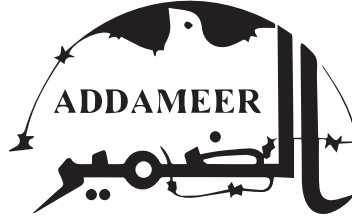




Addameer Prisoner Support and Human Rights Association

**Annual Violations Report
Violations of Palestinian Prisoners' Rights
in Israeli Prisons
2015**





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Addameer Prisoner Support and Human Rights Association
Ramallah - Occupied Palestine
2016

2015 ©

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Introduction

The Israeli occupation continued its detention policy in 2015 as an integral part of its comprehensive efforts to destroy the Palestinian youth and disperse Palestinian families. This severely affected the fabric of the Palestinian community in all of its denominations on both short and long terms, with the number of arrests amounting to 6335 in 2015, translating into 17 arrests per day. Arrests did not target one specific group, but rather included children, women, human rights defenders, Palestinian Legislative Council members, as well as university and school students.

Arrests escalated in 2015 with the beginning of the popular uprising in various Palestinian regions in October. The Israeli occupation followed several policies during arrests, including the use of excessive force and live ammunition against detainees. All was part of a rampaging field executions trend that killed 145 Palestinians and left dozens of injured detainees in Israeli prisons within the last three months of 2015.

Upon a closer look, we find that the overall policies of the Israeli institutions, including the legislative, executive and judicial branches, operate as an integrated system aiming, firstly and lastly, to dismember the Palestinian social fabric. The efforts concentrated in continuous attempts of forcible transfers and deportations, arbitrary arrests, field executions, and division of Palestinian land. Moreover, Israel continued with its efforts to turn Palestinian prisoners into financial burdens weighing down their families by linking their freedom to high bails and heavy fines. The year 2015 clearly reflected the comprehensive nature of the Israeli occupation, in particular the passing of racist legislations targeting Palestinians and imposing long jail sentences for stone-throwing offenses.

The 2015 annual violations report is part of Addameer's efforts to archive the history of the Palestinian prisoner movement, monitor the conditions and effects of long sentences, as well as document the Israeli occupation practices. Addameer also aims to expose the Israeli government violations of Palestinians' rights, particularly the prisoners, with its complete disregard of internationally-binding charters and treaties signed by the Israeli government as an occupying state. Another essential part of Addameer's message is to expose the Israeli occupation's failure to uphold signed agreements regarding prisoners, like the 2012 agreement and prisoners exchange deals.

This report is the result of the collective efforts of a well-rounded team of lawyers, as well legal and field researchers. Addameer holds in high regard the legal aspects of such reports with the work of a fully fledged team of lawyers that regularly visit prisons. In 2015, the Documentation and Research Unit visited 350 prisoners in 142 visits to Israeli interrogation centers, detention centers and central prisons. The unit filed numerous complaints referencing the majority of the violations cited in this report, and offered legal representation in many cases.



Introduction: Facts and Figures



Table 1: Numbers of prisoners and detainees 2010-2015



	Jan	Feb	Mar	Apr	May	Jun	Jul	aug	Sep	Oct	Nov	Dec
2015	6200	6000	5820	5800	5750	5850	5700	5520	5621	6300	6700	6800
2014	5023	5142	5224	5265	5271			6500	6200	6500	6500	6200
2013	4743	4812	4936	4900	4979	5058	5071	5068	5007	5046	4996	5033
2012	4567	4489	4637	4610	4563	4659	4706	4660	4606	4596	4520	4656
2011	5935	5834	5777	5716	5604	5554		5573	5374	5434	4937	4970
2010	6831	6794	6985	6985	6584	6508	6408	6257		6180	6089	5977





Table 2: Detained Palestinian Legislative Council members 2010-2015



	Jan	Feb	Mar	Apr	May	Jun	Jul	aug	Sep	Oct	Nov	Dec
2015	20	17	16	13	12	12	7	4	4	5	5	5
2014	12	11	11	11	11	23	38	36	29	28	25	22
2013	12	15	12	14	13	13	14	13	13	13	14	14
2012	27	27	27	27	27	26	20	20	13	10	8	13
2011	12	12	13	13	14	19	19	19	22	22	23	23
2010		11	15	14	12	12	12	12	9	9	9	9



Table 3: Number of children in Israeli prisons 2010 - 2015



	Jan	Feb	Mar	Apr	May	Jun	Jul	aug	Sep	Oct	Nov	Dec
2015	152	163	182	182	164	162	160	153	156	320	420	470
2014	154	183	210	202	196	200	192	200	201	182	163	156
2013	193	219	185	236	236	222	194	195	180	179	159	173
2012	166	166	183	203	218	192	220	210	194	189	164	177
2011	209	221	216	224	217	211		201	176	262	150	159
2010	318	343	342	355	300	286	281	280	269	264	251	225



Table 4: Prisoners' categories at start and end of 2010 - 2015

Year	Ter- 1948 ritories prisoners	East Jerusalem Prisoners	Gaza Prisoners	Pre-Oslo Detainees	PLC Members	Women Prisoners
Start of 2015	100	380	371	30	20	22
End of 2015	90	520	352	30	5	60
Start of 2014	226	163	389	30	12	17
End of 2014	100	376	376	30	22	23
Start of 2013	191	167	437	111	12	10
End of 2013	216	169	395	53	14	16
Start of 2012	180	161	462	112	27	8
End of 2012	191	165	439	111	13	11
Start of 2011	187	197	684	300	10	37
End of 2011	165	152	443	112	23	5
Start of 2010	200	198	726	300	12	36
End of 2010	191	198	686	300	9	39



Table 5: Number of Israeli Special Forces raids on prisoners' sections and cells 2010-2015

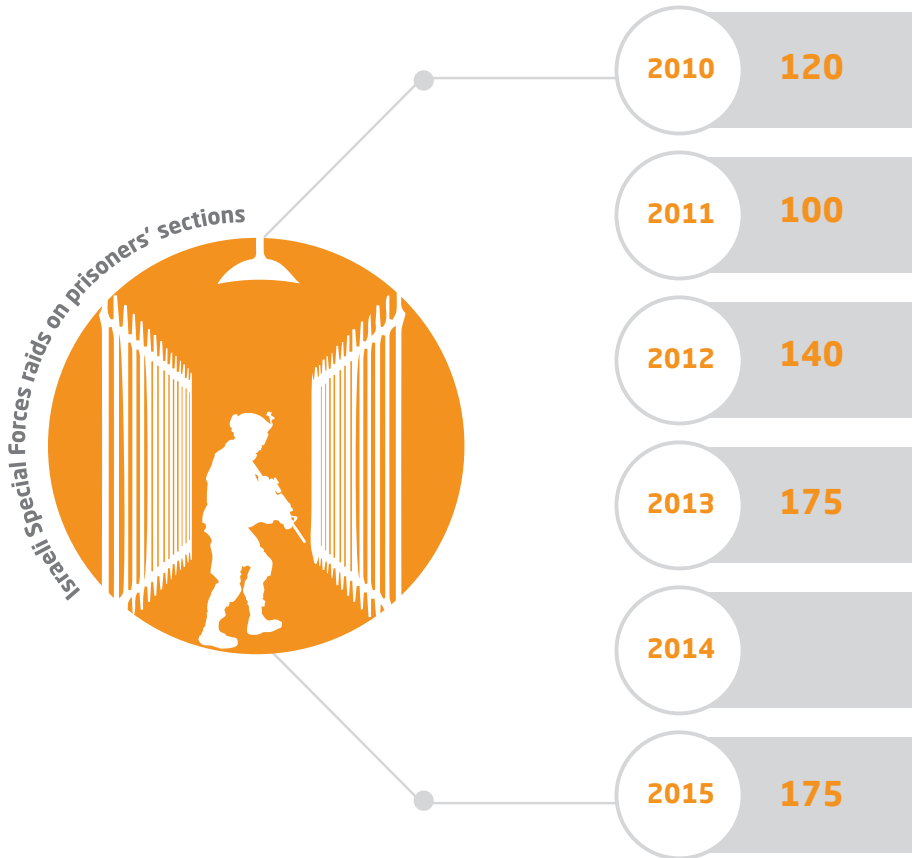




Table 6: Number of administrative detainees 2007-2015

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2015	450	454	426	414	401	480	480	350	343	450	545	660
2014	155	175	183	186	192			480	500	500	530	465
2013	178	178	170	168	156	147	136	134	137	135	145	145
2012	309	309	320	322	308	303	285	250	112	184	156	178
2011	207	221	214	217	220	229	243	243	272	286	278	283
2010	264	264	259	237	222	215	200	190	190	212	214	207
2009	564	542	506	487	449	428	387	363	335	322	291	278
2008	813	788	766	790	776	738	692	649	604	583	569	546
2007	814	788	776	790	761	730	691	651	599	578	569	546

There were significant inconsistencies regarding the number of prisoners in June and July of 2015 after three Israeli settlers went missing, which prompted a wide-scale wave of arrests in the Palestinian territories. Similar inconsistencies were notable during the recent Israeli aggression in the Gaza Strip.

Major Events in 2015

- ❖ **January 6th, 2015:** Prisoner Kareem Yousef Fadel Younis from 'Ara village -in the northern territories occupied in 1948 - entered his 35th year in Israeli prisons. His relative, 57-year old Maher Younis, has entered his 32nd year in prison following his arrest in January 19th, 1983.
- ❖ **Mid-February 2015:** Tensions escalated for weeks in Ramon prison where the Israeli Prison Service carried out collective punishments, daily assaults and searches against Palestinian prisoners. A large number of prisoners were forcibly transferred to other prisons and placed in solitary confinement.
- ❖ **March 25th, 2015:** Pre-Oslo Prisoner Walid Daqqa from Baqa al-Gharbiyye village -in the territories occupied in 1948 – served his 30th year of a life sentence after his arrest in March 25th, 1986. Daqqa is one of 30 Pre-Oslo prisoners whose release was rejected by Israel during negotiations last year.
- ❖ **April 1st, 2015:** The Rome Statute entered into force granting the International Criminal Court (ICC) jurisdiction in Palestine after it became a full-fledged member of ICC, thus allowing the legal prosecution of Israeli officials over war crimes committed against Palestinians. In January of 2015, the ICC opened a preliminary examination into war crimes and crimes against humanities committed by the Israeli occupation during its last aggression in the Gaza Strip which left 2200 Palestinians dead, and over 11,000 others injured.
- ❖ **April 2nd, 2015:** Palestinian Legislative Council member and Vice-Chairperson of the Board of Directors of Addameer, Khalida Jarrar, was arrested by orders of the Israeli military prosecution and sentenced to six months of administrative detention, which was later reduced to a month and two days. The prosecution put forth 12 charges, including affiliation with illegal organizations, referencing in particular her position as head of prisoners' issues file in PLC. Jarrar was also charged with participating in activities and rallies supporting Palestinian prisoners and detainees in Israeli prisons.

- ❖ **April 10th, 2015:** Death toll of Palestinian prisoners reached 207 following the death of Ja'far Awad, 22, from Hebron mere months after his release from prison in January of 2015. Awad, who was arrested in November 1st of 2013, passed away after a long journey of suffering from various illnesses he obtained during his detention; these included diabetes, severe pneumonia, and lymphatic diseases. He was released after a legal battle following a severe deterioration in his health condition. Awad was imprisoned for three years prior to his last arrest.

- ❖ **May 10th, 2015:** Ofer military court sentenced Nael Barghouthi, the longest-serving Palestinian political prisoner, to 30 months in prison in a special hearing examining the cases of former prisoners released in the Wafa Al Ahrar prisoner exchange deal in 2011. Israel re-arrested over 65 West Bank prisoners released in the deal, including Barghouthi who served 33 years of his life sentence, as part of mass arrests in after the disappearance of three Israeli settlers in Hebron. 58 of them are still imprisoned, and in 2015, Israeli courts reinstated the former sentences of 54 prisoners, including three women.

- ❖ **June 10th, 2015:** The United Nations Secretary-General Ban Ki-moon excludes the Israeli army from the "List of Shame," an official list of serious violators of children's rights.

- ❖ **July 1st, 2015:** More than 60 administrative detainees in Ofer, Megiddo, and Ketziot prisons launched a boycott campaign of military courts. The detainees aimed to protest against administrative detention and expose the sham of the Israeli court system which casts judgment on classified material inaccessible to the administrative detainees or their attorneys.

- ❖ **July 30th, 2015:** The Israeli Knesset approved a law sanctioning the force feeding of Palestinian hunger strikers in Israeli prisons. The bill, proposed by the Israeli Minister of Internal Security Gilad Erdan, passed its second and third readings with 46 votes in favor.

- ❖ **August 6th, 2015:** Prisoners in southern prisons took escalating measures protesting a series of punishments that went into effect in July of 2014 following the disappearance of three settlers in Hebron and the military aggression in the Gaza Strip. The punishments included reducing family visitation to once a month, lowering their canteen allowance, limiting the number of television channels available to prisoners, arbitrary transfers, as well as placing a group of prisoners in solitary confinement.

- ❖ **August 20th, 2015:** Five prisoners in Ketziot prison launched an open-ended hunger strike protesting their administrative detention. Nidal Abu Aker, Shadi Ma'ali, Ghassan Zawahre (Bethlehem), Munier Abu Sharar (Hebron), and Bader Razzeh (Nablus) ended their hunger strike after 41 days in September 29 after reaching an agreement specifying an end to their administrative detentions. The year 2015 marked several individual hunger strikes protesting administrative detention. Khader Adnan led the longest strike, which lasted from May 6th until June 29th, while Mohammad Allan went on hunger strike from June 18th to August 20th; both ended their strikes after reaching an agreement ending their demonstrative detention. Moreover, imprisoned journalist Mohammad Al-Qiq went on a three-month hunger strike starting November 25th.

- ❖ **October 2015:** Israel launched a wide-scale assault against the Palestinian people, committing war crimes and crimes against humanities with extrajudicial executions, house demolitions, raids, closure of civic and media institutions, discriminatory legislation, and collective punishments. These crimes targeted Palestinians in the West Bank, the Gaza Strip, Jerusalem and occupied territory in 1948. The Israeli occupation also executed mass-scale arrests against Palestinians of various sectors of society, including academics, Legislative Council members, children, women, and former prisoners, as well as introduced a sharp increase in the use of administrative detention.

- ❖ **October 14th, 2015:** Prisoner Fadi Ali Ahmad Al-Darbi, 30, from Jenin, passed away from a stroke causing him to enter a stage of clinical death for several days, thus raising the death toll among the Palestinian prisoner movement to 209. Al-Darbi suffered medical negligence for two years in Israeli prisons, particularly after suffering a naval bleeding that was not treated while he was in solitary confinement. Al-Darbi was arrested in March 16th of 2006 and sentenced to 14 years in prison.

- ❖ **November 3rd, 2015:** The Israeli Knesset passed in second and third final readings several amendments targeting Arab citizens in the occupied Jerusalem and occupied territory in 1948. The amendments mostly addressed stone throwing offenses, linking them to nationalist ideologies. Amendment 119 to the penal code 322A in the criminal law set a 4-year minimum jail sentence to stone throwers. Moreover, amendment 20 to the youth law (Penalties and Treatment Methods) stated that anyone convicted of stone-throwing for a nationalist ideology will not receive

National Insurance Institute benefits for the duration of internment. If a child is convicted of stone-throwing or any security crime for a nationalist ideology, his/her parents will not receive national insurance benefits for the duration of the sentence. The amendment also allows the heavy fining of up to NIS10,000 (around \$3000) against the families of convicted children.

- ❖ **November 25th, 2015:** The Knesset passed a first reading of a law sanctioning the internment of children under the age of 14, contrary to the current Israeli law. The new law came following the Israeli campaign targeting Palestinian children in Jerusalem.
- ❖ **December 29th, 2015:** Israeli forces raided Ahrar Center for Prisoners' Studies and Human Rights in Nablus, confiscating and destroying contents before closing it until further notice. The raid came in light of the occupation's continuous efforts targeting Palestinian human rights institutions active in defending the rights of prisoners and detainees in Israeli prisons, as well as Palestinian human rights defenders and journalists. These targeted attacks arguably aim to silence these institutions and empty them of their staff, as well as erase all traces of war crimes and crimes against humanity committed against Palestinians, particularly prisoners.
- ❖ **2015:** Israeli authorities issued seven forcible transfer orders from Jerusalem to Anan Najib, Akram Al-Sharfa, Obadah Najib, Raed Salah, Mohammad Al-Razem, Hijazi Abu Sbeih, and Samer Abu Eishah. Both Abu Sbeih and Abu Eisha rejected the orders and protested in the Red Cross headquarter in Jerusalem starting in December 23rd, 2015.

Chapter One

Torture and Degrading Treatment



“Injustice anywhere is a threat to justice everywhere.”

Martin Luther King Jr.

Torture, in any form, leaves a deep permanent mark on victims, transcending time and individuality and affecting those around the victims. Torture hinders a person’s connection to his or her humanity, leading to the absolute, non-derogable prohibition of torture in international charters and norms. The prohibition of torture, cruel or inhuman treatment and outrages upon personal dignity is one of the few non-derogable norms of the international law, not limited to territorial boundaries. Nevertheless, the Israeli occupation forces continue to utilize torture as a means of confession extraction, in contravention of its absolute prohibition in the United Nations Convention Against Torture (CAT) ratified by Israel in 1991.

The term “torture,” according to Article 1 of the Convention refers to “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...”

Torture, cruel, inhuman or degrading treatment or punishment has also been prohibited in Articles 7 and 10 in the International Convention on Civil and Political Rights of 1966. The UN Human Rights Committee reaffirmed in its 20th General Comment that the text of Article 7 of CAT allows of no exceptions. Moreover, the Committee reiterated that “even in situations of public emergency such as those referred to in article 4 of the Covenant, no derogation from the provision of article 7 is allowed and its provisions must remain in force,” observing that there can be no justification or extenuating circumstances that could allow a violation of Article 7 for any reasons.

This chapter explores the forms of torture executed by the Israeli occupation authorities against the Palestinian people, especially during the recent popular uprising that started in October and lasted till the end of 2015. Addameer’s Documentation and Research Unit documented 43

cases of torture and ill-treatment in Israeli prisons and interrogation centers during various visits. With joint efforts of lawyers and field researchers, 111 affidavits on torture and ill-treatment were obtained after the occupation forces implemented new interrogation and confession extractions policies this year.



First: Torture during Arrest

“The majority of Jerusalem detainees, if not all, were beaten during arrest.”

Addameer Attorney Mohammad Mahmoud

Arrests are most often executed late at night, without a warrant or probable cause. Addameer documented numerous cases where the detainee was beaten in front of his family, including children, while dozens, sometimes hundreds, of heavily armed soldiers participate in the arrests. In 2015, the occupation used silencers while breaking into houses without alerting the residences, in a flagrant breach of individual’s privacy. The detainee and his or her family are subjected to cursing, humiliation, verbal and death threats, damage to house content, as well as confiscation of laptops and mobile phones in clear violation of Article 53 of the Fourth Geneva Conventions.

Testimonies of detainees and their families – occasionally, even their neighbors – reaffirm that the occupation is carrying out collective punishments during an arrest which causes severe mental, physical, and material damage, as well as outrages upon their dignity in violation of Geneva Convention¹. The occupation also executes severe mental torture of prisoners by using their families as a bargaining chip to extract confessions. In October 31st, 2015, Mahmoud Shafiq Abeed, 20, was arrested from his brother’s house in his town Issawiya by a unit of 40 armed masked members of the Duvdevan Unit, Israeli Special Forces disguised as Arabs. The soldiers assaulted the family and searched every room of the house. After being transferred to several detention centers and left outside for hours at end, Abeed’s mother was arrested twice as leverage to pressure him into confession. A Jerusalem family of a mother and children were arrested and transferred to Oz police station, restrained with plastic handcuffs, and placed immobile in a dark room kneeling on their knees facing the wall for hours; the guards would kick them on their backs if they moved.

1. Article 33 of the Geneva Convention states that no protected person may be punished for an offence he or she has not personally committed; Collective punishments and similar measures of intimidation or of terrorism, pillage, and reprisals against protected persons and their property are prohibited.

The Israeli occupation used excessive force during arrests; most of which were accompanied with shooting live ammunition, especially in the last three months of 2015. Upon taking a closer look into the shootings, the occupation forces could have executed the arrest without resorting to shooting, which caused serious injuries that led to permanent disabilities in some cases, and death in others. Consequently, the Israeli occupation overstepped the internationally-acceptable legal security measures since civilians are protected by the Geneva Convention. Article 78 of the Convention presented the lone exception to the protection rule, thus allowing the occupation to practice assigned residence or internment for imperative reasons of security. Despite the heavy restrictions under international law on its utilization in article 78, the Israeli authorities used the exception as a general rule.

The following are detainees' testimonies on the use of torture and excessive force against them during arrests in 2015:

- **Jalal Shaher Sharawneh**, 17, an honor student from Dora village in Hebron, was arrested in October 10th, 2015 from a nearby Israeli settlement where a settler opened fire directly at him, hitting him with 8 bullets in his right leg. After Sharawneh collapsed, a group of soldiers started kicking him all over his body, targeting his injured leg until he passed out. He was in a coma for several days before he woke up chained to a bed in Soroka hospital. Israeli authorities proceeded to interrogate him immediately after he gained consciousness despite his drowsiness and severe fatigue. Sharawneh was then moved to Ramleh hospital where he suffered from severe bleeding in his injured leg, requiring his transfer to Assaf Harofeh hospital. Attempts to save his leg failed, and Sharawneh's leg was amputated without acquiring his parents' permission despite his young age. Interrogation proceeded despite his medical condition. Sharawneh had been detained awaiting trial until the end of 2015 as he continuously denied all allegations against him.

- **Mohammad Yousef Burqan**, 18, from Al-Thawri neighborhood in Jerusalem stated in an affidavit that on October 4th, 2015, he was passing by clashes between youngsters and special Israeli forces when he collapsed on the floor with a sudden burst of pain in his left eye. Members of the Israeli forces proceeded to drag him aside as he felt excruciating pain across his body caused by harsh beatings by the soldiers. They used their physical strength and unknown sharp objects during the assault; Burqan could hear them yelling in Hebrew “hit him on the head.” The beatings continued while the soldiers dragged him to a relatively distant location from the clashes, despite bleeding from his eye and head. Burqan described one soldier restraining him with plastic handcuffs on the ground, while another took off his shirt, used it to wipe the blood off his face and head, and tied it as a mask concealing his face. Some of the soldiers stepped on his hands and held him down in a crucifix position. Burqan said he saw the flash of a camera as one of the soldiers took his picture while masked in an attempt to fabricate evidence against him to prove his participation in the clashes.



Accompanied by two soldiers, Burqan was moved to Hadassah Ein Karem hospital. He estimated that it took around an hour after his injury to transfer him to the hospital, where he waited for almost 5 hours to be seen by a doctor. One of the soldiers repeatedly assaulted Burqan, punching and kicking him in the shoulder, right arm and head for no apparent reason. After the doctor’s examination, Burqan and his father were told that the injury caused colossal damage to his eye, rendering it completely blind, and requiring its removal and replacement with a prosthetic glass one; they agreed to the enucleation surgery. Due to the fractures in the face from the injury and beatings during arrest, Burqan also required placing platinum plates in the lower left jaw and the left suborbital ridge.

- **Former prisoner Mohammad Ziyadah**, 21, from Betello village near Ramallah, was shot in the head by the Duvdevan Unit, Israeli special forces disguised as Arabs, which led to partial memory loss and speech

difficulties. He is currently seeking treatment in the Arab Association hospital in Beit Jala after his release.

- **Prisoner Ahmad Hamed**, 21, from Silwad village near Ramallah, was attacked by a Duvdevan Unit in October 7th, 2015, and was severely injured in a contact shot to the foot.

- **Prisoner Khaled Al-Basti**, 27, from the Old City of Jerusalem, was arrested in October 13th, 2015 from his place of employment in Ra'anana. He was run over and severely beaten by a group of Israeli settlers which left him in a coma requiring his transfer to Pelnson hospital. He woke up the following day to severe pain in his right arm that was chained to a hospital bed and a swollen-shut eye. He was interrogated while still under the influence of anesthesia, and then transferred to al-Maskobiyya interrogation center where he was interrogated for 17 days. Al-Basti stated in his affidavit that he was denied access to doctors, except for a dentist, for the duration of his interrogation and was only allowed pain killers following his repeated insistence.

- **Ansar Mohammad Hussein Assi** from Beit Liqya near Ramallah was moving material inside the factory where he works in Jabel Al-Taweel in Al-Beireh city around 1.00 PM on 06/10/2015 when six Israeli soldiers attacked him as they were chasing down some youth in the area. The soldiers assaulted Assi and continuously beat him with rifles on his right side for ten minutes, threatened to throw a grenade in the factory, blindfolded him, restrained his hands behind his back, and forced him to walk for almost one kilometer. He was taken to a military camp and was left outside in the cold for nearly 9 hours. Overall, Assi spent three days in the camp blindfolded, without food or water, and with no access to any kind of medical treatment. He was later transferred to Hadassa Ein Karem hospital for the severe beatings he received.



Second: Torture of Detainees in Interrogation Centers

Blatant violations of detainees' rights continue in Israeli interrogation rooms, where interrogators carry on the stream of assaults started in the arrest process. The attacks aim to break the detainees' spirit, wear them down mentally and physically, thus forcing many to self incriminate.

Over the years, more than a hundred interrogation methods were observed as the Israeli authorities continuously attempted to legitimize its internationally-forbidden methods of using military orders and a number of discriminatory laws, mainly article 2 of the Penal Code of 1972, to justify outrages upon the Palestinian detainees' dignity and provide legal cover to carry on unaccountable crimes.

The Israeli supreme court ruled that the Israeli Security Agency, commonly known as Shin Bet or Shabak, could no longer use "moderate physical pressure" on suspects under interrogation. However, it allowed the use of torture and physical pressure in the case of a "ticking bomb" scenario where security officials believe that a suspect is withholding information that could prevent an impending threat to civilian lives. This stands in clear violation of the International Law that absolutely prohibits torture, without exemption. The Shabak continues to develop new alternative methods of torture, including complete isolation of the outer world, and the use of cruel detention conditions to increase pressure and extract confessions.

Addameer documented the use of evasive methods by the Israeli intelligence through dozens of affidavits from detainees in Jerusalem. Several detainees said they were beaten, sometimes severely, in interrogation centers, particularly in al-Maskobiyya interrogation center. Lawyer Mohammad Mahmoud said that most of the detainees' files are sent to the Israeli Police Investigation Unit (Mahash); in most cases, the files are rejected without consideration.

An Interrogator's Threat of Medical Negligence: Ill prisoner Bassam Al-Sayeh, 42, from Nablus was arrested in October 8th, 2015 when he attended his wife Muna Al-Sayeh's trial in Salem military court. Bassam Al-Sayeh, a cancer patient and diagnosed with weakness in the heart muscle, was transferred to Afula hospital with his hands and legs shackled. After three days of tests, he was transferred to the Petah Tikva interrogation center where he was welcomed by an interrogator saying: "Welcome Zuhair Lubada", referencing former Palestinian prisoner Lubada who passed away from kidney failure days after his release in 2012. Al-Sayeh perceived the welcoming as an indication that he would meet the same fate as Lubada. Al-Sayeh wasn't fully aware of the interrogation process as he slipped into coma and suffered loss of consciousness of low blood pressure, sometimes as low as 40/60, more than once a day.

"I was interrogated daily, sometimes for more than 10 hours," Al-Sayeh said. "At one point, the interrogator applied pressure on my chest and pelvis, causing me a great deal of pain. I've fainted in holding cells, and I was left for 20 days without proper medical treatment until my condition deteriorated. After losing consciousness, I was transferred to Pellnson hospital where I was diagnosed with a low blood platelet count, prompting chemotherapy administration," he added.

Prisoner Abdullah Naji Abu Samra, 39, from Nablus, was arrested in 27/11/2015 and was banned from seeking legal counseling until 30/12/2015, almost a month after his arrest. According to his affidavit, the third week of his interrogation was the most violent. He was interrogated continuously from Sunday morning till Wednesday evening, during which he was only allowed to sleep for limited hours, with his arms and legs tied to a chair the entire time, and subjected to the interrogators' threats and screams. Abu Samra fainted and woke up in the clinic having lost sensation in his left arm and leg, and suffering severe chest pains. He was transferred, shackled in an ambulance,

to Pellinson hospital where he stayed under tight security with three guards till the next Sunday. He was immediately subjected to a prolonged extensive interrogation despite his health condition.

Tareq Khalil Abbas Dweik, 22, from Jerusalem, was arrested in October 13th, 2015 after being run over by settlers in Ra'anana where he works. He was interrogated in al-Maskobiyya interrogation center in Jerusalem, where he fainted after being shouted at continuously by the interrogator. His lawyer, Sana' Dweik said she walked into the interrogation room to find the interrogator stepping on Tareq's head despite him suffering from a fractured jaw as a result of the beatings he underwent by the settlers during arrest; she has filed a complaint on the matter. After receiving treatment, Dweik was interrogated all day long for four hours at a time, separated by short intervals, sometimes until 10 PM. At one point, a heavily built interrogator put his hands together and hit Dweik on the head, causing him to lose consciousness; nonetheless, interrogations continued for seven more days. Dweik was assaulted verbally and physically in the prisoners' transport vehicle, and while waiting for interrogation in al-Maskobiyya. His hands and legs were bound to the chair and he was not allowed access to the bathroom for the duration of the interrogation. The interrogator took pictures of Dweik while on lying on the floor.

Outrages upon Personal Dignity: The interrogator forced Dweik to watch a video of himself being beaten during interrogation. Dweik was transferred to Hadarim prison a month later, and remained there by the end of 2015. He had suffered constant dizziness, headaches, shortness of breath, toothache, memory loss, and fractures in the lower jaw. Despite that, he was only allowed vitamin B. Dweik has endured troubling dreams, exacerbating turmoil and severe distress.

Oday Dari, 18, from Jerusalem was asleep in his bed when the Israeli army raided his house searching for him in October 15th, 2015. Soldiers ransacked the house and destroyed some of its contents. Dari was immediately taken to al-Maskobiyya center, where he was interrogated daily for long hours, starting at 8 AM and ending at 10 PM. He was threatened and cursed in every session. The interrogators bounded only his feet at the beginning, but at one point

during interrogation, Dari cracked under the immense pressure and started hitting himself on the face; his hands were bound after that for the duration of the interrogation. He described the incredibly poor living conditions and food quality in the interrogation center where he was moved between several rooms, all of which were small, dirty, without windows or natural light.

Changes in Interrogation Policies in 2015

The events of October and onwards reflect the reality of the Israeli institutions. Upon observation, one detects that the Israeli occupation authorities, from soldiers, to police officers, interrogators, jailers, and guards form a circle of complicity that later extends to include medical staff in Israeli hospitals. In 2015, new policies were put in place to further humiliate and infringe upon the dignity of the Palestinian detainee, including:

- **Fabricating photo evidence during arrest to be used in court**

A number of Palestinian prisoners stated in their affidavits that Israeli soldiers or interrogators forcibly disrobed them, used the detainees' own shirts to mask their faces, and proceeded to photograph them to later use the pictures as evidence against them in trial. This method particularly targeted Jerusalem children and youth, including Ahmad Naser, 17, from Ras Al-Amud neighborhood, Mohammad Burqan, and many others.

- **Use of helmet cameras during arrest**

The popular uprising of October 2015 witnessed the noticeable use of Israeli soldiers' helmet cameras footage of the arrests as evidence against Palestinian youth in court. In some cases, the technology played an opposing role in uncovering the Israeli soldiers' lies and deceit in court. In one case, university student Ahmad D'ias from Jerusalem was arrested in his own house yard in October 5th, 2015 and charged with throwing stones, assaulting police officers and engaging in clashes among others. D'ias appeared in court bearing the signs of severe beating, and listened to witness testimonies from his arresting soldiers who stated on the record that he was wearing a blue shirt as he attacked them. The feed from one soldier's helmet camera showed that the person in the blue shirt had left the site of the clashes, prompting the prosecution to change the charges against him. D'ais was sentenced two-month prison time, along with a suspended three-year prison sentence, and a 750 NIS fine.

- **Humiliation, assaults and “selfies” in hospital beds.**

A number of detainees stated that with the escalations since October 2015, the Israeli guards in hospital rooms where injured detainees were kept have intentionally exploited the detainees’ weakest moments and taken degrading pictures of them on the guards’ personal phones. Bilal Amr Abu Ghanem, who was arrested after he allegedly opened fire and stabbed passengers on Bus 78 in Jerusalem, was shot in the chest and hit with an expanding bullet in the left foot. Despite his injuries, he was handcuffed behind his back and beaten during the arrest. Abu Ghanem told Addameer lawyer that all the guards used to beat and kick him, while the nurses in Hadassa Ein Karem hospital used to curse and scream at him, hit his bed repeatedly, and not allow him to use the bathroom for long periods of time. The deepest wounds, according to Abu Ghanem, were the humiliation he faced when police officers had photographed him naked in his hospital bed. Sometimes, a police officer would take out his genitals and hold it close to Abu Ghanem’s face, while other officers would take demeaning selfies with him. Addameer lawyer Mohammad Mahmoud filed a complaint in the police interrogation unit on the matter.



Chapter Two

Guarantees of Fair Trial

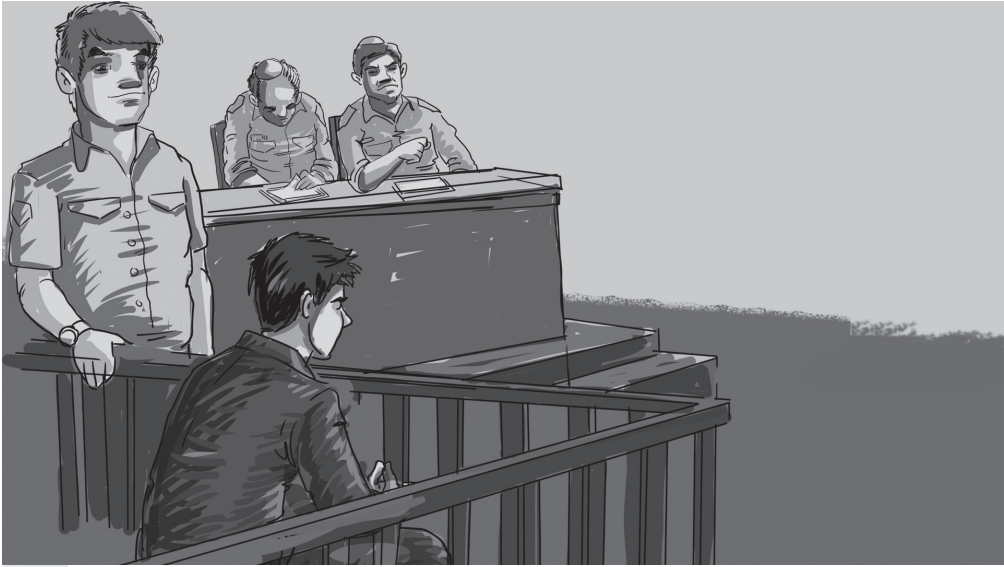


Discriminatory Laws and Dual Justice Application

A country's legislations speak of its governmental policies and public opinion, as well as reflect an accurate indicator of its democratic status and indiscriminate respect of human rights. Thus, 2015 best proved the Israeli government's forsaking all pretense of leading a democratic state. The government launched a systematic campaign in the Knesset to pass numerous racist laws, pandering to the Israeli Far Right now prevailing on all state levels. In October 19th, 2015, Israel's Ministerial Committee on Legislations approved a Stop and Frisk bill enabling police officers and soldiers, upon their personal judgment, to conduct body searches on passers-by without a reasonable suspicion or justification. The bill heavily violates the basic human right to be presumed innocent until proven guilty, and brands every Palestinian as "suspicious" and "guilty." It also violates their right to fair trial and infringe upon their physical dignity. In June 25th, 2015, the Knesset added five more years to a temporary law exemption that allows the Israeli Police and the Israeli Security Agency to refrain from maintaining audiovisual records of interrogations of suspected security offenders.

- **Stone-Throwing Law**

The Israeli Knesset approved the second and third readings of several laws regarding stone throwers, disproportionately targeting Palestinians in Jerusalem and the 1948 occupied territory. The Knesset passed amendment 119 to Article 332A of the penal law establishing a 20-year actual prison sentence with a 4-year minimum for throwing stones. The amendment, a part of the "real time instruction" system, is valid for three years and would be looked into one year after its approval. Amendment 20 was passed to the youth law (Penalties and Treatment Methods) in 2015, stating that anyone convicted of rock-throwing for a nationalist ideology will not receive National Insurance Institute benefits for the duration of imprisonment. If a child is convicted of rock throwing or any security crime for a nationalist ideology, his or her parents will not receive national insurance benefits for the duration of the sentence. The amendment also allows the fining of up to 10,000 NIS (around \$3000) against the families of convicted children, financial burdens weighing down their families amid the difficult economic conditions in Jerusalem.



The charge of stone throwing for a nationalist ideology is the main charge against the majority of detained Palestinian youth and children in Jerusalem and inside Israel, while Israeli settlers committing similar offences against Palestinians are not charged with these offenses. Israeli courts selectively apply laws based on the accused nationality. In one case, three settlers, including a minor, were suspected of throwing stones at vehicles, including Israeli military ones. The settlers were arrested by the Israeli army and were released later in the same day by the court without having any charges filed against them. The court released them to house-arrest outside of Jerusalem and a 2000 NIS bail that was not conditional to their release.

This particular law was drafted and passed with complete disregard to the special protection offered to children's rights in more than 27 international treaties. These arrests terrorize the children and financially drain their families. Addameer statistics showed that Israeli occupation forces arrested more than 117 Palestinian children in November of 2015; the majority of whom were charged with throwing stones for a nationalist ideology.

- **Force-Feeding Law – A legal cover for torture**

On July 30th, 2015, the Israeli Knesset approved a law sanctioning the force feeding of Palestinian hunger strikers in Israeli prisons. The bill, proposed by the Israeli Minister of Internal Security Gilad Erdan, passed its second and third readings with 46 votes in favor.

The occupation authorities force fed Palestinian detainees in Nafha prison in 1980, which led to the death of three prisoners: prisoner Rasem Halaweh, who passed away in July 20th, 1980, prisoner Ali Al-Ja'fari, who passed away in July 24th, 1980, and prisoner Ishaq Maragha, who passed away of beatings he encountered in Ohal Keidar (Beersheba) prison 1983. As a result, the Israeli Supreme Court suspended the force feeding.

Despite its suspension for years, Minister of Internal Security Gilad Erdan first proposed to reinstate the law as an amendment to the prison laws in retaliation against the mass hunger strike undertaken by the Palestinian prisoners' movement in 2012. It came as an attempt to deny the prisoners their right to peacefully protest the arbitrary measures and inhumane treatment they face. The first reading of the amendment was approved in 2014 before it progressed into the "Force-Feeding of Hunger-Striking Prisoners" bill. It states that if the health of a prisoner will be in imminent danger due to hunger strike, a court can order the force feeding of the prisoner in the presence of a doctor who should exert every effort to obtain the prisoner's permission; the force feeding will proceed even if the prisoner refused. The bill was approved in its second and third readings in 2015.²

Force feeding usually involves a nasogastric tube being forcibly placed into the nasal cavity, through the esophagus and into the stomach. It can also be done with injecting nutrients directly into the bloodstream, or injecting food into the stomach via Percutaneous Endoscopic Gastrostomy (PEG)



tubes through the outer abdominal wall. All of the methods cause severe pains, acute inflammation, and damage to the surrounding tissue. The force feeding orders are issued in closed court sessions

2. To further read on the bill, visit http://fs.knesset.gov.il/19/law/19_Is2_pb_306487.pdf

and determined by classified files to which the detainee and his or her lawyer are not allowed access, according to article 19 of the law. The Israeli authorities had not used force feeding on hunger striking prisoners by the end of 2015, but the law continues to loom over the prisoners' heads at Israel's disposal.



Israeli authorities proposed the law under humane pretenses, claiming that the bill falls under the Israeli Prison Service responsibility to preserve the prisoners' lives by protecting the Palestinian detainee from death or serious harm to health. In reality, the bill politically serves the occupation's agenda to provide a way out for the Prison Service without yielding to the hunger strikers' demands, as well as to put an end to the individual and mass hunger strikes, and legitimize torture.

It should be noted that there is a difference between force-feedings and forced-treatment, where medical care without the patient's consent will be performed by orders of an ethics committee against the patient's will should the patient be deemed to be in grave danger but reject medical treatment. Clause 15 "Medical Care without Consent" of the Patient's Rights Act of 1996 provided the legal exemption of the original clause which stated that no medical care shall be given unless and until the patient has given his informed consent to it. The exemption required the establishment of ethics committees in every hospital to examine doctors' requests to perform medical care without the patient's consent.

Clause 25 of the Patient's Rights Act states that every ethics committee should comprise of five members: the Chairman of the Committee who happens to be a person fit to be appointed District Court judge; two specialist physicians from different specializations; a psychologist or social worker; and a representative of the public or person of religious authority.

Both laws violate rights guaranteed in international treaties and charters, including the right to self-determination, the right to freedom from torture, the right to health, the right to protest, and the right to refuse treatment. Moreover, force feeding violates the ethics and international medical principles. The Declaration of Malta on Hunger Strikes adopted by the World Medical Assembly states that "feeding accompanied by threats, coercion, force or use of physical restraints is a form of inhuman and degrading treatment." The Declaration prohibits undue pressure of any sort on the hunger striker to suspend the strike, as well as coerced medical treatments. The Tokyo Declaration further states that a physician shall not countenance, condone, or participate in the practice of torture, including force-feeding and the forced medical treatment of hunger strikers.

Procedural Policies in Israeli Courts

The Israeli Supreme Court panders to the right-wing public opinion and succumbs to governmental pressures much of the time, which contradicts principle of the separation of powers that aims to protect the judicial autonomy and independence. Interference in the Supreme Court rulings was highlighted after the campaign led by the Israeli government at top levels against the Supreme Court

Justice Uzi Fogelman. The campaign followed Fogelman's decision to issue an injunction against the demolition of a Palestinian activist home amid the popular uprising. The Israeli security forces significantly increased security around Fogelman's amid fear of attacks made against his life, which clearly indicated the lack of judicial independence and the collective vision upheld by all Israeli state agencies against Palestinians.



On July 31st, 2015, Al-Dawabshah family residence was burned to the ground in Duma village in Nablus in an arson attack carried out by Israeli settlers. Toddler Ali Dawabsheh, 18 months, was burned to death, with his father Saeed Mohammad Dawabsheh, 33, and his mother Riham Hussein Dawabsheh, 27, passing away days later of severe burns they sustained in the arson. The sole survivor was 4-year old Ahmad Al-Dawabsheh, who sustained second and third degree burns. The Israeli authorities revealed that the suspected arsonists were Israeli settlers from a nearby settlement. In December 28th, 2015, the Israeli Supreme Court released one of the suspects to house arrest claiming unfounded allegations. Interrogation with the arsonists was met with overwhelming popular rage among the Israeli public after allegations surfaced of the arsonists being treated harshly and not allowed to seek legal counseling. The public reaction prompted a wide-scale media coverage in Israel. Meanwhile, systematic torture and degrading treatment faced daily by hundreds of Palestinian detainees in Israeli prisons go unnoticed in local media coverage.

The discriminatory nature of the Israeli occupation was showcased again in the court ruling against the Israeli officer convicted of the brutal assault of the child Tareq Abu Khdeir, 15, in July 3rd, 2014³. In November of 2015, an Israeli magistrate court sentenced the unnamed officer to six weeks of community service and a suspended four-month prison sentence. The Jerusalem Magistrate Court judge justified the light sentence by taking into account the officer's apology, his lack of a criminal record, and a testimony of good conduct by his superiors, along with the "heavy price" the officer paid with the termination of his employment.

● Israeli Court Procedures in Jerusalem

Addameer attorney in Jerusalem Mohammad Mahmoud followed the judicial procedures in Israeli courts against Palestinian detainees. The courts often manipulated their procedural policies and rulings to account for current circumstances and the state's security needs. The Criminal Procedures Act of 1982 is applicable in the whole of Israel and to Palestinians in Jerusalem alike, yet prior years have witnessed severe violations of the law against Palestinians in Israeli courts. A noticeable shift in the rulings and deportation policies against indicted Palestinians could be traced before and after November of 2015.

3. For further details on the brutal assault of child Abu Khdeir, see Addameer's Violations Report of 2014.

● Throwing Stones and Offences of Incendiary Devices

Court rulings for committing these offences were usually a maximum of 12-month prison sentence prior to October of 2015. After that, the Israeli prosecution demanded 20-40 month actual prison sentences for the same offences. An example is the case of detainee Ameer Mahmoud from al-Issawiya neighborhood in Jerusaem. Mahmoud was arrested in July 29, 2012, and was charged with throwing stones at police officers. He was sentenced in October of 2015 to 12 months of actual prison time after reaching a deal with the prosecution that initially asked for a 20-month actual prison sentence.

Court rulings and procedures against Jerusalem children also witnessed a shift after the events following the murder of Mohammad Abu Khdeir in mid 2014. Conditional house arrest releases before 2014 did not entail the forcible transfer of the indicted from the family household or the neighborhood. After that, the majority of conditional house arrests involved the transfer of minors from their houses or the locations of incidents.

Before 2014, stone throwing offences for minors entailed court rulings without conviction. Within two years only (2014, 2015), Israeli courts had been passing convictions with suspended prison sentences. By the end of 2014 and the end of 2015, the courts started sentencing minors with 3-6 months of actual prison time. Fines issued to prisoners increased significantly after October of 2015 when they increased from 1500 NIS to 2500 - 5000 NIS after October.

Israeli courts deliberately delayed hearing witnesses' testimonies as a means of pressuring the minors into confessing. As mentioned above, courts could sentence a minor in a stone-throwing offence for 3-6 months. In several cases, the minors did not confess, which prolongs their detention period until the verdict hearing. Witness testimonies hearings can take up to five months, in addition to the first few months the child spends amid court procedures before the verdict. This particular policy aims to place immense pressure on the minors to extract confessions, in order to force them and their lawyers to accept plea deals to minimize the detention period while waiting for witness hearings.

● **Pilfering Freedom of Expression: Facebook as the New Charge**

The Israeli argument of fragile security is closely losing ground in the face of its daily rights violations, jeopardizing the long-term self-proclaimed claim held up by the Israel as “the only democracy in the Middle East.” Israeli top level governmental officials have continuously criticized Arab ruling regimes as dictatorships built on muzzling freedom of expression. Nonetheless, the events following October 2015 were enough proof to the occupation’s double-standard repressive nature that continues to threaten every Palestinian, placing a high price on the freedom of expression: the Palestinians’ physical freedom. According to the Israeli news website Walla!, Israeli law enforcement agencies arrested close to 80 Palestinian Facebook activists, charging them with “incitement to violence or terror.” The website also indicated that arrests for incitement on social media platforms began during the war on Gaza in 2014 and escalated in 2015. Three Israeli law enforcement agencies: the Israeli Security Agency, police and the army joined efforts to target Palestinians publishing so-called inciting posts and posing a security threat on social media. Despite the Israeli mass-scale inflammatory media campaign calling to kill the Palestinians and burn their corpses, as well as enticing violence against them, not a single Israeli was convicted with charges of incitement on Facebook. Holding no one accountable for the incitement campaign launched at the top of the Israeli political hierarchy affirms the occupation’s discriminatory and double standard policies.

In contravention with Article 19 of the International Covenant on Civil and Political Rights guarantees the right to freedom of expression, the Israeli authorities escalated its policy of arrests on freedom of expression charges as a form of collective punishment, and as an arbitrary repressive policy against the Palestinian people of all social backgrounds.

● **Arrests on Facebook charges in Jerusalem**

Addameer attorney Mohammad Mahmoud reaffirmed that the occupation started pursuing an indictment policy of incitement on Facebook charges since January of 2014 under pressing security pretexts. The lawyer said that

Israeli courts started passing high sentence of 6 - 12 months of prison time, counting each Facebook post as one offence. For instance, if the accused published 6 posts on a private Facebook account, he or she would be indicted for 6 counts. The court takes into consideration the number of the defendant's friends, as well as the number of likes, comments and shares of each post.

- Nader Halahleh, 27, from Al-Sawaneh neighborhood in Jerusalem was arrested in November 25th, 2015 on charges of incitement. Halahleh published seven posts including pictures on his personal account on Facebook. He was found guilty of seven offences and was sentenced to seven months.
- Fathi Najadeh, 18, was arrested in November 5th, 2015, and was placed under administrative detention based on intelligence of posting incitement on his personal account on Facebook.
- Omar Al-Halwani, 18, from Al-Issawiya neighborhood in Jerusalem, was found guilty of six charges of incitement to violence via six Facebook posts, and two charges of supporting a terrorist organization. He was sentenced to eight and half months.
- Kathem Sbeih, 17, from Jabal al-Mukaber was arrested in October 17th, 2015 and sentenced to three months of administrative detention despite him being a minor. The military prosecution claimed intelligence stating that Sbeih incited violence on his Facebook account.
- Shadi Mheisen, 18, from Al-Issawiya was arrested in October 16th, 2015, and detained for almost nine days before he was placed under administrative detention. Mheisen was interrogated on posts he published on his personal account on Facebook that included a picture of several Palestinians killed by Israeli forces; one of which was of Fadi Allon. Mheisen was sentenced to three months of administrative detention for posing a threat to the public and state security.
- A. H., 19, from Nazareth city was arrested after being interrogated by Israeli intelligence in Nazareth on publishing a post on her personal Facebook account praying to be a martyr and praying for strength of faith.

A month later, she posted “Either in Mecca to pray, or in Jerusalem to die.” After a five-hour interrogation session, she was arrested and detained for 10 days before she was placed under three months of administrative detention.

Occupied Palestinian territory:

- Student Dina Musleh, 19, a student in Palestine Ahliya Univeristy was arrested after Israeli forces raided and ransacked her house in Dheishe refugee camp in Bethlehem late night in November 11th, 2015.

Musleh was prosecuted with three charges all in connection with Facebook posts. The first charge referred to what the occupation branded as inciting comments on pictures of Palestinian martyrs and injured. The second charge indicated a shared post of one protester throwing rocks captioned “Throw, Let it rain out of your palm,” a line from a poem by the Palestinian poet Khaled Abu Al-Omrein. The same charge also referred to a post Musleh shared of Mutaz Zawahreh’s picture, captioned “You’ve bewitched my soul, Oh martyr,” a line from a religious hymn. The Israeli court ruled that Musleh is inciting Palestinians to commit attacks against Israel’s security through her Facebook account, as well inciting violence, disturbing public order, harming public safety, and glorifying those who carry out attacks against the occupation. The Israeli prosecution accused Musleh of affiliation with a political faction because she shared pictures and posts of the same faction. The court indicated in the charge list that Musleh’s comments were hailed and supported by dozens of her Facebook friends, many of whom liked her posts.

- Jureen Qadah, 19, a second-year student majoring in media in Birzeit University, was arrested in her house in Shuqba village near Ramallah in October 29th, 2015. Qadah was sentenced to three months of administrative detention because of a post she shared on her personal account on Facebook. In the judicial review hearing, the judge refused to

release classified information in her file, and settled for stating that Qadah blessed and boasted the killings of Israelis on her Facebook account, and upheld the administrative detention sentence.

Palestinian Commission for Prisoners' Affairs lawyer Tareq Barghouth was called in by the Israeli intelligence in al-Maskobiyya interrogation center in December 1st, 2015. After being interrogated for hours, he was arrested until his extension hearing the following day. The arrest, according to lawyer Mohammad Mahmoud, was for suspicion of incitement on Facebook. In the extension hearing in December 2nd, 2015, the magistrate court conditioned his release to a 5000 NIS bail and an order banning Barghouth of using Facebook for three days. He was exonerated in December 12th, 2015.

- **Legal grounds**

The Israeli legal grounds for the indictment of Jerusalem residents is Article 144-(D)(2) "Incitement to Violence and Terror" which states that "If a person publishes a call to commit an act of violence or terror, or praise, words of approval, encouragement, support or identification with an act of violence or terror (in this section: inciting publication) and if – because of the inciting publication's contents and the circumstances under which it was made public there is a real possibility that it will result in acts of violence or terror, then he is liable to five years imprisonment." Paragraph B of the "Incitement to Violence and Terror" constitutes an "act of violence or terror" as an offense that causes a person bodily injury or places a person in danger of death or of severe injury.

The Israeli military prosecution bases its decisions against Palestinians in the occupied territories (aside from Jerusalem and the 1948 occupied territory) in the case of incitement on regulation 85 of the Israeli Defense (Emergency) Regulations of 1945.

The occupation forces claim that arresting social media activists is the only means to preserve the Israeli state security. Nonetheless, it became clear that Israeli authorities are following a pattern of developing new policies and measures of arrest aiming to repress the Palestinians' freedom of expression. Facebook remains a cyber space that does not represent physical actions or the true emotional state of its users, and thus it shouldn't be used as an arbitrary justification for shackling freedoms and muzzling voices, or as a rationalization for the Israeli courts' pretense that cyber posts translate into actions. Establishing parallels between words on a screen and real actions is a false unfair comparison.

Chapter Three

**Extrajudicial
Executions**



Extrajudicial executions and shoot-to-kill policies were a far cry from a sudden reaction evoked in the Israeli occupation authorities. These actions in fact constitute a deliberate systematic policy drafted at top governmental levels. It started with the Israeli Prime Minister Benjamin Netanyahu's proposal to the Knesset to lower the legal requirements of using live ammunition against Palestinians in contravention with International Law⁴. The Israeli Cabinet, consisting of several Israeli ministers, unanimously approved the proposal which was endorsed by the highest official offices in the Israeli government. Jerusalem mayor Nir Brakat wondered the city waving his weapon⁵ and encouraging Israelis to acquire licensed fire arms to protect their "security." The chair of the far-right Yesh Atid party, Yair Lapid, addressed the Israel community through the Walla! website, saying:

"Don't hesitate even if an incident is just starting. The right thing to do is shoot-to-kill. Our current aim should be shoot-to-kill if someone pulled a knife, a screwdriver, or whatsoever tool there is against you."

Since September 2015, Addameer has worked diligently to monitor and document summary executions of Palestinian civilians by the hands of Israeli forces. Addameer and Al-Haq documented the Israeli forces targeting kill zones in the upper body (abdomen and head) when shooting at Palestinians during demonstrations and clashes erupting in most of the occupied Palestinian territories.

Shoot-To-Kill: Return of Summary Executions

A hundred and forty five (145) Palestinians were killed around the occupied Palestinian territories in the last three months of 2015. The Palestinian Red Crescent documented more than 15,000 injuries among Palestinians caused by the Israeli occupation between September 29th, 2015 and January 22nd, 2016. Statistics showed that 1663 injuries were caused by live ammunition, while 3568 injuries were caused by rubber-coated bullets, along with at least 9971 suffocation injuries of gas inhalation. Al-Haq's Monitoring and Documentation Unit documented more than 34 cases where Palestinians were killed in clashes

4. See the complaints to the Special Rapporteur on Extrajudicial Executions and the Special Rapporteur on the situation of human rights in the Palestinian Territory filed on January 12th, 2016 by Addameer and Al-Haq.

5. See previous reference.

with the Israeli forces, or while allegedly carrying out or attempting to carry out attacks against the Israeli occupation. In all cases, the victims were shot in the upper body, which reaffirms the Israeli occupation's deliberate use of deadly force against Palestinians. The Israeli forces used lethal force against Palestinians as the first line of defense rather than following its international and national obligations to use it as a last resort after exhausting all other options, including arrests, the use of non-lethal weapons, and aiming at legs to avoid severe bodily harm. International Law dictates the use of less-lethal force to arrest a suspect without the intent to kill, even if he was armed.

Executions and willful killings constitute war crimes according to Article 8-2A of the Rome Statute of the International Law. Israel should claim full responsibility of committing war crimes against the entirety of the Palestinian people.

- **Executions inside hospitals**

The Israeli forces carried out inhumane measures against unarmed Palestinian civilians led to pursuing them in hospital beds, and carrying out field executions in hospital halls. At around 2:40AM on December 12th, 2015, an Israeli Special Forces Unit of 21 plain-clothed soldiers raided Al-Ahli hospital in Hebron under the pretense of accompanying a woman in labor. The raid aimed to locate the then-injured prisoner Azzam Al-Shaladleh, 21, who was receiving treatment at the time, and arrest him under suspicion of his involvement in a stabbing attack against Israelis in October 25th, 2015. During the raid, Azzam's cousin Abdullah Al-Shaladleh, 27, who was staying in the hospital with his cousin, was killed after the Israeli forces opened fire at him as he was leaving the en-suite bathroom. Abdullah was hit with three fatal rounds in the lower chest, the head, and the right elbow. After Abdullah's collapse, the soldiers placed a mask on Azzam's face and abducted him. An eye witness noted that the Israeli forces showed no intent to use non-lethal force or to arrest Abdullah.⁶ Philip Luther, Director of the Middle East and North Africa Program at Amnesty International, commented on the incident, saying "Israeli forces have a long history of carrying out unlawful killings in the Occupied Palestinian Territories, including extrajudicial executions."⁷

6. See Al-Haq:

http://www.alhaq.org/arabic/index.php?option=com_content&view=article&id=761:2015-11-18-19-05-23&catid=91:2012-07-14-11-00-24&Itemid=231

7. See Amnesty International:

<https://www.amnesty.org/en/latest/news/2015/11/israel-opt-investigate-apparent-extrajudicial-execution-at-hebron-hospital/>

This military operation came in full breach of Article 18 “Protection of Hospitals” of the Geneva Fourth Convention which guarantees the special protection of civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases in all times. International Humanitarian Law dictates the necessity to distinguish between civilians and fighters, as well as between civilian and military objects as a norm of customary in armed conflicts.

- **Withholding of Bodies: Collective Punishment**

According to Addameer statistics, Israel retained the bodies of 64 Palestinians in October 2015. By the end of 2015, Israel had withheld 53 bodies of Palestinians who allegedly carried out attacks. Israel refused to release the bodies to their families arguing that it will prevent further tension and deter future attacks. Addameer, in collaboration



with several Palestinian rights organizations, demanded the release of the bodies. Meanwhile, Israel imposed demeaning conditions for their release, or completely refused to release the bodies of Palestinians accused of carrying out stabbing attacks and others during the popular uprising that started in October 2015. Israel collectively targeted the Palestinian families of these alleged attackers by carrying out retaliating arrests against family members, damaging raids at family households, as well as the collective punishment policy of house demolitions. Israeli forces demolished dozens of homes since October 2015 and handed demolition orders to 15 families of Palestinians killed by Israeli forces.

Withholding bodies is a policy of collective punishment that contravenes freedom to practice religion and religious burial rites, and violates international and national norms and laws. Articles 27 of the Fourth Geneva Convention dictates that protected persons are entitled, in all circumstances, to respect for their persons, their honor, their family rights, their religious convictions and practices, and their manners and customs. In addition, Article 33 states that no

protected person may be punished for an offence he or she has not personally committed. In particular, Article 34(2) of the Protocol Additional to the Geneva Conventions clearly states that the remains of persons who have died for reasons related to occupation or in detention resulting from occupation shall be honorably buried, if possible according to the rites of the religion to which they belonged and that their graves are respected, properly maintained, and marked in such a way that they can always be recognized. The article also holds the detaining power to facilitate access to the gravesites by relatives of the deceased, and facilitate the return of the remains of the deceased and of personal effects to the home country.

Refusal to release the bodies can also obstruct investigations into the circumstances surrounding their death, and prevent performing forensic autopsies, thus withholding evidence of the summary killings without a clear charge. Addameer, along with Adalah, demanded opening investigations into the killing of many Palestinian youth and children during the popular uprising, as well as demanded autopsies in particular cases; all of which were rejected by the occupation. Israel responded to demands of investigations by enforcing further collective punishments and turning the families' rights to receive their relative's bodies into a long-drawn-out bargaining chip, burdening the families and prolonging their suffering by denying them the right to a proper goodbye.

Extrajudicial Execution: Mu'taz Ahmad Ewisat

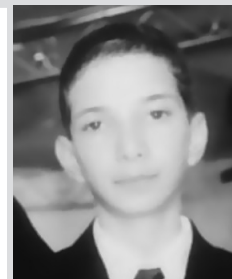
Age: 16

Date of birth: 26/3/1999

Place of residency: Jabal Mukaber, Jerusalem

Occupation: High school student

Date of Killing: October 17th, 2015 – 8.30 AM - Armon Hanatziv settlement in Jabal Al-Mukaber in Jerusalem.



The morning of October 17th saw the execution of Mu'taz Ewisat by Israeli police in Armon Hanatziv settlement in Jabal Al-Mukaber in Jerusalem. According to Ewisat's family, Mu'taz left his house at 7.30AM to start his 20-minute walk to his school Sakhnin High School in Jabal Al-Mukaber. Around 8.30, his mother went to the school to make sure everything was in order following several days of suspended school days due to recurrent Israeli raids and attacks in the area. His mother was surprised to find students in their classes, with the exception of her son; thinking that Mu'taz went home, she hurried back to no signs of him. Around 8.45 news broadcasts reported that a Palestinian child was killed, and at roughly 9.00, the child was identified as Mu'taz Ewisat. The family knew of his death through social media platforms. Unlike other executions of young Palestinian youth and children, Ewisat's death was not documented or caught on tape.

Israeli police claimed that an Israeli citizen called in a "suspicious" Palestinian teenager roaming a park in Armon Hanatziv settlement. Three Israeli Border Police officers approached Ewisat and asked for an ID. Police alleged that Ewisat attempted to stab the officers as he was handing in his ID, which prompted one of them to kick him away before they opened fire at him as he –allegedly- tried to get off the ground still in possession of the knife. Ewisat was killed on the spot.

Two hours later, around 11.00AM, Israeli forces raided and searched Ewisat's house, as well as arrested his parents and called in his 13 and 15-year old brothers for interrogation. The entire family was viciously interrogated as they denied the Israeli police's claims of Ewisat's alleged stabbing attempt. The family argued that it was impossible for their son to carry a knife into a settlement amid the tightened security measures and increased body searches carried out by Israeli authorities. Ewisat's family demanded opening an investigation into their son's death for suspicious circumstances, reaffirming that Mu'taz

was an extremely sensitive, quiet child lacking the physical abilities to carry out a stabbing attack.

In November 4th, 2015, Addameer and Adalah center filed an urgent letter to the Police Internal Investigations Department (Machash) demanding the immediate opening of a criminal investigation into the police officers involved in Ewisat's execution. The letter also demanded performing an autopsy in the presence of a medical examiner appointed by the family before the release of Ewisat's body. The latter request came in light of the Israeli police's decision, upheld by an Israeli court, not to perform an autopsy and settle for the police officers' testimonies to close the investigation. Adalah and Addameer's letter, filed by their attorneys Aram Mahameed and Mohammad Mahmoud respectively, said that "the Israeli police's refusal to perform an autopsy, in the absence of other evidence, reinforces the serious suspicion of foul play, as well as represents an attempt to bury evidence against the police and change the course of the investigation before it even begins."

The letter reaffirmed that the Israeli police had no justification in using lethal force, and could have used other measures to arrest the child, saying "If the police officers intended to arrest and search Ewisat, they had had a vast array of measures such as warning him or firing a warning shot in the air." The letter further indicated that "Ewisat's death left no doubt that shooting to kill became the usual default action for Israeli police officers against Palestinians."

Fadi Sameer Mustafa Alloun

Age: 19

Date of birth: September 20th, 2015

A Palestinian resident of Jerusalem

Job: construction worker

Residence: Issawiya neighborhood, Jerusalem

Date of Killing: October 4th, 2015 – 4.00 AM – Al-Masrara neighborhood near Damascus Gate, Jerusalem

In the early hours of October 4th, 2015, Fadi Sameer Alloun was killed by the Israeli police that fired live ammunition at him in Al-Masrara neighborhood near Damascus Gate in Jerusalem.

Fadi's father, Sameer Alloun said Fadi usually leaves the house early to attend the morning prayer in Al-Aqsa Mosque and then buy fresh bread for breakfast. That particular morning, Sameer Alloun woke up to a phone call from his nephew urging him to watch the news. The Israeli media reported Fadi's killing by the Israeli police, claiming that a Palestinian "terrorist" stabbed a 16-year old settler. It was through the media that the Allon family knew of their son's death.

A large number of the Israeli soldiers raided Al-Issawiya and the Alloun household, breaking doors, arresting Sameer Alloun and confiscating his phone. During interrogation, Sameer was questioned about his son Fadi, and whether or not he knew Fadi would carry out a stabbing attack. Alloun denied all allegations and stressed that his son had no political affiliation.

Days later, a video and a collection of pictures showing Fadi being chased by a group of extremist settlers went viral on the internet. In the video, which appeared to be taken by settlers, Fadi clearly posed no immediate threat to the settlers or the police, thus illustrating that his shooting and killing were completely unjustified. The clip showed Fadi, visibly unarmed of a knife or



any weapon, being surrounded by a group of settlers, who called on a nearby police officer to kill him claiming that he was a terrorist and had stabbed a settler. The officer refused to kill Fadi and pepper-sprayed him instead, which angered the settlers who started cursing the officer for not killing Fadi.

Moments later on the video, a police vehicle arrived at the scene, and Fadi was seen starting to approach it to seek police protection from the settlers. The police immediately opened fire at unarmed Fadi, killing him. Another clip showed Israeli settlers, moments after Fadi's execution, cheering and screaming 'death to Arabs'.

Addameer and Adalah, on behalf of Allon family, filed a request to the Police Internal Investigations Department (Machash) demanding the opening of an investigation into the circumstances surrounding Fadi Alloun's shooting and killing. The request was denied as it was claimed that the killing came in the aftermath of a stabbing attack against a settler carried out by the "terrorist" Fadi.

Fadi Alloun's body was held for a week and released to his family in October 11th, 2015 under strict terms that included immediate burial and limiting the number of mourners attending the burial service to 50 people only. Alloun family was forced to pay \$5000 in guarantee of abiding by the release terms. A medical examiner was supposed to examine the body but was unable to do so due to the Israeli blockade of Al-Issawiya at the time.

Chapter Four

**Administrative
Detention**



“Everyone has the right to liberty and security of person.
No one shall be subjected to arbitrary arrest or detention.”

- International Covenant on Civil and Political Rights, (1966), Article 9

Administrative detention is a procedure that allows the Israeli military to hold prisoners indefinitely without a charge or trial. Without a clear cause of arrest, the detainee and his or her lawyer are incapable of producing an effective defense. Administrative detention is usually renewed multiple times and is issued by the executive authority rather than the judicial authority, which clearly violates the principles of fair trial.



In violation of the Geneva Fourth Convention and the International Covenant on Political and Civil Rights, Israel continues to use administrative detention systematically against Palestinians. This form of arbitrary arrest is used unlawfully against Palestinians in retaliation for exercising their political and civil rights. Article 78 of the Geneva Convention allows the occupying power to take safety measures concerning protected persons; at the most, subjecting them to assigned residence or to internment only when necessary and for imperative reasons of security.⁸ The widespread systematic use of administrative detention constitutes a form of torture as defined in Article 147 of the same convention. Moreover, it constitutes a crime against humanity according to Article 7 of the Rome Statute of The International Criminal Court. Article 8(2) of the Rome Statute considers the willful deprivation of the rights of fair and regular trial for a prisoner of war or other protected person as a war crime. In addition, administrative detention orders take place in closed hearings, in an outright breach of Article 14(1) of the International Covenant on Political and Civil Rights that reads “everyone shall be entitled to a fair and public hearing.”⁹

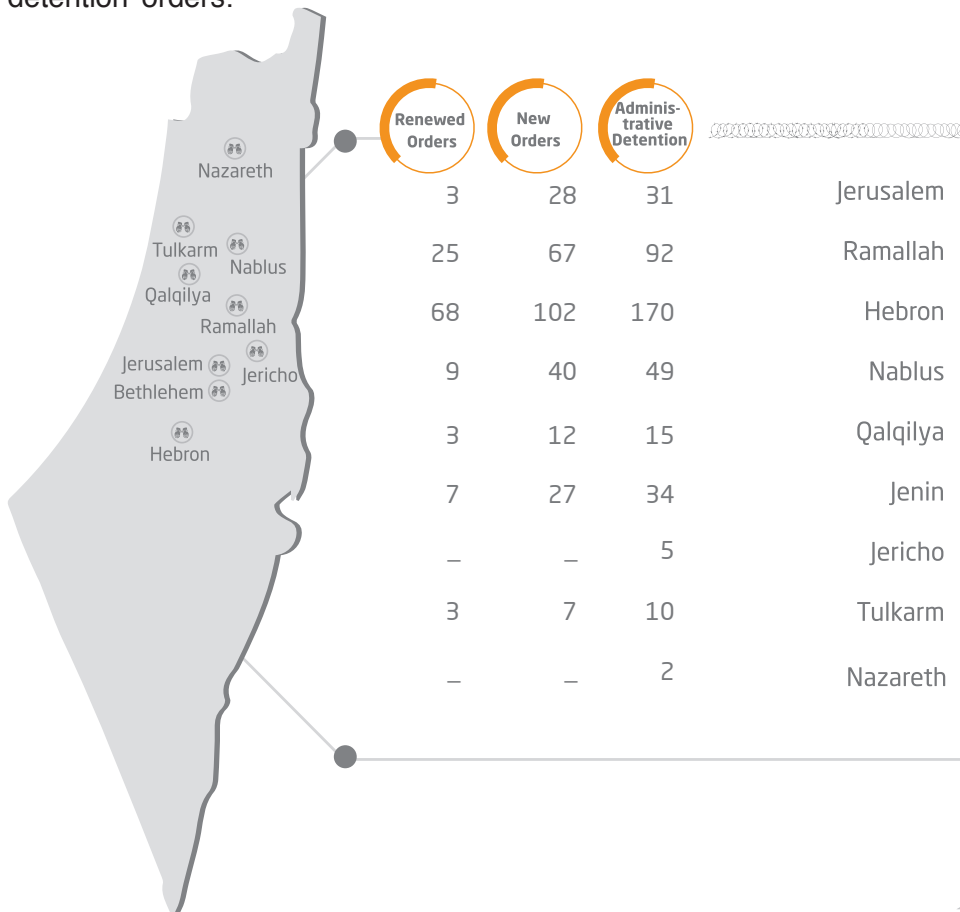
8. Addameer Publication: Administrative Detention in the Occupied Palestinian Territory - Between Law and Practice, December 2010.

9. For more legal details of administrative detention, see Addameer Publications on administrative detention: <http://www.addameer.org/>

Statistics and Figures: Administrative Detention in 2015

The number of administrative detainees amounted to more than 600 by the end of 2015. The Israeli military court issued 1248 new and renewed administrative detention orders throughout the year. Addameer observed a grave escalation in the arbitrary use of administrative detention without a charge or trial in the beginning of October 2015, when 343 administrative detention orders were issued. The new orders doubled the number of detainees to 660. This escalation reaffirms Israel's exploitation of the current political conditions to imprison the largest possible number of Palestinians without a charge, evidence, or fair trial. Addameer conducted 30 prison visits of administrative detainees.

Addameer documented 461 administrative detention orders, 324 new ones and 137 renewed, issued between October 1st and December 31st of 2015. The following table represents the geographical distribution of administrative detention orders:



In 2015, five children were also placed in administrative detention: Kathem Sbeih from Jerusalem, 17, Mohammad Ghaith from Jerusalem, 17, Fadi Abbasi from Jerusalem, 17, Mohammad Sharif Abu Turki from Hebron, and Mohammad Al-Hashlamon. It is worth noting that for the first time in years, Israel also issued administrative detention orders to against Palestinians living under Israeli civil law.

Five women were placed in administrative detention in 2015: Asma' Hamdan, Asma' Qadah, Joureen Qadah, Su'ad Zreiqat, and PLC member Khalida Jarrar. Jarrar was sentenced to a month and two days of administrative detention before being charged. The Israeli occupation places female prisoners under extremely difficult and inhumane detention and interrogation conditions.¹⁰

Palestinians of all walks of life were subjected to administrative detention, from human rights defenders to journalists, lawyers, researchers, academics, university students, as well as members of the Palestinian Legislative Council.

Children in Administrative Detention

The Israeli occupation reinstated the use of administrative detention policy against children by issuing five orders against Palestinian children for the first time since 2009.¹¹ This underlines the clear and deliberate escalatory actions by the Israeli authorities, devastating the childhoods of Palestinian minors.

Three Jerusalem Children in Administrative Detention

Amid a rampaging security campaign targeting Jerusalem in particular, the Israeli police arrested 17-year olds Mohammad Ghaith from Al-Thawri neighborhood, Fadi Abbasi from Silwan neighborhood, and Kathem Sbeih from Jabal Al-Mukaber. Israeli intelligence agencies accused them during interrogation of “posing a serious threat to the state and public security,” along with other unspecified general accusations.

The Case of Kathem Sbeih, 17, from Jabal Al-Mukaber in Jerusalem

Sbeih was woken up by his father around 2:30 AM on October 18th, 2015 when an Israeli army unit raided his house. He was then handcuffed in front of his parents, 16-year old brother, and 7-year old sister. Sbeih's legs were

10. For more information on female prisoners in Israeli prisons and violations of international covenants, see Chapter 7 on Female prisoners.

11. See Addameer Violations Report, 2009.

As he was placed in a military vehicle and was then taken to Oz police center, where he was fingerprinted, photographed, and questioned about his health status. An interrogator introduced himself, and Sbeih was interrogated for three hours. He was later transferred to Al-Maskobbiya interrogation center. Sbeih was appointed a court hearing and was detained until a 6-month administrative detention order was issued against him. In the appeal hearing in October 20th, 2015, Sbeih's lawyer requested reducing his sentence by half. The court approved and reduced his sentence to three months in prison served from October 19th, 2015 to January 18th, 2016.

Similarly, Israeli forces arrested Mohammad Ghaith and Fadi Abbasi from their bedrooms in the early hours of October 1st, and transferred them to a security center in Talpiot settlement in Jerusalem. Defense for Children International -Palestine reported that the children were not made aware of their right to legal representation, nor their right to silence, before interrogation.

Administrative detention of children is a gravely dangerous phenomenon in which the children's future relies on open-ended sentences without any guarantees of release. It clearly violates international charters on children and their right to fair trial.

Administrative Detention of Human Rights Defenders

"Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession"

- The Declaration on Human Rights Defenders (1998), Article 11

The year 2015 witnessed clear and deliberate Israeli persecution of human rights defenders in an effort to silence voices trying to expose the occupation's crimes. A group of lawyers and journalists were denied their right to freely exercise their professions. Human rights defenders and activists in the occupied Palestinian territories were arrested in accordance with Articles 7 and 10 of the 1967 Israeli Military Order 101. Order 101 entitled "Order Regarding Prohibition of Incitement and Hostile Propaganda" criminalizes the exercise of civic and political rights. Human rights defenders were also issued administrative detention in accordance to the Military Order 1651.

Moreover, Israeli forces arrested five members of the Palestinian Legislative Council as part of the occupation's ongoing attempts to obstruct the Palestinian

democratic process. The repeated arrests of PLC member represents an Israeli standing policy, as in the case of the arrest of PLC member Hassan Yousef and PLC member Khalida Jarrar, a prominent Palestinian political and social figure, who was also arrested in 2015.¹²

The Israeli occupation waged an arrest campaign against Palestinian journalists in 2015. Addameer documented the arrest of 13 journalists (including broadcasters, journalists, media students and university professors) taking up the total number of detained journalists in Israeli prisons to 28 by the end of 2015¹³. The Israeli authorities issued an administrative detention order against lawyer Mohammad Allan who protested the order with 59 consecutive days of hunger strike.

Give Me Liberty, or Give Me Death: Administrative Detainee Journalist Mohammad Al-Qiq

The case of journalist Mohammad Al-Qiq embodies the suffering of Palestinian journalists who are placed in administrative detention without a charge or trial. Through administrative detention, the Israeli occupation aims to deny journalists of their basic civil rights, mainly the right to freely exercise their profession. By criminalizing journalism in an attempt to hinder its role in exposing its daily crimes against Palestinians, the Israeli occupation violates the Universal Declaration of Human Rights. Article 23 of the declaration guarantees everyone's "right to work, to free choice of employment, to just and favorable conditions of work." Consequently, Israel violated Al-Qiq's freedom and right to expression. The arrest of Al-Qiq, a journalistic activist and human rights defender gravely violates international charters, including the Universal Declaration of Human Rights, and the Declaration on Human Rights Defenders. Moreover, Article 19 (1)(2) of the International Covenant on Civil and Political Rights guarantees everyone's right to hold opinions without interference, and freedom to seek, receive and impart information and ideas



12. See Appendix 4.

13. For more information on violations against journalists, visit the Palestinian Center for Development and Media Freedoms (MADA): http://www.madacenter.org/report.php?lang=2&id=1599&category_id=13&year=2015

of all kinds, either orally, in writing or in print, or any other form of his choice.

Al-Qiq was subjected to torture and ill treatment during his 25-day interrogation. On day 4 in November 25th 2015, he went on hunger strike in protest against the torture and harsh treatment he faced during interrogation by the Israeli Security Agency. Al-Qiq had only consumed water since the beginning of his hunger strike, and had refused medical tests since December 20th, 2015. He was interrogated for seven hours daily, during which he was subjected to positional torture with his hands painfully tied behind his back while sitting on a chair. Al-Qiq was threatened with administrative detention and sexual assault, as interrogators incessantly cursed and shouted at him. After 25 days of continuous interrogation, Al-Qiq, who was still on hunger strike, was placed in solitary confinement in Megiddo prison, where he was ordered to six months of administrative detention. Despite his poor health condition, he carried on with his hunger strike after the detention order was issued against him. Due to further deterioration of his health, Al-Qiq was transferred to Ramleh prison clinic in December 18th, 2015 and then again to Afula prison hospital in December 30th, 2015.

Individual Hunger Strikes in Protest of Administrative Detention

In 2015, the number of individual hunger strikers in protest of administrative detention reached around 17 prisoners¹⁴. Prisoners were left with nothing but their bodies to sacrifice in protest of the injustice that befalls them during their unlawful arrest without even knowing the reason behind their detention. Addameer attorneys conducted 18 prison visits to prisoners on hunger strike.

In June 6th, 2015, lawyer Mohammad Allan started an open-ended hunger strike in protest of the 6-month renewal of his administrative detention. Allan, who was arrested in June 11th, 2014, went on hunger strike for 65 days, during which he suffered extremely difficult health conditions and a gradual loss of sight before he slipped into coma. He was transferred to the hospital and forcibly given nutrients and vitamins by the Israeli medical staff. Ultimately, the Israeli authorities agreed to freeze Allan's administrative detention order prompting him to end his hunger strike. The decision to freeze the order further validates the administrative detention policy and clearly confirms Israel's clear direction towards the continuous arbitrary arrest of Palestinians.

14. For an exhaustive list of individual hunger strikers in 2015, see Appendix 1.

Case Study: Khader Adnan

Israeli forces arrested and placed Khader Adnan in administrative detention for six months from July 8th, 2014 to January 7th, 2015. The administrative detention order was renewed for another six months, which were later reduced to four months after he went on hunger strike for seven days.

On May 6th, 2015, Adnan was informed by the prison administration that his detention was renewed for another four months; he immediately announced going on another hunger strike. During 53 days of hunger strike, Adnan did not accept nutrients or vitamins, boycotted the hospital doctors, as well as boycotted the Israeli courts for being an illegitimate system. He described the harsh conditions he was subjected to during his admission period in Assaf Harofeh hospital, where he was guarded by three soldiers who spoke loudly all the time, flaunted food in front of him, and changed shifts in the middle of the night in consistent attempts to weaken his resolve and wear him out physically and mentally.

During recurring visits of Addameer lawyer, Adnan reaffirmed that his hunger strike is in protest of the injustice befallen him and all administrative detainees. He stressed that the occupation had no justification of his detention except making his life miserable since he was previously released for 27 months without being considered a threat. He added that his arrest came in the aftermath of the disappearance of three Israeli settlers, and the events following the burning of child Abu Khdeir to death. On June 29th, 2015, Adnan ended his hunger strike after reaching an agreement of his release on July 12th, 2015.

Adnan went on an open-ended hunger strike in January 17th, 2011 for 66 days in protest against the torture and humiliation he had suffered during interrogation. After an administrative detention order was issued against him, Adnan continued with his hunger strike to protest the administrative detention policy. Adnan ended his hunger strike in February 22nd, 2011 after reaching an agreement of release with the Israeli occupation following his heroic resilience and the growing demonstrations in his support in the occupied Palestinian territories and around the world. He was released in April 17th, 2012 which marks the Palestinian Prisoners' Day.

Five Administrative Detainees Go on Hunger Strike and Boycott Military Courts

Five administrative detainees in Israeli prisons started an open-ended hunger strike in August 30th, 2015¹⁵ protesting their detention, demanding their release and the releases of other detainees. The five detainees were Ghassan Zawahreh, 34, and Shadi Ma'ali, 39, who were placed in solitary confinement in Ela prison; Nidal Abu Aker, 48, who was placed in solitary confinement in Ashkelon prison; as well as Muneer Abu Sharar, 31, and Bader Al-Raza, 27. In the beginning of July, they, along with 50 other administrative detainees, announced their complete boycott of the Israeli military courts that issue administrative detention for being an unjust formality that legitimizes arbitrary arrests. In retaliation of their hunger strike, the Israeli Prison Service enforced a group of punishments that included placing them solitary confinement, banning family visitations, and cutting off cold water. The prison warden then ordered to close all ventilation shafts in order to cut off air circulation in their prison cells, as well as confiscate all their possessions. Ma'ali, who spent a total of three years in administrative detention, told Addameer attorney "we are ready to die." He added, "Death seems to be the humane option in comparison to the arbitrary administrative detention Israel is currently enforcing. Everyone knows that there is no security risk requiring this form of detention. An army or intelligence officer decides on people's fates, as well as the fate of their families. People are denied of their children, lives, and freedom with one signature. It is unacceptable and we refuse to be slaves to Shabak (Israeli intelligence)."

The five detainees were subjected to suffered torture, harsh treatment, and harassment. Israeli forces raided their houses in the middle of the night, terrorized and threatened their families.

This wave of strikes is distinctive for the appearance of individual initiatives that ultimately led to an open-ended hunger strike. The five detainees shared a joint purpose following their similar suffering of repeatedly-renewed administrative detention orders without a charge or fair trial. Prisoner Zawahreh spent close to 10 years in Israeli prisons, including two and half years of administrative detention while prisoner Abu Aker spent a total of 14 years in prison, 10 of which were in administrative detention. Their detention disrupted their lives, forcibly removed them of their families, and left them incapable of planning for their future as the ghost of administrative detention haunts them for the rest of their being. The detainees strongly persevered in their hunger strike for almost 30 days. On September 29th, the strike ended after the prison administration agreed, partially and individually, to their demands.

15. The Israeli prison service regulations define mass hunger strike as "the hunger strike of two or more prisoners in the same cell or section who are believed to be in relation to one another in order to achieve a common goal."

Chapter Five

**Conditions in Israeli
Prisons**





In 2015, there were around 6200 Palestinian prisoners in 19 Israeli prisons. Prisoners generally suffer overcrowdedness and lack of basic necessities of life, in violation of the standard minimum rules for the treatment of prisoners. They are also subjected to conditions with limited spaces and an infestation of insects and rats, which cause outbreaks of infectious and skin diseases among a large number of prisoners. The Israeli prison service imposes price surges in the canteens, refuses to address the prisoners' needs, stalls on fulfilling their demands, and conducts repeated degrading raids in the prisons. Moreover, the Israeli authorities enforce a group of individual and mass punishments, as well as ban visitations to hundreds of prisoners' families under the guise of security reasons since the family members aren't allowed access into the occupation state. This comes in violation of Article 49 of Geneva Fourth Convention, which clearly prohibits the forcible individual and mass transfers or deportations of protected persons from the occupied territory to the occupying country. Family members who are allowed to visit suffer extremely difficult conditions as they are humiliated, searched, and harassed upon arrival in prisons.

Furthermore, the Israeli Supreme Court approved the Israeli Prison Service's decision to deprive security prisoners, who are overwhelmingly Palestinian, from pursuing higher education in open universities. In contrast, criminal prisoners were not included in the decision, which the court deemed a "legal and legitimate distinction," ignoring the blatant racist nature of the ruling.

The major events regarding prison conditions in 2015 were highlighted with the arbitrary transfers of Palestinians prisoners and the subsequent protests in Ramon prison. Medical neglect continued leading to the death of three prisoners in 2015, while 16 prisoners remain in extremely poor conditions in solitary confinement.

Events of Ramon Prison

The Israeli occupation breached several agreements with the Palestinian prisoners' movement, including the reinstatement of the solitary confinement policy in violation of a 2012 agreement. In 2015, the Israeli Prison Service renounced an agreement with the Palestinian factions on transferring and targeting faction representatives in prisons. It conducted arbitrary transfers¹⁶ of several prisoners in several prisons, including Eshel, Nafha, Ramon, Ofer, and Hadarim prisons. These arbitrary transfers blatantly breach Articles 127 and 128 of the Geneva Fourth Convention, which state that the transfer of prisoners should always be effected humanely, and that in the event of transfer, prisoners should be officially advised of their departure in advance.

In February 21st, 2015, a heavily armed unit of the Israeli Prison Service Special Forces (Masada) raided sections 4, 5, and 7 in Ramon prison. The prisoners were restrained in plastic handcuffs, forced out of their rooms, and were then transferred to Ketziot and Ayalon prisons. The transfers were accompanied with punitive measures including confiscation of all the electronics and reducing time allowed in the prison yard. Attempts to cause disruptions among prisoners were not only limited to Ramon prison as the majority of prisons were raided in 2015. Prisoner Sami Subuh told Addameer lawyer that units of 15-20 masked armed soldiers with cameras repeatedly raided Eshel prison, using tasers and pepper sprays against the prisoners. Prisoner Ameer Mikhwel said that a Masada unit raided Gilboa prison with dogs and conducted very thorough searches of all prisoners, walls and bathroom facilities. Policies of repression, solitary confinement, and physical assaults were also reported in Hasharon prison for female prisoners.

Medical Neglect against Prisoners

From start to finish, the Palestinian prisoner suffers physical and mental torture throughout the arrest and detention process. This begins with inhumane and cruel arrest conditions, and ends with Israeli policies and measures aiming to humiliate and abuse prisoners and detainees daily inside prisons and detention centers. Medical neglect is a major widespread policy used as a punitive

16. For more details on prison raids and transfers, see Addameer's Aggressions of the Special Units of the Israeli Prison Service against Prisoners during Transfers and Raids Report below:

http://www.addameer.org/sites/default/files/publications/Natshon_Metseda.pdf

measure in the hands of the occupation against the prisoners and their families.

The Israeli occupation breaches international covenants and laws regarding treatment of prisoners, namely articles 76, 85, 91, and 92 of the Fourth Geneva Convention. The articles state that all prisoners and detainees shall receive the medical attention required by their state of health, be provided with adequate infirmaries, and accommodated with every possible health safeguard conditions. The occupation systematically influences the physical health of prisoners by the use of torture that leaves prisoners with severe injuries and illnesses, as well as the deliberate medical neglect seeing that the occupation stalls in providing treatment and settles for minimal medical care.

Like prior years, 2015 witnessed hundreds of prisoners suffering from a variety of illnesses; some were high-risk and others chronic, like the case of prisoner Bassam Al-Sayeh who suffers from leukemia and cardiac atrophy. Addameer documented 27 medical conditions during its visits to prison, and subsequently filed the appropriate complaints, referring some of them to Physicians for Human Rights.

The majority of prisoners receive treatment in prison clinics or are transferred to the Ramleh prison clinic that does not meet the minimum standards of medical care. Prisoners in Ramleh prison suffer from the occupation's consistent stalling in responding to their demands, and their complete isolation from the rest of the Palestinian Prisoners' Movement. Prisoner Rateb Hreibat told Addameer lawyer that they also suffer from overcrowdedness in their small assigned rooms with seven prisoners in wheel chairs, on top of inadequate bathroom facilities that do not cater to prisoners with severe medical conditions. He also pointed out that the prisoners cook meals in their own rooms due to the lack of a proper prison kitchen.

Illness continues to haunt the prisoner after his release due to deliberate medical neglect by the Israeli Prison Service that renders adequate treatment impossible even following release. Former prisoners Ja'far Awad, 22, from Hebron, and Ghassan Al-Rimwai, 27, from Beit Rima near Ramallah, passed away shortly after their releases. Prisoner Fadi Al-Darbi, 30, from Jenin¹⁷, died in prison, bringing the death toll of the Prisoners' Movement martyrs to 209¹⁸ by the end of 2015.

A number of prisoners are at a high risk of developing severe illnesses and death at any moment. The conditions in prisons and clinics, as well as tactics

17. Prisoner Fadi Al-Darbi served 10 years of a 14-year sentence in Israeli prisons. He suffered severe brain hemorrhage and consequently slipped into coma and clinical death until he was announced dead on Wednesday October 14th, 2015 in Soroka hospital in Beer Al-Sabe. Two years prior, Al-Darbi suffered bleeding from his naval, and constantly suffered headaches and nausea, without undergoing any medical tests to establish a diagnosis. Initial autopsy results by the National Israeli Forensic Medicine Center (Abu Kabir) said the brain hemorrhage that led to Al-Darbi's death resulted from an unknown illness.

18. For exact numbers of Palestinian prisoners who died of medical neglect in Israeli prisons (2007- 2013), see Table 10 in the appendix (page 21) of Addameer Violations Report of 2013.

furthering the Israeli Prison Service's intransigency without accountability reflect the weakness of the Palestinian National Authority, civil society institutions, doctors, NGOs, and international organizations that stand helplessly in the face of deaths and chronic diseases.

Prisoners in Isolation and Solitary Confinement

The Israeli occupation has employed solitary confinement and isolation in all forms against Palestinian prisoners since 1967. The number of prisoners in solitary confinement increased steadily after the prisoners ended their hunger strike in April 17th, 2012. In 2015, the occupation ordered 10 prisoners into solitary confinement and isolation under various pretexts, bringing the overall number of prisoners in solitary confinement to 16 by the end of the year. The orders came in blatant disregard of the May 14th, 2012 agreement between the Palestinian Prisoners' Movement and the Israeli Prison Service which stated that all Palestinian prisoners shall be taken out of isolation.

Forms and causes of solitary confinement vary seeing that the Israeli Prison Service utilizes it as punishment if a prisoner violates prison regulations like the case of hunger strikers. Solitary confinement is also used as a security measure at the recommendation of Israeli intelligence agencies. The Israeli Prisons Ordinance (New Version) of 1971 allows solitary confinement in cases involving state security, prison security, protecting the well-being or health of the prisoner or of other prisoners, preventing substantial injury to the discipline and orderly routine of the prison, as well as preventing a crime of violence or an offense. The criteria are flexible and subjected to a wide scope of interpretation that grants the occupation the sole discretionary authority to assess the type and extent of the offense.

- Solitary Confinement and Isolation - Physical Conditions

Addameer Research and Documentation Unit conducted 13 visits to prisoners in solitary confinement. This section of the report observes the physical conditions of solitary confinement in Israeli prisons. Prisoners suffer extremely difficult detention conditions that do not meet the minimal standards of human dignity and freedom, or adhere to international covenants that are rendered meaningless in the face of Israeli measures. It should be noted that the physical conditions of solitary confinement are not limited to the conditions of isolation cells, but entail the isolation of prisoners in the prison yard and the transportation vehicles where prisoners are not allowed access to bathroom facilities or interaction with any of the other prisoners.

Solitary confinement cells are usually 1.5 meters by 2 meters or 3 meters by 3.5 meters with a toilet. The prisoners are served their meals through a slot in the bottom of a steel door that locks them in the cells for 23 hours daily, mostly without sunlight. When a prisoner is allowed in the prison yard or for family

visits, his or her hands or feet are shackled. Sometimes, the shackles remain on either hands or feet in the yard.

Prisoner Nahad Al-Sa'di, 33, on Isolation Conditions in Ramon Prison

“The cell is 3 by 2.5 meters with a toilet and a shower. There is a window overlooking a high wall. We are allowed an hour a day in a 5x15 meters prison yard. The quality of served food is poor. In solitary confinement, we are provided with a television, a water heater, and an air conditioner. The overall hygienic status of the cell is acceptable.”

Prisoner Shukri Khawajah, 47, on solitary confinement conditions in Ayalon Prison

The cell is 3 x 3 meters with a toilet, a shower, and a double-decker concrete bed with a 2-centimeter thick mattress. The cell is very dirty and full of cockroaches which violates Articles 12 and 13 of the Standard Minimum Rules for the Treatment of Prisoners. The cell has a small fridge, a coffee pot, a cooking pot, two cabinets, and a television that broadcasts 7 channels only. The prisoner is allowed an hour a day in a 3x6 meters yard, half covered with an iron sheet and the other half with a fence. Solitary confinement prisoners in Ayalon are locked in the same sections as Israeli criminal prisoners with prior offenses and drug addiction, which leads to chaos, disruption, and constant fights.

Prisoner Al-Khawajah from Ni'lin village near Ramallah was arrested in February 14th, 2014. In December 16th, 2014, an Ofer prison officer handed Al-Khawajah a transfer order to Ayalon solitary confinement facility until January 30th, 2015. The order also included a visitation ban valid till this moment as a disciplinary measure against him.

Prisoner Muhammad Al-Bul, from Gaza, on solitary confinement conditions in Megiddo Prison

The cells are 3 x 3 meters with a shower, a television, a refrigerator, and a heating palette for cooking. The room has a 0.5 x 0.5 meter high window that does not allow in fresh air or sunlight, which violates Article 11 of the UN Standard Minimum Rules for the Treatment of Prisoners. The room includes a fan while the entire section is equipped with an air conditioner. The clothes are laundered and dried in the section. The isolated prisoner is allowed one hour in the prison yard a day; sometimes the prisoners are forced back into their cells before the hour is over.

Prisoner Murad Mahmoud Nimer from Sur Baher on solitary confinement conditions in Ashkelon prison.

Prisoner Nimer was transferred to three isolation facilities in Ashkelon, Ramon and Megiddo prisons, spending an average of six months in each. He describes

the solitary confinement conditions in Ashkelon: the room is 1.5 x 3 meters with a very small window. The cell contained a television and a fan provided by the prison administration, a hot palette, a radio provided by the prisoner, and a side lamp. The quality of food was very poor. The isolation facility is in a criminal section of the prison. Nimer spent seven and half months in Ashkelon, and was allowed an hour daily in a prison yard no bigger than two rooms.

Generally, prisoners in isolation are banned from family visits, as well are not allowed to meet with their lawyers on occasions. Solitary confinement also entails a group of punishments and restrictions that include denying the prisoner of his right to receive food, clothes and books. In addition, the prisoner may have his pens, papers and books confiscated as punishment for violating prison regulations.

Prisoner Bilal Kayed: Solitary Confinement a Disciplinary Punishment

Date of birth: November 30th, 1981

Date of arrest: December 14th, 2001

Sentence: 14 and half years

Place of residence: Asira Al-Shamaliya, Nablus

Solitary confinement section in Ashkelon prison

In September 6th, 2015, Kayed was transferred from Megiddo prison into solitary confinement in Ashkelon without prior interrogation by the Israeli Security Agency or disclosing reasons for the transfer. The prison director informed Kayed that he would be placed in solitary confinement and banned from visitation for 6 months. Kayed described the extremely poor conditions of solitary confinement to Addameer attorney, saying that the cell was too narrow, insect-infested, and without shower facilities. He went on hunger strike to protest the illegitimacy of his confinement and arbitrary transfer which violate Article 30(2) of the Standard Minimum Rules for the Treatment of Prisoners that states no prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defense. Kayed ended his hunger strike in September 10th, 2015. The Israeli intelligence claimed that Kayed was transferred for incitement in prison, when in fact he organized events to raise awareness among prisoners on certain occasions. Kayed has spent around 14 years in prison and has only eight months left in his sentence. The Israeli occupation used disciplinary solitary confinement, visitation bans, threats of renewing his solitary confinement order, as well as threats of placing him under administrative detention after he finishes his sentence to mentally strain Kayed and break his spirit.



- Psychological conditions and effects of solitary confinement

Prisoners in solitary confinement are banned from any contact with the outside world, and deprived of the bare minimum of social interaction. Prisoners are forced into direct contact with their jailers as the only means to deliver their demands, and thus find themselves subjected to the jailers' harassment. This results in even worse conditions for prisoners in solitary confinement.

The psychological effects of solitary confinement entail depression, uncontrollable fear, and disrupted sleep patterns. Moreover, pre-existing psychological conditions are further aggravated in solitary confinement. A number of the psychological effects of solitary confinement accompany the prisoner after his stay; they haunt him back into the group prisons or even after his release. Addameer documented the psychological condition of prisoner M who suffers acute behavioral disorders due to his stay in solitary confinement. M told Addameer lawyer that he is fearful of leaving solitary confinement because of his inability to interact with other prisoners or anyone from the 'outside'. Stuart Grassion, in his research the Psychiatric Effects of Solitary Confinement, said that "even a few days of solitary confinement will predictably shift the electroencephalogram (EEG) pattern toward an abnormal pattern characteristic of stupor and delirium¹⁹."

The Israeli Prison Service offers incomplete psychological therapy, usually in the form of pill prescriptions for to Palestinian prisoners. The majority of prisoners are not seen by psychologists who speak only Hebrew with a translator attending the sessions. Solitary confinement leaves physical marks on the prisoners as well, with prisoners suffering digestive diseases, heart and blood vessels disorders, as well as reproductive and urinary system diseases. The prisoners also suffer panic and tremors as well as headaches, nightmares, and fatigue. They also experience heart rhythm disorders, excessive perspiration, and shortness of breath²⁰.

- Solitary Confinement in International Law

International Law pays significant attention to the widespread global practice of isolation in general and solitary confinement in particular. The practice witnessed a recent surge in recent years in line with the "war on terror" and "national security counterterrorism."

While the International Law does not provide a clear definition of isolation, the Istanbul Statement on Solitary Confinement defined solitary confinement as

19. Stuart Grassion. The Psychiatric Effects of Solitary Confinement; Volume 22 of the Washington University Journal of Law & Policy. 2006

20. For more information, see Report on Isolation and Solitary Confinement of Palestinians in Israeli Detention.– May 2008. [http://www.addameer.org/userfiles/aL_3azel\[2012012512517\].pdf](http://www.addameer.org/userfiles/aL_3azel[2012012512517].pdf)

a form of confinement where prisoners spend 22 to 24 hours a day alone in their cell in separation from each other. In many jurisdictions, the prisoners are allowed one-hour long outdoor exercise.

In a report submitted to the Human Rights Council on July 28th, 2008 in accordance with the UN General Assembly resolution 62/148, the Special Rapporteur on Torture Manfred Nowak, stated that the prolonged isolation of detainees may amount to cruel, inhuman or degrading treatment or punishment and, in certain instances, may amount to torture. In August 5th, 2011, the Special Rapporteur on Torture, Mr. Juan Mendez, defined prolonged solitary confinement as that in excess of 15 days. The Israeli occupation continues to extend the solitary confinement of Palestinian prisoners, thus violating the international norm, and exercising solitary confinement amounting to torture. Prisoner Mahmoud Issa spent a total of 13 years in solitary confinement, while prisoner Nahar Al-Sa'di stayed in solitary confinement for almost three consecutive years. A large number of prisoners also spent years in renewed solitary confinement in Israeli prisons. Article 6 of the UN Human Right Committee General Comment No. 20 (1992) noted that the prolonged solitary confinement of the detained or imprisoned person may amount to acts prohibited by Article 7 of the International Covenant on Civil and Political Rights. The Committee has recommended that the use of solitary confinement be abolished, particularly during pre-trial detention, or at least that it should be strictly and specifically regulated by law and exercised under judicial supervision. Article 7 of the Basic Principles for the Treatment of Prisoners adopted by the UN General Assembly in 1990 states that efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged. The Interim Report of the Special Rapporteur of the Human Rights Council on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2011 highlighted and explored the issue of solitary confinement. The report stated that solitary confinement should be used only in very exceptional circumstances, as a last resort, for as short a time as possible. Moreover it prohibited and abolished the use of solitary confinement against children and persons with disabilities for their vulnerability.

In addition to the violations of the aforementioned Convention against Torture and other international covenants, solitary confinement conditions in Israeli prisons do not meet the minimum hygienic and health standards of prisons and detention centers stated in Articles 91 and 92 of the Geneva Fourth Convention. Upon reviewing the international legal framework regarding solitary confinement, it is clear that the Israeli Prison Service completely disregards the International Law and the International Humanitarian Law. Moreover, Israel dismisses the efforts of international monitoring bodies, as well international institutions and committees on human rights and prisoners' rights.

Chapter Six

**Arresting Children:
An Israeli Systematic
Policy**



“The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.”

Principle 2 of the Declaration of The Rights of The Child - 1959

In 2015, the number of Palestinian children detainees in Israeli prisons reached 929 children from various cities, villages, and refugee camps. The escalated events since October 2015 witnessed a significant surge in targeting children when Israeli forces arrested 486 children in October alone. Addameer statistics showed that by the end of 2015, a total of 470 Palestinian children were detained in Israeli prisons, an over 200% climb from the 156 detained children in 2014. The majority of detained children were from Jerusalem. These numbers do not reflect the comprehensive framework of the excessive arrests carried out around the occupied Palestinian territories. Many arrests were not documented and accounted for in the statistics when Palestinians were arrested and interrogated for few hours before their conditional or unconditional release.

Children Detainees: Facts and Figures



	Jan	Feb	Mar	Apr	May	Jun	Jul	aug	Sep	Oct	Nov	Dec
2015	152	163	182	182	164	162	160	153	156	320	420	470
2014	154	183	210	202	196	200	192	200	201	182	163	156
2013	193	219	185	236	236	222	194	195	180	179	159	173
2012	166	166	183	203	218	192	220	210	194	189	164	177
2011	209	221	216	224	217	211		201	176	262	150	159
2010	318	343	342	355	300	286	281	280	269	264	251	225

Over the years, Addameer documented violations against Palestinian children. In 2015, it intensified efforts to fully document the conditions of arrest, interrogation, and degrading treatment of 8-17 year old children, following every detail, aspect, and step since their arrest. Children detained in Israeli prisons suffer three major breaking points: their arrest by a military occupation power, their age, and their forced departure from home. Prison visits and affidavits clearly showed the use of excessive force during the arrest and kidnapping of children without informing their parents



of their whereabouts, as well as late-night raids terrorizing the children and their families without warrants. The children were subjected to insults, curses, humiliation, demeaning treatment and sexual threats inside military vehicles. They were left outdoors for long hours with no regard to their health conditions or harsh weather. The majority of children were beaten with rifles butts all over their bodies, causing fractures, loss of sight, and other physical damage. Interrogators do not draw a distinction in treatment between minors and adults. Palestinian children face immense pressure in the form of beatings, cursing, threats of arresting parents, and promises of fictitious deals.

In the majority of cases, Israeli forces do not allow the presence of parents during interrogation, in violation of the Israeli law and international laws that guarantee the child's best interest,²¹ prohibit the unlawful arbitrary deprivation his or her liberty,²² as well as limit the use of arrest and detention as a measure of last resort and for the shortest appropriate period of time.²³ Nonetheless, the Israeli occupation continues to breach the principles of international treaties, including the Convention on the Rights of the Child, the Universal Declaration of Human Rights, as well as Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Moreover, Israel violates the minimum standards for protecting detained children as stated in the Convention on the Rights of the Child, including their right to prompt access to legal and other appropriate assistance (Article 37), their right to be treated with humanity and respect for the inherent dignity of the human person (Article 37), as well as their right to ensured protection against all forms of physical and mental violence (Articles 2, 6, 19, 24, 28).

21. Principle 2 of the Declaration of The Rights of The Child (1959)

22. Article 37B of the Convention on the Rights of the Child (1989)

23. See previous reference.



The child is ensured the right to a standard of living adequate for his social, economic, cultural and health well-being. These rights include the right to housing, highest attainable medical care, education, and growing within a family environment as stated in Article 25 and 26 of the Universal Declaration of Human Rights, as well as Articles 24 and 28 of the Convention on the Rights of the Child.

Children Sections in Israeli Prisons

A total of 276 children detainees are divided into sections 13, 18, and 20 in Ofer prison. Out of 605 children admitted to Ofer prison in 2015, 154 of them were under 15-years old, including 13 detainees under the age of 13. Prisoner Abdul Fattah Dawlah, the representative of children detainees in Ofer, says the sections became overcrowded after closing down Givon prison and transferring 30 children detainees from Megiddo prison. Dawlah described the difficult conditions the children detainees face in the transfer process, where they sometimes spend up to 10 days the transportation vehicles and face difficulties in meeting their families. The children detainees are also placed in Megiddo and Hasharon prisons, the latter of which includes 11 small rooms each fit for two prisoners, and four rooms each fit for six prisoners in section 1 of the prison. The children suffer throughout the heat waves during summer, but the overall conditions of this section are relatively good with clean ventilated rooms, and a prison doctor on hand. The prisoners are offered three meals a day cooked by other prisoners, and are allowed into the prison yard three times a day. Nonetheless, the children detainees aren't allowed to sit for the secondary diploma examination, and are only allowed two books every three months.

Mid-way through October of 2015, Givon prison in the Ramleh prison complex opened a children detainees section. Givon was previously a detention center for holding those in violation of the terms of residency before deportation and was not prepared for long-term internment. In December 22nd, 2015, the section was closed due to the difficult conditions of the children detainees and the consequent lawyers' complaints on the matter. Addameer lawyer conducted 20 visits to document the conditions of children detainees in these prisons.

Special Reporting: Arresting Children in Jerusalem

Palestinian children are forced into daily direct contact with Israeli forces that escalated their arrest campaigns and humiliation of children of all ages since October 2015. Addameer conducted 75 field visits to several areas in Jerusalem, focusing on the conditions of Jerusalem children detainees whose terms of arrest and release conditions were different than in other occupied Palestinian territories.



The last three months of 2015 witnessed an Israeli escalation in the use of deliberate systematic policies targeting the Palestinian youth in its entirety. In wake of the popular uprising, 288 children were arrested in Jerusalem between October and December of 2015: 179 in October, 56 in November and 53 in December.

Terms of Release

Israeli courts followed a number of special policies regarding Jerusalem Palestinians, in particular the children. The released children were not completely free under the impossible terms imposed on them preventing them from pursuing education, living among their families, or interacting socially with their community in a blatant disregard of the previously mentioned international charters. Detained children released under special terms in Jerusalem made up 3% of the overall minor detainees arrested since the beginning of the popular uprising.

House Arrests

House arrest, ranging from one day to an indefinite sentence, is another form of confinement and infringement upon freedom. Children under such confinement terms suffer severe social, personal and cultural repercussions. Statistics show that more than 60 house arrest sentences were issued against Jerusalem children in 2015, some of whom spent 9 months in home confinement. House arrest is a conditioned release until the end of legal proceedings, thus time served under house arrest does not count towards imprisonment sentences.

One of the main repercussions of house arrest is denial of education. Child detainee Hamzah Al-Seyouri who was released into indefinite house arrest said he was permanently banned from attending school. Mohammad Al-Abbasi, detained in ninth grade, was released to indefinite house arrest. He was banned from sitting for eight final exams in his school, which severely curbed his education in violation of the right to education law. Al-Abbasi is also banned from attending summer camps.

In a dangerous precedent, Israeli authorities issued a two-month house arrest sentence against Milad Mousa Salah Al-Deen, 16, under the condition that his mother serves the sentence as well. They were threatened with a 20,000 NIS fine if either of them left the house. Salah Al-Deen's house arrest followed 25 days of actual prison time and a 10,000 NIS fine for stone-throwing.²⁴

Forced Relocation

The majority of Jerusalem children were forced to stay away from Al-Aqsa Mosque surroundings. Some of them were forced to relocate away from their homes and families, in violation of Article 16 of the Convention on the Rights of the Child.²⁵ This policy usually accompanies release into house arrests, with the Israeli authorities forcing children into house arrest in areas away from their families, or the scene where they were arrested.

Fines and Bails

Israel financially extorts children's families with high fines and bails as a condition of their children's release, without a regard to their financial and economic conditions. Former child detainee Mohammad Al-Abbasi said the

24. Interview with Addameer Jerusalem attorney Mohammad Mahmoud

25. Article 16 of the Convention on the Rights of the Child states "No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honor and reputation."

Israeli authorities released him into indefinite house arrest in his grandmother's home in Ras Al-Amoud neighborhood, away from his residence in Ein Al-Loza area. Moreover, Al-Abbasi was fined 4000 NIS and his bail was set at 30,000 NIS. Like the case of most Jerusalem children, Ameer Al-Balbisi was fined 5000 NIS, while Hamzah Al-Seyouri was fined 5000 NIS and his bail was set at 20,000 NIS. Heavy fines burden the children's families in Jerusalem where 75.4% of residents, 83.9% of whom are children, live below the poverty line.²⁶

Restrictive Social Interaction

The Israeli authorities went beyond the mentioned policies and measures used against Jerusalem men, women, and children. In several cases, Israel banned children from interacting with certain persons, their friends, or even family members as part of the house arrest orders. Child Mohammad Durbas stated in an affidavit to Addameer that he was fined 5000 NIS, sentenced to five days of house arrest, and handed a long list of names of youth from his village he was not allowed to interact with for 15 days.

Oz Police Station

During the popular uprising in October 2015, Israeli authorities held dozens of Jerusalem minors in Oz police station which was turned into an interrogation center for lack of other available facilities. The newly-turned center is not equipped to host a large number of detainees and lacks interrogation rooms. The detained children were laid outdoors on the floor of the station yard for long hours with their hands and legs bound. They were also placed on the floor of steel caravans. A number of children and minors testified that interrogation methods were violent, inhumane and humiliating. Threats and scare tactics were used in the center similarly to other interrogation centers in Jerusalem.

26. Association for Civil Rights in Israel.

Affidavits

Child Nadeem Zahrah

Date of birth: November 18th, 1999

Occupation: Tenth grade student in Al-Mutran school

Place of residence: Al-Issawiya

Oz interrogation center

“Around 2 in the morning on Monday March 21st, 2015, Israeli soldiers arrested me from my house. After being led out of the house, one of the soldiers placed his hand on my head and dragged me under the stairs. He then proceeded to handcuff and blindfold me. I was walked to a mountainous area where other detainees were held. I was forced to sit on the ground there for more than an hour and half, during which soldiers would unexpectedly hit me with their hands and feet on my head and across my body. The soldiers cursed at me and my father with vulgar language as well. Following that, the soldiers walked for ten minutes dragging me from opposite directions while handcuffed which was extremely painful. They kept walking until we reached a gas station where suddenly a soldier drove his knees into my back causing me a great deal of pain. I was dragged near a car and soldiers started taking pictures with me; when I tried to defend myself, they threatened to rape me. They tried to force me to get into the car, and threw me on the car floor on my knees when I refused. Along the way, the soldiers continued to hit me with their hands and feet. Some of the soldiers were wearing reinforced plastic gloves that were extremely painful. They kept hitting me until we arrived in Oz police station in Jabal Al-Mukaber. They was took me out of the car and forced me on my knees on the floor for eight hours without food or water, and I wasn’t allowed to use the bathroom. I met with a lawyer and told him I didn’t do anything. None of my family was present. I was taken into interrogation which lasted about an hour, during which the interrogator accused me of throwing stones and Molotov cocktails without any evidence. I was released at 6 o’clock into five days of house arrest on the condition of not interacting with any of the others who were detained along with me.”

Children of Hares Village ²⁷

After two years of stalled legal procedures, Salem military court finally sentenced the detained children Ali Al-Shamlwai, Mohammad Klaib, Mohammad Sulaiman, Ammar Souf, and Tamer Souf from Hares village north of Salfit. The children, who were arrested in March 15th, 2013, were each sentenced 15 years in prison and a 30,000 NIS fine, which accumulated to a collective 75 years in prison and 150,000 NIS of fines.

The ruling constitutes a dangerous precedent that legitimizes high sentences against Palestinian children for stone throwing charges under the pretext of associating them with murder and attempted murder charges. It also legitimizes the prosecution of children as adults before military courts. The ruling reaffirms the Israeli military courts' failure to adhere to the proportionality law that aims to strike a balance between a crime and its punishment. The court did not take into consideration the absence of intent to murder, or the lack of a direct relation between the action and result based on the facts presented in the case. There were no guarantees of fair trial since the children's confessions were obtained under torture and extreme conditions.

27. For further details on the case of Hares children and their arrest, see <https://haresboys.wordpress.com>

Chapter Seven

**Arrests of Women and
Female Minors**



Since 1967, Israel arrested over 10,000 Palestinian women. The year 2015 witnessed a surge in the number of detained Palestinian women and female minors, recording the highest number of re-arrests of former women prisoners who were previously freed in the Wafa Al-Ahrar prisoner exchange deal. The deal took place in October 18th, 2011 between the Israeli government and the



Islamic Resistance Movement (Hamas). The recent surge of arrests that swept the Palestinian community came in the wake of the popular uprising across Palestinian cities since the start of October 2015. Addameer statistics showed 106 female prisoners, the majority of whom were from Jerusalem, arrested throughout the year. At the moment, there are 60 female prisoners in Israeli prisons, including 23 in Hasharon prison, 36 in Damon prison, and one prisoner in Neve Tirza women prison that houses common prisoners. The female detainees come from the full spectrum of society, including mothers, doctors, PLC members, university students, and minor school students.

Detention Conditions of Female Prisoners

Addameer Documentation and Research Unit conducted 20 visits to female prisoners, documenting their poor conditions and suffering. The Israeli authorities show no regard for their fraught mental state away from their children and families, as well as their social and parental responsibilities. The Israeli occupation continues to deny female prisoners of regular contact with their children, spouses, and families in violation of United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Rule 26 states that women prisoners' contact with their families, including their children, their children's guardians and legal representatives shall be encouraged and facilitated by all reasonable means.

- Suffering in Detention Centers

Female prisoners suffer through detention conditions that do not meet the bare minimum guarantees of their rights to physical safety and privacy. A number of prisoners told Addameer lawyer that they suffered through humiliating personal searches.²⁸ Others stated that they were strip searched by female soldiers, an extreme arbitrary measure especially among the conservative Palestinian society. Testimonies and recounts of experience reaffirm the severity of the harmful psychological effect of strip searches on female prisoners. Israeli prison regulations allow strip searches under exceptional circumstances only, while international charters ensure the protection of women prisoners' dignity and respect, particularly Rules 19 and 20 of Bangkok Rules.

Privacy is virtually nonexistent for Palestinians prisoners who are monitored on cameras in numerous detention rooms and prison cells. Some of the cameras cover parts of the bathroom facilities, preventing the prisoners from exercising their basic rights of changing clothes and relieving themselves in privacy.

Female Prisoners: Injuries and Medical Neglect

Numerous women prisoners and female minors were brutally arrested becoming victims of excessive force that were not proportional to their actions. There were eight injured female prisoners in Israeli prisons in 2015. The injured were denied medical treatment and suffered grave medical neglect in violation of prison regulations.

Prisoner Israa' Riyad Jameel Ja'abees

Date of arrest: October 10th, 2015

Date of birth: July 28th, 1984.

Prisoner Ja'abees, a mother of one, suffers from a critical medical condition due to burn injuries in the majority of her body; her ten fingers were amputated as a result. She also suffers from nervous breakdowns, shock, and a severe psychological crisis. After a three-month stay in Hadassah Ein Kerem hospital, Ja'abees was transferred to Ramleh prison hospital. She is incapable of performing daily activities like eating, using the bathroom, or even changing her clothes. A fellow woman prisoner Alya Al-Abbasi helps her through her basic daily activities. While Ja'abees's condition



28. Personal search is a regular physical, over-clothes search.

requires extensive medical and mental care, the Israeli authorities completely neglect her pressing needs. Ja'abees was arrested as she was crossing Al-Zaim checkpoint on her way to her house in Jabal Al-Mukaber neighborhood in Jerusalem. After she switched lanes in the heavily congested checkpoint, her car suddenly burst into flames, engulfing her whole body in fire. An Israeli soldier approached her after she left her burning car, yelled and pointed his gun at her, and proceeded to arrest her on the spot.

Prisoners Ablah Al-Adam, 45, a mother of nine children, and Hulwa Hamamrah, 25, also suffer from difficult health conditions. During her arrest, Al-Adam suffered severe injuries to the head and eye, which cause a complete loss of sight in her right eye, as well as skull fractures. She suffers from impaired hearing, loss of smell, and difficulty in swallowing. Hamarah's medical condition deteriorated following an abdomen injury she sustained during her arrest in November 8th, 2015.

The Israeli occupation exploits the female prisoners' humanitarian, medical, and psychological vulnerabilities. It appoints itself judge, jury, and executioner by causing their medical deterioration, and then denying them treatment, as well as refusing to provide specialized medical services, or allow doctors into the prisons. It became clear that the Israeli authorities aim to establish an institutionalized system targeting the mental state of prisoners and causing dire repercussions affecting prisoners, men and women alike.

Prisoners' Transport Vehicle

Transportation vehicles taking female prisoners to prisons, court, or hospitals are an added nightmare and a crippling burden. The women and female minors complain of the extremely difficult conditions they face during transfer; a shared hardship among all Palestinian prisoners. Prisoner Yasmeen Abu Srouf told Addameer lawyer that an Israeli soldier hit her in the stomach with a rifle butt during her transfer from Tuba interrogation center to Hasharon prison. The assault happened after Abu Srouf asked to use the bathroom after 12 hours of denied repeated requests. She said that Israeli soldiers treat the prisoners violently during transfer in the unbearably-smelling vehicle. The prisoners are sometimes subjected to personal searches in the vehicle.

Prisoner Khalida Jarrar, a member of the Palestinian Legislative Council, described the "journey from hell" prisoners face in the transport vehicle. She stated that Israeli soldiers and the Israeli Special Forces (Nahshon) hold no regard for the prisoners' medical conditions; the prisoners are handcuffed and

placed in the vehicle cells for long hours, sometimes double the normal travel time. The vehicle cells include metal, narrow double seats with disproportionate measurements that force the prisoners into an angled seating position for lack of appropriate space. The cells are equipped with cameras that prevent the prisoners from using the bathroom while in the vehicle; if bathrooms were available, they are unfit for human use. Women prisoners face degrading conditions during transport, as well the physical strain of having their physiological gendered needs ignored. These inhumane conditions violate the UN Standard Minimum Rules for the Treatment of Prisoners that prohibits conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship during transport.

Female Children in Prison

“No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.”

-Article 37 of the Convention on the Rights of the Child

Israel follows a double-standard policy in the interpretation and application of international conventions and agreements. The occupation continues to systematically persecute Palestinian children, terrorizing them and crushing their spirit with arbitrary arrests, late-night house raids, as well as the deliberate use of intimidation and threats amid interrogation. Moreover, Israel uses the minors' families as a bargaining chip to pressure them during interrogation.

Since the start of 2015, Israel arrested 12 female minors under the age of 18. By December 31st, 2015, there had been ten female minors between the ages of 14 and 17 in Israeli prisons. The minors were deprived of their inalienable rights of pursuing their middle and secondary education, accessing appropriate medical treatment, living in a suitable environment, and receiving nurturing guidance towards maturity.

Case Studies: Female Child Prisoners Marah Bakir, Istabraq Nour, and Jihan Erekat

Israel arrested Marah Bakir, 16, in October 12th, Istabraq Nour, 14, in October 19th and Jihan Erekat, 17, in October 27th of 2015. Both Bakir and Nour received treatment in Hadassah Ein Kerem hospital after being shot and injured during arrest. The three minors were transported to Neve Tirza women criminal prison where armed Israeli jailers humiliated them, confiscated their possessions and clothing including their head scarves and Qurans, as well as controlled their access to the prison yard.

The minor prisoners described the conditions in Ashkelon prison to Addameer lawyer as follows:

The children were placed in a room that does not meet the minimum living needs. They lacked privacy with the shower and toilet inside the room, round-the-clock surveillance with two cameras that cover part of the bathroom facilities, and a constantly-open window that overlooks the hallway. The window allows in the cold and the occasional rain. The room is unclean and insect-infested which caused a skin disease outbreak and eye swelling for prisoner Erekat. None of the girls received medical treatment, despite Bakir and Nour's injuries that cause them pain and constant dizziness. The prisoners also said they were shoved around and treated in a degrading manner during their transport to the court.

The Israeli Prison Service violated its own regulations by holding the prisoners in unsanitary rooms without proper ventilation, as well as placing security prisoners in the same facilities as criminal prisoners. These conditions stand in clear violation of accommodation rules (9-14) of the Standard Minimum Rules for the Treatment of Prisoners. Moreover, the rules allowed the prisoners to hold possession of their books of religious observance, as well other personal belongings. The prisoners also shall be seen and examined by a medical officer as soon as possible after her admission and shall be treated in light of the medical diagnosis.

Conclusion and Findings

- ❖ The report shows the widespread systematic use of physical and mental torture, as well as degrading treatment by the Israeli occupation as a repressive measure against Palestinian prisoners since their arrest and throughout interrogation. The occupation provides a political cover for its actions, supported by the Israeli judicial institutions and the public opinion. The actions constitute violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ratified by Israel in 1991.
- ❖ The report demonstrated the Israeli forces' deliberate use of excessive force during arrests in 2015. Excessive force included the use of live ammunition against detainees, which worsened the detention conditions and resulted in the rising number of injured prisoners.
- ❖ The report documents war crimes committed by the Israeli occupation after reinstating a field executions policy and targeting Palestinians of all backgrounds. The number of Palestinians killed in the last three months of 2015 reached 145, constituting a war crime according to the Rome Statute of the International Criminal Court.
- ❖ The Israeli military courts continue to deny fair trial guarantees to Palestinian prisoners and detainees using discriminatory legislation aiming to imprison the largest possible number of Palestinians. The report clearly uncovers an official Israeli institutionalized push towards a unified far-right policy to criminalize Palestinians for nationalist ideology, adopting the pretext of "security circumstances" as a justification for its policies, laws, and actions.
- ❖ The report observed a surge in arrests for posts on social media platforms, mainly Facebook, and documented several similar cases. Israel started arresting Palestinians for online posts since the start of 2014, in violation of international conventions and national laws that guarantee freedom of expression.

- ❖ Administrative detention continues in 2015 against members of the Palestinian society, including five women, five children, as well as a number of human rights defenders that included lawyers, journalists, and members of the Palestinian Legislative Council. The number of detainees held in punitive and arbitrary administrative detention doubled in the last three months of 2015, breaching Article 78 of the Geneva Convention.
- ❖ Three Jerusalem children were held in administrative detention for the first time since 1967, setting a dangerous precedent that threatens most of Jerusalem children with arbitrary arrest without charge or trial.
- ❖ Palestinian prisoners and detainees resorted to hunger strike in protest of administrative detention. Five administrative detainees underwent a mass hunger strike, in addition to several individual cases of hunger strike, against detention without charge or trial.
- ❖ The report documented the deteriorating conditions in Israeli prisons in 2015, including repeated raids, torture and humiliation, medical neglect, as well as the Israeli Prison Service's deliberate actions to maintain the meager conditions of prison clinics that do not meet the bare minimum medical care standards. Israel continues to breach international conventions and norms by enforcing solitary confinement with ten prisoners placed in solitary confinement and isolation in 2015. Moreover, prisoners are deprived of their rights to family visits. These policies are part of the Israeli efforts to weaken and render futile the Palestinian Prisoners Movement's efforts in exercising their rights.
- ❖ The report highlighted Israel's escalatory policies targeting women and children. The policies are part of a comprehensive process to deconstruct the Palestinian social fabric and youth, in a complete disregard to the specificity of the women and children's situations in relevant international conventions and agreements.
- ❖ The report dedicated a special section to cover arrests in Jerusalem, in particular the Israeli occupation's treatment of minors during arrest and interrogation, trial procedures, high sentences for throwing stones and Molotov cocktails offences, house arrests, as well as hefty fines and bails.

Recommendations

- ❖ Addameer believes that the division among the Palestinian national factions highly affected the conditions of the Prisoner's Movement, and further weakened the prisoners' positions amid the Israeli Prison Service' continued efforts to shirk responsibilities towards them and break their spirits. Addameer urges the Palestinian Authority and all Palestinian factions to join efforts to establish a unified strategic vision that enables and strengthens the Prisoners Movement in the face of the Israeli occupation's systems and institutions.
- ❖ Addameer believes of utmost necessity that the Israeli occupation be legally pursued for its crimes against the Palestinian people, the administrative detention be included in the definition of torture, and the prisoners' issue be raised in the International Criminal Court (ICC). Addameer deems fundamental the international criminalization of the Israeli war crimes that included the extrajudicial executions of dozens of Palestinians in 2015, as well as the internationally-forbidden collective punishment policies exercised against the Palestinian people, particularly the families of Palestinians who were killed and detained by the occupation. Such policies included retaliatory searches and demolitions of family households, as well arrests of family members.
- ❖ Addameer highlights the need for an official Palestinian stand regarding the Israeli retention of Palestinian bodies as a top priority national concern that exceeds family members.
- ❖ Addameer recommends the United Nations, its committees and rights organizations, to pursue immediate and earnest efforts to provide protection for the Palestinian prisoners and detainees in Israeli prisons. The protection is aimed particularly against willful killings during arrest, torture during arrest and interrogation, Israeli Prison Service Special Forces' crimes in prisons, and medical neglect.
- ❖ Addameer recommends the Palestinian Commission on Prisoners' Affairs, and Palestinian rights and legal organization unify and intensify efforts to expose the Israeli occupation and Prison Service crimes. Addameer also recommends to utilize national and international laws to file complaints against the Israeli occupation and hold it accountable for its actions.

Appendices



Appendix 1

Individual Hunger Strikes in 2015

	Name	Date of Birth	Date of Arrest	Date of Hunger Strike - Location	Cause of Hunger Strike	Notes
	Khader Adnan Mousa – Arraba, Jenin	2/03/1978	8/7/2014	– 6/5/2015 Sarafand Hospital	Administrative Detention	Ended hunger strike on 29/6/2015 after reaching an agreement to release him on 12/7/2015
	Mohammad Rashdan – Nablus – Sentenced to 22 years	25/4/1977	26/7/2001	– 21/5/2015 Ramon prison	Has been banned from family visits for 6 year under security pretexts	Ended hunger strike after 13 days following promises of allowing family visits
	Hamza Sawaween – Deir Al-Balah, Gaza – Sentenced to 13 years	14/4/1993	16/6/2013	– 18/5/2015 Ramon prison	Solitary Confinement	Ended hunger strike on 21/5/2015 following promises to review his solitary confinement file
	Saddam Awad – Beit Ummar, Hebron – Detained until trial	17/9/1990	10/11/2013	25/5/2015	In solidarity with prisoner Khader Adnan	Ended hunger strike on 2/6/2015

Mohammad Al-Aqra' – Qalqilya – Administrative detainee	18/10/1983		– 17/5/2015 Ketziot prison	Administrative Detention	Ended hunger strike on 19/05/2014 after reaching an agreement with the Israeli intelligence to submit a charge sheet
Abdullah Al-Barghouti – Beit Rima, Ramallah – Sentenced to 67 life sentences	years 42 old		31/5/2015	Solitary Confinement	Ended hunger strike after several days
Ayman Sharbati - Jerusalem - sentenced to life		1999	– 2/6/2015 Ashkelon solitary confinement facility	Solitary Confinement	Ended hunger strike on 21/6/2015 after reaching an agreement with IPS to end solitary confinement
Ja'far Izzel Deen – Arraba, Jenin – Administrative Detainee			– 18/6/2015 Megiddo prison	In solidarity with Khader Adnan	Ended hunger strike on 29/6/2015 after Adnan had ended his strike
Oday Ali Mohammad Isteiteh – Jenin refugee camp – Administrative detainee	years 24 old	17/11/2014	– 18/6/2015 Ketziot solitary confinement facility	Administrative Detention	Ended hunger strike on 29/7/2015 after reaching an agreement to end his administrative detention on 20/10/2015 without renewal

Nour Ellayan – Jalazone refugee camp, Ramallah – Administrative detainee			29/6/2015	Administrative Detention	Ended hunger strike on 7/7/2015
Ammar Ellayan – Jalazone refugee camp, Ramallah – Administrative detainee			2/7/2015	Administrative Detention	Ended hunger strike on 7/7/2015
Mohammad Allan – Administrative detainee	5/8/1984	6/11/2014	18/6/2015 Ketziot prison,- Ayala prison, Eshel prison, Assaf Harofeh medical center, Barzilai	Administrative Detention	Ended hunger strike on 20/8/2015 following the Israeli Supreme Court's decision to end his hunger strike and keep him in intensive care until he recovers from a prior coma. He was released on 2/11/2015
Abdullah Noah Abu Jaber			Eshel prison		A Jordanian prisoner

						<p>He suspended his open-ended hunger strike 25 days later on 4/8/2015 following an agreement allowing him to contact his family.</p> <p>Othman has been detained since 2006; he was sentenced to life and seven years in prison. He has been in solitary confinement in Eshel prison for two years and banned from seeing his family</p>
Abdul Rahman Othman – Nablus – Sentenced to life and seven years				Eshel prison until 2/8/2015	Solitary Confinement – Has been in solitary for two years	
Kayed Fouzi Yousel Abu AlReesh – Ein refugee camp, Nablus – Administrative detainee	21/1/1971			sol- – 4/8/2015 itary confinement facility in Megiddo prison	Administrative Detention	
Mustafa Breijeh				Solitary confinement facility in Ketziot prison	In solidarity with Mohammad Allan	Ended his hunger strike 10 days later
Hassan Thawabteh				Solitary confinement facility in Ketziot prison	In solidarity with Mohammad Allan	Ended his hunger strike 10 days later

	Ramzi Mousa			Solitary confinement facility in Ketziot prison	In solidarity with Mohammad Allan	Ended his hunger strike 10 days later
	Mohammad 'Al-Aqra			Solitary confinement facility in Ayala prison	In solidarity with Mohammad Allan	Ended his hunger strike 10 days later
	Samer Al-Isawi			Gil- 16/8/2015 boa prison	In solidarity with Mohammad Allan	Ended his hunger strike on 20/8/2015 after Allan ended his strike
	Nidal Abu Aker	5/10/1968	28/6/2014	- 30/8/2015 solitary confinement facilities in Ashkelon and Ketziot prisons	Administrative Detention	
	Ghassan Al-Zawahrah	5/10/1968	4/8/2014	- 30/8/2015 solitary confinement facilities in Ketziot and Ayala prisons	Administrative Detention	
	Shadi Ma'ali	25/9/1976	28/6/2014	solitary confinement facilities in Eshel and Ketziot prisons	Administrative Detention	
	Muneer Abu Shararah	3/1/1983	24/7/2014	solitary confinement facility in Ketziot prison	Administrative Detention	
	Badir Al-Razzeh	18/5/1988	13/5/2014	solitary confinement facility in Ketziot prison	Administrative Detention	

	Bilal Omar Daoud Al-Saifi				Administrative Detention	He underwent several hunger strikes at intervals
	Nour Mohammad Jaber				Medical Neglect	
	Ameer Al-Shamas				Administrative Detention	He underwent several hunger strikes at intervals
	Suleiman Mohammad Tawfiq Iskafi		12/11/2014	1/9/2015	Administrative Detention	He went on hunger strike for 38 days after his lawyer reached an agreement with the Israeli prosecution to renew his administrative detention once for four months, and not to renew it again
	Abdul Majeed Khdeirat – Tubas – Detained till trial under article 186 of Israeli Military Order which allows the re-arrest of prisoners who were released under prisoner exchange deals	1/12/1968	15/5/2013	sol- – 1/7/2015 itary confinement facility in Megiddo prison	His re-arrest following his release in the Gilad Shalit prisoner exchange	

Mousa Soufan – Tulkarm – Sentenced to life	26/4/1974	26/3/2003	25/7/2017 Solitary – confinement facility in Ayalon prison	Solitary confinement	
Khairi Dara-ghmeh			– 26/7/2015 Megiddo prison	Lack of medical treatment	
Mohammad Al-Qiq	21/4/1982	21/11/2015	225/11/2015	De-meaning treatment during interrogation and administrative detention	
Kifah Hattab – Sentenced to two life sentences	years 52 old	2003	25/11/2015	Demanding treatment as a Prisoner of War	Ended hunger strike in 12/1/2016 after reaching an agreement regarding family visits and not wearing prison uniform
Abdullah Abu Jaber – Sentenced to 20 years	years 40 old	2000	Started hunger strike on 8/11/2015 and ended it on 23/12/2015. He resumed his hunger strike on 26/12/2015 after the prison service renounced his demands	Demanding to be released after serving two-thirds of his sentence. Demanding family visits.	A Jordanian citizen
Hassan Shoukeh – Administrative Detainee	6/5/1988	17/9/2015	to 13/12/2015 20/1/2016	Administrative Detention	Reached an agreement to not renew his administrative detention and be released after serving his current sentence.

Appendix 2

Name: Muneer Mustafa Abdul Hadi Abu Sharar

Age: 33 years old

Place of Residence: Dura, Hebron city

Marital status: single

Occupation: Warehouse clerk for umunicipality

Date of arrest: 24/7/2014

Governorate: Hebron

Legal status: Administrative detainee for 6 months

Type of internment: Administrative detention



Prior Arrests

Abu Sharar was arrested three times; he spent 18 months in prison following his first and second arrests. Upon his third arrest in 24/7/2014, Abu Sharar immediately announced going on hunger strike in protest of his arbitrary interrogation that aims solely to torture the prisoner. He went on hunger strike for 28 days, during which he refused vitamins and supplements.

Hunger Strike

Abu Sharar announced going on an open-ended hunger strike after his third arrest to protest the Israeli interrogation measures used against him; he was on hunger strike for 28 days. Later, Abu Sharar joined four other administrative detainees on their open-ended hunger strike in protest of administrative detention on August 30th, 2015. The hunger strike came following other measures of protest the detainees started on August 20th that included abstinence of solid food in preparation of the open-ended hunger strike. The start of July witnessed the five detainees, along with 50 others, completely boycotting military courts that issue administrative detention orders. The courts were described as an unjust formality that legitimizes arbitrary arrests. The Israeli Prison Service immediately held the detainees in solitary confinement in a disciplinary retaliation to the hunger strike.

Abu Sharar and the other detainees suspended their hunger strike after reaching an agreement with the prison service in September 29th, 2015. The agreement included the release of some of the detainees after serving their sentences, as well as considering the release of others. Per the agreement, Abu Sharar's administrative detention would be renewed once before his release with assurance of non-renewal.

Administrative Detention

Abu Sharar was arrested around 5:30 in the morning of July 24th, 2015 from his family household in Dura. He was moved to Ofer prison before his detention was extended for interrogation and he was transferred to Ashkelon interrogation center. Abu Sharar spent around 47 days in interrogation, during which he was charged with carrying out alleged activities in affiliation with an illegal organization. He was charged of associating with Hezbollah following his travel to Lebanon where he participated in the Arab Youth Camp along other Palestinians and Arabs.

Interrogation with Abu Sharar ended with hardly any outcome. Nonetheless, the Israeli military commander issued a 4-month administrative detention against Abu Sharar under the pretext of being an active member of PFLP and posing a security threat. The administrative detention order was issued in September 9th, 2014, ending in January 23rd, 2015. Posing a security threat is the go-to charge usually used in administrative detention orders issued against hundreds of Palestinian activists of various political affiliations since the Israeli military orders criminalize all Palestinian political factions.

Abu Sharar's administrative detention was renewed for further six months that ended on July 22nd, 2015 under the same pretext of "secret information."

Abu Sharar's family includes his mother, 10 sisters and 4 brothers. Prior to his hunger strike, some of his family was allowed visitation permits once a month during his stay in Ketziot and Ofer prisons. Since the start of his hunger strike, Abu Sharar's family members were completely banned from visiting him as part of the disciplinary sanctions imposed on hunger strikers as Israeli prison regulations consider hunger strike a punishable offense.

Appendix 3

Affidavit

Mohammad Moussa Hussein Mohammad Mustafa

Date of birth: 1/9/1999

Place of residence: Issawiya

Al-Maskobiya interrogation center

I was arrested four times. The first one was for one day when I was 12, and the second arrest was for two days when I was 13. The third arrest was in January 1st, 2015, when I was detained for 29 nine days before I was released into indefinite house arrest, during which I was banned from going to school. I was under house arrest until June 15th, 2015, when I was arrested at four AM for the fourth time. I was asleep when my father answered the door and found Israeli soldiers asking for me. They told my father that they were there to arrest me and search the house. My father came into the room to wake me, accompanied by four soldiers who then proceeded to search and turn the room upside down. Upon leaving the house, an officer ordered my father to go to Al-Maskobiyya center to attend the interrogation at 6 in the morning. The soldiers led me to the stairwells and put me in plastic handcuffs; one of the soldiers tightened it to the point where I screamed out of pain. They also bound my feet with plastic cuffs that didn't allow me to walk easily. I was taken into a military jeep with five soldiers, and I was forced to bow my head down during the 15-minute ride to Al-Maskobiya. I was left in the jeep for half an hour after arrival, and then forced to stand facing the wall in front of the interrogation rooms with other detainees for almost an hour; I was led into the interrogation room around 7 AM. Before the start of the six-hour interrogation, a lawyer advised me of my rights but none of my family was present.

The interrogator uttered profanities at me and my family, as well as threatened to arrest my family members to force them to testify against me. After I left the room, the interrogator beat me severely, causing me excruciating pain, and cursed profanities at me. I was taken back

into interrogation, then placed with two other people in a room facing the wall for three hours. Around five, I was led into court where my detention was extended to Thursday June 18th without the presence of any member of my family. I was then taken into the holding rooms in the interrogation center where I was seen by a doctor and strip-searched. I slept through the night out of exhaustion, and had some food because I didn't eat or drink anything since the moment of my arrest. The following day, Tuesday June 16th, a police officer came in and told me to get ready for court.

The Waiting Room

A police officer led me into a waiting room in Al-Maskobiya. I was left there alone for almost two hours, after which two Israelis walked into the room and lingered for ten minutes. When I walked towards the door to call the police officer, the two Israelis attacked me from behind and violently struck me on my head and body. I was writhing in pain after they threw me on the floor and continued to beat me with all their might. At the beginning, the beating concentrated on my face; my mouth and nose started to bleed because of the repeated punches. During the attack, one of them – I don't remember which one because I was beginning to lose consciousness at the time- hit me on the back of my head with a sharp razor. I felt excruciating pain as the blood started pouring out of my head; I completely lost consciousness after that. I'm not sure for how long I was unconscious before I woke up in a clinic-like room, surrounded by a group of doctors. I started to regain consciousness as I continued to bleed from various wounds on my body. After five minutes, with blood dribbling from my mouth, I was taken into a room where someone took care of me and provided me with food and water. The following day, I was led into interrogation despite my constant dizziness. The interrogation lasted for ten minutes during which I was questioned about the attack. I was later interrogated for an hour with the interrogator trying to force a confession out of me; I refused to confess to anything. I went to court on Thursday, and my hearing was postponed to Sunday June 21st. I was in agonizing pain the whole time, and constantly demanded to be seen by a doctor; my requests were denied every time. I was released after the court hearing on Sunday June 21st, 2015 under the condition of leaving Issawiya and staying under house arrest in my sister's house in Sur Baher neighborhood.

Appendix 4

Palestinian Legislative Council (PLC)

Member Khalida Jarrar

Age: 53 years old

Place of residence: Ramallah

Governorate: Ramallah and Al-Bireh

Marital state: Married – a mother of two

Occupation: PLC member

Date of Arrest: 02/04/2015



Arrest

Israeli soldiers, accompanied by snipers positioned on nearby building tops, surrounded Jarrar's house in Ramallah's Irsal neighborhood at 1AM on April 2nd, 2015. Soldiers raided Jarrar's family household, breaking down the door and searching the house. Jarrar was taken into Beit El nearby settlement before she was moved into a military camp near Jaba' village, east of Jerusalem. Around 7.30 in the morning, she was transferred to Ofer military compound near Ramallah. An hour later, Jarrar underwent a 4-hour interrogation, during which she refused to speak to Israeli intelligence officers, exercised her right remain silent, and abstained from food and water. She was handcuffed and transferred to Hasharon women prison facility north of the 1948 occupied territories. Israeli forces have previously clamped down on Jarrar by attempting to forcibly relocate her from Ramallah to Jericho and issuing a travel ban against her.

Administrative Detention:

Initially, Jarrar was sentenced to 6 months of administrative detention without charge or trial. The Israeli military prosecution then submitted 12 charges of active membership in an illegal organization, as well as participation in rallies and campaigns supporting Palestinian prisoners and detainees in Israeli prisons.

On May 21st, 2015, an Ofer court judge granted a 20,000 NIS bail with a 72-hour wait before posting, thus allowing the military prosecuting to appeal the decision. The judge rebutted the majority of the

prosecution's evidence as years old, with no due reason to withhold using it until then, and deemed the presented classified information as lacking evidence requiring Jarrar's arrest.

The prosecution appealed the court decision in May 28th. The appeal judge decided to detain Jarrar until the end of legal proceedings citing classified information that Jarrar and her defense attorneys were not allowed to view.

Jarrar was the director of Addameer Prisoners' Support and Human Rights Association from 1994 to 2006 before her election into PLC. She was later appointed the Vice-Chairperson of the Board of Directors of Addameer. Jarrar is in charge of the prisoners' file in PLC, and a member of the Higher National Committee in charge of pursuing Palestine's membership in the ICC. Jarrar's trial stands in grave violation of international conventions on civil rights, including the Declaration on Human Rights Defenders, and the Universal Declaration of Human Rights. In virtue of her position and responsibilities as a PLC member, Jarrar is expected to pursue her duties. Thus, the Israeli court decision came only to criminalize her exercise of civil and political rights.

Jarrar's trial garnered international attention with Addameer's continuous effort to publicize her case worldwide by contacting the Inter-Parliamentary Union, European Parliament, Council of Europe and others. Moreover, Addameer translated the charge sheet, summaries of every court hearing, as well as relevant legal analysis of proceedings. Addameer called on numerous international rights organizations to attend Jarrar's court hearings, which led the UN High Commissioner for Human Rights and International Amnesty to issue statements expressing concerns and demanding her release. A number of international diplomats, lawyers and international institutions regularly attended Jarrar's court hearings.

Appendix 5

Case study: Prisoner Eias Abed Hamdan Al-Rifa'i

Date of birth: 09/09/1983

Place of residence: Kafr Ein village, Ramallah

Date of arrest: 14/08/2006

Current place of internment: Eshel prison

Sentence: 11 years in prison

Prisoner Al-Rifa'i: Caught Between Medical Neglect and Aggravating Agony

Al-Raifai's painful medical condition began in July of 2014 when he felt agonizing pains in his abdomen. Ketziot prison doctor prescribed him pain killers without further examination or transfer to a hospital for comprehensive medical tests. The pain continued for five months, during which Al-Rifa'i lost 19 kilograms. On December 27th, 2014, Al-Rifa'i experienced excruciating pains in his stomach and abdomen which prompted the Israeli Prison Service to take him into the prison clinic where he was kept for two days under observation. Following further deterioration in his medical condition, he was then transferred to Soroka hospital, where tests showed he had severe intestinal inflammation that affected the colon and appendix, accompanied with severe pain in the upper right leg. Due to his poor physical condition, Soroka hospital staff could only administer medicine to Al-Rifa'i through an IV. For five days, he was transferred to different hospitals and the Ramla prison clinic that does not meet the bare minimum medical care standards.

In March of 2015, medical tests showed Al-Rifa'i's intestinal inflammation caused a growth in the intestines, and a near appendix burst; other organs were also affected. The doctors settled for prescribing painkillers only. Later tests and medical imaging showed a complete blockage in the intestines, starting from the stomach. The doctors decided to operate on Al-Rifa'i without anesthesia.

Al-Rifa'i is a representative case of all other prisoners and detainees whose health conditions deteriorate due to the deliberate medical neglect in Israeli prisons. The Israeli Prison Service uses medical neglect as a means of torture against the prisoners, causing their slow death. Not taking prisoners' medical conditions seriously and stalling in treatment are some of the main reasons that ultimately jeopardize their lives. Al-Rifa'i underwent a surgery to remove the growth (tumor) in October 7th, 2015 in Soroka hospital, and he continues to receive treatment for his condition.

ADDAMEER Prisoner Support and Human Rights Association:

ADDAMEER Prisoner Support and Human Rights Association is a Palestinian non-governmental, civil institution that works to support Palestinian political prisoners held in Israeli and Palestinian prisons. Addameer was established in 1992 in Jerusalem by a group of human rights activists that support prisoners and work to end torture and other violations of prisoners' rights through monitoring, legal procedures and solidarity campaigns.

Addameer enjoys the support of a volunteer body called "Addama'er", which believes in Addameer's goals and participates in the activities held by the association. They also work in supporting it financially and morally.

Addameer is an executive member in the Palestinian NGO Network, the Palestinian Human Rights Organizations Council, the regional and local Coalition Against Death Penalty, and the International Coalition Against Torture.

Addameer believes in the universality of human rights that are based on respect for human dignity, and their complete and equal application according to international conventions and norms.

Addameer also believes in the necessity of building a free democratic Palestinian society where justice, equality and law prevails as well as respect of a person's right to self-determination.

Objectives:

End torture and other forms of cruel, inhuman and degrading treatment inflicted upon Palestinian prisoners;

End arbitrary detentions and arrests; abolish the death penalty; and guarantee fair, impartial and public trials;

Support political prisoners and prisoners of conscience by providing them with legal aid and social and moral assistance and undertaking advocacy on their behalf;

Push for legislations that guarantee human rights and basic freedoms and ensure their implementation on the ground;

Raise awareness of human rights and rule of law issues in the local community;

Ensure respect for democratic values in the local community, based on political diversity and freedom of opinion and expression;

Obby for international support and solidarity for Palestinians' legitimate rights.

Addameer Programs:

Legal counseling program: Provision of free legal representation and advice to hundreds of Palestinian detainees and their families through following cases of torture, court sessions, regular visits and legal guidance.

Documentation and Research program: Documentation of the violations committed against Palestinian detainees and monitors their detention conditions through regular prison visits, and collects detailed statistics and information on detainees, which serve as the basis for its annual and thematic publications.

Advocacy and Lobbying program: Addameer's Advocacy Unit leads several activities and campaigns locally, regionally and internationally in cooperation with numerous solidarity groups that support the prisoners' cause and their freedom

Training and Awareness program: Meetings with different sectors are held within this program in order to raise awareness about prisoners' rights. In addition, Addameer holds training sessions to strengthen human rights awareness and to increase the role of youth in protecting human rights through "Addama'er" program.

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