

ADDAMEER warns against the unlawful collective punishments committed by the occupying authorities against Palestinians

In light of the ongoing violations committed by the Israeli occupation against the Palestinian people, the continuous attacks on civilians, in addition to the arbitrary and punitive measures imposed by the new government against Palestinian prisoners, the violations against holy sites, settler attacks on cities and villages, and the continuous siege on the Gaza Strip, and in light of the international community's decades-long failure to hold the occupation state accountable for its crimes, and in the context of defending the Palestinian people's right to self-determination, the Palestinian resistance led a military attack on the occupied land in response to the ongoing escalation by the occupation.

In this context, the Israeli occupation launched an aggression on the Gaza Strip, targeting civilians, women, and children. According to the Palestinian Ministry of Health, as of 11:00 AM on Monday, October 9, 2023, (493) martyrs, including 91 children and 61 women, and 2751 wounded have been reported in the Gaza Strip. Additionally, (15) Palestinians from the West Bank, including two children, have been martyred, and around 80 have been wounded.

In addition to the killings carried out by the occupation, a widespread campaign of arrests is being conducted in the West Bank, targeting former prisoners and activists. Addameer has documented the arrest of approximately (76) detainees, including former prisoners, up to this moment. As for the arrests in the Gaza Strip, there is currently no information or statistics available regarding the number of detainees from the Gaza Strip.

Since the beginning of the aggression, the Israeli Prison Services have escalated its violations against Palestinian prisoners, subjecting them to several punitive measures in various prisons. These measures have been accompanied by a complete cutoff of communication from inside the prisons since 9:00 AM on October 7, 2023.

On October 7, 2023, the Israeli Special Forces stormed the section of female prisoners in Damon prison, using tear gas against them. Later, they isolated the representative of the female prisoners, Marah Bakir, and transferred her to the cells of AlJalameh prison. They also cut off the electricity supply to the section. In response to these violations, the female prisoners decided as a protest measure to return their meals and not to stand for (counting).

Additionally, sections in all prisons have been closed, and the available TV stations for the prisoners, which are limited in number, have been confiscated. Jamming devices have been increased, family visits have been suspended until further notice, and lawyer visits that were scheduled for this week have been canceled.

Since the beginning of the aggression, Palestinian lawyers representing Palestinian prisoners in military courts have been informed of the activation of Article (33) of Military Order No. (1651). This article pertains to detention procedures 'in a military campaign to confront terrorism,'

allowing for the detention of a person for up to 8 days before being brought to court, instead of the usual 96 hours. During this time, they are automatically prohibited from meeting their lawyer for two days.

Furthermore, an amendment to the aforementioned military order has been issued, conducting trial sessions via video conference during states of emergency, meaning detainees are not brought to courtrooms. This decision is effective until October 15, 2023.

The ongoing aggression against the Palestinian people will be accompanied by massive arrest campaigns that may target various segments of the Palestinian people. The policy of administrative detention, which is based on a secret file without charge or trial, will be used intensively. This is a practice employed by the occupying authorities extensively during uprisings, and wars.

Although the Third Geneva Convention applies to Palestinian fighters in the Gaza Strip who are detained during combat operations as prisoners of war, the occupying authorities have previously used the unlawful combatant law against prisoners from the Gaza Strip. This law is a form of administrative detention that deprives the detainee of the guarantees of a fair trial. The occupying state enacted this law in 2002, allowing the Minister of Security in the occupying government or his authorized representative to issue an arrest order against anyone from the Gaza Strip as an 'unlawful combatant' for an indefinite period, without specifying a release date. The order is then confirmed and reviewed judicially before a district court judge every 6 months, without presenting formal charges against the person. Instead, it is based on secret materials seen only by the judge, not the detainee or their lawyer.

Under this law, number of Palestinians from the Gaza Strip, especially after the Israeli military aggression on the Gaza Strip in 2008, have been arrested.

ADDAMEER, while urging the high contracting parties to the Geneva Conventions to exert pressure on the occupying state to cease its aggression against Palestinian civilians and to abide by the protection of protected persons, warns against the use of collective punishment against Palestinians in various regions, whether through mass killings, arrests, road closures, or restricting the freedom of movement of Palestinians.

ADDAMEER emphasizes that this escalation is occurring due to the international community's silence regarding the occupation's crimes committed over the years, and the absence of any form of accountability for the occupying state, which continues to commit crimes without serious accountability.