

This Quarterly Update covers the period from 15 April to 15 July 2010. It provides the most up-to-date statistics on prisoners and arrests and an overview of the important trends this quarter. In addition, it gives background on individual prisoner cases and summarizes the most relevant legal and UN news, as well as Addameer's activities over the reporting period.

To read the complete Quarterly Update in pdf format, please click [here](#).

---

## CURRENT ARREST AND DETENTION STATISTICS\*

6,508 Palestinian political prisoners in Israeli detention, including:

203 administrative detainees, including 3 women and 1 child

34 women

286 children, including 23 under the age of 16

12 members of the Palestinian Legislative Council

118 prisoners who have been imprisoned for more than 20 years

207 Palestinians from the 1948 Territories

710 prisoners from the Gaza Strip, including 2 detained under the Unlawful Combatants Law

199 prisoners from East Jerusalem

807 **approximate number of Palestinians arrested by Israel during the second quarter of 2010 (1 April – 30 June 2010). This marks a 16 percent decrease over the first quarter of 2010, and a 8 percent decrease over the same period in 2009.**

\*Detention and arrest statistics are current as of 30 June 2010. Detention statistics are based on reports from the Israeli Prison Service and Addameer: Arrest statistics are based on figures from the Palestinian Monitoring Group.

**Number of Palestinians arrested by Israel: January 2008 – June 2010**

---

## PRISONER NEWS & ADVOCACY UPDATE

### Two Palestinian Prisoners Die in Israeli Detention

Palestinian prisoner **Raed Muhammad Ahmad Hammad**, from East Jerusalem, died in Israeli detention on 16 April 2010 after a period of an undisclosed number of months held in isolation. A Palestinian medical report on Hammad's death by the Legal Medicine Institute of Al-Quds University in Jerusalem was issued on 18 April 2010. A report from the Israeli Prison Service is still pending.

On Thursday, 10 June 2010, **Muhammad Abd As-Salam Moussa Abdeen**, 39, from Abu Dis, died in Israeli detention at the Ramleh Prison compound. Abdeen, who was arrested on 18 April 2009 and was detained pending legal proceedings, was in transit from detention in Megiddo Prison, located near Al Lajoun on the main Jenin-Haifa road, to a court appearance in Ofer when he died.

### Palestinian Legislative Council Members Held in Israeli Custody Since 2006 Released; Four Facing Immediate Deportation

- On 25 April 2010, PLC member **Anwar Mohammad Zboon** was released from Israeli detention after serving a four year sentence.
- PLC member **Mohammad Abu Teir**, 54, of Umm Touba village in East Jerusalem, was released on 20 May 2010 after four years in Israeli detention.
- On 1 June 2010, PLC member **Mohammad Totah**, 41, of the East Jerusalem neighborhood Wadi al-Joz, was released after serving 40 months in Israeli detention.
- On 20 June 2010, PLC member **Nayef Rajoub** was released after serving a 42 month sentence in Israeli detention.

All four released PLC members were among the 65 legislators arrested in June 2006 as part of a wide-scale Israeli arrest campaign following the capture of an Israeli soldier by armed groups at the Kerem Shalom crossing into Gaza on 25 June 2006.

In 2006, the Israeli Interior Minister revoked the East Jerusalem residency permits for Abu Teir, Totah, fellow parliamentarian Ahmad Attoun and the former Palestinian Minister for Jerusalem Affairs, Khaled Abu Arafah, on the grounds that they were "breaking loyalty to the state" by participating in the 2006 Palestinian elections. All four are permanent residents of Jerusalem and had been elected under the Change and Reform bloc in January 2006. Immediately after the Interior Minister's revocation of their residency permits, the four

Palestinian Members of Parliament filed a petition before the Supreme Court of Israel arguing that, as protected persons under the Fourth Geneva Convention, international humanitarian law prohibits their deportation from occupied territory. (H.C. 7803/06, *Khalid Abu Arafah et al. v. Minister of Interior*) However, the case remains pending before the Supreme Court, with the next hearing scheduled for 6 September 2010.

Shortly after Abu Teir's release on 20 May 2010, he was summoned by Israeli police and told that his Jerusalem residence had been cancelled. He was given a temporary residence permit requiring him to leave Jerusalem by 19 June 2010. Totah was similarly informed of the revocation of his permanent Jerusalem residency following his release on 1 June 2010, and was issued with a temporary residence permit that expired on 3 July 2010. Attoun and Arafah were also given temporary residence permits expiring 3 July 2010.

On 15 June 2010, lawyers from Adalah [filed for an emergency injunction](#) to the Israeli Supreme Court to stop the deportation process against the four PLC members while the petition is still pending, but the injunction was denied. On 30 June 2010, Abu Teir was arrested for refusing to heed the deportation order and is set to stand trial in Jerusalem. According to reports, Totah, Attoun and Abu Arafah began a sit-in outside the International Committee of the Red Cross office in East Jerusalem after their own temporary residency permits expired in protest of their ordered expulsion.

### **Prisoners Launch April Protests to Press for Better Treatment by Israeli Prison Authorities**

During April 2010, Palestinian political prisoners detained in Israeli prisons and detention centers collectively boycotted family visits and undertook three 24-hour prison-wide hunger strikes to draw attention to human rights violations systematically perpetrated against Palestinian prisoners by the Israeli Prison Service (IPS) and family members seeking to visit prisoners by the Israeli Occupation Forces (IOF). In particular, prisoners protested Israel's unlawful practice of punitively depriving selected Palestinian prisoners of family visits (including the [entire Gazan prison population](#)), and the widespread sexually violent practice of invasive and degrading strip and/or body searches of female prisoners and female relatives *en route* to prison visits in an effort to deter relatives visiting. In mid-April, prisoners reported that the IPS had enforced punitive measures against dozens of prisoners taking part in the boycott/strike; women prisoners reported that their recreation time had been reduced, they were prohibited from sending letters to their family, their canteen access was further

restricted, and a number of women were transferred to different prison facilities (a strategy frequently applied to uproot, disorient and isolate prisoners from the prison community they had developed). Moreover, two prisoners required hospitalization after being beaten by prison guards during a night raid in Ofer Prison during which prisoners' personal property was also destroyed. However, such unlawful measures did not deter Palestinian political prisoners: the remaining planned hunger strikes took place (including on 17 April, Palestinian Prisoners Day), and family visits were refused for the entirety of April.

### Other news:

- Palestinian Prisoners Day was observed this year on 17 April 2010. For more information, please read Addameer's [statement](#).
- On Sunday, 23 May 2010, **Ahmad Abu So'oud Hanani** marked 23 years in Israeli custody. So'oud is one of 118 Palestinian political prisoners who have been imprisoned for longer than 20 years.
- Imprisoned PFLP leader and Palestinian Legislative Council member **Ahmed Sa'adat** remains in isolation in Ramon Prison, located halfway between Beersheba and Eilat in the Negev Desert, for the 19th consecutive month since his sentencing in December 2008. Since April 2010, Sa'adat has been transferred three times, from Ramon Prison to Eshel Prison in Beersheba, then Ohalei Keidar Prison, also in Beersheba, then back to Ramon. At present, approximately 36 Palestinian prisoners are held in isolation in Israeli detention.
- Also among the Palestinian prisoners held under long term isolation is **Abdallah Barghouthi**. Sentenced to 67 life sentences in November 2004 following his conviction on 108 charges, Barghouthi has been held under isolation and solitary confinement since his arrest in 2003. On 16 May 2010, Israeli Judge David Cheshin approved Barghouthi's solitary confinement for a further six months.

---

### **STOP ADMINISTRATIVE DETENTION CAMPAIGN**

As of 30 June 2010, there are 203 Palestinian administrative detainees including three women, one child and five Palestinian Legislative Council members.

- On Tuesday, 13 April 2010, [Rami Shelbayeh](#) was released from administrative detention after being held without charge or trial for 484 days following his arrest on 15 December 2008 at the age of 17.
- Despite an Israeli High Court decision instructing security officials not to renew [Loai Ashgar](#)'s administrative detention orders, his detention was

again renewed upon the expiration of the previous order on 14 July 2010 for a period of three months, until 14 October 2010. Loai has been held under continuous administrative detention since 9 April 2008.

- On 15 April 2010, military court judge Tzvi Hiilbron confirmed the administrative detention of 16 year old [Moatasem Muzher](#), but shortened the detention period sought by military prosecutors from six to three months. Moatasem's first detention order, which expired on 26 June 2010, was renewed for an additional three month period.
- Former Minister of Detainees and Ex-Detainees Affairs **Wasfi Qabha** was released from Israeli administrative detention on Wednesday, 21 April 2010.
- **Nasser Atta** was released from administrative detention on 29 April 2010. Nasser was arrested on 27 November 2008, and was placed under administrative detention ten days later.
- On 2 May 2010, **Fawzi Qawariq** was released from administrative detention, where he had been held since his arrest on 6 December 2008.
- Israeli military authorities extended **Muntaha Al Taweel's** administrative detention for a second three month period in May 2010. Muntaha's detention order is now set to expire on 8 August 2010.
- Administrative detention orders were also renewed for **Reda Khaled**, who received his fourth order for three months ending 18 July 2010, **Nabih Awad**, who received a four month order ending 9 August 2010 and **Loai Al Ahmar**, who also received a four month order ending 23 July 2010.

---

## CHILD PRISONERS

Currently, there are 286 Palestinian children under the age of 18 in Israeli detention, including 23 under the age of 16. At least 96 children have been arrested since 31 March 2010.

### Child Torture Testimony: Ahmed Abd Al-Rahman Esleem

**Ahmed Abd Al-Rahman Esleem**, 17, is from the village of Azzun, near Qalqiliya. He was arrested shortly after midnight on 23 April 2010 after fifty soldiers stormed and searched his family's home. Ahmed was detained at Al-Jalemeh for nearly 40 days of interrogation, during which time he was subjected to tortuous conditions, including routine physical beatings and being forced to spend long stretches of consecutive days handcuffed in his small cell.

*"I was handcuffed the entire time, in such a difficult position that I felt pain in every limb. The prison officials took me to the bathroom only once in the*

*morning, and when they brought me food, they only gave me five minutes to eat before they would take it away and handcuff me again. One day, they didn't even give me food or allow me to use the bathroom at all. I screamed for them to release my handcuffs. At one point, one of the guards showed up holding a black spray bottle with an orange on it. He opened the small window on the door of my cell, less than half a meter away from where I was, and sprayed the bottle. Suddenly, I lost consciousness. I did not wake up until nine or ten days later."*

### **Charges Dropped Against Eight Youths from Al Aroub**

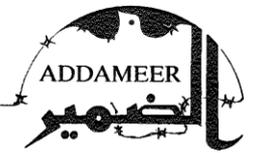
In a hearing at Ofer Military Base near Ramallah on 12 January 2010, military court prosecutors dropped all charges against the [eight youths from Al Aroub Refugee Camp](#) near Hebron who were arrested on 30 October 2008 when Israeli soldiers stormed their school and charged with throwing stones at a settler's car. The military court judge presiding over the case said at the hearing that the prosecution's witnesses had lied and gave false testimonies to the military police and before the court. The eight boys, who were all 16 or younger at the time of their arrest and are now awaiting the results of their recent *Tawjih* examinations, had been due to testify at the hearing for the defense along with teachers and the manager of their school.

### **Charges Filed Against Mohammad Halabeya, 16; Addameer Film Crew Documenting His Abu Dis Arrest Site Harassed by Israeli Soldiers from Nearby Military Base**

On 1 March 2010, Israeli military court prosecutors filed charges against 16-year-old Mohammad Halabeya, a resident of Abu Dis who was arrested on 6 February 2010 and reports being subjected to torture and ill-treatment by Israeli forces. Mohammad has been charged with throwing and attempting to throw Molotov cocktails on a number of occasions beginning in November 2009. The next hearing in his case is set for 20 July 2010 at Ofer.

On 28 April 2010, an Addameer film crew interviewing Mohammad's family and documenting the site of his arrest in Abu Dis was interrupted by Israeli soldiers from the nearby base. The soldiers halted filming, raided the family's home, took one of the filmmakers into custody for a short time and confiscated the filming equipment. The soldiers then destroyed all the film of the arrest site, including footage of the remnants of the sound bomb soldiers threw onto Mohammad after breaking his left leg below the knee, before returning the equipment to the crew.

### **Other News:**



- On Monday, 1 March 2010, Israeli soldiers detained two Hebron boys, **Hassan Al Muhtaseb**, 12, and his brother **Amir**, 9, for allegedly throwing stones. Hassan, whose detention was renewed in a hearing at the military court in Ofer Military Base near Ramallah, was held in Israeli custody for nearly a week before being released without charge on 7 March 2010. Although the judge initially sought payment of 5,000 NIS fine for Hassan's release, his lawyers succeeded in having the fine revoked.
- On 25 May 2010, prosecutors from the Israeli Central District filed an indictment for negligent manslaughter against the border police officer accused of the shooting death of 10-year-old **Ahmad Moussa**, who was shot in the head while taking part in the weekly non-violent demonstration against the Wall in Ni'lin village on 29 July 2008.
- On 8 June 2010, a court in Beersheba sentenced **Zamel Shaluf**, a 15-year-old boy from Beit Hanoun in the northern Gaza Strip, to 15 years' imprisonment. Shaluf, arrested in March 2008 and suffering from an untreated medical condition of the heart, was convicted of planting explosives in several areas of the northern Gaza Strip in 2007 and 2008.

## PROTECTION OF FEMALE PRISONERS

As of 30 June 2010, there are 34 Palestinian women in Israeli detention in Hasharon and Damon prisons inside Israel. Five women have been arrested by Israeli authorities since 31 March 2010. Of these women, three have been released and two have been charged.

- **Iman Abd Al-Rahim Hassan Nazzal**, 22, and her sister **Aisha Abd Al-Rahim Hassan Nazzal**, 39, from Qalqilya, were released on bail on 21 April 2010. Both women had been arrested on 15 March 2010.
- On 25 April 2010, Palestinian female prisoner **Wafa Al-Bis**, a resident of the Gaza Strip, was released from isolation after being held there for five months. Al-Bis remains in detention at Damon Prison inside Israel.
- Attorney **Shireen Issawi**, a resident of East Jerusalem, and four others were charged on 26 May 2010 with transferring funds from Hamas and Islamic Jihad to Palestinian prisoners in Israel. Issawi has also been charged with passing information between prisoners held in different facilities and between prisoners and organization leaders. Advocate Issawi reports being subjected to torture and ill-treatment during interrogation, and says Israeli interrogators held her for hours handcuffed and bound in painful stress positions, prevented her from eating and going to the bathroom for

long periods, touched her inappropriately on the thigh and shouted at and mocked for her faith and head covering.

- **Sanabeel Brik**, 20, who was arrested on 22 September 2008 after allegedly pouring boiling water on an Israeli soldier's face at Huwwara checkpoint near Nablus, was sentenced on Wednesday, 2 June 2010, to four years in prison and a fine of 5,000 NIS (about \$1,300 USD).
- On 1 June 2010, **Abeer Abu Khadeer** was arrested near the Turkish embassy in Jerusalem during a women's protest against the Israeli killing of nine Turkish activists aboard the Gaza flotilla vessel Mavi Marmara on 31 May 2010. **Aida Disi** was also arrested by Israeli police during the protest; both women report being violently attacked by the police during their arrest. Abeer was then taken to the Salah Ad-Din police station in East Jerusalem, where she was interrogated for two hours before being transferred to the Moskobiyyeh Detention Center. In a hearing the following day, the police sought to extend Abeer's detention for five days, but the judge released her to home arrest until 6 June 2010 on bail of 1,500NIS (about \$400 USD) and a 5,000 NIS (about \$1,300 USD) signed pledge from a friend or family member. On 6 June 2010, prosecutors filed charges against Abeer of taking part in a demonstration without a permit and attacking a police officer. Abeer vehemently denies all charges.
- **Eman Bader Ekhlaiyel**, 33, was arrested on 2 June 2010 during a protest in Beit Ummar against the Annexation Wall and held in detention for six days before being released on 8 June 2010.
- On 7 June 2010, **Ghufran Alian Saad Zamil**, 28, was released from Israeli detention after serving a ten month sentence.
- **Alia Abdel Majeed Al-Muhtaseb**, who was arrested on 12 March 2010, was sentenced in June 2010 to eight months' imprisonment
- On 20 June 2010, **Warda Abbas Abdelfattah Bakrawi**, 32, was released after serving an eight-year sentence. Bakrawi, from 'Arraba inside 1948 territories, was arrested on 16 October 2002.
- **Aisha Fayez Ibrahim Ghneimat**, 19, who was arrested on 2 September 2009, was sentenced on 30 June 2010 to two years' imprisonment.

---

## HUMAN RIGHTS DEFENDERS AND ANNEXATION WALL-RELATED ARRESTS

At present, there are approximately 31 Palestinian human rights defenders held in Israeli custody from the occupied West Bank villages of Ni'lin, Bil'in, Budrus, Nabi Saleh, Beit Ummar and Al-Ma'sara.



## **Ittijah Director and Human Rights Defender Ameer Makhoul Arrested, Charged**

On Thursday 27 May, Israeli State Prosecutors [submitted an indictment](#) against **Ameer Makhoul**, the General Director of Arab NGO network Ittijah, before the Haifa District Court charging him with assistance to the enemy in a time of war, conspiracy to assist an enemy, aggravated espionage, and contact with a foreign agent.

Makhoul, 52, who was [arrested](#) from his home in Haifa on 6 May 2010, has informed his attorneys, Advocate Hussein Abu Hussein and Adalah lawyers Orna Kohn and Hassan Jabareen, that he vehemently denies these charges. In a [letter](#) written from Gilboa Prison on 30 May 2010, Makhoul credits his arrest and prosecution to Israel's ongoing "criminalization of human rights defenders." Moreover, according to Adalah, during Makhoul's initial, 12-day incommunicado detention and interrogation period "he was subjected to harsh interrogation methods by the GSS. Mr. Makhoul stated before the Magistrates' Court in Petakh Tikvah that severe interrogation methods had been used against him, which had caused him both psychological and physical harm, and as a result of which he had admitted under duress to false allegations made by the GSS interrogators regarding acts he did not commit." His trial is currently ongoing before the Haifa District Court.

In a case that has been linked in the media to Makhoul's, **Dr. Omar Said**, 50, was also charged on 27 May 2010 before the Nazareth District Court with contact with a foreign agent and the delivery of information to an enemy (after allegedly meeting a Hizbollah agent in the Sinai resort of Sharm El Sheikh). Dr. Said, a pharmacologist and political activist from Kufr Kina village in northern 1948 territory, strongly denies these allegations and has said that he was forced into making a confession.

## **Youth Human Rights Defenders Sabti Khawaja and Mahmoud Nafa' Charged Before Military Courts**

On 2 February 2010, **Sabti Khawaja**, 21, and **Mahmoud Nafa'**, 19, two youth human rights activists and participants in Ni'lin demonstrations against the Wall built by Israel in Palestinian territory, were arrested by Israeli security authorities on 2 February 2010 at Ofer Military Base after appearing for interrogation as ordered in Israeli summonses delivered to both. Both had been subjected to weeks of intimidation and harassment by the IOF prior to their arrest.



On 14 February 2010, [both were charged before the Israel military courts](#) in relation to their human rights defense activities. Sabti was charged with throwing stones, taking part in illegal demonstrations from 2007 until his arrest, and hanging posters supporting Hamas in his village during the last Palestinian legislative elections in 2006. Mahmoud is also charged with throwing stones and taking part in illegal demonstrations from 2007 until his arrest. In addition, he was charged with taking part in an illegal demonstration on 28 November 2009 in which prosecutors allege his friends threw a Molotov cocktail at Israeli military forces, hitting one of their Jeeps and setting it on fire.

However, both Mahmoud and Sabti have entered pleas of not guilty and were released on bail, Mahmoud on 19 April and Sabti on 22 April. Their lawyer, Addameer attorney Mahmoud Hassan, anticipates that their trial could take a year or more, and cites strong objections to the legitimacy of the prosecutions' case against the two. These objections include an obviously falsified statement by an army officer regarding the Molotov cocktail charge against Mahmoud in which he clearly contradicts his own record from the day in question where he specifically stated that no Molotov cocktails had been thrown.

Addameer remains extremely concerned about Sabti and Mahmoud's ongoing trial before the Israeli military courts, which systematically disregards international legal provisions and operates in every case in blatant violation of fundamental fair trial laws. The next hearing in their case is set for 12 September 2010.

### **Abdallah Abu Rahma Convicted on 2005 Charges; Verdict Looming in 2009 Military Court Trial**

Closing arguments in the military court trial of Palestinian human rights defender [Abdallah Abu Rahma](#) for charges issued in 2009 were delivered in written form on Thursday, 24 June 2010, and his attorneys expect a verdict in the case within a month. A Bil'in resident and head of the Bil'in Popular Committee Against the Wall and Settlements, Abu Rahma, 38, has been charged with four offenses under the military orders that govern the OPT, including "incitement", "throwing stones", "possession of arms" and "organizing and participating in demonstrations without a permit". Hearings in the trial over the past months have heard numerous witnesses for both sides, including Bil'in youth, an Israeli military videographer and interrogators, for the prosecution, and Israeli MK Dov Khanih, Abdallah's brother Rateb and an Israeli activist, all of whom participate in the demonstrations, for the defense.



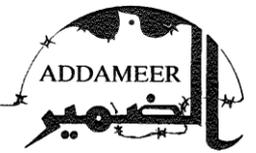
Meanwhile, on 15 June 2010 in a hearing at Ofer Military Base, military court Judge Menachem Lieberman delivered his verdict in a separate trial for charges against Abu Rahma stemming from 2005. The 2005 charges, which started as three separate trials but were later joined into one, included: two counts of “acting against public order”, and one count each of “disturbing a soldier”, “breaking curfew”, “incitement” and “assaulting a soldier”. Judge Lieberman convicted Abdallah of all charges except “assaulting a soldier”. The sentencing hearing is scheduled for 20 July 2010 at Ofer.

### **Bil'in Human Rights Defender Adeb Abu Rahma Convicted**

**Adeb Abu Rahma**, a taxi driver, father of nine and member of the Popular Committee in Bil'in, was arrested on 10 July 2009 during a weekly Friday demonstration against the Wall near Bil'in. Despite [international calls](#) for his release, on Sunday, 13 June 2010, Abu Rahma was convicted of “being present in a declared military zone”, “incitement” and “activity against public order” at Ofer Military Court near Ramallah. On 7 July 2010, Abu Rahma was sentenced to one year of imprisonment, with one year suspended sentence. As he had already served a year in detention by this point, this decision meant he should have been released without delay. However, that same day, military prosecutors notified the court of their intent to appeal and requested that the sentence – and Abu Rahma’s imminent release – be suspended pending the appeal. The judge denied the prosecutor’s request, as they had missed the 2 p.m. deadline that same afternoon set by the judge for this notification. Undeterred, the prosecutors immediately appealed the sentence to the Military Court of Appeals, requesting that Abu Rahma be remanded until the appeal process is concluded. After a hearing held later that afternoon on 7 July, the Appeals Court on 8 July 2010 accepted the prosecutor’s remand request.

### **Other News:**

- On Saturday 1 May 2010, **Iyad Burnat**, the head of the Bil'in Popular Committee Against the Wall and Settlements, was banned by Israel's military from crossing from the West Bank into Jordan at the Allenby Border Crossing.
- **According to Palestinian Center for Human Rights reports, 7-month-old Hamza Samar Muhanna Abu Maria** died on 8 May 2010 as a result of severe tear gas inhalation after Israeli soldiers fired four tear gas canisters at the Abu Maria family home while attempting to disperse Beit Ummar



residents protesting against the closure and confiscation of their land for the nearby settlement of Kermi Tsur.

- **On 18 June 2010, Israeli forces arrested three international activists and injured three others during Bil'in's weekly demonstration against the Wall and settlement expansion. Mohammad Maher Yassin, 14, was injured when an Israeli-fired tear gas canister hit him in the face; his brother Jasser Maher Yassin, 21, was also hit by a tear gas canister, sustaining injuries to his leg. Also injured was 21-year-old Yassin Muhammad Yassin. Among the arrested were Tal Shapira, 25, and Jal Likasi, 22.**
- On 12 July 2010, the Military Advocate General of the Israeli Occupying Forces ordered an investigation into the death of Bil'in protester **Bassem Abu Rahma**, who was killed 17 April 2009 when Israeli soldiers shot a gun-fired tear gas canister at him, hitting him in the chest at a range of just 30-40 meters. As the report issued by United Nations Fact Finding Mission on the Gaza Conflict Footage in September 2009 stated, the killing, which took place during a demonstration against the Wall in Bil'in, shows Bassem, "standing on a small hill, clearly visible and not armed or otherwise posing a threat." (1)

For more information, please read Addameer's [statement](#) to the Fifth Bil'in International Conference for Palestinian Popular Resistance, 21-23 April 2010.

---

## LEGAL NEWS

### **Israeli Military Authorities Issue Troubling New Military Order**

On 13 April 2010, Israeli [Military Order 1650](#) came into effect, broadening the definition of who could be considered an "infiltrator" under the military orders governing the OPT. The wording of the order, which for the first time established a requirement for all present in the OPT to have an Israeli-issued permit to be there, places a new threat on all individuals present in the West Bank, particularly including Palestinians from Gaza who entered the West Bank under "Safe Passage" or who traveled to the West Bank under individual entry or "stay" permits who remained in the West Bank, and Palestinians who were born in the West Bank but have a registered address in Gaza. To date, it is unclear whether Military Order 1650 has been used as the legal basis to conduct a deportation or forcible transfer, but, according to Israeli human rights organization Hamoked, nearly 35,000 individuals are estimated to be at high risk under this order for forcible transfer to Gaza.



## **Israeli Supreme Court Reinstates ‘Open Visit’ Policy Allowing Children Under the Age of Eight Direct Contact with Parents Held by Israel as ‘Security Detainees’**

The Supreme Court of Israel recently accepted a petition filed by Adalah in 2004 regarding the access that children of individuals held by Israel as “security prisoners” – the overwhelming majority of whom are Palestinian – have to their detained parents during visits. On 13 April 2010, the Court held in [HCJ 7585/04, \*Hakeem Kana’ni, et al. v. The Israel Prison Service\*](#), that children under the age of eight be allowed direct contact with their imprisoned parents, and instructed the Israeli Prison Service (IPS) accordingly.

Under the decision, which was filed on behalf of 10 children of Palestinian prisoners and will enter into effect on 1 August 2010, children of “security detainees” will be allowed an undetermined number of minutes of physical contact during “open visits” with their incarcerated parents, which may take place no less than once every two months. The frequency of these visits may be increased by authorized prison officials. Prior to 2002, the IPS permitted prisoners’ children under the age of 10 to go behind the glass wall partitioning detainees from their family members during the last 15 minutes of the visit. However, in 2002, the IPS prohibited all “open visits” between “security detainees” and their families.

## **Israeli Supreme Court Denies Challenge to Legality of Holding Palestinian Prisoners Outside the OPT**

On 25 March 2010, the Supreme Court of Israel issued its decision regarding a petition filed by Yesh Din, the Association for Civil Rights in Israel and Hamoked challenging the legality of holding Palestinian prisoners and detainees in facilities outside the OPT and of conducting military court proceedings inside Israel. The petitioners argued that both practices violate the Fourth Geneva Convention prohibitions on transferring prisoners from occupied territory into the occupying State as well as international legal principles regarding right to legal counsel and due process and preservation of family links. The Court denied the petition, reaffirming its decision in the *Sajadiya* case, in which it ruled that the imprisonment policy is legal as it relies on 1967 emergency regulations for the West Bank and the Gaza Strip. These regulations and their subsequent amendments are part of Israeli domestic law, and, therefore, are legally binding and supersede international law. [HCJ 253/88, *Sajadiya v. Minister of Defense*, PD 42(3)801] The Court further held that holding military court hearings inside

Israel is legal, relying on jurisprudence from HCJ 6504/95, *Wajia Muhammad et al. v. State of Israel*.

### **Draft Bill Targeting Israeli Human Rights Organizations Introduced in Knesset**

On 28 April 2010, a group of 19 Knesset members introduced a draft bill entitled “Associations (Amutot) Law (Amendment – Exceptions to the Registration and Activity of an Association), 2010”. The aim of this bill is to close down any existing non-governmental organization (NGO) registered in Israel, and to prohibit the registration of a new NGO, if “there are reasonable grounds to conclude that the association is providing information to foreign entities or is involved in legal proceedings abroad against senior Israeli government officials or IDF officers, for war crimes.” If passed, despite [vocal opposition](#) to the bill from numerous Israeli human rights organizations, this bill has enormous potential to disrupt the activities of all human rights NGOs based in Israel.

### **Draft Law Proposing Worsened Conditions for Hamas Prisoners Before Knesset**

A draft bill currently before the Israeli Knesset proposes to worsen the conditions of Palestinian prisoners held by Israel who were convicted of membership in Hamas in what right-wing Knesset supporters say is an effort to release an Israeli soldier held by armed groups in Gaza since his capture during a cross-border raid at the Kerem Shalom crossing in June 2006. The bill, dubbed “Shalit’s Law”, aims to bar prisoners from meeting with family members and lawyers, beyond what is required under international law, from reading newspapers, watching television or taking part in continuing education programs, and would remove limitations on the periods of solitary confinement currently permitted for detainees and prisoners held in Israeli custody.

Backed by the Knesset Ministerial Committee on Legislative Affairs in a vote on 23 May 2010, a move that some say will strengthen its chances of eventually passing into law, the bill passed a first vote in the 120-seat Knesset after preliminary reading 52 votes to 10 three days later. The draft bill would need to pass a further three readings in the Israeli legislature before becoming law.

---

## **UNITED NATIONS NEWS**

### **Addameer Submits Information on Female Palestinian Prisoners for Pre-Sessional CEDAW Report**

The United Nations Committee on the Elimination of Discrimination of Women will review Israel's compliance with the 1979 Convention on the Elimination of Discrimination of Women at its 48th session in Geneva, Switzerland, from 17 January – 4 February 2010. Prior to this review, the Committee is set to discuss the progress of women in Israel during its pre-session working group in New York, USA, from 2 – 6 August 2010. In June 2010, Addameer provided information on Palestinian female prisoners in Israeli detention to be included in a report for the Committee's pre-session meeting submitted by the Women's Centre for Legal Aid and Counselling. Addameer's input concerned Israeli discrimination against Palestinian women in Israeli detention, including in connection to their trial before military courts that fail to meet international standards, poor detention conditions and medical treatment, particularly for pregnant prisoners and detainees, restricted family visits, and torture and ill-treatment during arrest, interrogation and detention. The organizations will update the report to the Committee on the status of Palestinian women, including those imprisoned or detained by Israel, in advance of Israel's review before the Committee in January 2011.

### **UN Human Rights Committee Set to Review Israel's Third Periodic Report under the ICCPR**

On 13-14 July 2010, the UN Human Rights Committee reviewed Israel's Third Periodic Report regarding its compliance with the International Covenant on Civil and Political Rights (1966) during the Committee's 99th session held in Geneva, Switzerland. Addameer submitted a [shadow report](#) to the Committee in July 2009, in preparation for this review, which detailed Israeli violations of the ICCPR's provisions regarding torture, arbitrary detention, fair trial rights, and rights to freedom of expression, association and peaceful assembly.

---

## **ADDAMEER NEWS**

### **Addameer Attorney Anas Al Barghouti Wins Third-Place Prize at Annual Human Rights Competition**

On 23 May 2010, Addameer Attorney Anas Al Barghouti placed third out of nine finalists in the Second International Human Rights Competition for Lawyers held at Al Quds University in Abu Dis. Advocate Barghouti's speech, entitled "Political Arrests and Unlawful Detention: Misery of the Act and the Actors", discussed international law and arbitrary, politically-motivated arrests in the West Bank.



Read the full text of his speech (PDF): [AR](#) | [FR](#)

---

(1) Human Rights Council, *Human Rights in Palestine and Other Occupied Arab Territories: Report of the United Nations Fact Finding Mission on the Gaza Conflict*, A/HRC/12/48 (25 September 2009), p. 389, para. 1388.