopsy.

Addameer and Adalah call for the opening of investigations into the circumstances of the executions of Palestinian adults and children in recent months. Addameer and Adalah have previously called for autopsies to be conducted in specific cases, which were refused by the police and in the courts. The Israeli authorities have also repeatedly denied requests to open investigations.

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