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Violations continue against Palestinian Women and Girls on International Women's Day

Since 1967, over 10,000 Palestinian women have been arrested by Israeli forces. **Today, 22 Palestinian females are held in occupation prisons and detention centers.** Palestinian women and girls are afforded special protections under international humanitarian law due to living under occupation, under special treaties dedicated to the protection of women and girls in times of conflict, and under general human rights law. Testimonies from women arrested in 2013 and 2014 indicate that these arrests persist in ways that gravely impact the rights of women.

In direct violation of international law (Article 76 of the Fourth Geneva Convention),¹ Palestinian women living in the occupied West Bank and Gaza Strip are generally held in prisons outside of the occupied territories, mainly in HaSharon Prison. Currently, there are 20 Palestinian females in HaSharon prison, one Palestinian woman in Neve Tirza Prison, and one Palestinian woman in Al-Jalameh Detention Center. All of these prisons are located in the occupying state of Israel.

Throughout the process of their detainment, from the moment of the arrest until their release, these women are subjected to inhuman and degrading treatment, torture, and psychological abuse. They have suffered ill treatment at the hands of Israeli forces, including gender-based violence, physical and verbal assault, and degrading strip searches used as a punitive measure. Physical and verbal assault have proved frequent under the hands of Israeli state actors towards Palestinian women during **arrest, interrogation, transfer, and detention** in violation of international standards.

Arrest

Arrests of Palestinian women have taken place under various circumstances, within and outside their homes. Shireen Issawi, a human rights lawyer who advocates for the rights of prisoners in occupied East Jerusalem, was arrested on 06 March 2014 following a raid on her home and her brother's home. She has worked in the monitoring and documentation of human rights violations committed against Palestinian prisoners by Israeli authorities, and has written for Al-Monitor,² where she wrote a piece in the event of International Women's Day 2013, approximately one year prior to her arrest, which was dedicated to her mother, who she said inspired her to advocate for Palestinian human rights and dignity.³

During arrest, women are subjected to physical abuse, ranging from twisting of arms to brutal physical beatings. Lina Khattab, an 18-year-old first year university student studying media, was arrested on 13 December 2014 near Ofer Military Base, and was subsequently accused of throwing stones at a military vehicle during a protest, which she denied.⁴ She indicated that her arms were twisted, that she was

¹ International Committee of the Red Cross (ICRC), Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 12 August 1949, 75 UNTS 287.

² See <http://www.al-monitor.com/pulse/contents/authors/shireen-essawi.html#>

³ This piece is available at <http://www.al-monitor.com/pulse/originals/2013/03/essawi-palestinian-prisoner-hunger-strike-womens-day.html>

⁴ Military Order 101, issued in August 1967, criminalizes civic activities including: organizing and participating in protests, taking part in assemblies or vigils, waving flags and other political symbols, printing and distributing political material. In addition, the order deems any acts of influencing public opinion as prohibited "political incitement". Under the heading

violently pulled, and that she was dragged into a military jeep.⁵ A 20 year old Palestinian woman, A., from Jerusalem also recounted her arrest which took place in her own neighborhood:

I was arrested on Tuesday, November 25th, 2014 at around 2:00 pm while I was taking my mother to my aunt's house in our neighborhood. My mother is of old age. She suffers from many diseases. She needs crutches to walk and is in constant need of someone to help her move.

I was walking with my mother down the street when a group of soldiers started standing in our way. We asked them to move so we could pass. One of them moved a little but did not leave enough space for us to pass through. When we tried to pass one of the soldiers tripped my mother and she fell.

When my mother fell, she hit her head on the floor... When I tried to help my mother stand up, one of the soldiers pushed me ... There were eight soldiers present. I tried to defend myself when all of the soldiers started attacking me brutally. One of them twisted my arm which was very painful. Another soldier grabbed my head from the jaw area and pushed my head backwards... Two soldiers were kicking my chest area with their feet and a female soldier was kicking me on my legs and waist area.⁶

N. was arrested at Qalandia checkpoint. She described the circumstances of her arrest as follows:

On July 18, 2014 at 11:00 am I tried to pass Qalandia checkpoint. I didn't have anything. I just wanted to go pray at Al-Aqsa Mosque. When I was at the checkpoint a soldier called me. He was right behind me and he called "hajjeh". I didn't know he was talking to me, since this word is usually used to call older women and there were a number of older women present.

Suddenly, a female soldier stood in front of me and started yelling, "Why didn't you answer the soldier?" I told her that I didn't know he was talking to me. She then asked for my ID and told me that I was not allowed to enter without a permit because of my age. I told her that it was my right to pray at Al-Aqsa Mosque because I am a Muslim. She started talking to me in a sarcastic tone along with five or six other soldiers.

The female soldier started talking to me disrespectfully, making fun of me. I answered her with anger. I suddenly found myself on the ground with the soldiers right above me. She sat on my body holding my hands and legs. She started punching and kicking me. The other soldiers were surrounding us and watching.⁷

Israel is accountable for its actions in the occupied territories, including West Bank checkpoints, involving the ill treatment of women during arrests. Article 12 of General Recommendation 28 by the Committee on the Elimination of Discrimination against Women on the Core Obligations of States Parties states that: "Although subject to international law, States primarily exercise territorial jurisdiction. The obligations of States parties apply, however, without discrimination both to citizens and non-citizens,

"support to a hostile organization", the order further prohibits any activity that demonstrates sympathy for an organization deemed illegal under military orders, be it chanting slogans or waving a flag or other political symbols.

⁵ Lina was arrested near Ofer military base in Beitunia, Ramallah. Lina reported that one of the soldiers pulled her from the back so violently that he ripped her shirt and caused her arm to bruise. The soldier dragged her to a military jeep while another twisted her arm until they arrived to Ofer prison.

⁶ Interview on 31 November 2014.

⁷ Date of testimony: 08 November 2014.

including refugees, asylum-seekers, migrant workers and stateless persons, within their territory or effective control, even if not situated within the territory. States parties are responsible for all their actions affecting human rights, regardless of whether the affected persons are in their territory.”⁸

In its General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, the Committee confirms the aforementioned paragraph, stating, “... the obligations of States parties also apply extraterritorially to persons within their effective control, even if not situated within their territory, and that States parties are responsible for all their actions affecting human rights, regardless of whether the affected persons are in their territory”.⁹

Transfer to Interrogation, Detention, and Prison Centers

During transfers to interrogation, detention, and prison centers, Palestinian women detainees have stated in their testimonies that they are physically and verbally assaulted. B., who was arrested on 02 July 2014, was taken blindfolded following a raid on her home in Al-Bireh in the Ramallah district, had her hands tied with plastic ties and was forced to kneel in a military jeep. As she attempted to shift out of the painful kneeling position, she was verbally assaulted by soldiers, particularly with insults against her family.¹⁰ 20 year old A. also recounted her transfer to an interrogation center, and the physical abuse she was subjected to:

After attacking me the soldiers pulled me violently and then shackled my hands with iron shackles. When I tried to fix my clothes they pulled me again and started beating and insulting me on the way. At this point I refused to get inside the military jeep. One of the soldiers starting beating me with the back of his gun on my back which was very painful, and I was forced inside the jeep. There were two female soldiers inside the jeep and another soldier sitting in the front seat. I told the female soldiers to loosen the shackles because I had a surgery in my right hand and I was not fully recovered yet. They started hitting my hands immediately after my request. They also beat my legs and feet. I was in extreme pain.

The jeep drove for about five minutes and then we arrived to Beit Horon settlement. There were about 20 soldiers... My legs were shackled. At the settlement, soldiers kept insulting me and cursing at my family. When I was in the jeep I couldn't breathe. My blood pressure dropped and I started shivering.

When the soldiers saw me in this condition they took me to another car, a white Mazda. The female soldier that had attacked me earlier came with me as well as two other soldiers. They drove the car for about an hour. We later arrived at Moskobiyeh [interrogation center]. The soldiers did not know where to take me. They forced me to walk barefoot. It was very cold and heavily raining. The ground was filled with dirt and mud. ¹¹

⁸ UN Committee on the Elimination of Discrimination Against Women (CEDAW), General Recommendation No. 28 on the Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, 16 December 2010, CEDAW/C/GC/28.

⁹ UN Committee on the Elimination of Discrimination Against Women (CEDAW), General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, 1 November 2013, CEDAW/C/GC/30, paragraph 8.

¹⁰ Addameer Documentation Unit, 2014.

¹¹ Interview on 31 November 2014.

A. also recounted her transfer to an interrogation center, to a prison, to a police station, and then back to a prison:

After the interrogation ended, I was still barefoot. I asked to wash my feet because of all the dirt and mud covering them. They refused. They sent me to another building at the MoskobiyeH interrogation center in order to take my fingerprints. Afterwards, I was taken back to the building I was previously in. When I was on the way I saw my father at the gate with a bag of my things. They allowed the bag inside but they refused to let me change my clothes. I was still shackled, until 7:30. The soldiers then took me to a military jeep and transferred me to Ramleh prison. The soldiers made me walk a very long distance barefoot and they were making fun of me. When we reached the main gate they kept me outside for around thirty minutes. It was raining, my clothes got wet and I was very cold. The soldiers took me back to the jeep half an hour later and transferred me to Beit Shemesh police station. It was almost 9:00 pm. I stayed outside for about half an hour, and then I was taken back to Ramleh prison.¹²

N. described her transfer to a detention center:

On the way, two female soldiers were present, one on my right and the other on my left. One of them was pinching my hand and the other was insulting and cursing at me... She was also kicking me.¹³

Detention

Women's accounts of their time in detention also indicate abuse in the hands of soldiers and prison personnel. This has even taken place in pre-trial detention. N., for example, who was detained in a room near Qalandia checkpoint described her experience:

As soon as we arrived, the soldier closed the door and threw me to the floor while I was shackled. They punched and kicked me, and they removed my hijab in a very rough way and started pulling my hair. One of them pulled my hair to make me stand up—it was very painful. Then she started hitting my head violently against the wall, more than three times.¹⁴

Women detainees have indicated that strip searching persists as a regular practice in detention, sometimes as a punitive measure. During these strip searches, most clothing is removed, and sometimes all clothing, including undergarments, are removed. Women who refuse to comply with such searches are often sent to isolation cells. The strip searches take place within the detention centers, during transfers to court hearings, and have even taken place in the middle of the night in the prisons.¹⁵ These strip searches may be considered an especially extreme measure within Palestinian culture, which is a generally conservative one in which a high value is placed on bodily integrity. The strip searches prove traumatizing from women's recounting of the experiences, and may indicate a brutal form of gender-based violence. An account of one woman's detention in 2012 in Salem Detention Center testified to a humiliating strip search by a male which the detainee called "utterly degrading", alongside beatings and assault. United Nations Security Council Resolution 1325, which is binding upon all member states of the United Nations, "calls on all parties to armed conflict to take special measures to protect women and girls

¹² Interview on 31 November 2014.

¹³ Date of testimony: 08 November 2014.

¹⁴ Date of testimony: 08 November 2014.

¹⁵ Addameer Association. "In Need of Protection", 2008, Available at <http://www.addameer.org/files/Reports/in-need-of-protection-palestinian-female-prisoners.pdf>

from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict".¹⁶

Interrogation

Women have reported physical and psychological abuses which may amount to torture in the custody of Israeli state actors during their time under interrogation. The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), which was ratified by Israel on 03 October 1991, defines torture. It states:

*Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.*¹⁷

L., who was arrested on 14 October 2013 from her home in a refugee camp during a raid on her home at approximately 1.00 am was taken to Al-Jalameh Detention Center. She was subjected to four days of interrogation in which she was denied access to a lawyer. She was shouted at upon not answering a question by the interrogator, and ultimately had a nervous breakdown. Days following, she was placed into a room with collaborators, known as *asafeer*.¹⁸ 20-year-old A. also recounted the physical abuse that she was subjected to:

When I entered the Moskobiyyeh interrogation center I was in so much pain. They made me sit on a chair by the main door until 6:30 pm. I was shackled the whole time. The soldiers kept trying to provoke me. An Arab policeman beat me whenever he passed by me. At around 6:30 pm I was visited by the lawyer.

...

When the lawyer left, a soldier pushed me off the chair into a corner and started beating me with his hands and legs all over my body. It was very painful. At one point, he twisted my hand while I was shackled and made me sit on the floor. I felt like I was going to faint because of the severe beating.

...

Later, a large number of policemen and staff members at Moskobiyyeh [interrogation center] came to see me while I was laying on the floor.

¹⁶ UN Security Council, Security Council resolution 1325 (2000) on Women and Peace and Security, 31 October 2000, S/RES/1325, article 10.

¹⁷ UN General Assembly, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85.

¹⁸ Interview on 02 December 2013.

Prisoners are sometimes placed with collaborators who present themselves as fellow prisoners and attempt to extract a confession. In the case of women prisoners, women collaborators guising as fellow prisoners are sometimes brought in to them following interrogation sessions.

*After this incident I was taken to interrogation while I was still shackled. There was one interrogator who spoke to me in Arabic. He was asking me about what happened earlier in the street in front of my house. He accused me of attacking a police officer and I denied.*¹⁹

Palestinian Women and Prisoners in Context

The arrest, detention, abuse, ill treatment, and torture of women take place within the context of ongoing occupation and annexation of Palestinian lands. These imprisonments disrupt the social fabric of Palestinian families, with about one fifth of the Palestinian population living in the occupied Palestinian territories having been detained at some point in his or her lifetime. For men, this number constitutes about 40% of the total population. In such cases, women often bear the brunt of the imprisonment of husbands and children, becoming the primary breadwinners of their families and dealing with the psychological impact of arrest of a family member on children.

In the Convention on the Elimination of all Forms of Discrimination against women, States Parties emphasize “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”.²⁰

Recommendations

- The United Nations and all States Parties call upon Israel to respect, uphold and strive to surpass the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of all Forms of Discrimination against women, and UN Security Council Resolution 1325, in regulating the treatment of women and girls during interrogation and detention, and their lives of women and girls in prison.
- States Parties to the Fourth Geneva Convention call for an end to physical and psychological abuse in the hands of soldiers during the arrests of Palestinian women and girls and their illegal detention in occupying territory.
- States Parties call for an end to the practices of physical and psychological torture and ill-treatment of Palestinian women under interrogation.
- States Parties to the Convention on the Elimination of all Forms of Discrimination against women call upon Israel to develop a gender-sensitive policy for the treatment of Palestinian female prisoners.
- **States Parties, women’s organizations, and human rights organizations call for the immediate release of female prisoners and an end to their ill treatment.**

¹⁹ Interview on 31 November 2014.

²⁰ UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13.

FEMALE PRISONERS CONTACT LIST

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Asma Balhawi - Detained in Ramleh / Neve Tirza
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All female detainees are detained in HaSharon prison unless otherwise noted.

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