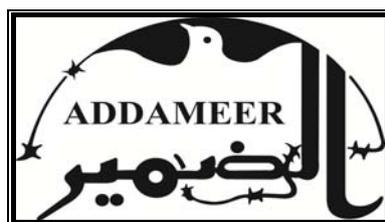


# QUARTERLY UPDATE ON PALESTINIAN PRISONERS

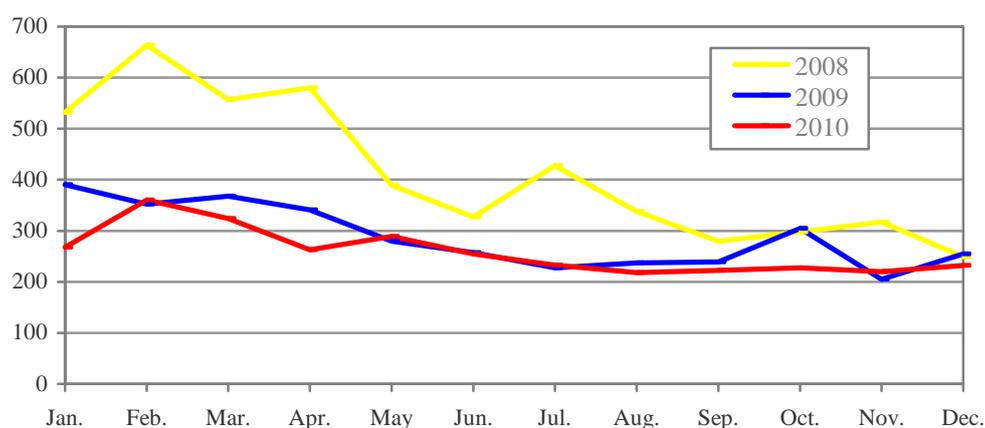


Addameer Prisoner Support and Human Rights Association  
(15 October 2010–15 January 2011)

## CURRENT ARREST AND DETENTION STATISTICS\*

<b>5935</b>	<b>Palestinian political prisoners in Israeli detention, including:</b>
<b>207</b>	Administrative detainees, including 4 women and 6 members of the Palestinian Legislative Council
<b>37</b>	Women, including 1 under the age of 16
<b>209</b>	Child prisoners, including 29 under the age of 16
<b>10</b>	Members of the Palestinian Legislative Council
<b>587</b>	Prisoners who have been imprisoned for more than 20 years
<b>187</b>	Palestinians from the 1948 territories
<b>684</b>	Prisoners from the Gaza Strip, including 3 detained under the Unlawful Combatants Law
<b>197</b>	Prisoners from East Jerusalem
<b>679</b>	Approximate number of Palestinians arrested by Israel during the fourth quarter of 2010 (1 October – 31 December 2010). This marks a <b>0.9 percent increase</b> over the third quarter of 2010, and an <b>11.2 percent decrease</b> over the same period in 2009

Number of Palestinians arrested by Israel: January 2008 – December 2010



\*Detention and arrest statistics are current as of 31 December 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.

## **PRISONER NEWS & ADVOCACY UPDATE**

### **East Jerusalem**

During the reporting period, violence and tension in East Jerusalem, which had increased throughout 2010, remained high as Israel continued to escalate its policies of repression and Judaization. Settlement expansion and house demolitions continued unabated, with November and December witnessing record numbers of house demolitions for 2010. Although the overall number of Palestinians arrested in East Jerusalem was similar to the third quarter of 2010, the increasing crackdown was reflected in a sharp increase in the number of children arrested on charges of stone throwing in the last few months of the year, seemingly pointing to a new Israeli tactic in East Jerusalem.

The neighborhoods of Silwan and Issawiya bore the brunt of the tensions, with approximately 70 Palestinians, including 50 children, arrested in Silwan during the reporting period, and another 50 children arrested in Issawiya. Tensions in Silwan intensified in late September after a settlement security guard killed a local resident, Samer Sarhan. The guard was released immediately without charges. Israeli forces continued to arrest members of Samer's family throughout the reporting period in an attempt to repress efforts to seek justice in his case. As of 15 January, seven members of Samer's family remained in prison. Issawiya has been the center of tensions over Israel's attempt to connect the settlement of Maale Adummim to East Jerusalem via land belonging to the village. Issawiya was placed under closure on 6 November, when the Israeli army and police blocked all but one of the entrances to the village.

During the reporting period, Addameer represented 76 detainees arrested by the Israeli authorities in East Jerusalem, including 31 children.

### **Detainees transferred to HaSharon Prison as a result of fire in Haifa**

On 2 December, as forest fires broke out near Haifa, killing more than 40 people, 16 female Palestinian prisoners had to be transferred from Damon Prison located near the area of the fire to HaSharon Prison. They were returned to Damon Prison on 8 December when the area was deemed safe again. The prisoners did not report any violations during their transfer.

### **Hamas-affiliated Palestinians arrested in Hebron**

On 7 January, five Hamas-affiliated Palestinians who had been released on 6 January from a Palestinian Authority (PA) prison (see "Palestinian Authority Arrest and Detention" section below) were arrested by the Israeli Occupying Forces (IOF) in coordinated overnight raids in Hebron. Ahmad Al-Ewewi, 24; Majd Obeid, 21; Mohannad Nayroukh, 23; Wael Al-Beetar, 42; and Wisam Al-Qawasmeh, 22 were still in critical medical condition when they were arrested on 7 January as they had been on a hunger strike for the last 45-50 days of their detention in Palestinian prison and most of them did not have time to visit a doctor on the day of their release. During the arrest raids, the IOF killed Wael's 67-year-old uncle in his bed in an apparent case of mistaken identity.

On 9 January 2011, Addameer was able to visit Mohannad, Majd and Wael in Ramleh Prison Hospital, where they were taken after their arrest. According to the testimonies given to Addameer's lawyer, upon his arrest Mohannad was beaten, forced to strip, cuffed and blindfolded before being made to stand in the cold for many hours without a coat. Majd, who had to be rushed to Hadassah Hospital in Ein Karem after fainting during his arrest, was made to sit outside the hospital in the cold for five hours after his medical examination. Finally, both Mohannad and Wael were denied food and water until they arrived at Ramleh Prison Hospital in the evening of 7 January, more than 10 hours after their arrest. The five men's already fragile health was therefore considerably aggravated by their arrest. Click [here](#) to read Addameer's press release on the arrests.

### **Update on the detention of Palestinian lawmakers**

During the reporting period, six Change and Reform Palestinian Legislative Council (PLC) members were arrested and three were released, bringing the number of PLC members imprisoned up to 11 as of 15 January 2011. The arrests seemed to indicate a renewed campaign of harassment against Hamas-affiliated PLC members.

- Change and Reform PLC member Hatem Qafisha, who was arrested on 18 October 2010, was placed in administrative detention on 25 October 2010 for a period of six months. Hatem Qafisha had previously been arrested on 6 November 2007 and held under administrative detention without charge or trial until 1 November 2009.
- On 19 October, Change and Reform PLC member Ali Romaneen was released after serving four and a half years in Israeli detention. He was arrested on 29 June 2006 as part of Israel's arrest sweep following the capture of Israeli soldier Gilad Shalit on 25 June 2006.
- On 21 October, PLC member and Secretary General of the Popular Front for the Liberation of Palestine (PFLP) Ahmad Saadat's fourth isolation order was confirmed for another six months, due to expire on 21 April 2011. Ahmad Saadat is entering his 22<sup>nd</sup> consecutive month in isolation and has been denied all family visits during this time. Throughout his isolation, Ahmad Saadat has been moved to a different prison every six months and 11 January 2011, he was moved again to Nafha Prison.
- On 10 November, Change and Reform PLC member and PLC Secretary General Mahmoud al-Ramahi was arrested and on 16 November, a 6-month administrative detention order was issued against him, due to expire on 9 May 2011. As of 15 January, he had not yet been able to receive any family visits. Mahmoud Al-Ramahi had previously been arrested on 20 August 2006 as retaliation for the capture of Israeli soldier Gilad Shalit and released on 30 March 2009.
- Change and Reform PLC member Ayman Daraghma was released from Israeli prison on 16 November after serving 19 months in administrative detention. He was arrested on 19 March 2009 together with nine other Palestinian political figures a day after negotiations between Hamas and Israel over prisoner exchanges collapsed in Cairo.
- On 30 November, Change and Reform PLC member Nayef al-Rujub was arrested and placed in administrative detention for six months. He had been released just four months before on 20 June after serving a four year sentence in Israeli prison following his arrest on 29 June 2006 as retaliation for the capture of Israeli soldier Gilad Shalit.
- On 8 December 2010, the IOF expelled Change and Reform PLC member and Jerusalem resident Mohammed Abu Teir to Ramallah. In 2006, the Israeli Interior Ministry revoked Abu Teir's Jerusalem residency on the grounds that he was "breaking loyalty to the state" by participating in the 2006 Palestinian legislative elections. On 20 May 2010, he was released after four years' imprisonment and required to leave Jerusalem by 19 June. He was arrested on 30 June for refusing to heed the order and detained in Ofer Prison while awaiting the verdict of the Israeli Supreme Court on an injunction filed by his lawyer on his behalf. On 1 July, two other Change and Reform PLC members, Muhammad Totah and Ahmad Attoun, as well as Khaled Abu-Arafeh, the Former Minister of Jerusalem Affairs, whose Jerusalem residencies were also revoked in 2006 for the same reason, started a sit-in protest outside the International Committee of the Red Cross that continues to this day.
- On 28 December, Change and Reform PLC member Mohammed At-Tal was arrested almost a year to the day of his release from 44 months in Israeli prison and placed in administrative detention for six months. He had been arrested on 29 June 2006 as retaliation for the capture of Israeli soldier Gilad Shalit.
- On 30 December, Change and Reform PLC member Khalil Al-Rabia was arrested and placed in administrative detention for six months. He had been released on 11 February 2009 after 42 months in Israeli prison following his arrest on 29 June 2006 as retaliation for the capture of Israeli soldier Gilad Shalit.
- Also on 30 December, independent PLC member Bassim Za'rir was released after spending 25 months in administrative detention. In January 2006, Za'rir was elected to the Legislative Council, and was arrested six months later on charges of belonging to the Change and Reform Bloc. After spending two years in detention awaiting trial on these charges, Za'rir was tried before the military courts, acquitted

of all charges and finally released on 23 June 2008. A mere six months later, on 1 January 2009, he was arrested once more and placed under administrative detention without charge or trial. Addameer submitted a complaint on his behalf to the UN Working Group on Arbitrary Detention on 14 November 2010. Click [here](#) to read Za'rir's profile.

- On 11 January 2011, Change and Reform PLC member and former finance minister Omar Abdul Razik, formally known as Omar Mahmoud Matar Matar, was arrested in Salfit. He had served 5 months in prison in 2009, as well as over two years after being arrested in mid-2006 as retaliation for the capture of Gilad Shalit. As of 15 January, it was still unclear whether he would be charged with any offense or placed in administrative detention.
- During the reporting period, the families of PLC members were also targeted by the IOF. On 10 November, the son of Change and Reform PLC member Samira Halaïqa was arrested from their home near Hebron. Annas Halaïqa, a 24-year-old journalism student at Hebron University, had been released from Palestinian jail only a few months before on 5 September 2010 and suffered a mental breakdown as a result of his repeated incarceration and ill-treatment. Although an Israeli prison doctor has deemed Annas fit to stand trial, Addameer, which represents Annas, has sought to have an independent doctor confirm this assessment. When the doctor hired by Addameer sought to visit Annas, however, the Israeli Prison Service (IPS) transferred him from Jalameh detention center to Shikma Prison without informing his lawyer. On 11 January, Annas's lawyer therefore asked for his hearing to be adjourned until 31 January to allow a doctor to visit his client in jail. On 10 January 2011, the 20-year-old son and 53-year-old brother of Change and Reform PLC member Nayef Al-Rujub, who was himself arrested on 30 November 2010, were also detained. As of 15 January, there was no additional information about their arrest.

### **Detention of Palestinian officials**

- On 10 December, former Minister of Prisoner Affairs Wasfi Qabha was detained at Bart'a checkpoint near Jenin. He was reported to have suffered a diabetic attack during the arrest and was transferred to Al-Khadeera hospital before being released on 17 December after a judge reviewed his medical file. Mr. Qabha was last released from Israeli prison in April 2010 after spending nearly three years in jail.
- Sheikh Raed Salah, the leader of the northern branch of the Islamic Movement in Israel, was released from Israeli prison on 12 December after serving five months for allegedly spitting at an Israeli policeman in February 2007. He had originally been sentenced to nine months but his punishment was reduced by a Jerusalem court.
- On 28 December, Hatem Abdel Qader, Minister for Jerusalem Affairs, was issued a three month suspended sentence for violating military orders banning him from entering the al-Aqsa Mosque. He will continue to be banned from entering the mosque until May 2011.

### **Violations by IPS special intervention units**

- On 23 October, prisoners held in Nafha Prison went on a warning strike in protest of what they deemed to be a harassment campaign against them. Wards in Nafha Prison were reportedly raided on several occasions throughout the reporting period, including on 2 November and 26 December, with the Metzada Forces (a special IPS intervention unit responsible for dealing with "irregular events" in prisons) reportedly searching cells for mobile phones and other communication devices.
- On 24 November, Metzada Forces raided the hospital wing of Ramleh Prison (where 25 detainees with chronic illness are held) searching for mobile phones and other communication devices.
- On 29 December, the Nahshon Forces (another special unit responsible mainly for the transfer of prisoners) stormed Ofer Prison, beating prisoners and firing tear gas into the prison, reportedly injuring dozens of prisoners.

### **Update on isolation**

As of 31 December, there were approximately **46 Palestinian political prisoners held in isolation, including 11** that were held in isolation for reasons of state or prison security. The remaining prisoners are held in isolation for medical reasons or out of personal choice.

- On 26 November, two prominent Palestinian prisoners, **Jamal Abu Al-Haija** and **Ahed Abu Ghulmeh**, held in Ramleh Prison, went on a hunger strike to protest their solitary confinement. Abu Haija, who requires regular medical attention for his amputated arm, has been held in isolation for the past seven years and has been denied family visits on “security” grounds. Although his daughter has obtained a permit to visit him and has coordinated her visits with the International Committee of the Red Cross (ICRC), she continues to be prevented from visiting him. Abu Haija ended his hunger strike on 13 December and was transferred from Ramleh to Ramon Prison. Abu Ghulmeh, who also ended his hunger strike at the same time, has spent just under a year in isolation.
- After being transferred to Ramon Prison, **Jamal Abu Al-Haija** was held in isolation with **Ahmad Saadat** until the latter was moved to Nafha Prison on 11 January. (A prisoner held in isolation may be held alone or with another prisoner and is different from solitary confinement, which is meant to be a punitive measure.) In Ramon, the men were only provided with elevated bunk beds in their shared cell. Because of his continued imprisonment, Ahmad Saadat suffers from back problems that prevent him from using the bed. Jamal’s disability also makes it very difficult for him to use the bunk bed and as a result, they were forced to sleep in shifts on the floor.
- **Wafa’ Sameer Al-Bis**, 26, has been held in isolation in the Neve Tirza section of Ramleh Prison for six months. On 11 January 2011, her isolation order was renewed for another period of six months. Wafa, as all other prisoners from the Gaza Strip, has been denied all family visits as a result of an Israeli policy instituted in June 2007. She is currently held in a section with female criminal prisoners and her cell has no heat or air condition. Wafa’ is only allowed one hour of recreation per day, she has no access to the prison canteen and her cell is searched regularly, particularly at night. When she was moved to Ramleh Prison, she was not allowed to take any of her personal belongings with her and the ICRC has had to provide her with clothes.

## **STOP ADMINISTRATIVE DETENTION CAMPAIGN**

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As of 31 December 2010, there were 207 Palestinian administrative detainees including 4 women and 6 PLC members. This represents a **2.3 percent decrease** compared with 31 September 2010 when Israel held 212 Palestinians under administrative detention orders without charge or trial.

- **Emad Al-Ashhab**’s administrative detention was renewed for the fourth time on 4 November 2010 for a period of four months and is now due to expire on 4 February 2011. Emad was arrested on 21 February 2010 when he was still a minor and has been held in administrative detention since then. On 2 January 2011, he turned 18 in prison. Click [here](#) to read an urgent appeal on his behalf.
- **Muntaha Al Taweel**, a 45-year-old mother of four, was issued her fourth consecutive administrative detention order on 5 November 2010, three days before her third order was due to expire. Her new administrative detention order is now set to end on 8 February 2011.
- **Kifah Qatash**’s administrative detention order was renewed on 5 December 2010 for another four months, making it Kifah’s second consecutive order. Kifah, a 37-year-old mother of two, was arrested on 1 August 2010 and placed in administrative detention on 5 August. Her current detention period is due to expire on 5 April 2011. Addameer submitted a complaint to the UN Working Group on Arbitrary Detention on her behalf on 2 December 2010. Click [here](#) to read an urgent appeal on her behalf.
- **Moatasem Muzher** was released on 26 December when his third consecutive administrative detention order expired. Moatasem, who turned 17 two months before his release, had been held in administrative detention since his arrest on 20 March 2010.
- During the reporting period, five Change and Reform PLC members, **Nayef al-Rujub**, **Mahmoud al-Ramahi**, **Hatem Qafisha**, **Mohammed At-Tal**, and **Khalil Al-Rabia** were issued six-month administrative detention orders and two other Change and Reform PLC members were released. One more Change and Reform PLC member, **Omar Abdul Razik**, was arrested, but at the time of

publication he was still under interrogation at Kishon detention center and it was unclear whether he would be charged or placed in administrative detention.

## CHILD PRISONERS

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As of 31 December, there were 209 Palestinian children under the age of 18 in Israeli detention, including 29 under the age of 16. At least 342 children have been arrested thus far in 2010, including at least 81 between 30 September and 31 December. During the reporting period, Addameer represented 46 children.

The last quarter of 2010 saw a sharp increase in the number of children arrested in East Jerusalem on charges of stone throwing, with Silwan standing out as the area with the greatest number of children arrested. During the reporting period, approximately 50 children from the village were arrested. Of the affidavits collected by Defense for Children International-Palestine from children between the ages of 7 and 17 arrested in Silwan, 76 percent reported experiencing some form of violence during their arrest, transfer or interrogation. Children in Issawiya were also affected by the new Israeli policy, with approximately 23 children having to pay bail to be released from detention during the reporting period. On 24 November 2010, responding to the increasing numbers of arrest, 60 prominent Israeli professionals from the fields of law, medicine, psychology, social work, and education wrote a [letter](#) to Israeli Prime Minister Netanyahu expressing concern about the violent treatment of Palestinian children in occupied East Jerusalem.

- **Mohammed Adeeb Abu Rahma**, 16, was arrested in his home in Bil'in on 23 November around 2:30 a.m. on "suspicion of participation in violent and illegal riots." Mohammed, who is the son of the recently released activist Adeeb Abu Rahma (see "Human Rights Defenders" section), was released from Ofer Prison on 8,000-shekel bail on 29 November.
- The trial of **Mohammad Halabiyeh**, who was arrested on 6 February 2010 at the age of 16 and charged with throwing Molotov cocktails, continues. During his arrest by the Israeli Border Police, Mohammad broke his leg just above the ankle. Despite his injury, he was beaten and tortured for five consecutive days by Israeli soldiers who inserted syringes in his hands and legs, punched him in the face, applied pressure to his cast, covered his mouth with adhesive tape and deprived him of sleep. Mohammad's case was first reviewed in court on 6 September and a number of hearings have been held since then. At a hearing on 11 January 2011, the judge requested that the commander of the Israeli forces that arrested Mohammed present photo and video evidence of Mohammed's charges, which he claims are in his possession, at the next scheduled hearing on 14 February. Mohammed, who is now 17, remains in Ofer Prison in a section with adult prisoners until the completion of his trial, which has taken place in the same court room as adults, in contravention of international law. Click [here](#) for a profile of Mohammad.
- Addameer's 25 August 2010 complaint to the Israeli Ministry of Justice regarding the torture and mistreatment of **Ahmed Isleem** at the hands of his Israeli interrogators has not yet received an answer. However, in prison, Ahmed has been threatened by members of the Israeli Security Agency (ISA) with a longer sentence if he does not stop complaining about his mistreatment. Ahmed, who was 17 at the time of his arrest in April 2010, was held for interrogation for close to 40 days, during which time he was beaten, subjected to verbal abuse, threatened with rape and murder, deprived of sleep, and tied to a bed with his arms and legs chained to a wall for nine consecutive days. Click [here](#) to read more about Ahmed's ill-treatment.
- On 14 November, 15-year-old **Hadeel Abu Turki** was arrested in Hebron. She was first brought to a detention center in Qiryat Arba settlement and later transferred to HaSharon Prison on 16 November, where she remains. At the time of publication, no further information was available.
- In December 2010, Addameer completed a report on the right of Palestinian child prisoners to education. The report compares the provisions of international and Israeli law, both military and civilian, on the right to education and uses the experiences of countries like Sweden and Canada to highlight the relative deprivation of Palestinian child prisoners. The [report](#) is available in Arabic on Addameer's website and will be available in English soon.

## PROTECTION OF FEMALE PRISONERS

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As of 31 December 2010, there were 37 Palestinian women in Israeli detention in HaSharon and Damon prisons inside Israel. Ten women have been arrested by Israeli authorities since 30 September 2010. Of these women, 5 have been released and 2 are held for the purposes of interrogation.

- On 26 October, **Linan Abu Gholmeh**, who was arrested on 15 July 2010 with her sister Taghreed and placed in administrative detention for six months, started a hunger strike to protest her separation from her sister. Despite repeated requests to be held together, and although such requests have been honored in the past, Linan and Taghreed were held in separate facilities, the former in HaSharon Prison and the latter in Damon Prison. The ISA informed Linan that she could not be held with her sister for undefined “security reasons”. On 28 October, Linan was moved to isolation in response to her hunger strike, where she stayed until 19 December. On 2 November, her mother tried to visit her but was denied permission. On 19 December, Linan broke her hunger strike after being promised that she would be transferred to Damon Prison. However, as this did not occur, Linan continued with a partial hunger strike, accepting only one meal per day. Linan persists in her hunger strike, even after the release of her sister on 2 January, as she continues to be denied visits and phone calls from Taghreed. Linan’s administrative detention is due to end on 26 January 2011.
- On 8 December, **Nelly As-Safadi** was sentenced to 20 months in prison. Nelly was arrested on 11 November 2009 and held for 48 days in interrogation, during which time she was held in solitary confinement and subjected to physical and psychological torture and ill-treatment. Nelly spent almost a year in HaSharon Prison awaiting the conclusion of her trial. Click [here](#) to read Nelly’s profile.
- On 16 December, **Taghreed Abu Gholmeh**, sister of administrative detainee Linan Abu Ghulmeh, was sentenced to 6 months imprisonment after being convicted of participation in a student group belonging to the PFLP. Taghreed was arrested on 15 July and detained throughout her interrogation and trial. On 2 January 2011, she was released, having completed over two thirds of her sentence.
- Two women were detained during the reporting period for the purpose of interrogation. **Sabreen Abu Mashal**, from Jerusalem, and **Ramia Ratab Abu Samra**, arrested on 18 December in Hebron, are currently detained in HaSharon Prison. At the time of publication, no further information was available on these cases.
- **Ghufran Alian Saad Zamil**, 28, **Alia Abdel Majeed Al-Muhtaseb**, and **Fatyiyya Abd Al-Karim As-Suwis**, 57, were released during the reporting period.

## **HUMAN RIGHTS DEFENDERS AND ANNEXATION WALL-RELATED ARRESTS**

As of 15 January, there were at least 22 Palestinian human rights defenders held in Israeli custody from the occupied West Bank villages of Bil’in, Ni’lin, Silwan and Jayyous. There are currently 7 activists from **Silwan** in prison; 2 from **Bil’in**; 5 from **Ni’lin**; and 8 from **Jayyous**. There were reportedly no human rights defenders from **Nabi Saleh** or **al-Ma’sara** in detention at the time of publication. However, according to Bassam Tamimi, one of the leaders of the Nabi Saleh popular committee, “the army has raided almost every house in the village during the week of 13 January, and every male between the age of 12 and 22 has been photographed by the army and their ID numbers have been taken”. In **Beit Ummar**, the exact number of human rights defenders currently imprisoned could not be determined as more than a hundred villagers have been arrested over the past three months and most of them remain in jail.

### **Arrest of Beit Ummar activists**

On 25 November, Yousef and Mousa Abu Maria, the co-founders of the Palestine Solidarity Project and members of the Beit Ummar Popular Committee, were arrested in Beit Ummar and three computers belonging to the solidarity project were also seized. The two brothers are involved in weekly demonstrations against the settlement of Karmeit Tsur and a weekly land reclamation project in the neighboring village of Saffa. They were both released on 28 November. This was the second arrest in 2010 for Mousa Abu Maria.

### **Update on Ameer Makhoul’s trial**

On 27 October, Ameer Makhoul, the General Director of Ittijah—the Union of Arab Community-Based Associations who was arrested on 6 May 2010 on charges related to espionage and contacting the enemy in time of war, accepted a plea bargain in his case. In exchange for pleading guilty to charges of espionage, aggravated espionage, contact with a foreign agent and conspiracy to aid the enemy in time of war, the prosecution dropped the graver charges of assistance to the enemy in a time of war. Plea bargains are often entered into in similar cases because attorneys feel that conducting a full proof trial, including summoning witnesses and submitting evidence, usually leads to a much harsher sentence; a sort of “punishment” imposed by the court on a defendant who did not reach a plea bargain. Ameer, however, continues to deny the charges against him and insists that his confession was obtained under torture during his interrogation. Although Ameer was reportedly due to be sentenced in December no date has yet been set in this regard and he remains in Gilboa Prison until the end of his trial. Click [here](#) for more information on Ameer’s case.

### **Members of Ni’lin Popular Committee released**

On 3 December, three members of the Ni’lin Popular Committee against the Separation Wall who were arrested on 12 January 2010 were released after 11 months in Israeli prison. Ibrahim Amireh, the coordinator of the Committee, Hassan Mousa, the spokesperson for the Committee, and Zaydoon Srour were charged with throwing stones, incitement, presence in a “closed military zone” and participation in an “illegal” demonstration on the basis of confessions from two Palestinian youths, one of whom was mentally ill.

### **Adeeb Abu Rahma is released**

Adeeb Abu Rahma was released from Ofer Prison on 12 December after spending 18 months in prison. Adeeb was originally arrested on 10 July 2009. In July 2010, he was sentenced to one year in prison. Despite having served his sentence in full when the judgment was issued, the Israeli authorities refused to release him until a decision was reached on the prosecution’s appeal. On 21 October, the Military Court of Appeal ruled in favor of the prosecution, sentencing Adeeb to 18 months in prison, a 6,000-shekel fine and a year-long suspended sentence. Adeeb was the first Palestinian to be sentenced on charges of incitement. His conviction was based on the coerced confessions of four minors who were arrested in a late night raid during an arrest campaign in Bil’in between 23 June and 7 July 2009.

### **Another demonstrator dies in Bil’in**

Jawaher Abu Rahmah died in a hospital in Ramallah on 1 January 2011 after inhaling large amounts of tear gas at an anti-wall demonstration in Bil’in on 31 December 2010. According to the medical report issued by the medical center that treated her, “the main cause of death apparently was cardio pulmonary arrest triggered by respiratory failure, caused by gas inhalation.” The Israeli military opened an investigation into the case on 2 January. Jawaher was the sister of Bassem Abu Rahma who was killed in April 2009 by a tear gas canister fired at his chest by an Israeli soldier during a demonstration in Bil’in.

### **Coordinator of the Popular Struggle Coordination Committee acquitted**

On 3 January 2011, Mohammed Khatib, the coordinator of the Popular Struggle Coordination Committee, an umbrella organization uniting popular committees in the West Bank, was acquitted of all charges against him for lack of sufficient evidence. Mohammed, a founding member of the Bil’in Popular Committee against the Wall and Settlements, was arrested on 3 August 2009 and charged with incitement, obstructing a soldier, performing a service for an unlawful association and throwing stones. As with Adeeb and Abdallah Abu Rahma, the charges were based on the forced confessions of three minors. Mohammed was subsequently released on strict conditions and re-arrested on 28 January, only to be released again on 2 February on bail and similar conditions until the conclusion of his trial.

### **Silwan activists arrested**

On 4 January 2011, Jawad Siyam, the director of the Wadi Hilwa Information Center, a Silwan community center active in providing information about Israeli policies of repression in East Jerusalem, was arrested by Israeli police on charges of assault. On 7 January, a judge ordered Jawad’s release on condition that he complete a week-long period of house arrest, which he will be able to serve at the Wadi Hilwa Center. A mere

hour and a half later, Jawad was called in for interrogation again by the Israeli police. On 11 January, the Jerusalem Magistrates Court extended Jawad's house arrest until his next hearing on 22 February. Israeli police have requested a sentence of at least one and a half years house arrest, to be served outside Silwan.

A day after Jawad's arrest, Adnan Geith, a political activist and Fatah Secretary in Silwan, was arrested on charges of attacking a Jewish settler. On 25 November, Geith had received an order to leave Jerusalem for four months starting on 12 January. Geith was released on 2,500-shekel bail on 6 January but summoned for interrogation again on 9 January. He moved to Ramallah on 12 January. Silwan has been the site of tensions as a result of continued settlement expansions and the recent killing of a resident by a settler security guard on 22 September and the perpetrator's subsequent release without charges.

### **Abdallah Abu Rahma is sentenced to 16 months imprisonment**

On 11 January, the Military Court of Appeal at Ofer accepted the prosecution's appeal to aggravate Abdallah Abu Rahma's sentence to 16 months in prison, in addition to a six-month suspended sentence for three years and a 5,000-shekel (\$1,400) fine on charges of incitement and organizing and participating in demonstrations against the Annexation Wall in the village of Bil'in. The judge also accepted the prosecution's arguments that Abdallah had encouraged demonstrators to throw stones. The suspended sentence will effectively prevent him from taking part in protests for three years.

Abdallah, who was arrested on 10 December 2009, had been sentenced to one year in prison on 11 October 2010. On 18 November, having served his sentence in full he was expected to be released, but the Military Court of Appeal extended his detention period past the term of his sentence after the prosecution appealed his one-year sentence, arguing that it was too lenient and that his sentence should serve as deterrence to others. Former U.S. president Jimmy Carter and fellow Nobel Peace Prize laureate Desmond Tutu, part of a group of former leaders known as The Elders, condemned the attempt to keep Abdallah in prison, declaring that his "example of nonviolent resistance against the occupation is a model that others should follow." The 11 January sentencing hearing was attended by Luisa Morgantini, the former Vice-President of the European Parliament, and diplomats from the European Union, the European Commission, Britain, France, Spain, Malta, Germany, Sweden, Denmark and Austria. After the sentence was issued, Amnesty International issued a [statement](#) declaring Abdallah "to be a prisoner of conscience, jailed solely for the peaceful exercise of his right to freedom of expression and assembly" and calling for "his immediate and unconditional release". Abdallah has been detained for thirteen months and is expected to be released in two months at the earliest. Click [here](#) for a profile of Abdallah.

## **LEGAL NEWS**

### **Israeli draft bill forbids lawyer visits for up to one year**

On 13 December, Israel's Ministerial Committee for Legislation approved a new draft bill that would extend the period during which prisoners/detainees determined to be "security" prisoners/detainees by the IPS (overwhelmingly Palestinians with Israeli citizenship and Palestinians from the occupied Palestinian territory) can be kept from seeing a lawyer. According to the bill, Israeli district courts would have the authority to forbid such visits for up to six months, renewable once, from the beginning of the detainee's trial onwards. The law would not apply during the period of interrogation. "Security" prisoners/detainees could therefore be prevented from meeting with their lawyers for up to one year during and after their trial instead of the current maximum period of three months. At the moment, the prison director may initially deny lawyer visits for 24 hours, which can be extended for another 5 days by the head of the IPS. Districts courts may then extend this ban by periods of up to 21 days, renewable for a maximum total of three months.

Proponents of the bill framed it as a measure to prevent "dangerous" lawyers from relaying sensitive information given to them by prisoners to hostile terrorist groups. The danger, however, is that the decision to forbid visits will actually be based on a review of the prisoner's file, as well as the IPS's administrative decision to classify the prisoner as a "security" prisoner, and not on an assessment of the likelihood that information will be leaked by lawyers. The bill, which was put forward by Israeli Internal Security Minister Yitzhak Aharonovich and was originally meant to apply both to "security" prisoners and prisoners involved in organized

crime, is expected to be submitted for readings in the Knesset in the near future. The Israeli Committee on Citizen Rights opposed the bill, arguing that communication with terrorist groups is already illegal under Israeli law, making the new bill unnecessary.

### **Palestinian municipal elections**

Also on 13 December, the Palestinian Supreme Court in Ramallah annulled the PA's 10 June 2010 decision to postpone municipal elections indefinitely. It called on the government to set a new date for elections. By 15 January 2011, however, no new date had yet been set.

### **Israeli High Court of Justice rejects Yesh Din petition on lawyer visits statistics**

On 4 January 2011, the Israeli High Court of Justice rejected a petition filed in March 2009 by Yesh Din and the Movement for Freedom of Information asking the Shin Bet to release figures on the extent to which it prevents Palestinian prisoners from meeting with their lawyers. The Israeli Prime Minister's Office had argued that the Freedom of Information Law did not apply to the Shin Bet and the Court accepted that argument, ruling that releasing such information could pose a threat to national security. In a [report](#) published on 28 December, the Public Committee against Torture in Israel revealed that from 2000 to 2007, between 70 and 90 percent of Palestinian detainees who were interrogated by the Shin Bet were held *incommunicado* for either the entire period or a significant portion of their interrogation.

### **Palestinian General Intelligence stops applying military legislation to civilians**

On 15 January 2011, the Head of the Legal Division of the Palestinian General Intelligence announced a decision to stop applying military legislation to Palestinian civilians. The decision came amidst a campaign from human rights organizations and foreign diplomats to lobby the PA on this issue. The decision, which forbids the use of military arrest warrants against civilians and orders the release of civilians detained with military arrest warrants, will come into effect on 16 January. For more information, see Al-Haq's [press release](#) on the issue.

## **UNITED NATIONS NEWS**

### **Goldstone Report update**

- Christian Tomuschat, the head of the Committee of Independent Experts tasked with monitoring and assessing the Israeli and Palestinian investigations into their forces' actions during the assault on Gaza, resigned on 1 December. According to his resignation letter obtained by the Jerusalem Post, Tomuschat cited scheduling conflicts as the reason for his resignation but no official statement was released.
- The UN Human Rights Council (HRC) is scheduled to consider the Committee of Independent Experts' second report in late February and March 2010 at its 16<sup>th</sup> regular session. The first [report](#), submitted to the Human Rights Council in September 2010, determined that Israel and the Palestinian factions had failed to undertake credible or sufficient investigations. Instead of calling for the situation to be referred to the Prosecutor of the International Criminal Court as recommended by the Fact-Finding Mission on the Gaza Conflict in its September 2009 report, the HRC adopted a [resolution](#) extending the mandate of the Committee of Independent Experts for another six months.

### **Upcoming events**

- From 22 to 26 November 2010, the pre-sessional working group of the UN Committee on Economic, Social and Cultural Rights met to consider the report of five countries, including Israel. On 9 December, the Committee published a [list of issues](#) that will be taken up with Israel in connection with its third periodic report during the Committee's 47<sup>th</sup> session in November and December 2011.
- The Special Rapporteur on the freedom of opinion and expression, Frank William La Rue, was due to visit Israel and the oPt from 16 to 31 January. At the time of publication, however, the Special Rapporteur's visit was being postponed because of a strike at the Israeli Foreign Ministry, which started on 27 December 2010 and has affected arrangements for official visits by foreign dignitaries. The

mandate of the Special Rapporteur is to gather all relevant information of discrimination against, threats or use of violence and harassment directed at persons seeking to exercise or promote the exercise of the right to freedom of opinion and expression.

- The Committee on the Elimination of Discrimination against Women is set to consider Israel's fifth periodic report at its 48<sup>th</sup> session from 17 January to 4 February 2011. Addameer contributed to an [alternative report](#) submitted by the Women's Center for Legal Aid and Counselling to the committee in December 2010.
- The Israeli Prime Minister's office reported on 12 January that the Israeli Cabinet is set to approve, on 16 January, Israel's accession to UN Women, the UN Entity for Gender Equality and the Empowerment of Women, with the aim of joining the Executive Board as soon as possible. UN Women was created in July 2010 to merge the four previously distinct parts of the UN system focusing on women. The current board was elected on 10 November 2010 for a three-year term.
- The UN High Commissioner for Human Rights is due to visit the oPt from 6 to 11 February but her visit is also in jeopardy as a result of the Israeli Foreign Ministry strike.
- On 16 to 17 February 2011, the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People will hold a conference in Cairo on the theme of "the urgency of addressing the plight of Palestinian political prisoners in Israeli prisons and detention facilities". Addameer director Sahar Francis and lawyer Mahmoud Hassan will be participating in the meeting and presenting information on the situation of Palestinian prisoners.

## EUROPEAN UNION NEWS

- On 7 December, the British Parliament held a 90-minute debate on "The detention of Palestinian children and the human rights situation in the West Bank" at the request of Sandra Osborne (Labour MP; Ayr, Carrick & Cumnock). Osborne visited the West Bank in late November with a delegation from the Britain-Palestine All-Party Parliamentary Group under the auspices of the Council for Arab-British Understanding. The delegation attended the hearing of Palestinian children at Ofer military court, prompting them to raise this issue in the British Parliament upon their return. During the debate, members of the delegation briefed the Parliament on the process of arrest, interrogation and trial of Palestinian children, highlighting Israel's violations of international law on the basis of information provided by Addameer, Defence for Children International-Palestine and the Public Committee against Torture in Israel among others. The members of the delegation asked Gerald Howarth, the Minister for International Security Strategy, to raise those issues personally with the Israeli Prime Minister on behalf of the British government and to consider visiting the military courts in any upcoming visit to the West Bank. Click [here](#) to read the transcript of the debate.
- On 15 December, the EU-Israel Subcommittee on Political Dialogue and Cooperation held a meeting in Jerusalem during which the EU notably stressed its concerns about Israel's treatment of human rights defenders as well as the detention and interrogation conditions of Palestinian children. The Palestinian Council of Human Rights Organizations wrote a [letter](#) to the EU chair of the meeting, the Middle East Director of the European Commission's External Relations Directorate General, on 9 December, calling on the EU to reject deceptive notions of a temporary settlement "freeze" and instead insist on adherence to the fundamental principles of international law.
- EU representatives continued to attend the court hearings of Abdallah Abu Rahma. At his 11 January sentencing the British Consul General and other diplomats from the European Union, the European Parliament, France, Denmark, Austria, Spain, Malta, Germany and Sweden were in attendance. A number of EU states condemned the sentence, with the French government issuing a [statement](#) on 11 January deploring the aggravation of Abdallah's sentence from 12 to 18 months and calling on the Israeli authorities "to respect the legitimate right of the Palestinians to stage peaceful demonstrations". Britain also [expressed](#) concern that the extension of Abdallah's sentence "is intended to prevent Abdallah and other Palestinians from exercising their right to non violent protest against the annexation of Palestinian land to Israel".

- On 15 March 2011, the European Parliament's Sub-Committee on Human Rights will hold a hearing on the conditions of Palestinian prisoners in Israeli and Palestinian prisons. Addameer has submitted a briefing on Israeli prison conditions ahead of the meeting.

## **ADDAMEER NEWS**

- Between 26 October and 5 November, Addameer undertook a speaking tour in Canada focusing on the criminalization of human rights defenders working to defend Palestinian human rights in the oPt and Israel. Addameer Program Manager Ala Jaradat spoke at Toronto, York, Ottawa, Carleton and McGill Universities among others. During the visit, Addameer also met with a number of officials from the Canadian Department of Foreign Affairs and International Trade (DFAIT), the Department of National Defense and the Canadian Forces, and the Department of Justice, as well as with Canadian members of parliament, to brief them on political arrests by Israel and the PA.
- On the second anniversary of the Israeli offensive against the Gaza Strip, Addameer issued a statement calling attention to the 686 residents of Gaza held in Israeli prisons. Since June 2007, prisoners from Gaza have been denied family visits, a policy that was confirmed by the Israeli High Court of justice in December 2009. Addameer called on members of the international community to condemn this policy and intervene with the Israeli authorities to reverse the measure. Click [here](#) to read the statement.

### **Upcoming events**

- From 21 to 23 January 2011, Addameer director Sahar Francis and lawyer Mahmoud Hassan will attend the world conference in support of Palestinian prisoners in Rabbat, Morocco organized by the Palestinian Prisoners' Club and the Moroccan Association to Support the Struggle of the Palestinian People (Association marocaine de soutien au combat du peuple palestinien).

## **PALESTINIAN AUTHORITY ARREST AND DETENTION NEWS**

Although the number of arrests by the Palestinian Authorities in the West Bank and Gaza is difficult to gauge, the number of complaints received by the Palestinian Independent Commission for Human Rights (ICHR) can be used as an approximate indicator. Between October and December 2010, ICHR received 419 complaints of arbitrary arrests by authorities in the West Bank and 93 by the authorities in Gaza. ICHR also received 57 complaints of torture and ill-treatment during detention in the West Bank and 72 in Gaza.

### **The resurgence of the death penalty**

The reporting period saw a drastic increase in the number of Palestinians sentenced to death, with 7 sentences issued in Gaza. In total, 10 Palestinians were sentenced to death in 2010, representing a slight decrease compared to 2009 and 2008 when 17 and 11 Palestinians were sentenced to death respectively. However, 5 detainees sentenced to death were also executed by the Hamas authorities in the Gaza Strip in April and May 2010. These were not only the first executions in the Gaza Strip since the Hamas takeover in June 2007 but also the first in the oPt since 2005, when 5 Palestinians were executed. In 2000, former Palestinian President Yasser Arafat had agreed to a moratorium on the death penalty, but this was not fully implemented in practice until 2005, with executions taking place in 2001, 2002 and 2005. Between 1995 and 2005, 13 Palestinians were executed by the Palestinian authorities, 11 in Gaza and 2 in the West Bank. The execution of 5 prisoners in 2010 alone therefore represents a significant increase in the number of executions. No death penalties were implemented or issued in the West Bank in 2010.

### **Blogger arrested**

On 31 October, Walid Hasayin, a Palestinian blogger, was arrested by the PA in the West Bank on suspicion of posting messages on the Internet and writing blogs that criticized Islam and other religions and in which he called himself god. Offending religious belief is a crime punishable by three months' imprisonment under Article 278 of the Jordanian (civil) Penal Code of 1964, in force in the West Bank, and Article 330 of the

Palestine Liberation Organization (military) Revolutionary Penal Code of 1979, which is also applied in the West Bank despite the fact that it has not yet been approved by the PLC, making it unconstitutional. A court hearing was rumored to be planned for 28 December, but as of 15 January, Hasayin remained held without charge, in contravention of the Palestinian code of criminal procedure. Click [here](#) for Human Rights Watch's statement on the arrest.

### **Repression in Gaza**

On 30 November, the Hamas authorities in Gaza shut down Sharek Youth Forum, an independent NGO offering training and summer activities for thousands of adolescents and young people, citing an ongoing criminal investigation into the group's activities and members. On 5 December, 16 Palestinians, mostly youths, participating in a peaceful demonstration protesting the closure of the organization in Gaza City were arrested by Palestinian policemen. Most were released the same evening but one Palestinian, identified as Mustafa Al-Ghoul, was held until mid-December. At the time of publication, all had been released. According to affidavits taken by Al Mezan Center for Human Rights, the released youths were forced to sign declarations committing them not to participate in any of Sharek's activities and not to mix with girls or women with whom they have no legal relationship.

### **West Bank PA prisoners on hunger strike released**

In late November 2010, six Hamas-affiliated Palestinians held by the West Bank PA in Jericho Prison without charges started a hunger strike to protest their continued imprisonment despite standing orders from the Palestinian High Court of Justice ordering their release. In an attempt to force them to end their hunger strike, Mohannad Nayroukh, Wisam Al-Qawasmeh, Majd Obeid, Ahmad Al Ewewi, Wael Al-Beetar, and Muhammad Sukiya were separated and transferred to various detention centers. After weeks of negotiations and pressure from human rights organizations, five of the men were transferred to Hebron Prison and all were eventually released on 6 January 2011 following a direct request from President Mahmoud Abbas to implement the orders of the High Court of Justice. They had spent between twenty-seven and thirty months imprisoned without charges. On the night of their release, however, five of the men were arrested by the IOF in their homes in Hebron (see "Prisoner News" section).

### **Gaza PA prisoners on hunger strike**

According to ICHR, six Fatah-affiliated Palestinians held in Gaza Central Prison started a hunger strike on 1 January and are currently in critical condition. Zaki Rashad Ad-Din As-Sakani, Nael Jamal Fahmi Harb, Shadi Khader Ahmad, Hassen Mohammad Hasen Az-Zant, Mohammad Khalil Ibrahim Ikhail, and Jamil Zakareiyah Jaber Juha are protesting their detention conditions and asking to be recognized as political prisoners. Although ICHR lawyers were able to visit the prisoners on 4 January, at which point the hunger strike was confirmed, they have been prevented from visiting since then by the prison authorities. The prisoners were all detained in 2007 and 2008. Nael and Hassen are sentenced to life, while Shadi and Jamil have been sentenced to death.

On 10 January 2011, the Hamas authorities in Gaza granted permission to Ashraf Juma, a lawmaker from Fatah, permission to visit several prisons in Gaza and meet Fatah detainees. This marked the first time that Fatah members were allowed to visit detainees in Gaza prisons.

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**ABOUT US:** *ADDAMEER* (Arabic for conscience) Prisoner Support and Human Rights Association is a Palestinian non-governmental, civil institution that focuses on human rights issues. Established in 1992 by a group of activists interested in human rights, the center offers support to Palestinian prisoners, advocates for the rights of political prisoners and works to end torture through monitoring, legal procedures and solidarity campaigns.

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