



Addameer Prisoner Support and Human Rights Association

## **Violations of Palestinian Prisoners' Rights in Israeli Occupation Prisons 2023**





**Addameer Prisoner Support and Human Rights Association**

## **Annual Violations Report**

# **Violations of Palestinian Prisoners' Rights in Israeli Occupation Prisons 2023**

**Addameer Prisoner Support and Human Rights Association**

**Ramallah - occupied Palestine**


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## Introduction

During this year, Palestinian occupied territories witnessed extremely harsh conditions as a result of the escalated attacks and violations by the Israeli occupation forces against Palestinians throughout the West Bank, including occupied East Jerusalem, and the Gaza Strip. These attacks began with an escalation of violence and repression by the occupation forces, which implemented oppressive and abusive policies during arrests. Such violations have escalated since the far-right government took power, placing the prisoners' issue at the top of its agenda and making it part of its political strategy.

A series of attacks against Palestinians were launched, as the Israeli extremism was evident in the set of racist laws, decisions, and instructions that the Israeli government began to enact and implement, utilizing additional tools that enabled the occupation forces to arrest as many Palestinians as possible and throw them in Israeli prisons. Such laws also affected the basic rights of Palestinian prisoners inside Israeli prisons and took away many of the achievements that prisoners were able to extract from Israel Prison Service (IPS) through the years of struggle of the prisoner movement. It went beyond that to infringe on the prisoners' right to life by re-introducing the death penalty law. On October 7, the level of extremism reached its peak, which led to the use of laws and instructions to violate the rights of prisoners, arrest huge numbers of Palestinians, and deprive them of their rights and freedoms.

The type of arrests this year took different and intense forms, as we witnessed an intense escalation in arrests since the beginning of the year and kept escalating until reaching unprecedented numbers for the first time in many years. The Israeli occupation forces stormed Palestinian villages, cities,

and camps, turning them into closed military zones. These raids focused on the city of Jenin and its camp, the city of Jericho and Aqbat Jabr camp, the city of Nablus, and Nour Shams camp near Tulkarm. The incursions included attacks on civilians, setting up field investigation tents and detaining civilians for long hours, and indiscriminate shooting at residents, causing thousands of injuries and fatalities. The pace of extrajudicial executions during arrests escalated.

The occupation forces continued its policy of collective punishment that they had been practicing categorially against the Palestinians for years. This included hostage-taking, which impacted Palestinian women, including pregnant women and mothers, children, and the elderly. The human shield policy showed itself as a tool targeting children in particular by the occupation army and its special forces. The occupying state continues to practice one of the most prominent forms of collective punishment against Palestinian prisoners and their families, which is the policy of house demolition which the occupying state justifies for security reasons. Such a measure is but an additional measure for detaining Palestinians and trying them in military courts, and a form of double punishment imposed by the occupying state on Palestinian prisoners, which constitutes great harm to their families, as this policy affected the homes of 10 prisoners during the year 2023.

During this year, the occupation forces arrested around 11,000 Palestinians<sup>1</sup>, including 300 women – including women who were arrested from the 1948 occupied territories after October 7, and 1,085 children.

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1 This number includes detainees from the West Bank, occupied Jerusalem, and female prisoners from the 1948 occupied territories until the end of the year, and also includes detainees from the Gaza Strip until October 7.

The number of arrests after October 7 reached more than 5,500 cases, including 355 children and 184 women, which includes women who were arrested from the 1948 occupied territories. The outcome of the arrests that were carried out in the last three of the year constituted half of the total of the arrests during the year 2023. This did not include the arrests carried out by the occupation against Gaza residents after October 7, which included the resistance fighters whom the occupying state claimed participated in the events of October 7, in addition to civilians, including workers arrested from the 1948 occupied territories who had work or treatment permits.

All the prisoners who were arrested from the Gaza Strip were illegally transferred to Israeli army camps, such as Sde Tieman near Beersheba and Anatot near Jerusalem. From the first moment of arrest, Palestinians from Gaza were subjected to the crime of enforced disappearance, as no Israeli official bodies provided accurate information about the number of detainees, the conditions of their detention, or even their identities. Official bodies such as the Red Cross were prevented from carrying out any visits to these detainees.

The highest percentage of arrests was in October, following the Israeli aggression and genocide against the Gaza Strip, reaching up to 2,070 arrests. Likewise, the highest percentage of arrests of women was in October, amounting to 66 cases, while the highest percentage of arrests of children was in April, reaching up to 146 cases. It is a very similar percentage to the number of arrests of children during October, which amounted to 145 cases. The highest governorate in the number of arrest cases during the year was Jerusalem, with 3,261 arrests, followed by Hebron which witnessed the highest percentage of arrests after October 7, with 1,943 cases, and Jenin with 1,462 cases.

Addameer Prisoner Support and Human Rights Association confirms that this number of arrests is close to the number of arrests that were carried out between the years 2001-2002, during the first years of Al-Aqsa Intifada. Once again, this number of arrests does not include Palestinians arrested from Gaza after October 7. It does not reflect only the increase in the number of detainees, but it constitutes a living testimony to the level of abuse and deliberate targeting practiced by the Israeli occupation against Palestinian detainees and their families.

The total number of Palestinian prisoners in Israeli prisons until the end of December 2023 was 8,800, including more than 80 women prisoners in Damon Prison only, while no accurate data was available about the rest of the women detainees from the Gaza Strip and those detained in other army camps or Hasharon Prison, while an accurate tally of child prisoners was not available. The number of administrative detainees reached 3,291, and the number of those whom the occupation categorized 'unlawful' combatants was up to 661. This outcome means that the total number of prisoners increased by 3,550 prisoners compared to the number of prisoners before October 7. Moreover, the number of administrative detainees increased to become 1,971 detainees.

A radical change occurred in various Israeli prisons following widespread mass arrests carried out by the occupation forces after October 7. Although the practices of the Prison Service with Palestinian prisoners are not new, as the prisoner movement struggled with policies of starvation, overcrowding, and the use of excessive violence by the jailers, these practices reached their peak after October 7. The Prison Service fought the prisoners and sought to undermine their will by targeting their most basic rights, including their right to food. From the first day, the Prison Service implemented a policy of starvation and

thirst with the prisoners, in addition to detaining large numbers of prisoners in the same cells, leading to unprecedented overcrowding inside the detention cells. A petition submitted against this policy, which violates the decision of the Israeli Supreme Court regarding the living space allocated to each prisoner, was rejected by the court under the guise that the occupying state was in a state of war.

The bodies of the prisoners bore witness to the use of excessive force by Israeli jailers and special units inside the prisons. The name of the 'Keter' Unit, which is located in Naqab Prison, emerged exclusively. Due to this violence, 12 prisoners passed away as a result of abuse and medical negligence from October 7 to February 2024. These attacks were accompanied by a policy of denial of treatment, as a large portion of the prisoners who were assaulted were not provided with appropriate treatment or seen by a doctor or a nurse. In parallel, sick prisoners were deprived of treatment. Some of them were banned from necessary medications that they took periodically, while others were barred from visiting the clinic, outpatient clinics, and hospitals due to chronic diseases such as the heart, kidneys, liver, and others. The number of prisoners with bullet injuries increased amidst deliberate medical negligence, while prisoners were cut off from the outside world, visits by family members and the Red Cross were prohibited, unprecedented restrictions were placed on attorney visitation, and prisons were turned into dark, cold, and empty cells after confiscating prisoners' items and belongings.

Each year, Addameer issues this report as a document that monitors all the violations to which Palestinian male and female prisoners are exposed from the moment of their arrest, during interrogation, and up to their transfer to Israeli occupation prisons. This report attempts to highlight the lives of Pal-

estinian prisoners, the type of violations inflicted upon them, and the extent to which the occupation policies contravene international laws and agreements.

This report follows a fact-based descriptive, analytical methodology based on the data collected through the Monitoring and Documentation Unit and by Addameer's staff during the year, which consists of field research and documentation with liberated prisoners and their families, in addition to visits to prisoners in all Israeli prisons. This is part of Addameer's ongoing efforts to release male and female prisoners in all Israeli prisons. Until this goal is achieved, Addameer will continue its efforts, in cooperation with international and local human rights institutions, to ensure that all male and female prisoners enjoy their rights enshrined in international humanitarian law and international human rights law.

The report is evidence to archive the events and details of violations committed systematically against the prisoner movement and to permanently monitor conditions of detention inside prisons. The report is also an essential component of Addameer's efforts to document and expose the occupation's practices, which include the abuse of prisoners and the racist laws issued by the Knesset concerning the issue of prisoners in particular and the rights of the Palestinian people in general.



Occupation policies

# On the rights of prisoners in Israeli prisons





## Policy Paper

The colonial machine of oppression, represented by Israel Prison Service (IPS), has a long history of abusing Palestinian prisoners in its various prisons and detention centers. October 7 was not the date of change in the policies implemented inside Israeli prisons, but rather such abuses constitute the reality that Palestinian prisoners have been experiencing for many years, and the year 2023 marked a turning point in the history of the prisoners' movement. However, this does not negate the present situation of prisoners after October 7, which witnessed an escalation in the systematic policies of torture and abuse that have become a consistent approach in the prison structure.

This part of the report focuses on the data and reality of the detention conditions of Palestinians during arrests and the violations practiced against them by the Israeli occupation forces, as well as the reality of conditions in Israeli prisons since the beginning of 2023, and the general data after October 7. This section highlights the prison conditions and the reality of the Palestinian prisoners and crimes that have continued since the beginning of the year and reached their peak after October 7.

Despite the bleak and difficult reality in Israeli prisons, the extreme right-wing government has begun to impose restrictions on Palestinian prisoners since assuming power in early 2023. Itamar Ben-Gvir, Minister of National Security and in charge of police and the prison service, started visiting Israeli prisons. On 5 January 2023, Ben-Gvir visited Nafha Desert Prison to demonstrate his ultranationalist plans to target Palestinian prisoners and implement even greater punitive measures against them. Ben-Gvir, who did not keep his intentions hidden, said in a statement posted on X, formerly known as Twitter, following his visit: "I came to Nafha Prison yesterday to ensure that the murderers of Jews are not getting better conditions as a result of the construction of new cells. I will continue to handle the holding conditions of prisoners while seeking to pass the death penalty law for terrorists."<sup>2</sup>

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2 See the tweet on <https://twitter.com/itamarbengvir/status/1611286062298529792>

Following Ben Gvir's visit to Nafha Prison, 80 Palestinian prisoners were arbitrarily transferred to Nafha Prison from Hadarim Prison between 8 and 9 January 2023 – emptying Hadarim Prison of all Palestinian security prisoners. Up to 70 prisoners were transferred from Megiddo Prison's section 8 to the high-security Gilboa Prison near Bisan. On 22 February 2023, around 35 prisoners were also transferred from Rimmon Prison to Gilboa Prison, and 25 prisoners were supposed to be transferred to the same location the next day.<sup>3</sup>

The transfer policy aims to destroy any state of stability and cohesion that the prisoners reach in prison, as well as abort any efforts made by the prisoner movement to protest their extremely harsh living conditions. The transfers were accompanied by a series of offensive and abusive procedures affecting the daily life of the prisoners. "There are rumors that the Shabak will make some changes, including transfers between prisons every three months while disregarding the proximity of the prison to the prisoner's place of residence, abolishing the prisoners' representatives committee, and limiting family visits to half an hour [per month] and other procedures," explained Bilal Kaid, an administrative detention prisoner, to his defense attorney.<sup>4</sup>

The various Israeli prisons have witnessed similar procedures to restrict and control the prisoners by all means available through the prison service, as well as the Israeli government in which the ministers use all methods to mistreat and abuse the prisoners and rob their achievements that they were able to accomplish over the years of struggle. Among the new decisions made by Ben-Gvir is the closure of bakeries that provide bread to prisoners and detainees in Nafha and Naqab Prisons, and the bread is now supplied by bakeries outside the prisons. During lawyer visits, the prisoners confirmed that the bread supplied by the prison administration is poor in terms of quality and quantity. Speaking to Israel Hayom newspaper, Ben-Gvir said he "went crazy after learning of the existence of the bakeries. Prisoners cannot get such a privilege. How can they get fresh bread every day? What is this absurdity."

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3 For more information about the arbitrary transfer of prisoners between prisons, see the following paper by Addameer, "The Impact of Israel's New Ultranationalist Government on the Palestinian Prisoners Movement". 31 January 2023 <https://www.addameer.org/media/4978>

4 A lawyer interview with prisoner Bilal Kayed in Megiddo Prison on 19 January 2023.

Ben-Gvir's decisions also affected the shower time for prisoners, reducing the amount of time to shower to only one hour for 120 prisoners. This means that prisoners will only be allotted five minutes to shower. In addition, hot water flow to showers will be shut off, which is a blatant violation of the prisoners' basic right to personal hygiene and amounts to insult and harsh treatment against them.

The new Israeli government did not stop at these decisions alone, but went beyond them. It approved the introduction of the death penalty law for Palestinian prisoners. Among the decisions was also the decision to isolate new prisoners convicted of 'terrorist acts' for long durations as a means of retaliation against them. Other decisions made by Ben-Gvir included removing television sets from the transit detainee section, forming a committee to implement all the procedures of the emergency committee in Gilboa Prison within a maximum period of three months after assuming his new position, and reducing the types of products in the canteen. These procedures are accompanied by a series of legal changes that will be discussed in the chapter on law amendments.

Ben-Gvir's targeting of Palestinian prisoners was not a new thing after taking the position of Minister of National Security, rather his racist statements against them preceded his presence in the government. Harassment of prisoners was one of the topics he touched upon in his election campaign. After as-



Ben Gvir's visit to an Israeli prison after 7 October - Al Jazeera

suming his new position, Ben-Gvir targeted the most basic rights of the prisoners. On 27 August 2023, Ben-Gvir issued a decree reducing family visits to Palestinian detainees in Israeli prisons to once every two months instead of monthly visits; a decision was supposed to come into effect on 3 September 2023 for around 1,600 security prisoners in Israeli prisons, particularly those serving life terms.

Such a decision is arbitrary and an integral part of the procedures that affect the basic rights of Palestinian prisoners. It is part of a long list of punitive and

inhumane measures taken by the extremist government against Palestinian prisoners, particularly the transfer of prisoners from their places of residence in the West Bank and the Gaza Strip to Israeli prisons located in the 1948 occupied territories, which in itself constitutes a violation of international laws and affects the prisoners' ability to reasonably benefit from their right to family visits. Family visits are also faced with several obstacles by the Israeli authorities, including denial of visitation permits, and the travel hardships families go through because of the Israeli checkpoints. Despite all this, the occupation state was not satisfied with this amount of torture, as Ben-Gvir sought to use all his powers to reduce communication between prisoners and their families to a minimum for years.

The response from Prime Minister Benjamin Netanyahu's office to the decision to reduce family visits to Palestinian prisoners to once every two months was that no decision was made in this regard. In response to this measure, the prisoners' emergency committee decided on 3 September 2023 to launch an open hunger strike starting on 14 September 2023 to protest Ben-Gvir's decision. However, Ben-Gvir's decision was not implemented following negotiations with the prison service, and thus the hunger strike was suspended.

A fundamental change took place in Israeli prisons after October 7, with the prison service began taking retaliatory measures against Palestinian prisoners. Such was reflected in the level of the large-scale arrest campaigns against Palestinians across the Palestinian territories, including the West Bank, East Jerusalem, and the 1948 occupied territories. It also had an impact on the Palestinian prisoners. The report will review data reflecting the conditions of detention of Palestinian prisoners after October 7.



## Starvation Policy



Since October 7, the Prison Service forces stormed all Israeli prisons and began implementing a policy of starvation<sup>5</sup> by confiscating all food items from the sections and closing the canteen, leaving the prisoners with the food provided by the Prison Service. Furthermore, the Prison Service reduced meals to two meals per day, and after a while, prisoners in some prisons were served three meals per day.

Through the testimonies that human rights organizations were able to obtain from all of the Israeli prisons from October 7 until the end of the year, the inmates unanimously agreed that the food provided was poor in terms of quality and quantity. Prisoner Walid Hanatsha said “Each prisoner had half a cup of boiled rice, and the food was brought in one plate with plastic spoons. The prisoners have apparently lost 25-30% of their weight since the beginning of the events.”<sup>6</sup> Minor M. H. confirmed that the same policies are applied in the juvenile sections saying: “We do not know the meaning of having a full stomach.”<sup>7</sup>

The Prison Service did not only implement this policy on adult and healthy prisoners, but it also affected minors, female prisoners, and sick prisoners in the Ramla Prison clinic, in addition to prisoner patients in the central prisons. Such patients need food in appropriate quantities and of high quality so that they can recover faster.

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5 The policy of starvation or deprivation of food is defined as eating food with an energy level below the required minimum, and it may restrict eating food completely or partially.

6 A lawyer interview with prisoner Walid Hanatsha in Megiddo Prison on 12 December 2023.

7 A lawyer interview with prisoner M. H. in Ofer Prison on 11 December 2023.



This was confirmed by martyr prisoner Asif Al-Rifai, who was suffering from cancer, was undergoing chemotherapy, and was taking very intense medications to fight the disease and prevent its spread in his body. Al-Rifai told the lawyer during the visit: “The food is very bad and consists of hummus and vegetables with 5-6 pieces of bread. This is what is served daily but it is not compatible with our health conditions and nutritional needs.”<sup>8</sup>

Injured prisoner, Mohammad Rabie, who is in Ramla Prison clinic, said, “Fruits are not brought and the amount of food is less than before, and it is constantly declining.”<sup>9</sup> To make matters worse, administrative detainee Mohammad Al-Sabbar was announced dead after suffering from a stomach and intestinal disease and needed a special diet. Due to his poor diet because of the starvation policy, Al-Sabbar’s condition worsened until he passed away on 8 February 2024. However, no change occurred concerning the quality and quantity of the food provided to prisoners.<sup>10</sup>

Although the legal system governing prison nutrition standards is a mixture of domestic policies and international laws, there are few comprehensive laws regulating the provision of food in prisons. It is stated in the rules of the Israeli Prison Service that sufficient food must be provided to prisoners three times per day, but food has always been a punitive tool used by the Prison Service to abuse prisoners. Although the Prison Service has sufficient capacity to provide prisoners with three meals per day, it shirks its responsibilities toward the prisoners, and this did not begin on October 7. Rather, it is a systematic policy that has been implemented for years against the prisoners.

The prisoner movement has confronted and protested such a policy continuously through refusal to receive spoiled or undercooked food, yet the occupying state still uses the prisoners’ right to food as a weapon against them and can deny it to the prisoners. The only thing that helped the prisoners was to buy

8 A lawyer interview with prisoner Asif Al-Rifai at Ramla Prison clinic on 31 October 2023.

9 A lawyer interview with prisoner Mohammad Rabie at Ramla Prison clinic on 15 November 2023.

10 To learn more about the martyrs of the prisoner movement in 2023 and until the end of February 2024, see the chapter on prison violence

food from the prison canteen at their own expense to cover their nutritional needs. However, the Prison Service has deprived the prisoners of the canteen since October 7, exposing more than 7,000 Palestinian prisoners to severe malnutrition because the daily provision of unhealthy and inhumane food to prisoners by the Prison Service leads to an excessive spread of cardiovascular diseases and negatively affects the functions of the prisoners' vital organs.

The starvation policy does not only affect the prisoners physically but also affects them psychologically. The prisoners live in anxiety and severe psychological pressure as a result of the harsh conditions imposed on them by lack and malnutrition. They are more vulnerable to depression and anxiety, which causes a deterioration in their mental state. Documentation collected by institutions after October 7 shows that the Prison Service is determined to use this policy and there are no indications that it is backing down from the starvation policy.

Manipulating the quantities of food and water provided to prisoners to achieve retaliatory goals and inflict collective punishment on prisoners is a flagrant violation of human rights and is prohibited by international conventions. This policy blatantly contradicts the principles of human rights and exposes prisoners to inhuman and degrading treatment. It is explicitly prohibited in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), specifically in Article 22, which stipulates: "Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served." Article 43 of the same rules also prohibits the reduction of prisoner's diet or drinking water as restrictions or disciplinary sanctions.

What confirms the systematic and widespread use of the starvation policy by the occupying state is implementing this policy against more than two million Palestinians in the Gaza Strip, as the Israeli occupation controls what enters Gaza due to the siege. After October 7, the Israeli occupation forces deprived Palestinian civilians in Gaza of food, water, and fuel, while blocking



the entry of humanitarian and food aid into the enclave, and agricultural lands were destroyed by bombing, fire belts, and tanks, leaving the people of the enclave without the basic food needs that would enable them to survive.<sup>11</sup> The Israeli government's policy of starvation against the people of the Gaza Strip was very clear through the racist statements of its members, as Defense Minister Yoav Gallant said that he 'ordered a complete siege on the Gaza Strip. There will be no electricity, no food, and no fuel, everything is closed. We are fighting human animals and we are acting accordingly.'<sup>12</sup> Other Israeli officials have publicly stated that humanitarian aid to Gaza would be conditional either on the release of [Israeli] hostages illegally held by Hamas or on the destruction of Hamas movement.

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11 International humanitarian law, or the laws of war, prohibits starvation of civilians as a method of warfare. The Rome Statute of the International Criminal Court states that intentionally starving civilians 'by depriving them of items indispensable to their survival, including intentionally impeding relief supplies' is a war crime. Criminal intent does not require the attacker to confess, but it can also be inferred from the overall circumstances of the aggression against the Gaza Strip. The ongoing Israeli siege of Gaza, as well as its 19-year closure, amount to collective punishment of the civilian population, which is a war crime. As the occupying power in Gaza under the Fourth Geneva Convention, Israel has a duty to ensure that the civilian population has access to food and medical supplies.

12 The Times of Israel. 'Defense minister announces complete siege of Gaza: No Power, Food or Fuel'. 9 October 2023. [https://www.timesofisrael.com/liveblog\\_entry/defense-minister-announces-complete-siege-of-gaza-no-power-food-or-fuel/](https://www.timesofisrael.com/liveblog_entry/defense-minister-announces-complete-siege-of-gaza-no-power-food-or-fuel/)

## Overcrowding Policy



Palestinian detainees from Gaza – Sde Teiman detention Camp - CNN

Overcrowding is related to spatial density. In the case of prisoners, overcrowding is related to the living space allocated to each prisoner inside the cells or the number of beds per the number of prisoners. The higher the number of prisoners inside one cell, whose capacity does not change, the higher the overcrowding rates. Despite the decision of the Israeli Supreme Court issued in 2017, which required expanding the available space up to 4.5 square meters per inmate,<sup>13</sup> the Prison Service began implementing the decision partially, not completely, since then.

However, during the year 2023, the Prison Service began violating the court's judgment, specifically in Gilboa Prison, by introducing one more prisoner to each cell, thus reducing the personal space allocated to prisoners under both the Israeli court decision and international conventions. This was confirmed by prisoner Quteiba Msallam, who said, "In the section in which I am detained, there are 14 rooms, and in each room, there are five prisoners instead of four. The prison administration wanted to detain six prisoners in the room but we rejected it."<sup>14</sup> Prisoner Nidal Meshal confirmed the same issue, saying "The prison administration informed us yesterday that there would be an additional prisoner in each room, even though there are already five prisoners in each room and should be only four. They told us that they would increase the number of beds in each room to reach six beds."<sup>15</sup>

These procedures reflect the policies of the Prison Service to restrict and abuse


13 For more on the court's decision, see the 2019 report on violations of the rights of prisoners in Israeli prisons, pp. 30-31. [https://www.addameer.org/sites/default/files/publications/mdl-tqyr\\_lnthkt\\_2020.pdf](https://www.addameer.org/sites/default/files/publications/mdl-tqyr_lnthkt_2020.pdf)

14 A lawyer interview with prisoner Quteiba Msallam in Gilboa Prison on 12 September 2013.

15 A lawyer interview with prisoner Nidal Meshal in Gilboa Prison on 23 August 2013.

Palestinian prisoners as much as possible and violate all laws, including Israeli laws as well as Israeli court decisions. This only echoes the formality of Israeli laws and decisions, which are only used according to the disposition and temperament of the Prison Service administration and the Israeli army, and in a way that serves the objectives and the interests of the Israeli government and leaders.

The overcrowding policy was not limited to Gilboa Prison only, but it also spread throughout all Israeli prisons after October 7. This is due to the mass arrests carried out by the Israeli occupation forces since the beginning of the year, which doubled in an unprecedented manner after October 7, although Israeli prisons are unable to accommodate these numbers of detainees due to the dilapidated prison infrastructure. However, the number of Palestinians arrested from October 7 until the end of the year reached up to 5,500, while the total number of arrests during the year reached 11,000<sup>16</sup>, and that resulted in unprecedented overcrowding in all Israeli prisons, even in Damon Prison that contains two sections for female and minor prisoners.



The Prison Service now detains approximately 12 to 14 prisoners in rooms that can only accommodate a maximum of four or six detainees. Prisoner Adnan Habiye reported in this regard, saying: “Our room is located in section 24 in Ofer Prison. Currently, there are eight prisoners in the room, but previously our number reached 13, even though there are only six beds, which means the rest of us sleep on the floor.”<sup>17</sup>

Prisoner Moath Shoman confirmed that prisoners live in the same conditions in Megiddo Prison, saying: “There are 11 prisoners in the room, so most of us sleep on the floor, and there is a shortage of mattresses and blankets. Most of us sleep on the floor and without a blanket.”<sup>18</sup>

Nearly half of the prisoners held in overcrowded conditions sleep on the floor and are provided by the Prison Service with only a thin mattress with a blanket but no pillow. The amendment to the Prisons Law (Prison Emergency Law) stipulated

16 These numbers do not include Gazan prisoners (males) who were arrested after October 7. Some of Gazan detainees were released later.

17 A lawyer interview with prisoner Adnan Habiye in Ofer Prison on 8 November 2013.

18 A lawyer interview with prisoner Moath Shoman in Megiddo Prison on 12 December 2013

that a prisoner may be held without a bed in cases where a bed is not available and for the shortest possible period, but in this case, the prisoner must be provided with a double mattress.<sup>19</sup> This implies a violation of the court's decision regarding the personal space allocated for each prisoner.<sup>20</sup> Even in light of this unfair amendment to the prisoners, which deprives them of their most basic rights and violates the prisoner's right to personal space and privacy, the Prison Service did not comply with this amendment and only provided one mattress per inmate.

Due to the crisis in prisons, the Public Defender's Office made four visits to different prisons in December 2023, and its report confirmed that both criminal and security prisoners live in inhumane conditions, are forced to sleep on the floor, and are held in harsh overcrowded conditions that do not meet the 'first step' of the Israeli Supreme Court's ruling. According to the report, around 3,400 detainees sleep on the floor. Regarding Damon Prison, where female and child prisoners are held, the report stated, 'In addition to the poor physical condition of the prison, some detainees held in cells sleep on the floor.'<sup>21</sup>

The report concluded that the representatives of the Public Defender's Office highlighted the conditions monitored during their visits to Israeli prisons, including unbearable and harsh overcrowding, poor sanitary conditions, poor hygiene and pest problems, inadequacy of ventilation, and the lack of basic equipment. In general, representatives of the Public Defender's Office voiced their concern that the increase in overcrowding in prison facilities has significant implications and consequences not only from the point of view of the prisoners, but also from the point of view of the security service and that increased overcrowding in a situation in which prisoners are exposed to stress and anxiety may lead to unnecessary friction between the prisoners themselves and between them and prison staff, and at the expense of the therapeutic and rehabilitative achievements that have been accomplished with great effort.

19 Madar Center. "On first reading – extending an emergency law that allows reducing the personal space of 'security prisoner' in prisons and detention centers." 17 January 2024. <http://tinyurl.com/bdeb6myn>

20 To learn more about this amendment, see the chapter on Law Amendments.

21 Ministry of Justice. The Public Defender's Officer. "Prison Conditions in Prison Service Facilities. Special Report following the Prison Emergency."

## Medical Crimes as a Basic Component of the Prison Service



The medical crimes policy is one of the established policies implemented by the Israeli occupation army for arresting wounded Palestinians. This policy is supplemented by the Prison Service's treatment of Palestinian prisoners held in detention centers and central prisons, including those who suffer from serious diseases such as cancer, liver, kidney, heart, and other ailments. Although human rights and medical justice constitute a framework for ensuring the provision of necessary healthcare to prisoners, regardless of their legal status, the testimonies and reports collected during the year confirm cases of grave violations in the healthcare provided to Palestinian prisoners in Israeli prisons. This is particularly evident in the so-called Ramla Prison clinic, which the Israeli occupation authorities claim to be a clinic for special medical cases.

However, the reality of the clinic's conditions confirms that it is merely a prison housing some primitive medical materials and does not qualify as a clinic. Despite its limited capacity, accommodating only between 15 to 20 prisoners, it nearly reached maximum occupancy throughout 2023. Consequently, Palestinian prisoners were hastily transferred to other facilities to make room for those with severe medical conditions. This situation confirms the practice

of medical negligence and the targeting of sick and injured prisoners, particularly during arrests.

The Prison Service deprives Palestinian prisoners of appropriate treatment for their health conditions, or deliberately delays providing treatment, thus rapidly exacerbating their health conditions. In many cases, the Prison Service refuses to refer prisoners – mainly women – to specialists and does not disclose the results of their medical examinations, while withholding medication from them as a form of punishment. The impact of this policy increased after October 7, as prisoners were deprived of access to their necessary medications for their medical conditions, in addition to stopping the conduct of any examinations or surgical operations that were scheduled for the prisoners before October 7. This policy also affected prison internal clinics, following documented assaults on prisoners, the vast majority of whom needed medical attention, stitching wounds, or splinting fractures. Moreover, wounded prisoners were denied access to prison clinics, and the only treatment provided was painkillers that were given to wounded prisoners after hours of the assaults and following several attempts to obtain them. In other cases, the Prison Service allowed prisoners suffering from a large number of diseases to take specific medications and denied them others.

## 15 Years of Unchanged Medical Crimes

Prisoner Jamal Ibrahim was exposed to deliberate medical crimes that spanned more than 15 years, since the beginning of his arrest on 3 February 2004. Since then, Ibrahim faced deliberate neglect of his medical needs, after suffering from stomach problems and hemorrhoids.<sup>22</sup> The Prison Service continued to ignore his medical condition for many years, until only four years ago he was allowed to undergo laparoscopy, but the Prison Service refused to disclose the result of the laparoscopy and kept it confidential information. Withholding medical information is not a new policy practiced by the Prison

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22 Hemorrhoids are swollen veins in the anus and lower rectum, similar to varicose veins. Hemorrhoids can develop inside the rectum, called internal hemorrhoids, and can also develop under the skin around the anus, called external hemorrhoids. <https://www.mayoclinic.org/en/diseases-conditions/hemorrhoids/symptoms-causes/syc-20360268>

Service. Rather, it is an approved and established policy with a large group of sick prisoners who are proven to need intensive medical follow-up. With this policy, the Prison Service deprives prisoners of their right to view their medical files and their urgent need for medical follow-up.

Ibrahim's condition continued to deteriorate until he was transferred in 2022 to Barzilai Hospital; an Israeli civilian hospital in the city of Asqalan. A doctor reported that Ibrahim needed to undergo surgery for internal hemorrhoids because of their constantly worsening condition, and its complications negatively affected his general health condition and made his life difficult. Ibrahim also suffered from colon problems, which required a special diet, in addition to struggling with blood pressure and iron and vitamin deficiencies.

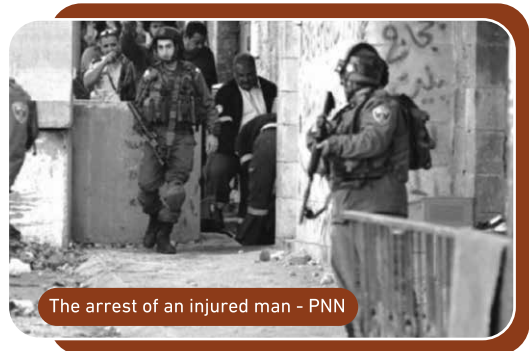
Nevertheless, Ibrahim's medical suffering did not end there. In August 2020, he began suffering from a severe respiratory crisis and had to use an inhaler in an attempt to mitigate this problem, which was exacerbated by the humidity of the prison cells in which he was being held. In the same year, Ibrahim had an x-ray of his lungs taken and it turned out that his lungs were black with a tumorous lump on them. Doctors said that the tumor was benign even though they did not take a sample and the tumor was not examined to determine whether or not it was benign.

Furthermore, Ibrahim's suffering from back pain due to a disc is considered a complex issue. Although Ibrahim receives medical treatments at the Eshel Prison clinic every two weeks, the journey from Nafha Prison to Eshel Prison is long, and he is transferred via the bosta [prisoner transfer vehicle] rather than by ambulance, which constitutes a journey of torment, as herniated disc pain requires special attention and diligent medical care. The Israeli occupation forces are still abusing Ibrahim by forcing him to sit on the metal seats and handcuffing him throughout the transfer. Ibrahim's deteriorating health and the emergence of symptoms of several other diseases during his detention period highlight the unhealthy conditions of detention. These conditions include poor food quality, inadequate room conditions, lack of medical care, and delays in providing timely treatment.

The policy of medical negligence against Palestinian prisoners is being implemented at an increasing pace, which includes the slow response to providing the necessary medical treatments to prisoners, and thus contributing to a rapid deterioration in their health conditions. These practices fall within the policy of systematic medical negligence that the Prison Service has practiced against all Palestinian prisoners for many years, despite the clear effects of this policy on prisoners, which may lead to prisoners losing their lives behind bars. Moreover, this policy contradicts international laws and constitutes a flagrant violation of them. Prisoners have the right to access adequate healthcare and necessary treatment without discrimination or neglect, which is part of basic human rights and human dignity stipulated in numerous conventions, such as the Fourth Geneva Convention.

### Abuse of the Wounded

Prisoner Ward Dar-Sharif was arrested on September 4, 2023, after he was shot by the Israeli occupation forces while his hands were raised. The bullet hit the main artery in Ward's right thigh, and he was brought to Rambam Civil Hospital. Ward underwent surgery during which doctors implanted an artery in him, removed the bullet, and stitched up the wound.



Ward was hospitalized from September 4 until September 26, during which he was kept handcuffed. “The guards did not remove my handcuffs, neither while I was eating, nor while entering the bathroom, nor while showering, and a hospital staff helped me shower.”<sup>23</sup>

23 A lawyer interview with prisoner Ward Dar-Sharif in Megiddo Prison on 18 March 2024.



Ward was transferred to Ramla Prison clinic by bosta inside a small cell. After arriving at Ramla, a clinic doctor examined Ward's leg because it was bleeding and it became clear that the stitches on the wound had broken open, so they re-stitched his leg again. While Ward was in the clinic, he did not receive any treatment, massages, or physical therapy for his leg, despite being unable to fully extend it straight. However, prisoners in the clinic gave him massages, which led to a slight improvement in the condition of his leg. Given that he was deprived of physical therapy, the administration only gave him antibiotics, yet he is still suffering from pain in his leg.

The policy of abusing wounded or sick prisoners during arrest or detention in medical facilities and transfers to prisons is nothing new. Rather, the occupying state has exercised this policy for years, which in many cases has led to a sharp decline in the prisoners' health conditions, as in the case of prisoner Walid Daqqa, who was diagnosed with a rare form of cancer. Despite his life-threatening situation while being detained in the Ramla Prison clinic, Daqqa was transferred to Israeli civilian hospitals for a very limited period and then re-detained in the Ramla Prison clinic.<sup>24</sup>

## Arrests from Ambulances Made Lawful

At approximately 2:00 p.m. on 29 December 2023, 17-year-old H. Sh., a resident of Qalqilia, was heading back to his house when he was shot with live ammunition and was brought to Darwish Nazzal Hospital

in the city, after which it was decided to transfer him to Al-Najah Hospital in Nablus for appropriate treatment due to his critical condition. H. Sh. was placed inside an ambulance and while the ambulance was en route to the hospital, it was stopped by the Israeli occupation forces at a flying checkpoint at the entrance to the city. Despite his serious injury and his presence in the am-



Israeli occupation forces assault an ambulance crew in Tulkarm camp – Wafa news

<sup>24</sup> For more on the case of prisoner Walid Daqqa, see <https://www.addameer.org/ar/prisoner/5096>

balance en route to the hospital, H. Sh. was arrested and forced to wait until an Israeli ambulance arrived and transferred him to Meir Hospital in Kfar Saba.

H. Sh. was hospitalized for six days, during which he underwent stomach surgery. However, H. Sh. was handcuffed for three consecutive days, and his handcuffs were only removed to drink water or to rest, which did not exceed five minutes per day. It should be noted that H. Sh. lost his ability to walk since he was shot, but he was not provided with appropriate treatment for his walking problem, nor did the doctors inform him of the reason he could not walk.

While being hospitalized, H. Sh. was interrogated once, and when he explained what had happened to him, the interrogator accused him of throwing a homemade bomb without providing any evidence.<sup>25</sup> The interrogator's fabrications became evident because when H. Sh. was arrested, there were no confrontations with the occupation forces, in addition to the fact that those who made the arrest were not wearing the official army uniform, and therefore H. Sh. did not have any information about their identity, nor did he know that they were Israeli soldiers or special forces, especially since he asked them about what was happening in Arabic. Based on the information about the incident H. Sh. presented to the defense lawyer, there was no reasonable justification for the masked men to shoot and critically wound him.

Prisoner M. R., 18, was shot by the Israeli occupation forces on 29 September 2023, and the bullet penetrated his stomach and broke four vertebrae of his spine, and platinum was implanted in his back.<sup>26</sup> However, M. R. was arbitrarily arrested and detained, but was released later by a court order on 25 February 2024.

Numerous violations are committed by the occupying state against wounded Palestinians, the majority of which involve arrests from ambulances, the shackling of patients while in hospitals—especially children—and their swift transfer from Israeli hospitals to the Ramla Prison clinic. This denies them

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25 A lawyer interview with prisoner H. Sh. in Ramla Prison clinic on 15 January 2024.

26 A lawyer interview with prisoner M. R. in Ramla Prison clinic on 15 January 2024.

access to adequate treatment and results in permanent damage to the prisoners. Such practices blatantly violate human rights and breach the rules of international law that guarantee the right to receive treatment and appropriate healthcare without hindrance.

## **Assaulting Paramedics and Preventing Them from Providing Medical Services**

During all the incursions carried out by the Israeli occupation forces into various Palestinian territories, the Israeli forces obstructed the work of medical teams, assaulted and targeted them either by arresting them, shooting them directly, or sabotaging ambulances. A number of cases were documented during the year 2023 in which paramedics were arrested or detained and prevented from treating the injured or transporting the martyrs.

On 17 January 2024, Israeli occupation forces consisting of around 120 military vehicles, military bulldozers, and troop carriers, stormed Nour Shams camp near Tulkarm at approximately 4:30 a.m. from several directions. The Israeli forces raided Al-Rabaia neighborhood, blew up doors, carried out intensive searches of homes and shops, caused destruction, and abused and arrested several local residents, resulting in many casualties. A group of volunteer paramedics with the Palestinian Red Crescent turned a house inside Al-Hamam neighborhood into an ambulance station to treat injuries. Later that afternoon, the paramedics heard banging on the front door of the house, so they opened it.

Immediately, around 15 Israeli soldiers stormed the house, some of them dressed in green army uniforms, and most of them spoke Arabic well. There were seven paramedics in the house; five men and two women, all of whom were wearing Red Crescent vests identifying them as medics. The medics had their hands tied with plastic cords in front of their bodies, blindfolded, and led on foot to a nearby house in the same neighborhood where the soldiers had turned into a detention and field interrogation point. There were about 10 people from the camp inside the house, all of them men, bound and blindfolded. One of the detained paramedics saw them, as he was able to see a little from under the blindfold.

After being held in the house for nearly five hours, the paramedics were all taken by military vehicle to Al-Balaawi commercial facility, which is a large warehouse that the Israeli forces also used as a detention and field interrogation point. "During the transfer, the soldiers assaulted us, hit us with rifles, punched and kicked us. One soldier hit me with the stock of his rifle on my neck, and I felt severe pain. Inside Al-Balaawi facility, I saw hundreds of detainees from Tulkarm camp, bound and blindfolded, all of them men. The soldiers interrogated the majority of the young men inside the offices on the second floor of the facility," described medic Mohammad Dmairi<sup>27</sup>, who was held for the next day.

The next day around 11:00 p.m., Dmairi and 10 others were taken by military vehicle to Taybeh army camp. Dmairi told Addameer that when they entered the camp, he saw from under the blindfold a group of young men from Tulkarm camp on the ground, stripped down to their underwear, and screaming as they were being severely beaten by Israeli soldiers. The detainees were kept outside in the yard on the ground that was covered with rainwater. It was very cold, especially late at night, and they suffered greatly from the cold.

Dmairi also explained that around 1:00 p.m., he was taken for interrogation inside a building in the army camp. The interrogation session continued for nearly three hours, during which his ties and blindfold were removed. The interrogators changed and introduced themselves as Ismail and Hasan; Israeli intelligence officers in charge of Tulkarm and Jenin. The interrogation revolved around Dmairi's work as a paramedic and a nurse, and Dmairi was accused of helping 'wanted persons and resistance fighters.' "If I ever see you holding a needle in the camp, I will cut it off for you," threatened one interrogator. The interrogation session ended around 4:00 a.m., after which Dmairi was released at Taybeh military checkpoint. The Israeli raid on the camp that day resulted in the killing of eight Palestinians and wounding dozens.

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27 A phone interview conducted by Addameer with Mohammad Dmairi on 20 January 2024.

All of these attacks on medical staff come in parallel with the attacks on medical facilities and staff in the Gaza Strip, amidst the genocide committed by the Israeli occupation forces. In its daily updated report on the effects of the Israeli aggression on the Palestinians, the Palestinian Health Ministry indicated that 340 health personnel were martyred and 770 others were injured as a result of bombardments or sniper operations between October 7 and 29 February 2024. Additionally, nearly 100 health personnel were arrested/detained, and 150 health facilities were damaged, including 30 hospitals and 123 ambulances.<sup>28</sup>

**As part of the ongoing policy of medical negligence practiced by the Israeli authorities against Palestinian prisoners, an Israeli hospital refuses to treat Palestinian captives because treatment would 'offend national feelings'**

Following the Israeli aggression on the Gaza Strip, Israeli Health Minister Moshe Arbel announced a new racist policy that strictly bars public hospitals from receiving and treating 'terrorist' patients, and that they should reroute injured 'terrorists' to IOF or prison service medical facilities. Minister of Health informed Prime Minister Benjamin Netanyahu that he had issued this order to all public hospitals and was quoted saying, 'In these difficult times, it is important to direct the healthcare system's resources towards caring for the victims of the terrorists' brutality, wounded soldiers, and preparing for future developments in the ongoing conflict. The task of treating and providing security for the accursed terrorists in the public healthcare system just detracts from this.'<sup>29</sup>

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28 Palestinian Health Ministry. 'The daily report on the effects of the Israeli aggression in Palestine since 7 October 2023.' 29 February 2024. <https://site.moh.ps/index/CategoryView/CategoryId/24/Language/ar>

29 Haaretz. 'Israeli Hospitals Refuse to Treat Hamas Terrorist, Sources Cite 'National Feelings''. 17 October 2023. <https://www.haaretz.com/israel-news/2023-10-17/ty-article/.premium/israeli-hospital-refuses-to-treat-hamas-terrorist-sources-cite-national-feelings/0000018b-3e79-d2b8-a7db-fe7f7c320000>

Based on the instructions issued by the Israeli Health Minister, Israeli Haddassah Hospital in Jerusalem refused to treat a Palestinian prisoner captured in the first week of the Israeli war on Gaza. According to a statement published by the hospital administration, security officials in the hospital attempted to admit the injured prisoner, but the administration refused to receive and treat him, claiming that his treatment would 'offend national feelings'. According to the statement, the administration announced that no 'terrorist' involved in the war would be treated.

Ichilov Medical Hospital in Tel Aviv also refused to admit a person to the emergency room in the first week of the Israeli war on Gaza. Instead, a doctor examined the person inside the ambulance and referred him to a prison facility to evaluate his condition and treat him. In the same week, hundreds of members of the extreme right-wing organization 'La Familia', known for its nationalist extremism and anti-Arab racism, flocked to Sheba-Tel HaShomer Medical Center in search of a captured Hamas terrorist reportedly being treated at the facility.

In response to these escalation steps announced by the Israeli medical authorities barring the reception and treatment of anyone they consider a 'terrorist,' Physicians for Human Rights denounced these actions, saying: 'The medical treatment of injured captives, even in these difficult times, including times of war, must be in line with law ethics and international agreements. Israel is obligated to provide medical treatment to all prisoners, regardless of their origin or type of crime, in appropriate conditions that respect their basic rights.'<sup>30</sup>

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30 Ibid.

## The Jailer Forcibly Opens His Doors



Forty-seven days into Israel's all-out aggression on the Gaza Strip and the West Bank, although the residents of Gaza are being subjected to genocide through Israeli air bombardment and ground invasions, in addition to assassinations and systematic arrest campaigns that have increased sharply throughout historic Palestine, a humanitarian truce was announced, including a temporary ceasefire and an exchange of prisoners between Hamas and the Israeli occupation.

The first day of the exchange deal began on Friday; 24 November 2023, when Hamas released a group of Israeli prisoners in exchange for the Israeli authorities releasing a group of Palestinian prisoners, a large portion of whom were held in arbitrary administrative detention based on a secret file without charge or trial and for indefinite durations. The prisoner exchange process continued for seven consecutive days, during which Hamas released more than 70 detained civilians and dual citizens, while the Israeli occupation authorities released 240 Palestinian prisoners, including 71 women and 169 children.<sup>31</sup>

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31 This number does not represent all Palestinian women and children held in Israeli prisons, as the swap deal did not include all of them.

Despite the release of a group of Palestinian prisoners, the Israeli occupation forces were still escalating the arrests that increased following October 7. The Israeli authorities arrested ten times the amount of prisoners who were released as part of the swap deal, including dozens of women and children who are still being held in Israeli prisons in harsh circumstances.



It should be noted that there are no guarantees from the Israeli occupation authorities to respect the terms of the swap deal concluded between the two parties. This implies that the released Palestinians could be re-arrested or summoned to Israeli police stations and courts, as in the case of freed prisoner Nofouz Hammad, who was summoned to appear before a court in Netanya on 31 January 2024 after she was sued by an Israeli female prison guard. Freed prisoner Fadwa Hamada had a trial session held for her in absentia on 11 December 2023 in Haifa Magistrate Court, during which a judge claimed that she had committed offenses during her imprisonment against the prison administration, which required her to be held accountable. These practices demonstrate the ongoing persecution of Palestinians, particularly freed male and female prisoners, even though their release in exchange deals necessarily means the dropping of any charges against them and the closure of the files. Nine freed prisoners were re-arrested, including eight children and young men, and a woman.

### Case Study: Naqab Prison

Naqab Prison, formerly known as An-sar III Prison, is located in the southern part of the 1948 Territories in the Negev Desert. Naqab Prison is divided into three main architectural spaces: the camps, the caravans, and the concrete buildings (or





cells).<sup>32</sup> Naqab Prison is relatively large in terms of area, so Palestinian prisoners are sometimes transferred between the Prison's three sections via the bosta. The spatial division of this Prison in such an architectural layout is due to the urgent need for additional detention places for Palestinian prisoners, with the number of detainees increasing each year.

Naqab Prison has witnessed overcrowding in the number of Palestinian detainees over the years, despite its harsh nature due to its desert geographical location. October 7 was a turning point in Naqab Prison – as in other prisons – in terms of the rapid increase in the number of prisoners that we had not witnessed for many years, in addition to the difficulty in the prisoners' living conditions. In light of the Israeli aggression against the Palestinian people, the Naqab Prison administration obstructed access to the prisoners detained there and embraced a policy of restrictions on lawyers for more than 45 days, to cover up their oppressive practices and torture against the prisoners since the beginning of the aggression.

All aspects of life that were almost non-existent before October 7 have changed in Israeli prisons. Israeli forces stormed the various sections of Naqab Prison, and the Prison Service completely cut off electricity except for one hour a day, making the lamps on the poles that illuminate the tents and the courtyard during the night hours the only source of lighting. The Prison Service also confiscated the food and food supplies that the prisoners had previously purchased with their expenses from the canteen due to the poor quality of the food provided by the Prison Service.


After October 7, the Prison Service abused the prisoners by closing the canteen as a first step to starving more than 7,000 prisoners. The administration continued its policy of starvation and thirst by deliberately providing food of insufficient quantity and poor quality. The Prison Service also began serving food in a humiliating manner, with rice served in one tray to all prisoners held in the rooms with plastic spoons, and sometimes without them. "There is very

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32 To learn more about Negev Prison, see Addameer's study: 'Prison is a Still Point in a Turning World,' p. 28. 14 March 2023. <https://www.addameer.org/ar/media/5001>

little food. In the morning, we are served a can of yogurt, but for lunch, we eat rice and beans,” explained prisoner Bahaa Aldeen Yaish.<sup>33</sup>

Prison Service forces and Special Forces were involved in assaulting and abusing the prisoners. on 12 October 2023, Israeli forces stormed Section 7 in Fort A of the tent Section and transferred all the prisoners to Section 23 in Fort C. The prisoners were handcuffed, their legs were shackled and were led out of the section only to be surprised by two rows of Israeli jailers standing along the road between the section and the bosta vehicle, which the prisoners estimated at approximately 50 meters. The prisoners were then assaulted by the jailers; slapped, punched, and hit by batons all over their bodies.



Fort A and Fort C are only a two-minute drive apart. Up to 36 prisoners were placed in the bosta, which can only accommodate 18 prisoners, and were kept inside for about one and a half hours in the intense heat without air conditioning. As a result of these conditions, two prisoners fainted. **“Due to the intense heat and pressure inside the bosta vehicle, two prisoners fainted, including Jawad al-Ghazawi, but the jailers did not take them out for treatment. Rather, they lowered them to the ground while taking them out of the bosta by grabbing them by the handcuffs and dragging them on the ground on their backs down,”** said prisoner Khaled Al-Nawabit.<sup>34</sup>

Around 75 prisoners arrived in Section 23, which did not have any belongings. The jailers even confiscated all the prisoners’ belongings that they had brought from Section 7, including clothes and shoes. There were some rooms in which the prisoners had no shoes. The prisoners were held inside the rooms for nearly 30 days and were deprived of yard time, and thus were not able to shower or change their clothes because the showers in this section were outside the rooms. Atop these inhumane conditions, the rooms were continuously raided and searched. On the 17th day of the aggression, one of the rooms in Section 23 was raided by a force of approximately 18 members, who forced the prisoners to kneel on the ground and place their hands behind their heads and

33 A lawyer interview with prisoner Bahaa Aldeen Yaish in Naqab Prison on 26 December 2023.

34 A lawyer interview with prisoner Khaled Al-Nawabit in Naqab Prison on 22 November 2023.

their heads between their legs; a posture that was forced upon the prisoners with every security check. After that, the prisoners were assaulted with sticks for almost five minutes, and everyone in the room was left with marks on their bodies due to the beating. Prisoners Khader Radi and Amir Abu Iram were left with a fractured thumb and a fractured rib respectively.

Prisoner Jumah Abu Jabal reported being assaulted along with nine other prisoners in Room 10, Section 23, in Fort C. The room was stormed by Keter unit soldiers, accompanied by masked jailers in blue uniforms, and the prisoners were hit with sticks, thrown to the ground, stomped on, and had their backs scratched by a muzzled dog, even though some of the prisoners were old and had health issues. Abu Jabal confirmed that this was not the only attack they were subjected to. “Since this attack, they would burst into the rooms every day and beat up the prisoners. They did that to us five to six times,” added Abu Jabal.<sup>35</sup>

To add insult to injury, the prisoners were not provided with any cleaning tools for a long time, as there is only one mob in each section – if any – but there are no cleaning materials that the prisoners can use. As for bathing, the prisoners were allowed to shower after 30 days, but they were given only one bottle of shampoo and were denied any towels or spare clothes, and thus they were forced to wear the same dirty clothes on wet bodies. Toothpaste was available – not in all rooms – but without a toothbrush. As for the toilets inside section 23, there are squat toilets with no doors after they were removed by the prison administration.<sup>36</sup> Toilet paper was cut off for a short period before it was provided but in a small amount.

As for other living conditions in Naqab Prison, prisoners suffer from extreme cold as a result of the prison administration removing the plastic covering of the windows, and prisoners are left with no appropriate winter clothing. “There are 10 prisoners in the room, but four of us sleep on the floor. Every two prisoners have one blanket, and the Prison Service did not bring us any winter

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35 A lawyer interview with prisoner Jumah Abu Jabal in Naqab Prison on 6 December 2023.

36 A lawyer interview with prisoner Faisal Sabaneh in Naqab Prison on 6 December 2023.

clothes after nearly 50 days into the war, the Prison Service provided one jacket for each room”<sup>37</sup> reported prisoner Suleiman Suleiman.

## **The Keter Unit’s Brutality Against Prisoners at Naqab Prison**

The Keter Unit is a special guard unit in green army uniforms stationed at Naqab Prison and is in charge of receiving and transferring new prisoners between the Prison’s three forts. Before October 7, the deployment of the unit was limited to emergencies. During a 2019 assault, the Keter and Metsada units joined forces and severely beat a group of prisoners, as outlined by the freed prisoner Abdullah Hamida, who reported the use of excessive force by the Keter Unit.<sup>38</sup> After October 7, the nature of Keter unit’s intervention changed, as it started taking part in suppressing prisoners intensively, along with the guards. Their presence inside Naqab Prison’s sections became almost daily, and its members used excessive force on the prisoners during the raids. Addameer documented a group of prisoners who were abused and had their ribs broken by the Keret Unit, which is also responsible for the killing of prisoner Thaer Abu Asab, whose case we will discuss in detail in the section on Martyrs of the Prisoner Movement.

The prisoners noticed that the members of the Keret Unit were usually masked during the raids.<sup>39</sup> The prisoners spoke of the severe violence exercised by this unit during the raids. On the 12-13th day of the Israeli aggression on Gaza, the prisoners in the tent sections – specifically sections 1, 2, and 9, were severely assaulted by jailers. The prisoners were transferred from the sections by the Keter Unit with the assistance of forces from the Israeli army’s Givati Brigade, and the police’s Yamas, Yamar, and Masada Units. Before

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37 A lawyer’s interview with prisoner Suleiman Suleiman in Naqab Prison on 26 December 2023

38 To learn more about the assault on prisoners at Naqab Prison in 2019 by the Keter Unit, see Annual Violations Report 2019, p. 106. [https://www.addameer.org/sites/default/files/publications/v2020\\_online.pdf](https://www.addameer.org/sites/default/files/publications/v2020_online.pdf)

39 A phone interview conducted by Addameer with former prisoner Mohammad Majiarmi on 12 February 2024.

the transfer, the prisoners were cuffed behind their backs and assaulted, after which they were placed inside a bosta vehicle, at the door of which stood a member of the Keter Unit who assaulted the prisoners as they entered the vehicle. The prisoners were transferred to Fort C, and while exiting the vehicle, they were assaulted by three members of the Keter Unit with wooden batons.

Prisoner Majdy Nasrallah from Balata camp near Nablus was severely beaten by the Keter Unit as he was exiting the vehicle. Nasrallah fell to the ground, yet the officers continued to assault him. The prisoners were also assaulted while being humiliated and strip-searched.



causing pain complications to a number of prisoners, including prisoner Baker Daraghmeh from Tubas who was left with a broken arm. “After I was strip-searched, I was thrown to the ground, and my right hand became very swollen and tore after a while and started bleeding,” noted prisoner Sami Al-Khalili.<sup>40</sup>

No medical assistance was provided to the prisoners after the assault, and they were rather held in cells with no electricity or necessities for human life.

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40 A phone interview conducted by Addameer with former prisoner Sami Al-Khalili on 24 March 2024.



Other prisoners confirmed the violence of the Keter Unit. Former prisoner J. K. said, «Once the Keter Unit storms the place and starts beating the prisoners, they do not leave until they hear the sound of bones cracking and blood dripping down the prisoner's legs. I was assaulted by the Unit when I was transferred from Section 28 to Section 27. They hit me on the arms, legs and head with sticks, but I could not see the face of any of them because they were all masked.»<sup>41</sup> Prisoner M. Q. also confirmed the crimes of the Keter Unit, saying: «The Keter Unit is a special unit in Naqab Prison. Its members wear green army uniforms and they break into the rooms with weapons and metal or rubber sticks, accompanied by dogs.»<sup>42</sup> Prisoner Alam Massad also witnessed the violence and abuse of the Keter Unit during the transfer from Ofer Prison to Naqab Prison, when he was strip-searched and assaulted. As a result, Massad was left with broken ribs and a broken left forearm and was not provided with medical assistance until the next day. He was brought to a prison doctor and his ribs and arms were x-rayed, confirming the fractures, and his left forearm was plastered.<sup>43</sup>

41 A phone interview conducted by Addameer with former prisoner J. K. on 30 November 2023.

42 A phone interview conducted by Addameer with former prisoner M. Q. on 6 December 2023.

43 A lawyer interview with prisoner Alam Massad in Naqab Prison on 26 December 2023.

## The Case of Prisoner Nour Al-Qadi Reflects the Abuse of the Keter Unit

On 20 October 2023 around 10:00 a.m., 12 masked members of the Keter Unit with metal sticks and a muzzled dog stormed the cell of prisoner Nour Al-Qadi, and five of them assaulted Al-Qadi, who was dragged and his hands were tied behind his back. One of the guards raised his hands and pulled them up to pin him, while the other four beat him up, mostly on the upper parts of the body, such as the back, chest, and head, and continued for approximately 15 to 20 minutes. Whenever Al-Qadi tried to explain to them that he was sick, he was brutally beaten.



The case of the injured prisoner Nour Alqadi before and after his detention – Q.d

“When I told them that I had a heart condition, one of the officers kicked me with his boots on the left side of my chest near my heart. They were wearing boots with a metal covering on the front. I felt that my ribs were broken from the blow. I immediately lost consciousness, and when I woke up, they threw me to the ground while I was bound behind my back and left. I remained lying on the ground for nearly six hours, during which I had no strength to get up, and no one came to the cell. Then, an officer came in and untied me. I had visible beating scars all over my face, my head and my hands were bleeding, and the left side of my chest was swelling; it felt like a large blood clot trapped underneath.”

After about half an hour, a nurse came to the cell and Al-Qadi showed him the location of his injuries. “Good. Perfect. Stay like this,” said the nurse and left. Such behavior indicates that prison nurses have nominal jobs and do not respect professional ethics. Rather, they are directly involved and play a pivotal role in the medical crimes to which Palestinian prisoners are exposed and the procrastination in providing the necessary treatment. As a result of the

beating, Al-Qadi remained unable to sleep for three days and only slept intermittently in a sitting position due to the pain of his injuries.

About a week later, on 26 October 2023, the Yamas Unit stormed Al-Qadi's cell, handcuffed him behind his back, and strip-searched, after which he was beaten all over again for about 10 minutes. Al-Qadi remained in isolation for approximately two weeks, during which his heart medication was cut off, in addition to the mattress and blanket being taken away every day from 6:00 a.m. until 12:00 or 1:00 p.m. As another punishment, the water was cut off from his cell and was only available for one hour during the day, during which Al-Qadi would fill a 1.5-liter water bottle.

After he was taken out of isolation to Section 5, Al-Qadi spent three days in Room 5, during which Keter Unit and prison guards suddenly stormed the section with muzzled dogs and batons and started beating and gassing all the prisoners for no reason. They were all masked. Then, jailers and prison officers transferred all the prisoners in the section, numbering around 99 prisoners, to Section 6. Al-Qadi and his nine cellmates were the last to be transferred. During the transfer of others, Al-Qadi and his cellmates heard the sounds of screaming prisoners being transferred and felt intimidated.





When it was Al-Qadi and his cellmates' turn to be transferred, a large number of jailers burst into the room, cuffed everyone behind their backs, and each prisoner was dragged out with his back bent over and head down by two or three jailers. Al-Qadi and his cellmates were led on foot to Section 6 about 50 meters away, after which they were stripped of their clothes and beaten while being naked; mostly on the genitals.

Al-Qadi and the rest of the prisoners were detained for a week in Section 6 and were beaten twice by the Keter Unit; one time under the pretext that it was forbidden to pray out loud. A week later, all the prisoners in the section, around 99 prisoners, were transferred again by jailers and Keter Unit by bus in two batches. The prisoners were first taken to Al-Makhloul search area within Naqab Prison, where every four to five prisoners were strip-searched together and severely beaten with sticks while naked. After the search, 12 prisoners were detained in a room that could accommodate only six prisoners.

### Case Study: Ofer Prison

Since October 7, there have been many changes regarding Ofer Prison, in terms of the sections, transit sections, and the living conditions of the prisoners. New transit sections were opened to accommodate the large number of prisoners being held in Ofer Prison. Section 14 was converted into a transit

section for new detainees, and the guards, upon orders from the Prison Service, confiscated electrical appliances and all belongings such as pots, kettles, and food supplies. The prisoners were deprived of the yard time and could not shower for more than a week because the showers are located in the yard. Eventually, they were allowed to go out for only half an hour. Thus, all prisoners collectively get half an hour to shower, making it around 4 minutes for each



prisoner. The prisoners were also deprived of any communication with the outside world, which includes their contact with their families through family visits, in addition to being denied access to any facility within the prison, including the laundry room, kitchen, etc.

Furthermore, Section 24 was also converted into a transit section, and all the rooms were separated from each other and turned into rooms similar to solitary confinement rooms, in addition to confiscating all the belongings. 10 to 12 prisoners were held in a room about 7x4 square meters and contained a squat toilet and a sink. The prisoners in this section went out to the yard once every two days for a short time, which they used to bathe.<sup>44</sup> As for Section 26, like other sections of the prison, it is empty of everything except mattresses and blankets. The prisoners held in this section were deprived of yard time for 10 days, and inspections were periodic.

As for water, which is the only thing available in the section, it is not valid and not suitable for drinking or use. Prisoner Mahmoud Bernat says: "The hot water in the room is yellow."<sup>45</sup> Prisoner Diyaa Salama confirmed this, saying: "I am in Section 22, Room 5. The drinking water in the room is from the tap but it is not clean, and sometimes it is yellow."<sup>46</sup>

In Section 13, electricity is cut off throughout the day, and at night there are lamps for lighting. There are no showers in the rooms, so the prisoners are forced to shower during yard hours, but they are not allowed to go out daily, but rather once every two days. This section is subjected to inspection once a day, and sometimes the Metsada Unit carries out the inspection. In one of the inspections, the guards confiscated all the prisoners' belongings, including clothes and pillows. The rooms of this section are also witnessing overcrowding, with the number of prisoners ranging from 9 to 10 per room, approximately half of them are forced to sleep on the floor.<sup>47</sup>

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44 A lawyer interview with prisoner Sinar Hamad in Ofer Prison on 17 October 2023.

45 A lawyer interview with prisoner Mahmoud Bernat in Ofer Prison on 26 October 2023.

46 A lawyer interview with prisoner Diyaa Salama in Ofer Prison on 5 December 2023.

47 A lawyer interview with prisoner Abdulqader Masalama in Ofer Prison on 26 October 2023.

As for food, it is provided only by the prison administration due to the prohibition of prisoners from the canteen since October 7, in addition to the confiscation of all food items and supplies that the prisoners had purchased before October 7. The prison administration exploited food as a weapon against the prisoners by manipulating the quantity and quality to starve them and use food to humiliate them. The food provided is insufficient, and prisoners are held in harsh and humiliating overcrowded conditions, and the prison administration did not back down from this policy. "The food is bad and insufficient, and only two meals are provided during the day," explained prisoner Aziz Issa.<sup>48</sup>



"Eight prisoners are brought food that is enough only for four prisoners. Each prisoner is brought sliced bread and a small can of yogurt for breakfast, and rice and sausage for lunch," noted prisoner Diyaa Salama.<sup>49</sup>

The prisoners detained in Ofer Prison were subjected to several violations during raids and transfers by the jailers and Nahshon and Metsada Units. On 8 November 2023, the Metsada Unit stormed Section 24 and immediately opened fire on the prisoners. Prisoner Amr Al-Tawil was shot in the left knee and was not provided with treatment but was rather transferred to Section 25 and assaulted.<sup>50</sup> Section 23 was designated to hold prisoners from the Gaza Strip. Lawyers were not able to visit any of them due to the refusal of the Israeli occupation authorities. However, a number of prisoners in the adjacent sections indicated that they constantly hear screaming sounds, with prisoners there forced to chant words in Hebrew.

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48 A lawyer interview with prisoner Aziz Issa in Ofer Prison on 5 December 2023.

49 A lawyer interview with prisoner Diyaa Salama in Ofer Prison on 5 December 2023.

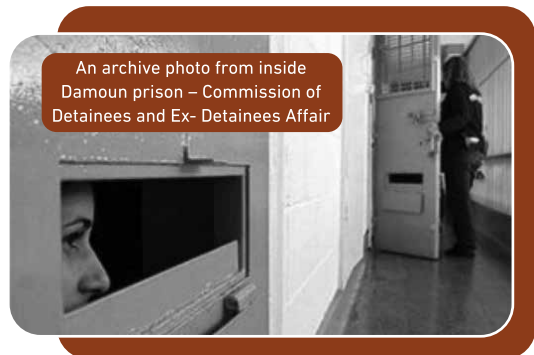
50 A lawyer interview with prisoner Amr Al-Tawil in Ofer Prison on 29 January 2024.

The crime of medical negligence continues to be evident in all prisons, but in Ofer Prison, its features differed depending on the prisoners. The vast majority of the Palestinians arrested and detained after October 7 were not provided with any treatment, even if they were suffering from chronic diseases – meaning all ages were subjected to medical negligence. However, the medications that the prisoners had in their cells before October were not all confiscated. Yet, painkillers were the only medication provided to the prisoners by the IPS, even if they were subjected to severe beatings that led to bleeding or fractures.

## Damon Prison: A Constant Point of Violations

The Israeli occupation authorities continued to arrest, abuse, and detain Palestinian women in conditions that lack the minimum human requirements and humanitarian conditions under international laws and norms. The Israeli occupation escalated its crimes with the escalation of

its all-out aggression against our people which reached its peak after October 7. Israeli crimes and violations took several forms against Palestinian women, as they were not limited only to the detention policy, but female prisoners were subjected to all methods of abuse and torture inside Israeli prisons and military camps in which some women from Gaza are held. Violations against female prisoners include severe beatings, separation from their families, being used as hostages to pressure families, being exposed to traumatic experiences in interrogation centers, and being deprived of their most basic rights, such as the right to treatment. Such violations are part of the consistent and systematic policies implemented against prisoners in general. The systematic arrests carried out by the occupation army after October 7 also affected women, and some of the former female prisoners were also targeted and re-arrested.



The Israeli occupation forces have arrested 300 women since the beginning of the year, including women arrested from the 1948 occupied territories after October 7, while the toll of women arrested after October 7 until the end of the year reached 184 women. This toll also includes women arrested from the 1948 occupied territories, but not the women who were arrested from the Gaza Strip since October 7, as some of them were detained in Sde Tieman military camp near Beersheba and Anatot military camp in the occupied West Bank. Human rights organizations were unable to have access to their numbers, despite the fact that numerous petitions were submitted to disclose the numbers and conditions of these female detainees, but the Israeli courts rejected all of them. As for the remaining female prisoners who were detained in Damon Prison, the human rights organizations managed to have access to their numbers through other female prisoners in the prison, but the Prison Service did not disclose their numbers or their names.

### **Freed Female Prisoners Re-targeted**

Following an Israeli incursion into the town of Beitunia near Ramallah on 7 November 2023, Israeli forces raided the house of R.A.; a former female prisoner, after breaking the front door of the house and shouting 'Army, Army' in Arabic. R.A. immediately got out of bed and headed towards the front door, only to see a group of soldiers standing there. R.A. was approached by a female soldier, who took her to the hallway, cuffed, and searched her. After about half an hour of 20 soldiers being in her house, R.A. was led out without being allowed to change her clothes, blindfolded, and the handcuffs were replaced with plastic cuffs behind her back. R.A. was placed inside a military vehicle and was taken along with two young men from Beitunia to Ofer Prison. After she was presented to a nurse and asked some medical questions, R.A. and the two young men were detained in a room with open windows for three



hours. R.A. felt numb in her hands because of the tight plastic cuffs and asked an officer to remove them, but the officer replaced them with metal cuffs.

Then R.A. was taken to a cell about 2x4 meters in size, with white lighting and walls that had a rough surface. "My blindfold was removed, my cuffs were moved from behind my back to the front of my body, and I was detained in the cell for nearly four hours,"<sup>51</sup> explained R.A.. After she was interrogated by the police, showed a video of her participating in a demonstration at Birzeit University, to which she maintained her right to silence, R.A. was taken to a room and photographed in front of an Israeli flag, after which she was transferred to Hasharon Prison, where she met a group of female prisoners held in a cell with an area of about 8x6 meters, and a toilet separated from the rest of the cell by half a door. The cell had four bunk beds without mattresses, blankets, or pillows. About an hour later, the female prisoners were brought thin mattresses and blankets, without pillows, but they were confiscated the next day around 7:00 a.m..

After being detained at Hasharon Prison for one day, R.A. and the other female prisoners were transferred by the bosta [prisoner transfer vehicle] to Damon Prison, during which they were insulted and mistreated. After arriving at Damon Prison, the female prisoners were individually strip-searched by two female guards, after which Ruba was once again photographed in front of the Israeli flag.

The female prisoners were held at Damon Prison in extremely harsh conditions. The rooms were overcrowded, and thus the female prisoners were forced to sleep on the floor. Food was served three times per day but was insufficient. "All the contents of the kitchen were removed except one plate for each female prisoner. The food was three meals per day but in small quantities, and sometimes it was uncooked. We would send it back, and sometimes they would bring it back uncooked or cooked a little more," clarified R.A..<sup>52</sup>

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51 An interview conducted by Addameer with former prisoner R. A. on 17 December 2023.

52 Ibid.

Other female prisoners were put through similar conditions of violation during arrest, as in the case of student and freed prisoner L.K.. A.T. was also re-arrested after her house was stormed and vandalized by the Israeli occupation forces, after which she was photographed, and Ben-Gvir published the photo on X, formerly known as Twitter, with the caption: "All the respect for the Israeli army forces who tonight arrested the terrorist, who was previously accused of hitting soldiers, and has been since the outbreak of the war expressing sympathy and support for the Nazi human beings on social media. Zero tolerance with terrorists and supporters of terrorists."<sup>53</sup> A.T. and R.A. were released later as part of a prisoner swap deal in November 2023.



Khalida Jarrar - A member of the Palestinian Legislative Council

On 26 December 2023, Khalida Jarrar, a freed female prisoner and member of the Palestinian Legislative Council, was re-arrested and issued a six-month administrative detention order. Such a policy is not a new policy implemented by the occupying power. After the release of 1,027 Palestinian male and female prisoners as part of Wafa al-Ahrar [Faithful to the Free] prisoner exchange deal in 2011, around 70 of them were re-arrested, and 49 prisoners had secret files submitted against them to nullify their release, whereas the bulk of them had their original life sentences reimposed.

## **Detention Conditions at Damon Prison after October 7**

October 7 was a turning point in the detention conditions of Palestinian female prisoners in Damon Prison, and the violations and crimes committed systematically by the Prison Service against them escalated. The prison administration cut off electricity to the entire section. Several hours later, the prison director arrived, accompanied by the intelligence official, the head of the Yamas Unit, and another prison force. Prison guards, who were armed with plastic shields and sticks, were instructed to close the doors. An armored force

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53 See Ben-Gvir's tweet on X via <https://twitter.com/itamarbengvir/status/1721397948762792020>

then burst into the room of M. B., who was with four other female prisoners, and they were all brutally beaten up with sticks and sprayed with gas. M. B. was then transferred to the prison waiting room in preparation for her transfer to Al-Jalame Detention and Interrogation Center.<sup>54</sup>

After that, a group of prison guards entered and confiscated the hotplate, the television set, and the water heating kettle from all the rooms. The female prisoners were deprived of yard time, but they would only go out to shower for nearly 15 minutes per day. In parallel with these abusive measures, the female prisoners were separated and prevented from communicating with the outside world, as they were denied access to family and lawyer visitations, in addition to being deprived of phone calls, and their cells were turned into mass isolation cells.

On 19 October 2023, the female prisoners requested the prison administration to open the canteen to purchase their basic needs, such as water and personal hygiene materials, but their request was rejected, so the female prisoners protested it and started throwing some of the remaining items in the rooms through the door slot.<sup>55</sup> A large force of jailers broke into rooms 9 and 10 and threatened the female prisoners. Female prisoners in Room 10 were sprayed with gas, and prisoner Y. Sh. was assaulted, sprayed with gas, forcibly dragged out, assaulted, and beaten in the face. Meanwhile, female prisoners in Room 4 started screaming, so one prison guard went to their room and sprayed them with gas. Immediately after that, the guards entered all the rooms, took away all of the prisoners' remaining belongings, removed the pictures from the walls, and confiscated clothes, sneakers, books, pens, notebooks, handicrafts, and even the Qur'an.<sup>56</sup>

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54 A lawyer interview conducted with prisoner M. B. in Al-Jalame Detention Center on 12 October 2023.

55 A small slot in the cell door used to bring food into the rooms.

56 A lawyer interview conducted with prisoner S. S. in Damon Prison on 24 October 2023.



## 46 Days in Cell 1 in Al-Jalame Detention Center

Prisoner M. B. was transferred on 7 October 2023 to Al-Jalame Detention Center after she was severely beaten by guards at Damon Prison. M. B. was detained in Room 1 in Section 7, which was monitored by surveillance cameras. M. B. was forced to cover the window with bags to have some privacy. The next day, M. B. was brought before an internal disciplinary court and was punished with seven days in solitary confinement, two months of being barred from the canteen, phone calls, and lawyer visitation, in addition to a fine of 575 shekels. All of these penalties were imposed on M. B. even though she had not committed any violations that would require such penalties to be imposed on her.

These arbitrary penalties, which the Prison Service claims are 'disciplinary offenses', are a number of offenses punishable either by isolation and/or financial fines imposed on the prisoners. The amount of the fine varies and is deducted from the prisoners' private canteen funds.<sup>57</sup> Due to the abuse and transfer to isolation cells, M. B. declared a hunger strike and demanded that she be transferred to Damon Prison. M. B. continued her hunger strike until October 12, when she was informed that she would be transferred to Damon Prison on Sunday October 15. Accordingly, M. B. suspended her strike, yet she was not transferred to Damon Prison.

One day after the court session on October 9, M. B. was moved to Cell 1 in Section 3 of Al-Jalame Detention Center. Section 3 is designated for male and female criminal prisoners and is characterized by a state of chaos and noise. M. B. was held in a cell infected with insects and monitored by surveillance cameras. M. B.'s attempts to cover the cameras failed because there were no tools in the cell to enable her to do so, as the cell was empty and contained only a bed. Furthermore, the presence of cameras prevented M. B. from showering throughout her detention in the cell. She was also prevented from going out to the yard and thus spent her entire time in complete isolation inside the cell. M. B. could not even change her clothes or shower and remained in the prayer

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57 For more information about solitary confinement in Israeli prisons, see Addameer's report 'Light at the End of the Tunnel,' 14 November 2023 <https://www.addameer.org/media/5354>

clothes that she was wearing when she was brought to the isolation cell. On 24 November 2023, M. B. was released within the first batch of the prisoner exchange deal.

## Restraints at the Forefront

Plastic and metal restraints are one of the first tactics in arrests that the Israeli occupation deliberately uses to abuse and torture Palestinians at all stages of their arrest and detention. The Israeli army restrains all Palestinians with no regard to age, gender, or even health status during arrests.<sup>58</sup> Plastic cuffs that can be squeezed are used by the Israeli occupation to cause physical and psychological damage to the detainee from the start of the arrest. Hands are often tied behind the back to create maximum pressure on the shoulders. Prisoners are also cuffed while moving between prison facilities. Prisoners are also cuffed when they leave the sections to the yard or the visitation space, and metal cuffs are often used to tighten control and maximize humiliation inside Israeli prisons which are the most heavily guarded in the world. Restraining is harsher when transferring prisoners to other prisons, which are supervised by the Nahshon Unit which is notorious for its violence towards prisoners during the transfer, during which the prisoner's hands and feet are cuffed for long periods that may exceed 12 hours.



However, after October 7, there was a shift in the use of various restraints by Israeli jailers. In Ramon Prison, jailers started using metal cuffs and tied prisoners' hands and legs with a connected metal chain while being taken out

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58 Handcuffing is one of the restraint methods used to limit the movement of the hand and arm. However, handcuffing can be misused in a way that amounts to torture and ill-treatment. It is, therefore, prohibited to apply movement restriction in a humiliating or painful manner, and it is prohibited to handcuff as a sanction for disciplinary offenses, in accordance with the Mandela Rules No. (34/2).

to see their lawyers, this is the same way Prisoners classified under 'high risk of escape' are also shackled, but only those affiliated with certain factions and not all the prisoners in Ramon. This does not negate the fact that prisoners from other factions were cuffed with metal cuffs only, and the shackles were maintained during the lawyer visitation. It should be noted that these procedures were not implemented from the beginning of October 7. Rather, they were implemented when a new director of the Prison Service was appointed.

Similar procedures were also implemented in other Israeli prisons. In Nafha Prison, prisoners – regardless of their political affiliation – were taken out in handcuffs and kept so throughout the lawyer's visit, despite the defense lawyer's request to remove the handcuffs so that the prisoners could sign the necessary legal documents. However, jailers refused, and the prisoners were forced to sign while handcuffed. The same thing happened in Gilboa Prison, where prisoners were taken out in handcuffs and kept cuffed throughout the visit. We confirm that the handcuffing policy did not start after October 7. Rather, before that, handcuffs were only used during the transfer and were removed upon arrival for the visit. However, the misuse of this policy by keeping prisoners handcuffed is one of the manifestations of the difference in dealing with prisoners.

During the defense lawyer's visits to various Israeli prisons, the lawyer noticed red marks or skin ulceration on the hands of detainees due to the excessive use or abuse of restraints. This led to damage to the skin of the hand, as prisoners reported to the lawyers that there were bruises and swelling on their hands, and sometimes such marks turned into scars due to the tight handcuffs. Even in the absence of physical signs on the prisoner's hands, the possibility of misuse of handcuffing cannot be ruled out, as the hand nerves may have been damaged due to the intense pressure that handcuffs have on the nerves, or the handcuffs may lead to wrist fractures. Fractures are more common in cases of using rigid handcuffs, overtightening, and resistance.<sup>59</sup>

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59 Danish Institute Against Torture. 'Fact Sheet Collection Health #16 HANDCUFFING'. <https://dignity.dk/wp-content/uploads/handcuffing-factsheet-english.pdf>



Not only Israeli prisons utilized handcuffing. The Israeli occupation army also handcuffed Palestinians who were held in military camps. Some of the liberated male and female prisoners reported to Palestinian media that they were handcuffed and blindfolded throughout their detention in these military camps, while others stated that the Israeli army kept them handcuffed even while eating or using the bathroom.

## Sexual Assault and Strip Search

From the first moment of arrest, the Israeli occupation forces use all means of oppression, abuse, and humiliation against Palestinian male and female prisoners. Exaggerated strip searches are conducted from the first moment of arrest from Palestinian homes, and at




A Massive arrest campaign carried out by Israeli occupation forces – Ramallah News

transfer stations before arriving at the prison or interrogation center. Since the beginning of the year, the occupying state continued to conduct an all-out or partial strip search of male and female prisoners upon their arrival at Israeli prisons. Detainees transferred to detention or interrogation centers are searched, and they are searched once again when transferred to prisons. The search is carried out by forcing the detainee to remove all their clothes, including their underwear – in the vast majority of cases – and then female soldiers search female prisoners and male soldiers search male prisoners.

Despite the fact that humiliating strip searches constitutes a violation of human rights, the occupation forces commit numerous violations during strip searches, which include the beating of prisoners and targeting sensitive areas of their bodies while naked – whether by hand, foot, or magnetometers, in addition to sexual harassment by grabbing the prisoner’s genitalia, and verbal harassment that was reported by a large number of prisoners. There is also the policy of insults and threats, and in some cases, the violations have reached the extent of soldiers photographing some prisoners with their personal phones.

On 17 December 2023, prison guards stormed the cell in which S. A. was being held with six other prisoners in Shatta Prison. The prisoners were tied to the back and taken outside the cell, and the cell was searched for an hour. After that, the prisoners were returned to the cell in handcuffs and were strip-searched separately in the bathroom. While they were naked and handcuffed, a metal detector was swept over their bodies.



“I was searched while I was naked. The prison guards ran a magnetometer over my entire body and hit me with it on my buttocks. Then they threw me on the bed while I was naked, and started throwing my cellmates in the same way on top of me while they were naked,” said S. A..<sup>60</sup>

During the year 2023, more than half of the male and female prisoners who were visited by lawyers confirmed that they were strip-searched by prison guards. The violations committed during strip searches were evident after October 7, as the occupation forces escalated their sexual and verbal harassment against prisoners, in addition to severe beatings during the strip searches, which sometimes happened more than once on the same day. “A female soldier brought me into a room and strip-searched me, during which she slapped me in the face and on my back. She also stumped my foot and pulled my hair,” reported B.K..<sup>61</sup>

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60 A lawyer interview conducted with prisoner S. A. in Shatta Prison on 15 January 2024.

61 A lawyer interview conducted with prisoner B. K. in Damon Prison on 21 December 2023.

A report published by the United Nations confirmed that Palestinian women were exposed to all forms of sexual assault and that some Palestinian female prisoners were subjected to strip searches by male soldiers. The report stated that there were at least two Palestinian women who were raped.<sup>62</sup> We note that sexual crimes exceed what has been documented, in light of the detention of a large number of Palestinian women, men, and children from the Gaza Strip in special camps run by the Israeli army. Even after more than 100 days have passed since the aggression on the Gaza Strip, human rights organizations are still unaware of the fate of these detainees and what they are exposed to due to the crime of enforced disappearance and the occupation authorities' refusal to disclose any information regarding their conditions.

### **Double Violations against Student O. W.**

The occupation forces have targeted male and female students since the beginning of 2023, but the violations increased after October 7. On 3 December 2023, Israeli forces stormed the home of student O. W. in the city of Bethlehem around 1:50 a.m., searched her room, and confiscated two books and some papers that were handed over to students on campus earlier that year. O. W. was then searched and allowed to put on a coat and sneakers. After being led out of the house, O. W. was handcuffed to the front, blindfolded, and seated on the metal floor of a military vehicle. Upon arriving at a military camp, the military vehicle stopped in the street and a vehicle exited the camp, from which a soldier exited and examined O. W. medically and asked her in Arabic if she was taking any medications. Then, O. W. was moved to the other vehicle and interrogated, after which a female soldier tied her hands behind her back with two plastic cuffs and one set of metal cuffs that were kept around her hands until the following day.

During the field interrogation, O. W. was threatened and assaulted by an Israeli intelligence officer and soldiers. Whenever she refused to answer ques-

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62 United Nations. 'UN experts appalled by reported human rights violations against Palestinian women and girls.' 19 February 2024. <https://www.ohchr.org/en/press-releases/2024/02/israelopt-un-experts-appalled-reported-human-rights-violations-against>

tions, the intelligence officer would hold her head, press hard on her eyes, and threaten her. She was assaulted by a female soldier, who hit her with the stock of a rifle, slapped her, and threw her on the floor of the vehicle. The abuse of detainee O. W. continued in the vehicle, as the female soldier recorded her voice screaming from the intensity of the beating, and then played the recording on the radio and laughed at her along with other soldiers. The soldiers also tried to humiliate her, as they threw food leftovers and cigarettes at her, and used offensive language to insult her. More than once during the transfer, they took her out of the vehicle, placed her head on the ground between stones, and assaulted her before returning her to the vehicle. The soldiers continued their abuse from the moment of arrest until 2:00 p.m. After arrival at Ofer Prison, O. W. was interrogated by a female interrogator for nearly 15 minutes, after which she was transferred to Hasharon Prison.

O. W. was strip-searched upon her arrival at Hasharon Prison, and she remained in light prayer clothes that did not protect her from the cold. After the search, a female soldier assaulted her and hit her head against the wall. When she was taken to the medical examination, marks and redness were visible on her hands because of the handcuffs, but she was not provided with any medical assistance. During the transfer to and from the medical examination, O. W. was beaten and forced to keep her head down while walking. Then, O. W. was held in a very cold cell, which contained a mattress, a light blanket, and a toilet.

During detention in Hasharon Prison, although for a short duration, O. W. was severely abused and mistreated by the jailers. O. W. was held with five female prisoners in a small cell and was provided with pieces of cheese, tomatoes, and inedible bread, but no mineral water was provided so they were forced to fill water in coke bottles. In the early morning of the next day, the jailers stormed their cell, confiscated everything, and strip-searched the female prisoners in front of each other, after which they were all transferred with their heads bowed and feet shackled to a room filled with water. Later, the female prisoners were transferred by the bosta to Damon Prison.

O. W. is held in Damon Prison in extremely harsh conditions. "The food is inedible. Half a bag of bread is provided for the entire room, which is not enough for four female prisoners. We are forced to drink tap water, and we go out to shower every two rooms together for about half an hour. Female prisoners from Gaza go out for 15 minutes, but we are not allowed to mingle with them at all. Each prisoner has only two items of clothing, and we are allowed to wash the clothes every four to five days because of the large number of female prisoners. Prison forces break into our rooms and conduct searches almost daily."<sup>63</sup>

## House Arrest

The practice of house arrest has been implemented in the Palestinian territories for many years and was focused on East Jerusalem in particular. Its practice expanded to target mainly children, but it also extends to include journalists, women, and activists, during which the occupation authorities turn hundreds of Palestinian homes into prisons imposed on family members. This policy has made hundreds of families play the role of jailer over their children, against whom the Israeli courts issue house arrest orders. Thus, families restrict the movement of their children, follow up on their activities, monitor their movements, and prevent them from leaving the house, in compliance with the conditions of their probation imposed on them by the Israeli courts per their judicial decisions, and to avoid the arrest of their sponsor or family member on charges of non-compliance with the conditions.



House arrest means holding a 'detained' inside the house for the entire period while the court is examining their file until the end of the judicial procedures against the detainee, and the court issues its ruling in the case, which may extend for a few days, weeks, or months. In some cases, the duration of the house arrest may reach more than a year. It is worth noting that the dura-

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63 A lawyer interview conducted with prisoner O. W. in Damon Prison on 17 December 2023.



tion of the house arrest is not included in the duration of the actual sentence that is subsequently issued against the detainee. Although such a policy is arbitrary, the occupation authorities use it to its benefit and impose other penalties alongside it, which makes the matter more difficult.

The occupation authorities implement the house arrest<sup>64</sup> on Palestinian children under the age of 14, because the 'Israeli' law does not permit their imprisonment. Statistics issued by the Palestinian Prisoner's Club and the Commission of Detainees and Ex-Detainees Affairs indicate that the occupation authorities issued about 2,200 house arrest orders between January 2018 and March 2022 against minor children, 114 of whom were under 12 years old, compared to about 228 house arrest orders between 2015 and 2017. According to the same source, the occupation authorities issued 316 house arrest orders against Palestinians from Jerusalem during the year 2023, and 70% of children arrested in recent years in Jerusalem were placed under house arrest before their cases were decided.

As for adults, the occupation authorities resort to house arrest in an attempt to prevent them from carrying out their work and activities within their jobs or daily lives. House arrest often affects Palestinian national leaders in Jerusalem, including Adnan Ghaith, Jerusalem governor, who was targeted at the end of 2018 and early 2021.

There is an increase in the use of this policy and its targeting of Jerusalem children in particular. However, it is not limited only to children from Jerusalem, but also affects men and women. Journalist Lama Ghousha was placed

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64 There are two types of house arrest. The first obliges the person, whether a child or a girl, a man or a woman, to remain in the house and never leave for a specified period. In some cases, Israeli courts allow children to go to school. The second type, which is harsher than the first, places the person under house arrest in the home of a relative or friend far from the family home and area of residence. This distracts the family and increases their anxiety. Perhaps the most recent form of house arrest is the so-called 'night house arrest', which begins every night at exactly 8:00 and ends at 6:00 a.m., and may extend and be extended for a few months based on a decision from the Israeli military commander or the so-called Home Front Commander, who in turn exploits the Mandatory emergency systems in this area due to its broad powers to restrict Palestinian citizens.

under house arrest for more than 10 months. In the court's decision to end the house arrest period, the court required Ghousha to perform 9 months of community service and sentenced her to 6 months in prison, suspended for 3 years and fined 4,500 shekels [\$1,210]. Journalist Somaya Al-Jawabra is still held under house arrest.

International human rights law and international humanitarian law provide a large space to guarantee children's freedom and their right to security, protection, and dignity. Article 37a of the 1989 Convention on the Rights of the Child (CRC) ensures that no child shall be subjected to torture or other cruel, inhuman, or degrading treatment or punishment, whereas Paragraph (b) stipulates that no child shall be deprived of his or her liberty unlawfully or arbitrarily, and 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. However, the occupying power resorts to house arrest extensively, as demonstrated by the number of children held under house arrest. This applies to adults as well. The method of implementing house arrest, which prevents a person from leaving their home, is considered an abuse of this policy.

## **A Mother, pregnant woman, and journalist Imprisoned and Held under House Arrest**

On 5 November 2023, the father of journalist S. J. received a phone call from a person who identified himself as an Israeli intelligence officer and informed him that S. J. must head to Al-Jabal Police Station located near Maale Adumim settlement, southeast of Jerusalem in the central West

Bank. After S. J. went with her husband to the police station, she was taken inside and her husband was informed that she had been arrested, even though she was a mother of three children, the eldest of whom was six years old, and was seven months pregnant and in need of special care.



The arrest and detention of S. J. came approximately two weeks after settlers' incitement against her via a Telegram group called 'Nazi Hunters,' which targeted a large group of journalists, influencers, and Palestinians, claiming that they are 'inciting' against the State of Israel. Numerous Palestinians were detained following the incitement of this group, which shows the illegality of the detention of these Palestinians and the lack of a legal basis for such allegations.

Prisoner S. J. was held at Hasharon Prison and Damon Prison. She was transferred directly from Maale Adumim to Hasharon Prison's transit section. During the transfer, S. J. was assaulted and beaten by female soldiers, even though she was seven months pregnant. S. J. arrived at Hasharon around midnight and was detained in a small room monitored by cameras and only contained bunk beds. Mattresses were given to her and her cellmates around 8:00 p.m. and taken away at dawn, forcing the female prisoners to sit on the floor in the extreme cold. Due to her pregnancy, S. J. was allowed to keep her mattress. After being watched on camera asking her cellmates to sit with her on the mattress, S. J. was threatened by female guards that her mattress would be confiscated if she tried to have any of the prisoners sit on it. If any of the female prisoners looked at the female soldiers, they would be punished and beaten.

The female prisoners were abused in numerous ways while being held at Hasharon Prison, the first of which was the strip search that they were forced to undergo morning and evening, during which they were called names and insulted. Prison conditions were generally poor, as the food provided to female prisoners was poor in quality and quantity, and the drinking water was contaminated. The sanitary condition was generally poor, as some female prisoners had blood stains on their clothes due to the lack of sanitary pads. As there was nothing in the cell that might guide them to the time, they did not know the times of the day or the times of prayer. The floor was filthy, and thus the female prisoners' foreheads got dirty when they prayed, and their request to have cleaning materials was denied.

S. J. was then transferred to Damon Prison and had all her belongings and

the belongings of her cellmates confiscated, including their clothes, and the prisoners were left with only one item of clothing, and were forced to exchange clothes and shoes with each other due to the shortage. As for the blankets, they were insufficient in quantity, were thin, and did not protect against the cold. Despite this, there was overcrowding in the cells, with up to 10 female prisoners held in one cell, and thus four were forced to sleep on the floor.

S. J. was released by an unfair court order on 12 November 2023, under harsh retaliatory conditions, including a financial bail of 10,000 shekels and a third-party bail of 50,000 shekels, in addition to house arrest for an indefinite period,<sup>65</sup> preventing her from using social media, and keeping her under home supervision with her husband and mother-in-law under the guise of implementing the conditions of the probation release.

Such conditions are part of the systematic retaliatory policies in which the occupation forces are involved in, along with the Israeli courts, to undermine Palestinian journalistic work, silence the voices of journalists, and terrorize them for not exposing the crimes of the occupation. The conditions of complete house arrest imposed on S. J. are considered an abuse of this policy, and constitute a collective punishment on the entire family, as the family members are not allowed to practice their lives and daily activities in a normal manner, forcing them to remain in a state of fear and tension to ensure that they do not breach the conditions of the house arrest.

These practices come in light of the aggression launched by the Israeli occupation against the Palestinian people, which has affected all segments of society, particularly journalists, the largest percentage of whom are convicted on charges of incitement via Facebook. Israeli courts handle charges of incitement on the basis that each post constitutes an offense in itself, taking into

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<sup>65</sup> House arrest: The detention of a person inside his/her home or place determined by the Israeli court while his/her case is being examined by the court and until the end of the judicial procedures. The duration of examining the case may take a few days or weeks, or may extend to several months or a full year or more, and it is not included in the actual imprisonment term. House arrest can be within the person's family home, or the court may order the person to be removed from the family or residential area while being held under house arrest.

account when issuing the ruling, the number of friends, the number of likes on each post, and the number of comments and shares. The attack on journalists as human rights defenders violates all international conventions that consider freedom of opinion and expression a right that cannot be infringed. Article 23 of the Universal Declaration of Human Rights stipulates freedom of expression and opinion.

The occupation authorities ban journalists from practicing their profession freely, by criminalizing their journalistic work, and directly targeting them with arrest and other forms of violations such as direct targeting with live bullets and others. The occupation's violations against S. J. did not stop at depriving her of doing her job as a journalist but rather went beyond pirating her funds and imposing heavy fines in an arbitrary and unjustified manner as part of her punishment and economic pressure on her and her family. These fines must be paid within short periods and constitute a financial burden on the families of prisoners as they lead to further imprisonment if not paid.

S. J. was not the only female prisoner held under house arrest. Y. Q. was also arrested, even though she was a mother and pregnant, and was subjected to abuse, malnutrition, and medical neglect during her detention in Damon Prison, and was released on conditions, one of which was house arrest. The policy of house arrest was also imposed on Dalal Abu Amna, a Palestinian artist and a PhD holder.<sup>66</sup>



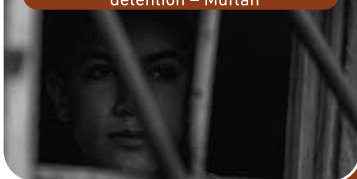
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<sup>66</sup> To learn more about the details of Dalal Abu Amna's arrest, see the chapter on Legal Amendments, Administrative Detention, and Incitement.

## Children from Jerusalem under House Arrest

On 1 May 2023, 14-year-old A. B. was arrested after the occupation forces raided his family home in Bab Hatta in the Old City of Jerusalem around 6:00 a.m. A. B. was then handcuffed and taken to Al-Qashla Interrogation Center, then to Al-Mascobiya Interrogation and Detention Center, where he spent eight days. A. B. was transferred daily to Al-Qashla in the afternoon hours for interrogation, during which he was slapped and hit all over his body. During one of the detention extension sessions, a judge examined the effects of the beating on the body of A. B., and this was recorded in the minutes of the session.

A Jerusalemite child under home detention – Muftah



On 8 May 2023, A. B. was released by a court order, held under open house arrest, and ordered to pay a fine of 25,000 shekels if he did not comply with the conditions of release and house arrest. A session to consider his house arrest was held on 6 September 2023, during which his detention was extended until the next session, which was scheduled for 17 December 2023. A. B. was allowed to leave the house only to go to school accompanied by a parent. From the beginning of his arrest until the September session, A. B. was forbidden from leaving the house or going to school.

To increase the burden and oppression of house arrest on a 14-year-old boy, the occupation forces would break into the house of A. B. twice a day at night, the first of which around 8 p.m. and the second between 2:00 and 5:00 a.m. Seven to eight Israeli soldiers from Al-Qashla Center would raid the family house to check on A. B., forcing the family to wake him up in the early morning hours to make an appearance at the front door so that the soldiers could confirm his presence in the house. One day, the soldiers went to the house, but A. B. was suffering from fever and flu. His father confirmed that his son was in the house and asked the soldiers to enter his room to check for themselves, but the soldiers refused to enter and forced the father to wake up A. B. and carry him to the door because he was unable to move due to illness.<sup>67</sup>

67 A phone interview conducted by Addameer with A. B. on 7 September 2023.

With the widespread spread of house arrest in Jerusalem, children of Al-Salaymeh family were placed under house arrest. The family rejected this arbitrary policy, and thus the boys surrendered themselves to the Israeli occupation authorities to serve an actual sentence, instead of spending months in house arrest that are not included within the actual sentence.

## **Vandalism and Seizure of Funds**

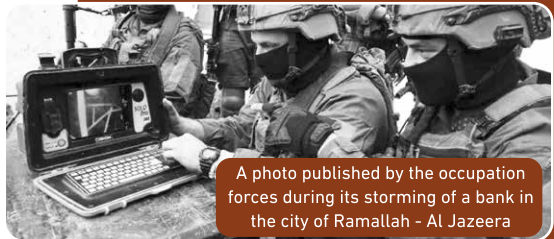
The implementation of violence and destruction are rarely absent from any Israeli incursions into Palestinian cities, villages, camps, or homes, leaving behind destruction in the street infrastructure, cutting off water, electricity, communications, and the Internet from homes. Such destruction costs municipalities huge sums of money to repair the damage, and as soon as it is repaired, the occupation forces storm the area once again, causing further destruction to the infrastructure and landmarks, as well as damage to cemeteries and martyr monuments.



As for the devastation that befalls houses after raids, it is estimated at thousands of dollars and usually begins with blowing up the doors, although the Israeli forces can enter the house without the need to use explosives that do not only damage the doors but also to the walls and windows. After breaking into the house, the Israeli forces initiate a process of sabotaging and breaking sofas, beds, and other furniture items, in addition to tampering with food and supplies. Furthermore, the Israeli forces steal jewelry and money found inside the houses, in addition to vehicles, and others. This is not limited only to cases of raids aimed at arrest, as targeting the families of detainees goes beyond that and involves aggressive behavior that only seeks to continuously pursue detainees and their families. This is evident in the raids on the homes of detainees and merely tampering with or confiscating their contents.

The policy of collective punishment, represented by the punitive home demolitions, is conceivably the most horrific of these crimes practiced by the occupying state against martyrs and prisoners. During the year 2023, 11 cases of house demolitions were documented as a form of collective punishment against prisoners<sup>68</sup> allegedly accused of carrying out military attacks. This policy also affected the martyrs, as 14 martyr homes were demolished during the year, compared to eight homes of prisoners demolished in 2022.<sup>69</sup>

The occupation authorities had seized the funds of a number of Jerusalemite prisoners and liberated prisoners, their families, and their wives under the pretext of receiving funds from the Palestinian National Authority. This new, old policy, the features of which have appeared during this year, seeks to strike the Palestinian presence in Jerusalem and indirectly displace Palestinians. This seizure has no legal basis, and the seizure of Palestinian bank funds has not been undertaken by any previous Israeli government, which indicates the amount of extremism, direct targeting, and racist policies practiced by the new right-wing government.




The family of Mohammad Al-Firawi was one of the families affected by this policy. On 16 February 2023, a list containing approximately 200 names of prisoners from Jerusalem and their families was leaked, and it included an order to confiscate their money. Al-Firawi received this list, which contained his name and the name of Musa Al-Firawi (mohammad's father) and stipulated the confiscation of an amount of 107,585 thousand shekels. Musa went to Leumi Bank to find a seizure on the aforementioned amount, which is the same amount required for confiscation. When he asked the bank about the reason for the seizure, he was informed that the seizure was by an order issued by the

68 See Appendix I: Names of Prisoners whose Homes Were Demolished, along with the demolition dates.

69 Statistics obtained from Al-Haq.



Minister of Finance on 10 February 2023 to seize and freeze the amount until 1 May 2025. When Al-Firawi tried to withdraw the amount, he was informed that he could not withdraw more than 3,000 shekels.



Later that day, Mohammad Al-Firawi woke up to the sound of banging on the front door of his house. The knockers were eight Israeli intelligence officers, wearing olive or navy-blue trousers, a regular shirt, and a cap with the word 'police' written on it. **"I know them. They were interrogators from Al-Mascobiya and Al-Qashla interrogation centers. They were accompanied by Yasam agents, and all of them were armed,"** said Mohammad. The officers raided the house, and Mohammad thought that they had come to arrest him, so he changed his clothes, but they informed him that the goal of the storm was not to make an arrest but rather to search for contraband.

When Mohammad asked about what contraband they were looking for, they said, **"Such as jewelry and money. You take money from Abu Mazen, and this money is prohibited and we want to confiscate it."** The officers searched every corner of the house, even under the tiles and inside power cables. They emptied the clothes, bedrooms, and boxes in the house. They stayed in the house for nearly two hours, during which they carried out a thorough search, but they did not take anything. The family later discovered that Mohammad's work vehicle had been seized.<sup>70</sup>

After October 7, theft operations carried out by the Israeli occupation forces escalated, with the knowledge of or by orders of the government. The occupation forces simultaneously stormed a number of money exchange outlets in numerous areas – Ramallah, Jenin, Tulkarm, Nablus, and Hebron, on 28 December 2023, and stole hundreds of thousands of dollars, financial files and statements, and metal safes, in addition to arresting their owners after their homes were raided, claiming that these firms provided support to Hamas movement. The occupation army radio announced that its forces raided five

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70 A phone interview conducted by Addameer with Mohammad Al-Firawi on 19 February 2023.

money exchange offices in the West Bank classified as 'terrorist,' and confiscated about 10 million shekels.

The occupation forces stormed Al-Ajoli family's home in Ramallah's Al-Balou' neighborhood and a money exchange outlet owned by the family in central Ramallah, and arrested Ghazi and his brother Anwar Al-Ajoli. The forces also stormed Nour Al-Huda money exchange outlet, Fakhr al-Din money exchange outlet, and Bayt al-Maqdis money exchange out, which are owned by Mohammad Awad, conducted a thorough search, seized some of their contents, and arrested a number of workers after the raid.

As part of its ongoing policy targeting the families of prisoners, the Israeli occupation forces stormed the house of prisoner Walid Daqqa's wife in Baqa al-Gharbiya on 5 February 2023, and the Israeli police seized some of Daqqa's property and pictures. On 16 February 2023, the occupation forces stormed the house of prisoner Ahmad Manasra's family in Beit Hanina. According to Saleh Manasra, prisoner Ahmad Manasra's father, the occupation intelligence forces confiscated his wife's jewelry worth 15,000 shekels, in addition to two vehicles owned by the family.<sup>71</sup> On 15 January 2024, the homes of prisoners Nael Barghouti, Rabie Barghouti, and Murad Barghouti in the village of Kobar near Ramallah, were stormed by Israeli forces, causing widespread vandalism, destruction and confiscating two vehicles and money.



71 A fieldworker interview with Saleh Manasra on 19 February 2023.

## Ongoing Aggression against the West Bank Camps



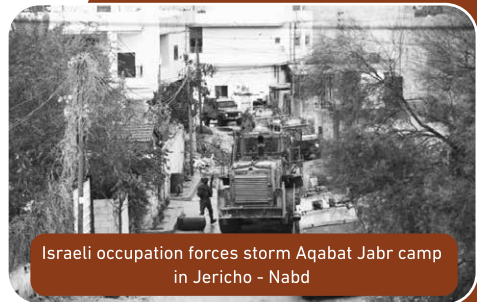
Aqbat Jabr camp near Jericho has been targeted extensively since the beginning of 2023, as the occupation forces escalated their raids into the camp, arresting and using Palestinians as human shields, destroying property, and turning civilian homes into military points, in addition to expanding the excessive use of force through indiscriminate shooting and extrajudicial executions.

On 6 February 2023, the Israeli occupation forces raided Aqbat Jabr camp and headed to the house of Awadat family. Thirty-nine-year-old Abdulhafez Awadat and four of his relatives were sitting outside the house when they were tied with plastic cuffs, blindfolded, and forced to sit on their knees with their heads bowed. They were kept in the bitter cold and were not allowed to wear any warm clothes. After nearly two hours, they were taken to Deir Hajla army camp, where they were detained inside a metal room until 6:00 p.m. and were kept tied and blindfolded, even while using the bathroom. "Our daughters killed your sons," said an Israeli officer to the detainees, but without saying who was killed.

Hours later, an Israeli soldier showed Abdulhafez a set of photos. The first photo was of the face of the young man Malek Lafi with his eyes closed, while the second photo was of Abdulhafez's brother, but he was unable to determine if his brother was still alive. All the detainees, including Abdulhafez, were then transferred to Ofer Prison, strip-searched, and detained in cells for 12 days

with no charge or trial.<sup>72</sup> Abdulhafez was later released with no conditions, only to find out that the occupation forces had killed six people that night.

As part of the collective punishments of residents during camp raids, Maha Abdulhafez sustained shrapnel injuries to her right leg after the Israeli occupation forces blew up the front door of her house around 6:00 a.m. on 1 May 2023. Despite her injury, Maha was held in her room by four soldiers. “After I fell to the



ground, the soldiers entered the room, held me by my legs, and put me on the bed because my leg was almost cut off and was dangling,” Maha told Addameer.<sup>73</sup> The soldiers then went on and started shooting from the window of her room at Jibreel Kamal, a resident of the camp, who was killed. The soldiers continued to shoot from her window for 20 minutes, while Maha was lying on her bed and bleeding, but no medical assistance was provided to her except until the soldiers stopped shooting.

After that, one soldier injected Maha twice to stop the bleeding, and she was taken to the DCO checkpoint near Jericho, where she waited until a Palestinian ambulance arrived. Maha was then transferred to the hospital, and it became clear that as a result of the explosion, her leg was hit by shrapnel and sustained two fractures: 6 centimeters deep into the bone. Maha’s leg tissues were also torn, and she suffered leg burns. The Israeli raid resulted in the killing of one Palestinian, the injury of six others, and a huge destruction to Maha’s house that became uninhabitable.

Aqbat Jabr camp was not the only target of the occupation forces. Rather, the year 2023 witnessed repeated escalated incursions into Jenin camp that lasted a few hours in previous years and escalated into a military aggression

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72 An interview conducted by Addameer with freed prisoner Abdulhafez Awadat on 22 May 2023.

73 An interview conducted by Addameer with Maha Abdulhafez from Jericho on 22 May 2023.

lasting for days. On 3 July 2023, the occupation forces launched a large-scale military attack on Jenin and its camp. Large forces, estimated at 150 military vehicles, stormed the camp from many directions, imposed a siege on it, cut off the electricity supply to large parts of the camp, and seized a number of houses overlooking the camp in addition to some houses inside the camp and turned them into military points. During the attack, civilian homes were bombed, property and street infrastructure were destroyed, and field investigation tents were set up, in addition to money and jewelry were stolen from citizens' homes.

Due to the difficult humanitarian conditions in the camp during the aggression, nearly 3,000 Palestinians were forced to flee to the city after the Israeli forces threatened to bomb their homes, according to the Palestinian Red Crescent. The occupation forces deliberately prevented ambulances from reaching the injured and providing them with the necessary treatment. Furthermore, the occupation forces destroyed a large number of homes and vehicles, in addition to bombing and targeting the Freedom Theater with a drone missile, with a group of citizens inside, most of whom were women and children.

According to Addameer, 114 Palestinians were arrested and tried at Salem Military Court on 6 July 2023, after which 54 of them were released, while 60 others had their detention extended. According to the Palestinian Ministry of Health, the Israeli military aggression resulted in 12 martyrs, including children, in addition to 120 injuries.

The occupation forces started storming the houses, accompanied by military dogs. "Soldiers stormed the room in which my sister and I were taking shelter. A military dog attacked me and bit me on the hand, while the soldiers just laughed and enjoyed the scene without interfering. After about 15 minutes, a soldier approached and tried to push the dog away from me, but he could not hold or control the dog, and the dog pushed the soldier to the ground. Then a second soldier came and tried to push the dog away, but then popped out a 40cm-long gray knife like a blade and wanted to cut off my hand. I started screaming. A third soldier tried to open the dog's mouth and was able to get it

away, but the dog attacked my sister but could not catch her, and the soldiers quickly muzzled the dog,” Fatima Saleh told Addameer.<sup>74</sup>

A picture of Fatima's hand after she was bitten by a dog and needed medical intervention



Following raids and field investigations to which a large portion of the camp's residents were subjected, a number of citizens stated that they were subjected to sexual and verbal harassment by the Israeli occupation forces. A child told Addameer, “I was in the living room with a number of my family when I was arrested and held in the neighbors' house with my cousin. We were both handcuffed and led to the kitchen, where soldiers started playing with their genitals in front of us and other children.”<sup>75</sup>

According to M. Kh., the occupation soldiers blew up their neighbors' house while she was there around 10:00 a.m. on 4 July 2023, after which an officer questioned her for about half an hour. “During interrogation, they threatened me with rape in front of all the soldiers, and the officer started holding my hands, touching my face, and feeling me over while I tried to push his hands away. He did it three times.”<sup>76</sup> M. Kh. was kept detained with her three-year-old son, and the officer was trying to pressure her all the time to get information

74 An interview conducted by Addameer with Fatima Saleh on 17 July 2023.

75 An interview conducted by Addameer with M. N. on 6 July 2023.

76 An interview conducted by Addameer with M. Kh. on 6 July 2023.

from her. Then the officer tried to interrogate her son and ask him about the location of their house and the young men in the camp.

Nour Shams camp near Tulkarm witnessed an aggression similar to the aggression on Jenin camp, where the occupation forces blew up a number of citizens' homes in the eastern parts of the camp, causing damage to the targeted homes and neighboring homes. Military bulldozers also destroyed the walls of numerous homes, schools, and mosques, crushed vehicles, and destroyed the camp's infrastructure. The camp was announced as a closed military zone, as entry into or exit from the camp was prohibited, and military points were established inside houses in various neighborhoods of the camp.

The Israeli occupation forces launched continuous mass arrests targeting various Palestinian areas. On 8 August 2023, the occupation forces carried out a massive arrest campaign in the village of Kobar near Ramallah, targeting nearly 25 Palestinians, the majority of whom were released after hours of detention inside the village, while eight were kept in detention. On 29 August 2023, another mass arrest campaign was launched in various areas of the occupied West Bank, mainly in the village of Deir Samet near Hebron, during which 31 Palestinians were arrested, including freed prisoners and students.

Tulkarm camp was also raided on 17 January 2024 for more than 40 hours, during which the occupation forces took control of a number of homes and turned them into points for field investigation. The occupation forces launched a massive arrest campaign that affected more than 500 Palestinians, caused severe damage during searches of homes and shops, and killed eight people, including three children.

## Use of Human Shields During Arrest

Israeli occupation forces use human shields during military operations in the occupied Palestinian territories, and this practice has been spreading and expanding. Palestinian civilians, including children and women, are used by Israeli soldiers to protect themselves during raids, arrests, and even during assassinations, although it is a crime prohibited by international law in the context of international armed conflicts, including the Geneva Convention III (Treatment of Prisoners of War), the Geneva Convention IV (Protection of Civilians), Additional Protocol I (Protection of Victims), and the Statute of the International Criminal Court that states that 'utilizing the presence of a civilian or other protected person to render certain points, areas, or military forces immune from military operations,' constitutes a war crime in international armed conflicts.



Concerning non-international armed conflicts, Additional Protocol II does not explicitly refer to the use of human shields, but this practice is prohibited by the duty that 'the civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations.'<sup>77</sup> It is important, moreover, that the use of human shields is often considered equivalent to hostage-taking, which is prohibited by Additional Protocol II<sup>78</sup> and customary international law (see Rule 96). In addition, the intentional use of civilians to cover military operations violates the principle of distinction and the duty to take feasible precautions to separate civilians from military objectives (see Rules 23-24).


<sup>77</sup> Article 13(1) of the Additional Protocol II.

<sup>78</sup> International Committee of the Red Cross. IHL Databases Rule 97. Human Shields.

<https://ihl-databases.icrc.org/ar/customary-ihl/v2/rule97>



Although the use of human shields is prohibited under international law, and such acts are clearly defined as war crimes under international humanitarian law, the occupying state does not refrain from this crime. Human rights organizations monitored and documented dozens of cases of human shields. Addameer documented the use of Shaloun children as human shields during an Israeli incursion into Aqbat Jabr camp on 1 March 2023. At approximately 11:30 a.m.-12:00 p.m., special Israeli forces stormed Jamal Shaloun neighborhood in the camp in an attempt to surround Maher Shaloun's house. However, the special forces threw a bomb at Mohammad Ayush's house, with five people inside, including two-year-old Ahmad Abdel Nasser with his mother. As they left the house, Mohammad Ayoush, who was carrying Ahmad in his arms, shouted to the soldiers and told them that he would return the child to his mother, but he was instructed to bring the child out with him.



“At first the soldiers cuffed me behind my back with plastic cuffs and threw me to the ground for about 15 minutes, while the child was standing next to me and screaming. And because the child cried a lot, I was untied to carry him. I carried the child in my arms, but he continued to cry and scream, and his mother came twice trying to take him, but she was threatened at gunpoint. Then they forced us to stand near the military vehicles outside the houses, whereas the rest of the family was standing not far away. They made the child and I stand in front of the military vehicles and the soldiers as a protection for them from the clashes that were going in with youngmen.”<sup>79</sup>

The raid on the family home continued for nearly two hours, during which Mohammad and the child were used as human shields at gunpoint amidst clashes.

Defense for Children International – Palestine (DCIP) confirmed that during the first five months of 2023, five Palestinian children were used as human shields in various Palestinian areas. Human rights organizations also docu-

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<sup>79</sup> An interview conducted by Addameer with Mohammad Ayoush on 22 May 2023.

mented the use of dozens of Palestinians of all ages as human shields throughout the Palestinian territories. Additionally, the Israeli occupation forces practiced this policy in its aggression against the Gaza Strip during the year 2023. The occupying state seeks to cover up these appalling crimes under the guise of political and security considerations to legitimize these crimes. In his testimony, Mahmoud Hamdan stated, 'They arrested me from inside Shifa Medical Complex in Gaza City. I was told to open the sewage pits and communications lines and go down into them and make sure there were no Palestinian fighters. They installed cameras on my head and ordered me to go to all the underground manholes, open them, and move inside them.'<sup>80</sup>

This is just one example of hundreds of testimonies that human rights organizations managed to monitor and document. Despite all these documents, there is no actual accountability for what the occupation soldiers commit against the Palestinians. A report issued by Human Rights Watch stated that an Israeli military court's sentence on 21 November 2010 for two soldiers found guilty of using a Palestinian boy as a 'human shield' during the 2008-09 offensive in Gaza appeared inadequate considering the gravity of the offense. "The slap on the wrist for these soldiers is another slap in the face for the victims of violations during Operation Cast Lead," said Sarah Leah Whitson, Middle East director at Human Rights Watch. "Not only do these sentences seem unjustifiably lenient, but two years later, they are the only sentences Israel has handed down for serious human rights violations among the many alleged during the Gazaoffensive."<sup>81</sup>

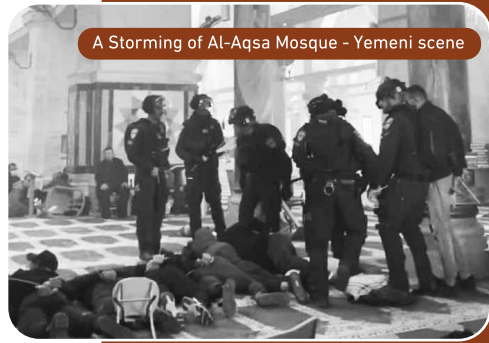
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80 Al-Khaleej. 'Human shields: a repeated Israeli crime in its war on Gaza.' 19 December 2023. <https://khaleej.online/VJZdx8>

81 Human Rights Watch. 'Israel: Soldiers' Punishment for Using Boy as 'Human Shield' Inadequate. 26 November 2010. <https://www.hrw.org/news/2010/11/26/israel-soldiers-punishment-using-boy-human-shield-inadequate>

## Attacks on Holy Places – Recurring Scenes Every Day and Every Year

Attacks on Al-Aqsa Mosque and worshipers are not a new phenomenon. Rather, Al-Aqsa Mosque witnesses daily raids by settlers, with restrictions imposed on the number of Palestinian worshipers allowed to enter and pray there, and many other attacks that violate the Palestinians' right to worship and practice religious rituals. These violations are evident during the holy month of Ramadan every year. Last year, the occupation forces stormed the compound and attacked worshipers. The scene was repeated in 2023 with the same flagrant violations of international law.



On 5 April 2023, around 400 to 450 group of Palestinian worshipers were inside Al-Qibli Mosque [prayer hall of the qibla]; the main prayer hall in Al-Aqsa Mosque Compound, practicing religious rituals. After Tarawih prayers [special prayers performed in Ramanda], the occupation forces, specifically the Yamam Unit, surrounded the mosque from all sides and stormed the place through the clinic attached to the mosque, which is separated from the mosque by a dry-wall. The forces broke the drywall and stormed the mosque, while other soldiers climbed onto the roof of the mosque, cut off the electricity to the mosque, and broke the windows so they could throw stun grenades and teargas into the mosque, after which they began shooting rubber-coated steel bullets randomly at the worshipers.



The Israeli forces broke into the mosque in large numbers and used excessive force against the unarmed worshipers, attacking them with batons and rifles. “I was beaten for five minutes when they first raided the mosque. I was standing in the first row,” said Ihab Zaloum, one of the worshipers who was attacked. “They beat me with batons and rifles on my head more than once, as well as on my arms and all over my body. The beating continued for five minutes, during which my head started to bleed, but they refused to give me first aid or provide me with any treatment.”<sup>82</sup>

H. S., a boy, was also beaten up. “A soldier next to the door shot my leg with a rubber-coated steel bullet from a distance of five to seven meters. I sat next to the door, and a man in civilian clothes and a police cap approached me and kicked me with his military boots five to six times on my body, legs, and stomach.”<sup>83</sup>

A few minutes after the attack, the worshipers present inside the mosque were cuffed with plastic ties and thrown on the floor on their abdomens and faces, after which they were taken to the courtyard and sorted out to residents of Jerusalem and residents of the West Bank. The sorting process included beatings. Nearly an hour after the attack, all the detainees were transferred to Al-Mughrabi Gate on foot. Because some of them were inside Al-Aqsa Mosque for prayer, they were barefoot and the soldiers deliberately trampled on their feet in a very painful way. They were forced to kneel while still handcuffed for nearly three hours, after which they were transferred to Atarot police station via buses. In Atarot, they were also forced to kneel with their heads bowed. At approximately 6:00 a.m., the detainees were brought before Shabak and police interrogators, but they were not interrogated on any charges or suspicions. Rather, they were only threatened and intimidated.

Not only the occupying power committed all these violations and caused humiliation to the worshipers but also imposed arbitrary punishments on the worshipers. Some of the worshipers were kept away from Al-Aqsa Mosque for

82 A phone interview conducted by Addameer with Ihab Zaloum on 9 March 2023.

83 A phone interview conducted by Addameer with H. S. on 9 April 2023.

varying periods, while others were transferred to Ofer Prison and detained in the transit section 14. Due to the lack of allocated space, some of the detainees were held in isolation cells.

Some of the West Bank detainees appeared in court on 7 April 2023, and their detention was extended for 72 hours until Monday; April 10, on charges of entering Jerusalem without a permit. In the court session held on April 10, the judge decided to release the detainees on bail of 3,000 shekels without any indictments being brought against any of them. Due to the inability of the families to pay the bail set by the court, 17 detainees were transferred to Jerusalem Magistrate Court, which filed indictments against all of them, including entering Jerusalem without a permit, obstructing police work, and harming public security. The court fined them 1,000 shekels per each, payable until May 20, and sentenced them to a two-year suspended term. After that, the 17 detainees were released.<sup>84</sup>

With these violations, we note that the occupying power does not only target mosques. Rather, settlers storm churches, destroy their property, direct racist speech at worshippers, and assault them, in addition to burning mosques and churches. All of these systematic and continuous violations that are not met with mechanisms of deterrence or accountability by the Israeli authorities are not but a systematic crime against the right to worship that escalates significantly during holidays and months in which the Palestinian people practice religious rituals, such as the holy month of Ramadan.



All of these attacks on places of worship constitute racist acts by the occupying power and a flagrant violation of international law. Attacks on places of worship are classified as a war crime under international humanitarian

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84 A phone interview conducted by Addameer with Ashraf Ruman on 13 March 2023.

law, and the Rome Statute of the International Criminal Court of 1998, which considered attacks against buildings dedicated to religion a war crime under Article 8(2).

## Extrajudicial Executions alongside Arrests

The right to life is a constitutional right guaranteed to all human beings, and none of the other rights can be respected without respecting the right to life. Extra-legal, summary, or arbitrary executions constitute a violation of this fundamental right. The Minnesota Pro-



The execution of a young man by the Israeli occupation forces - Wafa

cedure on the Investigation of Potentially Unlawful Death of 2016<sup>85</sup> states that extrajudicial executions can occur in several situations, including:

1. **The death may have been caused by acts or omissions of the State, its organs or agents, or may otherwise be attributable to the State, in violation of its duty to respect the right to life;**
2. **The death occurred when a person was detained by, or was in the custody of, the State, its organs, or agents; and**
3. **The death occurred where the State may have failed to meet its obligations to protect life.**

The practices of the occupying state during incursions into the West Bank and the excessive use of force and indiscriminate shooting led to extrajudicial executions, which expanded very significantly during the year 2023. Addameer documented three cases of extrajudicial executions of family members of detainees, including Samir Aslan, Mohammad Manasra, and Mohammad Hamdan. What indicates the occupation's intention to execute in cold blood is the sniper practices committed in the Gaza Strip after October 7, when the occu-

85 The Economic and Social Council recommended the approval of these principles in its Resolution 1989/65 of 24 May 1989. Revised in 2016. <https://www.ohchr.org/sites/default/files/Documents/Publications/MinnesotaProtocol.pdf>

pation forces executed large numbers of Palestinians, including children and women, while they were carrying white flags and fleeing to safe areas. Despite this, the occupation forces deliberately targeted and executed all segments of Palestinian society.

### **Father Executed, Son Arrested**

On 12 January 2023, the occupation forces stormed Qalandia camp near Ramallah around 3:00 a.m., blocked all entrances and exits to the camp, and headed to one of the neighborhoods where Aslan family lives, searching for 19-year-old Ramzi Aslan. During the search, around 20 to 25 soldiers stormed one of the houses and went to the bedroom, only to discover that they were in the wrong house. Then they went to Aslan's three-story residential building, blew up the door by breaking the lock, and stormed the apartment of Ramzi's uncle. The soldiers interrogated the uncle and asked him about Ramzi. The latter answered that Ramzi was not his son. However, they did not leave the house. They had a military dog with them.

Meanwhile, due to the noise caused by the soldiers, Samir Aslan and his wife woke up, and Samir woke up Ramzi. Then the soldiers entered Samir's apartment and asked about Ramzi. They shouted and threatened the family with bombs. They searched Ramzi's room and caused a big mess. The raid on the apartment continued for about an hour, after which they cuffed Ramzi with plastic ties and took him outside. Meanwhile, Ramzi's parents went to the balcony overlooking the street, but they were forced to go inside when clashes erupted between Palestinian young men and the soldiers. The family headed to the third floor of the building, and Samir looked out from the balcony to check on Ramzi.

At that moment, the soldiers opened fire on the family, and Samir was fatally hit in the chest by a bullet. Meanwhile, Ramzi's mother was heading downstairs to see what had happened to Ramzi, but when she heard the sound of screaming inside the building, she returned to the apartment and saw Samir had fallen on his back, covered in blood, so she called for an ambulance immediately, but the occupation forces prevented the ambulance from reach-

ing Samir, who remained on the third floor bleeding for about 20 minutes until the family was able to take him down the stairs while he was unconscious.<sup>86</sup> Samir's brothers put him in their private vehicle and tried to take him to the hospital, but the soldiers blocked their way after they had driven about 20 meters, forced them at gunpoint to exit the vehicle, put Samir on the ground, and did not allow anyone to approach.



A Picture of the martyr Samir Aslan

Then a person whom the soldiers claimed was a doctor came and injected Samir. Until that moment, the family thought that Samir had been injured in the hand until the soldiers lifted his jacket and realized that he had been critically injured. Then one soldier said, "This man is dead, let him take him." Then, Samir was returned to the vehicle and taken four to five meters away before the ambulance arrived. The soldiers allowed them to go to the hospital. Upon their arrival, the doctors tried to save Samir's life, but they declared him dead.<sup>87</sup>

Extrajudicial executions carried out by Israeli forces constitute a grave violation of international law, in particular the right to life, which is applicable at all times and in all circumstances and must not be undermined during armed conflicts or other public emergencies. However, the Israeli occupation authorities give their soldiers absolute authority to fire on Palestinians, which falls within the policy of excessive use of force against Palestinians, even those who do not pose a threat. This, according to the principles of international humanitarian law and the Rome Statute, is considered a crime against humanity.

The occupation's violations did not end with Aslan family at this point. Rather, after Ramzi was arrested from his home, he was led on foot towards the mountain and Kochav Ya'akov settlement amidst the shooting. Ramzi was seated in the open, bound and blindfolded, for a few hours, during which he was verbally assaulted and urinated on. "I felt that it was urine from its smell, heat,

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86 Interview conducted by Addameer with Mirvat Aslan on 23 May 2023.

87 Interview conducted by Addameer with Nidal Aslan on 23 May 2023.



and the amount of flow that came down on me,"<sup>88</sup> said Ramzi during a lawyer's visit. When Ramzi wanted to use the bathroom, his hands were kept tied.

Ramzi was then transferred to Ofer Prison, searched while almost naked, and held in a cell measuring 2×2m that contained a bed, and a bathroom that was separated from the rest of the cell by a door that was about 40 cm above the floor. His interrogation lasted about 41 days, and each session sometimes continued for long hours. The occupation forces sought to obtain information by placing him with "informants" for a week. In the end, after all this torture and abuse, Ramzi was presented with an indictment consisting of two items: throwing stones and homemade explosives.

The case of Aslan family was not the only case. On 5 December 2023, at approximately 6:00 a.m., the occupation forces stormed Al-Jabal neighborhood in Qalandia camp, north of Jerusalem, and then moved to the house of Manasra family. Before storming the house, Abdullah Manasra woke up his 21-year-old brother, Islam, and told him that there were Israeli soldiers outside. Islam went to the living room and sat on the sofa with his 26-year-old brother, Mohammad, and their mother. After about five minutes, the family heard the sound of breaking glass and screaming, so Mohammad got up and went to the door to open it, but masked soldiers blew up the door and the house was filled with gray smoke.

Islam had no other choice but to seek refuge in one of the rooms, along with his 25-year-old brother, Abdullah. Their mother remained in the living room, and after the smoke had cleared from the house, she saw her son Mohammad lying on the floor on his stomach and bleeding, but the Israeli soldiers prevented her from approaching him. She asked the soldiers to approach Mohammad, but she was forced to enter her room.<sup>89</sup> About five minutes later, the soldiers headed to the room where Islam and Abdullah were hiding. The soldiers recognized Abdullah and pulled him out of the room. As for Islam, a soldier with a Star of David on his shoulder approached him, while his hands were stained

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88 A lawyer interview with prisoner Ramzi Aslan in Ofer Prison on 1 June 2023.

89 A field interview conducted by Addameer with Shireen Manasra on 22 January 2024.

with blood before he examined Islam, whose nose was bleeding after sustaining shrapnel injuries as a result of the explosion.

The Israeli occupation forces withdrew from the house after about 15 minutes, and Islam left the room and saw his brother Mohammad lying on the floor on his stomach, with a large blood stain underneath him. Mohammad was not moving. He was rushed to the hospital and attempts were made to save his life, but he was declared dead. According to the forensic report, which the family provided Addameer with a copy of it, Mohammad sustained shrapnel injuries to the neck as a result of the explosion, which led to his death. Islam also sustained shrapnel injuries to the nose and underwent a nose operation.<sup>90</sup>

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90 A field interview conducted by Addameer with Islam Manasra on 22 January 2024.

# Enforced Disappearance



## Enforced Disappearance in the Palestinian Context

Since the commencement of the Israeli aggression on the Gaza Strip, the occupying state has committed many war crimes and crimes against humanity against the civilian population in the Gaza Strip, including the crime of genocide, widespread destruction of property and infrastructure, and random arrest campaigns, including in the so-called safe passages and shelter centers. In addition to that, the crime of enforced disappearance has escalated since October 7.

With the commencement of the Israeli aggression on the Gaza Strip after October 7, and specifically with the launch of the ground offensive in numerous areas of the enclave, many photos and videos were widely spread on the media and social media platforms of large numbers of civilians in Gaza, almost naked, crowded together in large numbers in army vehicles and taken to unknown places.

Subsequently, the Office of the United Nations High Commissioner for Human Rights (OHCHR) announced on 16 December 2023 that it had received disturbing reports from the north of Gaza of mass detentions, ill-treatment, and forced disappearance of possibly thousands of Palestinians, including children, at the hands of the Israeli army forces. Most were rounded up as they were attempting to move south or were taken during operations conducted on their homes, schools, and other places of refuge. Most concerning, there were numerous reports that many of those detained were subjected to serious ill-treatment, which in some instances may amount to torture. Many, without any regard to gender or age, were forced to strip to their underwear, were blindfolded and tightly handcuffed, and were photographed in deliberately humiliating positions before being transported via military vehicles to unknown places of detention.

Of grave concern, the OHCHR also received an increasing number of reports that civilians had been killed, including in apparent extrajudicial executions, in places of refuge, particularly schools. Such incidents may constitute war crimes that must be immediately and fully investigated.

The Israeli occupation forces conducted arrest operations in various areas of the Gaza Strip. The Associated Press published a report on 14 December 2023 documenting the arrest campaigns carried out by the Israeli occupation forces in Deir Al-Balah area in north Gaza, as family members were separated, and hundreds of men were forced to strip to their underwear before being loaded into trucks and transferred to a detention camp on the beach, where they spent hours, in some cases days, subjected to hunger and cold.

“We were treated like cattle. They even wrote numbers on our hands,” said Ibrahim Lubbad, a 30-year-old computer engineer arrested with a dozen other family members on 7 December 2023. All released detainees reported Israeli soldiers shouting sexually explicit insults at women and children and beating men with their fists and rifle butts. Many of the detainees said their wrists were blistered from tightly drawn handcuffs. Some detainees also reported that they had no food or water and were forced to share three 1.5-liter bottles with some 300 fellow detainees in one night. Construction worker Nader Zindah said he was fed meager scraps of bread over four days in custody.

Numerous Israeli officials declared and incited the arrest campaigns carried out by the Israeli occupation forces in north Gaza. “We will continue to dismantle each and every one of Hamas strongholds until we finish in Jabalia and Shujaeya and then continue,” Israeli government spokesperson Eylon Levy said, signaling the military would widen its campaign as ground forces press deeper into the south. “We will, of course, determine who needs to be arrested, detained, and brought to justice as a Hamas terrorist and who does not,” Levy said.

“This is already helping us, and it will be crucial for the next stage of the war. That’s the stage where we clean areas from all the remnants of Hamas,” said Yaakov Amidror, a former national security advisor to Prime Minister Benjamin Netanyahu. In a post on X, the deputy mayor of occupied Jerusalem, Aryeh King, called for the Israeli army to bury alive Palestinian civilians captured in Gaza, describing them as ‘Nazis’. The post made specific reference to footage published by the Israeli army showing captured Palestinians stripped to their

underwear and kneeling on the ground. “Burying them alive is the only way to deal with them, as they are nothing but a group of ants.”<sup>91</sup> An Israeli government spokesman, Eylon Levy, insisted that “All men we see in the circulated photos are suspected terrorists. and that Israeli forces are detaining everyone present in the areas where evacuation orders were issued, namely all northern areas and parts of the south, to determine who the “terrorists” are.”<sup>92</sup>



“It isn’t clear on what basis Israel is holding them and it raises real serious questions. Civilians must only be arrested for absolutely necessary and imperative reasons for security,” said Omar Shakir, Human Rights Watch’s regional director,<sup>93</sup> in response to the horrific mass arrests conducted by Israeli army forces against hundreds of Palestinian men, women, and children.

## **Military Camps: The Reality of Torture of Gaza Prisoners**

October 7 marked a turning point in the type of the arrests carried out by the occupation army against Palestinians in the Gaza Strip. The occupation forces launched large-scale mass arrests targeting Palestinian workers from Gaza, some of whom had been arrested while they were in their workplaces inside the 1948 occupied territory, even though they had valid work permits and their presence was legal before October 7, but their permits were canceled following the events. Others were arrested while on their way to work. Some Palestinians seeking treatment in the 1948 occupied territory were also arrested.

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91 Al Jazeera. “Israeli official calls for burying Gaza prisoners alive.” 9 December 2023.  
<https://tinyurl.com/vvkywdrf>

92 The Guardian. “Footage Shows IDF Parading Scores of Palestinian Men Around in Underwear”. 8 December 2023.  
<https://www.theguardian.com/world/2023/dec/08/footage-idf-israel-military-parading-palestinian-men-around-in-underwear>

93 Associated Press News. “Hungry, thirsty and humiliated: Israel’s mass arrest campaign sows fear in northern Gaza”. 14 December 2023.  
<https://apnews.com/article/palestinians-detained-israel-hamas-gaza-war-0ecb-c338e4024add059b87b38022086d>

The occupation authorities announced the existence of two military camps to detain Palestinians from Gaza, including Sde Tieman camp near Beersheba, and Anatot camp near Jerusalem, while refusing to disclose any further information about them. However, detention locations were not limited to these two camps, as some workers were detained in Ofer Prison.



Detainees from Gaza in "Sde Tieman" military detention center - Al Jazeera from the Israeli press

The occupation authorities did not provide any information about the nature of these facilities, conditions of detention, or the number of Palestinians detained there. According to data from the Palestinian Ministry of Labor, the number of workers from Gaza who were present in the 1948 occupied territory before October 7 was approximately 10,300 Palestinian workers, 3,200 of whom were released at Karm Abu Salem crossing on 3 November 2023. Some of them still wore plastic tags on their wrists bearing numbers, and they were released from the detention centers where they were being held. Approximately 6,441 workers were deported to the West Bank governorates, while around 1,000 workers remained missing.<sup>94</sup> Not only were workers arrested, but large numbers of Palestinians were arrested inside Gaza following the genocidal war.

After their release, some of the Gaza detainees spoke to Palestinian media about the conditions of the detention camps and the inhumane circumstances they endured, which amounted to torture. The captives affirmed being held in the open air, with their hands being cuffed throughout their detention, in addition to being blindfolded. They also reported being subjected to starvation and thirst, denied medical treatment, as well as being held in unclean places that do not meet the minimum standards of human life.

Some of the released workers spoke to Addameer about the inhuman treatment they were subjected to during detention. N. D. reported that while he was with 70 other workers in a rented house in Rahat area on 10 October 2023,

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94 Figures obtained by Addameer from the Palestinian Ministry of Labor and include the number of workers as of 8 November 2023.

they were evicted by the landlord and were transferred to Rahat police station, where they were held in an outdoor, unroofed courtyard within the facility, with their hands cuffed with plastic ties, feet shackled, and blindfolded, for almost 12 hours. During their detention, they were repeatedly beaten by police officers, attacked by military dogs, and kept under the sun without food or water.

Afterward, the workers were transferred to Ofer Prison, where they were held in a barracks with an area of about 700 square meters, divided into two sections; with each section holding around 150 workers. The conditions in the cells were extremely poor, as each section contained only three portable toilets and lacked any showers. Both the cells and the toilets did not contain any personal hygiene supplies, such as soap or toilet paper.

"Every day, 10 detainees were transferred for interrogation, with each interrogation session lasting no more than 15 minutes, yet the transfer to the interrogation facility within Ofer Prison took four hours, as we were subjected to a complete search when going to and returning from interrogation," said liberated prisoner N. D.<sup>95</sup>

Liberated prisoner A. M. explained that he was arrested on 24 December 2023 after his house, which is located in the area between Al-Bureij and Al-Maghazi, was raided by an Israeli military intelligence officer and around 10 soldiers. A. M. was handcuffed behind his back, blindfolded, and was not allowed to change his clothes. Then, he was taken to an abandoned house and interrogated for two hours while bound and blindfolded. The next day, he was transferred to an unknown place, where he was examined by a doctor.



A. M. reported that he was a cancer patient, but he could not complete his treatment. "I was ordered to take off my clothes, and I was given a gray prison jumpsuit. I was forced to sleep on a concrete floor. When I woke up the next day, I was told that I was in an army camp," said A.M.<sup>96</sup>


95 Field interview conducted by Addameer with N. D. on 23 October 2023 after being released from Ofer Prison.

96 A phone interview conducted by Addameer with liberated prisoner A. M. on 20 February 2024.



N. D. spoke of the painful handcuffing to which detainees were subjected in military camps. "When I was arrested, my hands were cuffed with plastic tied, but when I reached the army camp, I was cuffed with metal cuffs in front of my body. Throughout my detention, I was cuffed and blindfolded until I was released."<sup>97</sup> Dozens of liberated detainees confirmed through the media that they had been subjected to severe beatings and torture at the hands of the occupation forces in military camps. They also stated that the Israeli forces unleashed military dogs at them, in addition to being held in extremely harsh conditions and being given a thin mattress and a thin blanket.

The Palestinian Center for Human Rights (PCHR) published shocking testimonies of released detainees who were arrested from Gaza, abused, taken to unknown destinations after field investigation, assaulted while they were blindfolded, handcuffed, and half-naked, and detained in inhumane conditions in Israeli prisons and military camps.



33-year-old freed detainee, Abdulqader Tafesh, from Jabalia refugee camp in north Gaza, reported on the circumstances of his detention. "After my arrest on 12 December 2023, and the field investigation, which included torture, handcuffing, and other things, I was transferred with scores of detainees by a truck to a prison facility in Erez. One soldier got into the truck and urinated on us. My detention lasted for a few weeks and was characterized by difficulties and torture, which resulted in a difficult psychological state, damage to my nerves, difficulty moving, a state of hysteria and forgetfulness, and an inability to sleep."<sup>98</sup>

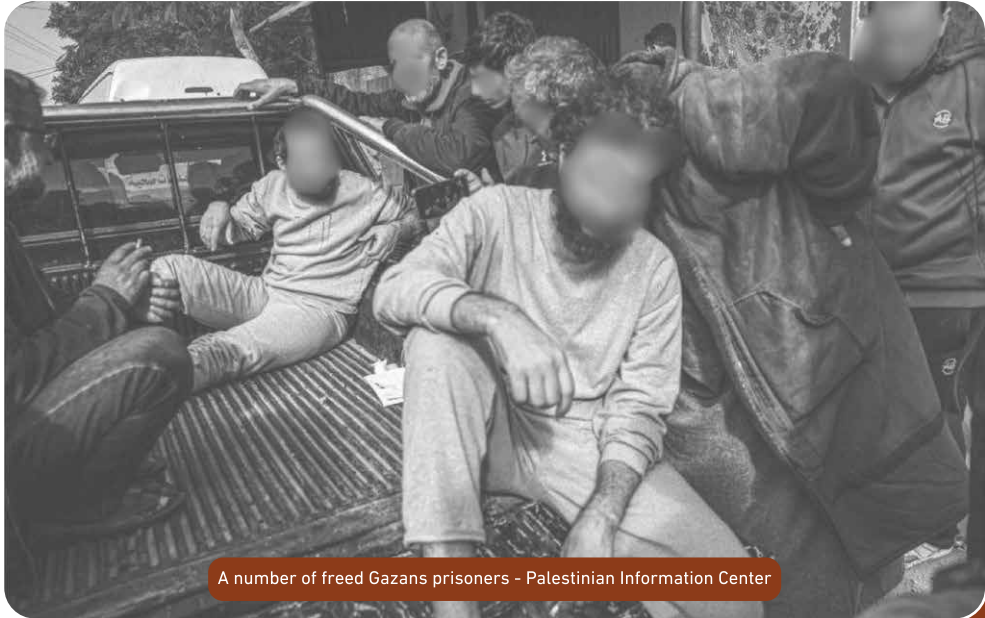
Thirty-two-year-old freed detainee Rushdi Zaza was subjected to similar violations. "After my arrest, we were transferred to a detention facility inside Israel, which was a barracks holding around 100 detainees. I was interrogated

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97 Field interview conducted by Addameer with N. D. on 23 October 2023 after being released from Ofer Prison.

98 Palestinian Center for Human Rights. "They arrested me from the hospital and tortured me despite my injury." 22 March 2024. <https://tinyurl.com/yc49pmyv>

there. I was moved to multiple detention facilities, but I did not know their locations or names. Every time, there were rounds of interrogation and beatings all over my body. During my detention, I was not brought before a court, a lawyer, or a judge. I felt that my detention, and that of others, was an act of revenge.”<sup>99</sup>



A number of freed Gazans prisoners - Palestinian Information Center

## Israeli Courts Complicit in the Crime of Enforced Disappearance

The Israeli authorities detain Palestinian residents of Gaza under a law that does not guarantee the right to meaningful judicial review and violates due process rights. The Unlawful Combatant Law, enacted by the Knesset in 2002, permits the Chief of General Staff of the Israeli forces to incarcerate a person based on ‘reasonable cause’ that ‘he is an unlawful combatant and that his release will harm national security.’

The law defines an unlawful combatant as a person ‘who has participated either directly or indirectly in hostile acts against the State of Israel or is a member of a force perpetrating hostile acts against the State of Israel.’ The

<sup>99</sup> Palestinian Center for Human Rights. “This is how I was arrested with my wife and tortured.” 7 April 2024. <https://tinyurl.com/4cdc8the>

law provides that the court presumptively accepts the Defense Ministry's finding that the organization in question is a 'hostile' force and that membership makes the detainee 'a person whose release would harm State security.'

These presumptions impose the burden on the detainee to prove that they are not a threat, instead of placing the burden of proof on the state authorities, as international human rights law requires.<sup>100</sup> The secrecy of the evidence makes it virtually impossible for the detainee to meaningfully challenge the allegations.



In addition, the scope of the court's review in a detention renewal hearing is limited to determining whether the authorities' use of discretion was reasonable, which is even further limited by the law's presumptions.

Since the occupying state declared a state of emergency, it has introduced a set of legal amendments to the Unlawful Combatant Law, under which Palestinian residents from Gaza are dealt with, and it is similar to administrative detention. Among the key amendments that were introduced to this law is extending the detention to 45 days, and the judicial review now occurs within 75 days. In addition, detainees can be prevented from meeting with their lawyers for 180 days.<sup>101</sup> In this context, we note that since the beginning of the Israeli aggression, the Israeli authorities have refused to allow the International Committee of the Red Cross to visit Palestinian detainees, whether in prisons or army camps.

International law does not recognize the status of 'unlawful combatant,' but sets out protections for civilians engaged in hostilities in the Fourth Geneva Convention that would apply to Palestinians from Gaza held under the Unlawful Combatants Law. Under the Fourth Geneva Convention, the occupying

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100 Human Rights Watch. "Gaza: Unlawful Combatants Law Violates Rights." March 2017 <https://www.hrw.org/news/2017/03/01/gaza-unlawful-combatants-law-violates-rights>

101 To learn more, see the chapter on Legal Amendments.

power may use administrative detention ‘for imperative reasons of security.’ In practice, the Unlawful Combatants Law strips individuals of the rights and protections guaranteed in international humanitarian law for prisoners and detainees.

With the legal amendments that were made to the Unlawful Combatant Law, and in light of the occupying power’s refusal to disclose any information regarding the detainees from Gaza in terms of their numbers, and the conditions and places of their detention, a group of Israeli human rights organizations submitted a number of petitions to Israel’s High Court, requesting that the court instruct the Israeli Army, Prison Service, and the Israeli Police to disclose the names and whereabouts of all Gaza residents being held in Israeli detention centers.<sup>102</sup> The response to this petition was to disclose the whereabouts of only ten detainees. There were multiple petitions submitted by Israeli human rights organizations, all of which sought to obtain information about Gaza detainees, and to demand disclosure of their whereabouts and the legal grounds for their detention, as well as their release as long as their detention is lawful.

In a petition submitted on 22 October 2023 to determine the whereabouts of more than 400 Palestinians from Gaza who were held after October 7, the occupying state announced that the responsible body for addressing this matter was the National Security Council. The latter disclosed the whereabouts of a limited number of detainees without disclosing the legal grounds for their detention. Another petition was submitted on 12 December 2023 to the High Court of Justice to issue writs of habeas corpus for Palestinians from Gaza, whose place of detention remained unknown. The Center for the Defense of the Individual – HaMoked demanded that the State disclose the detainees’ current whereabouts, which authorities were holding them, the law underlying their incarceration, and the circumstances surrounding the putative release of

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102 HaMoked. “Six human rights organizations in High Court petition: Thousands of Palestinian permit-holders from Gaza are being held in Israel secretly and illegally; Order the Israeli authorities to disclose the names and locations of all detainees and release those unlawfully detained to the West Bank.” 23 October 2023. <https://hamoked.org/document.php?dID=Up-dates2378>

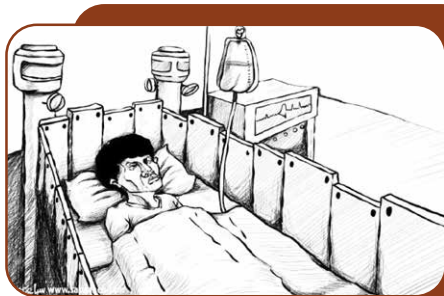
some of them. HaMoked also requested the release of the detainees insofar as they were held unlawfully, or in locations that were not official incarceration facilities.

However, the occupying state delayed responding to the petition until the High Court summarily rejected the petition on 18 February 2024.<sup>103</sup> Again, the Court unreservedly adopted the State's position and ruled that 'the petition in hand concerns different petitioners whose matters vary one from the other, and the matters of different petitioners should not be brought together in the same petition.'

Given the decisions of the Israeli courts in rejecting all petitions submitted by human rights organizations, and only disclosing the whereabouts of certain individuals listed in these petitions, while maintaining the legal basis for secret detention, it is evident that such detentions are arbitrary and that the State is deliberately refusing to disclose the whereabouts or circumstances of Gaza detainees to cover up the crimes committed against them in various places of detention, whether in army camps or Ofer Prison. Rejecting these petitions implies sentencing these detainees to be subjected to numerous types of cruel and inhuman treatment, and the continuation of the crime of enforced disappearance against them.

## Unknown Fate After Hospital Arrests

Although hospitals are considered civilian buildings protected under international law, the occupying state has begun attacking and bombing hospitals and those in them since October 7. Dozens of Israeli physicians were part of this practice, as they incited crimes against hos-



103 HaMoked. "Hight Cort of Justice Rejected HaMoked's Petition to Reveal the Whereabouts of 62 Gazans Incarcerated in Israel and Thus Again Sanctioned Protracted Incommunicado Detention". 18 February 2024.

<https://hamoked.org/document.php?dID=Updates2389>

pitals and signed a letter calling for the destruction of Gaza Hospitals.<sup>104</sup> In addition, Gaza hospitals were besieged, and patients were either arrested or instructed to leave.

On 12 December 2023, the occupation forces launched a series of air strikes in the vicinity of Kamal Adwan Hospital in Beit Lahia in north Gaza, following several days of siege and shelling of the hospital. The Israeli forces imposed a security cordon on the hospital and detained 1,000 to 1,200 Palestinians mostly men and boys aged between 16 and 65 years old, including medical staff. In a press conference held in the hospital courtyard, the Director General of the Ministry of Health in Gaza stated that more than 70 medical staff, including Dr. Ahmad Al-Kahlot, General Director of the hospital – were arrested and taken to an unknown location.<sup>105</sup>

Also on December 12, the World Health Organization expressed concern over the Israeli occupation forces' prolonged checking process and detention of a Palestinian Red Crescent Society staff member during a joint mission to supply and evacuate Al-Ahli Hospital in northern Gaza. 'WHO' reported that the Israeli forces seized a staff member of PRCS, and forced him to kneel at gunpoint, and was taken out of sight, where he was reportedly harassed, beaten, stripped naked, and searched. The staff member was released later that night but left to walk south with his hands still tied behind his back, without clothes or shoes.<sup>106</sup>

On December 17, after a siege that lasted 16 days, Israeli military forces unlawfully detained and forcibly disappeared human rights defender and head of Al-Awda Hospital Ahmad Muhanna. At the same time, 21 other people, in-

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104 Al Jazeera. "Israeli physicians call for the bombing of Gaza hospitals." 5 November 2023. <https://tinyurl.com/2c9fmdvn>

105 Al Jazeera. "The Israeli occupation army unleashes military dogs on those besieged at Kamal Adwan Hospital." 17 December 2023. <https://tinyurl.com/5ytsv43t>

106 Relief Web. "UN Human Rights Officer – OPT: Disturbing reports from the North of Gaza of Mass Detention, Ill-treatment and Enforced Disappearances of Possibly Thousands of Palestinians". 16 December 2023. <https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-office-opt-disturbing-reports-north-gaza-mass-detentions-ill-treatment-and-enforced-disappearances-possibly-thousands-palestinians>

cluding staff members, were initially detained, bound, stripped of their clothes, and released after several hours of interrogation and ill-treatment, except for Ahmad Muhanna, who remained in custody.<sup>107</sup>

Al-Shifa Hospital was also besieged in November. After days of siege, specifically on 13 November 2023, journalist and activist Mohammad Obaid was able to leave the hospital, and the next day he managed to travel along a safe passage on Salah al-Din Street, which separates the northern area from the southern



area. However, Obaid was arrested by the occupation forces after arriving at Al-Humaidat metal gates placed by the Israeli army near Al-Kuwaiti roundabout. Obaid was forced to strip to his underwear, and he was tied up, blindfolded, and taken to a place close to Netzarim area, where he was interrogated by an intelligence officer and beaten by soldiers, mostly on the head.

On the same day, Obaid was transferred with other detainees to Be'eri settlement, where he was held with 80 to 100 Palestinians in a barracks, part of which had an open roof, for eight days, during which they were handcuffed and blindfolded. "The food was very bad and was merely to keep you alive. It was impossible to eat and get full throughout the detention. As for water, there was a water tap outside the bathrooms that we used to drink," explained Obaid about the conditions of detention.<sup>108</sup>

Eight days later, Obaid was transferred to Naqab Prison, along with 25 detainees. Upon arrival, Obaid was taken to the medical examination room, where

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107 Front Line Defenders. "Deep Concern at the Enforced Disappearance, Detention and Ill-treatment of Human Rights Defenders in the Gaza Strip". 20 December 2023. <https://www.frontlinedefenders.org/en/statement-report/israelopt-deep-concern-enforced-disappearance-detention-and-ill-treatment-human>

108 A phone interview conducted by Addameer with released prisoner Mohammad Obaid on 24 January 2024.

six soldiers severely beat him while he was blindfolded until his face bled. After that, a prison doctor entered the room, removed Obaid's blindfold, and asked him what had happened to him. Obaid replied that the soldiers assaulted him, but the doctor turned away, and the soldiers continued beating Obaid. Afterward, Obaid was led to the abandoned tent sections, and his handcuffs and blindfold were removed. The detainees were forced to sleep on thin mattresses, and because of overcrowding, they had to place two mattresses on the floor crosswise for three detainees to sleep on, and each was given a light blanket. The bathrooms had no hot water, and there were no personal hygiene items, including clean clothes. The detainees were allowed yard time, but not every day. Obaid was detained in Naqab Prison for 45 days without charge or trial.<sup>109</sup>

### Robbed of Their Identity and Number-Tagged

A large number of the Palestinians who were arrested from Gaza are held in the Israeli army-run Sde Tieman camp in Beer-sheba. Palestinians released from this camp confirmed to the media that they were subjected to torture and starvation, and were held in inhumane conditions, as they were



Identification numbers for detainees - Sama News

kept cuffed and blindfolded for long periods of the day, if not all of it, and were forced to kneel for long hours during the day. As for the wounded and sick who were incarcerated in this camp, their suffering was double. The Israeli army established a field hospital in this camp to hold the wounded and sick. Following a visit to the camp, a Medical Ethics Affairs Committee confirmed that the detainees held in this facility were not identified by name, but were rather given a five-digit military identification number, and all of them, including the patients in the field hospital, had their hands and legs shackled to their beds for most of the day.

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<sup>109</sup> Ibid.



Furthermore, doctors in the field hospital do not specialize in performing complex surgeries, and thus doctors from outside the facility are called to provide advice. In critical cases, a detainee is transferred to a civilian hospital, but they are discharged very early.<sup>110</sup> These measures may be one of the main reasons that led to the death of 27 Palestinians in these camps. Although this facility is affiliated with and run by the Israeli army, the Israeli Ministry of Health also participates in the management of this facility and therefore bears a large part of the responsibility for all these medical crimes and the inhumane conditions endured by Palestinian detainees. This is evident through an announcement issued by Israel's Ministry of Health that Palestinians detained during the first days of the war would not receive medical treatment in Israeli hospitals, and that they would be transferred to medical facilities affiliated with either the Prison Service or the army, without providing details about the capacity of such facilities to provide patients with medical treatment.<sup>111</sup>

The directives of the Ministry of Health stipulate that detained Gazans would not be transferred to civilian hospitals to receive medical treatment, unless a detainee's injuries are life-threatening or could lead to serious and irreversible damage or disability,<sup>112</sup> provided that the necessary medical treatment is not available in the 'military' healthcare facility.<sup>113</sup> These directives reveal the Ministry of Health's decline to provide appropriate medical treatment to Gaza detainees – especially the wounded and sick – in need of special medical care that cannot be provided in army camps or the Ramla Prison clinic.

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110 Arabs 48. "Report: Israel robs Gaza detainees of their identities and tags them with numbers." 12 March 2024.

<https://tinyurl.com/39rmpeja>

111 Adir Yenko and Ilana Curiel. "Following protests: The Ministry of Health claims that a hospital will be established for Gazan terrorists." 13 years. *After the Storm: The Ministry of Health claims that a hospital will be built for those who carried out attacks from Gaza* (ynet.co.il)

112 Serious and irreversible disability is defined per the guidelines of the Israeli Ministry of Health as the loss of the functioning of a critical organ; such as the amputation of a limb, the loss of an eye, or the loss of functioning of a critical organ.

113 Physicians for Human Rights. "Medical ethics and the detention of Gazans since the start of the 2023 war." 18 April 2024. <https://www.phr.org.il/en/shut-down-the-sde-teiman-facility-now/>

## Gaza Strip Detainees in Underground Cells ►►

"They should not see the light of the sun, and their imprisonment should be on minimal conditions," declared Ben-Gvir following a visit to what they called "Nukhba detainees"<sup>114</sup> on 15 November 2023, as he ordered the reopening of the underground wing of Nitzan Prison in Ramla to be used to house the "Nukhba detainees". The wing is located underground, with no sunlight, and its cells are small in size. Due to its very harsh conditions, it was closed years ago. However, Ben-Gvir's request came as part of the Israeli occupation's systematic approach of placing Palestinians in solitary confinement.



Israeli Channel 13 broadcasted a video report on 18 February 2024 about the inhuman and harsh conditions in which the "Nukhba detainees" are held. The report showed detainees held in small, crowded cells; with up to seven detainees per cell.<sup>115</sup> These cells are stripped of the necessities of life, containing double metal bunk beds with no mattresses, pillows, or blankets, and there are no toilets in the cells. The report indicated that bread and yellow cheese were provided as food for these detainees and nothing else. The detainees' legs are shackled all day long, and there is a chain between the shackles that intertwines two detainees. This was confirmed by Katy Perry, the former head of the Israel Prison Service, adding that 'Elite' detainees are kept shackled even while they are inside the cells.<sup>116</sup> In addition, Israel Hay [Israel is alive] song is constantly played, claiming that it lifts the spirits of the Israeli jailers, but the purpose of these songs is psychological warfare on the detainees and a form of torture practiced on them. The video also showed a surveillance camera in the corner of the cell. The detainees appeared kneeling on the ground with bowed heads, and the guards entered the cells accompanied by a police dog.

Despite the harsh and aggravating conditions in which detained Gazans are held, Ben-Gvir dismissed the head of the Prisons Service, Katy Perry, claiming that she was lenient with the detainees, and appointed a new commissioner.

114 The Nukhba is the commando unit of Al-Qassam Brigades, the military wing of Hamas. The Israeli authorities claim that this unit led Al-Aqsa Flood Operation on October 7.

115 <https://youtu.be/jBp7eEHH2fo?si=ZJEmU4z3upcoqOna>

116 Madar Center. "What is happening now in Israeli prisons: forced disappearance, abuse and death of Palestinian detainees!" 29 January 2024. <https://rb.gy/f3xrp6>

## Gaza Detainees in Ofer Prison

Some of the Gaza detainees are held in Section 23 of Ofer Prison, while others are held in tents set up in the prison's courtyards. Human rights organizations or independent lawyers were denied visits to these detainees due to the occupying state's policy of enforced disappearance against them. However, the testimonies collected from Palestinian prisoners in Israeli prisons and those detained in adjacent sections indicated that they constantly hear the sounds of detained Gazans screaming while being tortured, in addition to hearing them barking. "We hear the sounds of beatings with sticks, and the screams of detainees coming from Section 23. We hear them saying Israel hay in Hebrew, and we also hear them barking [...] Sometimes the guards go and assault them during security checks. Then they reach the section I am in, panting,"<sup>117</sup> reported prisoner Ibrahim Al-Zuhairi to his lawyer during a visit to Section 24.

Prisoner Adnan Habiye, who is also held in Section 24, told the defense lawyer, "We were hearing sounds of beatings and screaming all day long from Section 23."<sup>118</sup> Prisoner Mohammad Al-Qadi, who is held in Section (15), Cell No. (4), confirmed that he saw a detainee while Al-Qadi was being taken out for a visit. The detainee's hands and feet were cuffed and he could not walk. "The detainee looked like a skeleton."<sup>119</sup> Most of the prisoners visited by the defense lawyer recounted hearing the sounds of the detainees screaming in Section 23, mostly at dawn hours, in addition to hearing the sounds of dogs barking.

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117 A lawyer visit to prisoner Ibrahim Al-Zuhairi in Ofer Prison on 10 December 2023.

118 A lawyer visit to prisoner Adnan Habiye in Ofer Prison on 8 November 2023.

119 A lawyer visit to prisoner Mohammad Al-Qadi in Ofer Prison on 3 January 2024.



Released detainee O. W. spoke to Addameer about the conditions of the tents in which he was detained with others in Ofer Prison. The prison administration set up tents in the courtyards, the area of each tent is estimated at 150 square meters, and each is surrounded by a five-meter-long wall, with a metal fence and guards stationed between the wall and the courtyards. The Prison Service held between 230 and 250 detainees in the tents. The floor of the tents was sandy, with nothing inside but mattresses and blankets, which were insufficient for all the detainees.

Due to the small size of the tent compared to the number of detainees held in it, some of the detainees slept outside. “The tent was inadequate for everyone. Some of us slept outside. It was very cold, and there were detainees without mattresses or blankets. More than once it rained on us, so we entered the tent but remained standing because there was not enough space to sleep. There was nothing inside, and four detainees shared the same blanket.”<sup>120</sup>

Detained Gazans suffered from a lack of cleanliness in these tents, as there were no cleaning tools, nor even personal hygiene materials. Showers were outside the tents, but hot water was not available at all, and the prison administration did not provide spare clothes for the detainees. O. W. spoke about the policy of medical neglect and procrastination in providing medical treatment to individuals with chronic diseases, such as heart disease. “I suffer from heart problems, and I need an inhaler. I, however, refused to go out to the clinic because the jailers used to blind those who went out to the clinic, tie them up, and assault them before our eyes.”<sup>121</sup>

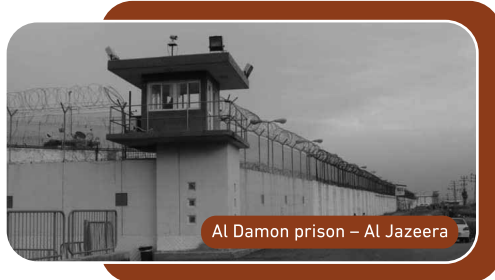
<sup>120</sup> A phone interview conducted by Addameer with released detainee O. W. on 7 November 2023.

<sup>121</sup> Ibid.

## Gaza Women Detainees in Damon Prison

In parallel with the fierce and widespread mass arrests carried out by the Israeli occupation forces against Palestinian women in the Gaza Strip, in light of the crime of genocide and the enforced disappearance of Gazans, human rights organizations were able

to obtain information regarding the detention of a number of Gaza women in Damon prison. However, the prison administration refused to disclose their names, numbers, and conditions of detention. Although visits to these women detainees were denied, some lawyers were able to find out their names, through women prisoners from the West Bank and the 1948 occupied territory held in the same prison, but in different rooms with no communication with them.



However, the Prison Service rejected all visitation requests submitted by all parties, including Israeli organizations, such as Physicians for Human Rights, which had submitted a request to visit 82-year-old Alzheimer patient Fahmi-yeh Antar. PHR managed to obtain Israeli court approval to visit her due to the privacy of her situation, but the IPS had released her before allowing anyone to visit her and check on her health condition. Antar was arrested in Gaza along with her assistant.

What confirms the random and retaliatory arrests carried out by the occupation forces in Gaza is breaking into safe houses, carrying out field executions of homeowners, and arresting women. Cases of arrests of grandmothers and their grandchildren were documented, as they were held in Damon Prison. For instance, the occupation forces arrested more than seven women from Abu Shamla family.

The testimonies of released Gaza female prisoners that were published in the media, and were also collected by human rights organizations, confirmed

that they endured severe abuse during arrest and detention, humiliating strip searches, handcuffing, and blindfolding. They were held in group isolation cells that did not contain the most basic necessities of life, banned from communicating with anyone inside or outside the prison/army camps, and were cut off from news of their families throughout their detention.

Released detainee F. M., was arrested from the West Bank only because she is originally from Gaza, and was detained in Anatot army camp. She confirmed that she was handcuffed and blindfolded throughout her detention, forced to take off her hijab, and prevented from communicating with other detainees. She reported that they were sleeping on the floor on light blankets, and she was only given one Acamol pill throughout her detention, even though she had cancer and was being treated before her arrest.

Some of the released female detainees noted that they were arrested in what Israel called 'safe passages' while fleeing their homes. One female detainee was forced to leave her children in the custody of a stranger, and she was arrested and separated from her children. The same was confirmed by the other female detainees in Damon Prison.

These cases are merely simple cases that human rights organizations were able to access or document through the media. Due to the cutting off of communications from Gaza due to the bombing and shelling, and in light of the strict ban on visits to Gaza male and female detainees in Israeli prisons, human rights organizations are still facing extreme difficulty in documenting what these female captives were subjected to.

## **The Execution of a Palestinian Young Man by an Israeli Soldier**

Since the start of the Israeli ground incursion into several areas in Gaza, human rights organizations have been able to collect information and testimonies about the harrowing crimes committed by Israeli forces in the targeted areas, including field executions of civilians after raiding their homes, and the execution of men by gunshots. The media published a set of pictures showing a group of Palestinian young men with their hands tied, after being executed

and thrown by the occupation forces. These crimes were committed against unarmed civilians, and a photo was widely circulated on social media, showing the hand of a young Palestinian man who was deliberately run over by Israeli tanks. As for women and children, they were abused and held in rooms separate from males. Moreover, there are cases in which women were arrested from their homes after executing their families and taken to unknown locations.

Field executions were carried out by the occupation forces from inside military vehicles and high-rise buildings, during which Palestinian civilians were targeted by Israeli snipers, whether while they were inside their homes, during attempts to move in residential areas, while fleeing to other areas, or during an arrest. This is what happened to a Palestinian man who was apprehended on 30 December 2023 in north Gaza. Following an interrogation, the prisoner was handed over to a soldier assigned to guard him. The soldier, however, opened fire on the prisoner, killing him, and later claimed that he felt 'threatened'. On December 31, the Israeli police opened an investigation into this case.

Euro-Med Human Rights Monitor confirmed it had received hundreds of reports regarding Palestinians going missing in the Gaza Strip. It is suspected that these people were taken into custody directly from their homes or shelter centers during raids by Israeli forces, following Israel's ground invasion of Gaza; dozens of them were subjected to arbitrary and extrajudicial executions.<sup>122</sup>

Although the media and journalists are covering what they can of the Israeli occupation crimes in Gaza, there is unclear information regarding Gaza detainees, the violations they are subjected to, and the legal basis for the detention of hundreds of thousands of them, amid the crime of enforced disappearance which the Israeli authorities have been deliberately committing since the start of the aggression against Gaza. The occupying state is still utilizing all its ca-

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122 Euro-Med Human Rights Monitor. "Following Reports of Execution, Intl. Community Must Pressure Israel to Reveal Whereabouts of Hundreds of Gazan Detainees". 4 January 2024. <https://euromedmonitor.org/en/article/6077/Following-reports-of-executions-intl-community-must-pressure-Israel-to-reveal-whereabouts-of-hundreds-of-Gazan-detainees>

pabilities to cover up its crimes against detained Gazans. The information obtained by Palestinian or Israeli rights groups does not constitute part of the abuse and crimes committed against detainees.

International humanitarian law conventions do not refer to the term 'enforced disappearance' itself. However, enforced disappearance violates, or threatens to violate, multiple customary rules of international humanitarian law; in particular the prohibition of arbitrary deprivation of liberty (Rule 99); the prohibition of torture and other cruel or inhuman treatment (Rule 90); and the prohibition of murder (Rule 89). In addition, in international armed conflicts, information must be exchanged regarding persons deprived of their liberty and enforced disappearance is prohibited (Chapter 37). In non-international armed conflicts, parties are also required to take steps to prevent disappearances, including recording and notification of personal details of persons deprived of their liberty (Rule 123), and consideration must also be given to the rule that each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate (Rule 117).

The cumulative conclusion of these rules is that enforced disappearance is prohibited in international humanitarian law. Nevertheless, the occupying state continues to blatantly violate international law, practices the crime of enforced disappearance of Palestinian detainees, and refuses to disclose any information it has on their fate.



## Enforced Disappearance in International Law

According to Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance, “enforced disappearance is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”<sup>123</sup>

The Convention also indicated in Article 1 that no one shall be subjected to enforced disappearance and prohibited the invocation of any exceptional circumstances, whether a state of war or internal conflicts, to justify enforced disappearance. Article 24 specifies the definition of a victim as “the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance. The victims of enforced disappearance have the right to obtain reparation and prompt, fair, and adequate compensation.”<sup>124</sup>

This Convention is not the only convention that prohibits the crime of enforced disappearance. Rather, the rules of international humanitarian law published by the International Committee of the Red Cross in 2005 prohibit the act of enforced disappearance, as Rule 98 stipulates that “Enforced disappearance is prohibited in international and non-international armed conflicts.”<sup>125</sup> The systematic practice of enforced disappearance is considered a crime against humanity, according to Article (7)(1)(I) of the Rome Statute of the International Criminal Court, whereas Article 7(2) defines enforced disappearance as “the

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123 International Convention for the Protection of All Persons from Enforced Disappearance, Article (1).

<https://www.ohchr.org/sites/default/files/disappearance-convention.pdf>

124 International Convention for the Protection of All Persons from Enforced Disappearance, Article (24).

<https://www.ohchr.org/sites/default/files/disappearance-convention.pdf>

125 International Humanitarian Law Database. Rule 98. Enforced Disappearance.

<https://ihl-databases.icrc.org/en/customary-ihl/v1/rule98>

arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.”<sup>126</sup>

Considering the definition contained in the International Criminal Court’s statute of enforced disappearance, we see that the crime consists of multiple key elements, the most important of which are (1) The perpetrator, the arrested, detained, or abducted one or more persons, (2) The perpetrator was aware that such arrest, detention or abduction would be followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of such person or persons, (3) The perpetrator intended to remove such person or persons from the protection of the law for a prolonged period of time, and (4) The perpetrator knew that the conduct was part of or intended the conduct to be part of a widespread or systematic attack directed against a civilian population.<sup>127</sup>

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126 <https://www.icc-cpi.int/sites/default/files/Publications/Rome-Statute.pdf>

127 International Criminal Court. Elements of Crime. Adopted by the Assembly of States Parties to the Rome Statute of the International Criminal Court, First Session, New York, 3-10 September 2002. <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>

# Prison Violence





## Prison Violence

Palestinian prisoners endure severe levels of torture, degradation, and inhumane treatment inside Israeli prisons. These violations are evident in the mistreatment of sick, wounded, and hunger-striking prisoners, as well as the torture inflicted on healthy prisoners. The policy of torture and inhumane treatment has long been employed by the occupying state against prisoners. The prisoner movement has documented cases where prisoners developed diseases, disabilities, or died as a result of military interrogations. Furthermore, excessive force has been used by prison units or special forces during raids on prison sections, resulting in injuries or fatalities among the prisoners.

While the policy of violence has been ongoing, the Prison Service launched an unprecedented attack on prisoners in all Israeli prisons after October 7, implementing several policies that turned prisons into death traps for Palestinian prisoners. The policy of physical assaults emerged in terms of severe beatings with sticks and batons, and the use of tear gas canisters during raids on detention cells, or security checks. A large number of prisoners in various prisons reported being subjected to severe beatings at the hands of prison units or special units. These physical assaults were accompanied by depriving prisoners of any medical aid or transferring them to prison clinics, which in many cases led to the prisoner being left on the ground bleeding for long hours or suffering from the effects of injuries, which eventually led to multiple deaths during the year.

The number of martyrs within the prisoner movement has reached 233. Some of these individuals succumbed due to deliberate medical neglect by the Prison Service, while others died as a result of severe beatings and torture in Israeli prisons. This number is the number of martyrs before the year 2023. From the beginning of 2023 until October 7, child prisoner Wadea Abu Ramoz was martyred on 25 January 2023, after he was injured following the storming of the town of Silwan, and his death was announced after being detained in the hospital. Prisoner Ahmad Abu Ali from Yatta near Hebron was martyred on

10 February 2023 due to the policy of medical neglect and procrastination in providing treatment, while prisoner Mahmoud Hamdan was detained and executed by the occupation forces on 1 March 2023. In addition, prisoner Khader Adnan was killed on 2 May 2023, after he began an open hunger strike that lasted for 86 days.

Continuing testimonies and reports reveal the severe ill-treatment and torture inflicted upon Palestinian prisoners in Israeli prisons. Prisoners of various ages and factions have confirmed being subjected to brutal beatings and deliberate medical neglect amounting to torture. These violations represent significant tactics employed by the Prison Service to undermine the prisoners' resolve. Following October 7, testimonies from prisoners and the conditions of those released—showing signs of diseases and exhaustion resulting from beatings and torture—have confirmed an unprecedented increase in criminal acts. The prisoner movement has documented 12 deaths between October 7 and the end of February 2024<sup>128</sup>.

The first prisoner martyr after October 7 was 58-year-old Omar Daraghmeh from Tubas, whose death was announced on 23 October 2023 after being placed in administrative detention in Megiddo Prison. Daraghmeh was arrested alongside his son Hamza on 9 October 2023, and both were transferred to administrative detention for six months. Ashraf Abu Sneineh, Daraghmeh's lawyer, confirmed that Daraghmeh attended a trial session held via Zoom at Ofer military court on the same day he was pronounced dead. Abu Sneineh confirmed that the session proceeded normally, and when the lawyer asked Daraghmeh how he felt, Daraghmeh replied that he was fine. Abu Sneineh also explained that the situation in the prison, in general, was difficult, and the actions of the Prison Service with the prisoners were violent. Hours after the session was held, Daraghmeh's death was announced, raising questions about the circumstances of his death.

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128 We confirm that this number does not reflect the real number of martyrs, but rather this number is what was officially announced by the Israeli occupation authorities. However, there are reasonable doubts that there are some martyrs in the Israeli army camps in which Gaza prisoners are hidden, and the Israeli authorities still refuse to disclose their fate.

Daraghmeh is not the only prisoner whose circumstances of death remain mysterious. Prisoner Arafat Yasser Hamdan, 23, from Beit Sira near Ramallah, was martyred in Ofer Prison on 24 October 2023, two days after he was arrested by the occupation forces, and less than 24 hours after the martyrdom of Daraghmeh. Majed Zaqoul, a 32-year-old from Gaza, lost his life at Ofer Prison on 6 November 2023. Zaqoul was one of the workers arrested after October 7. It is reported that his family was not notified, but rather the news of his death was published in the media. Another prisoner from Gaza was martyred, but the occupation authorities had concealed his assassination for some time until it was announced through the media and confirmed while he was detained at Anatot army camp near Jerusalem. He remains anonymous because the occupation authorities refused to disclose his identity.

The martyrdom of prisoner Abdurrahman Marei, 33, from Qarawat Bani Hassan near Salfit, was announced on 13 November 2023, while prisoner Thaer Abu Asab, 38, from Qalqilya, was martyred on 18 November 2023 after being assaulted by the Kater unit. 23-year-old Abdurrahman Al-Bahash from the city of Nablus also died on 1 January 2024 as a result of being assaulted by the guards, and due to medical neglect and the failure to provide him with medical assistance. On 8 February 2024, prisoner Mohammad Al-Sabbar, 21, from Addahiriya near Hebron, was martyred due to a medical crime, having suffered from a congenital problem in the stomach and intestines, and was receiving regular treatment, but was deprived of treatment since his arrest. With the starvation policy implemented by the Prison Service, Al-Sabbar fell ill and was martyred as a result. The cases of these martyrs will be discussed in detail in this section.

On 12 February 2024, 16-year-old Mohammad Abu Sneineh, from the city of Jerusalem, died as a result of the wounds he sustained on February 11, after he was arrested while wounded. On 21 February 2024, prisoner Khaled Al-Shawish, 53 years old from Al-Faraa camp near Tubas, was also martyred. Al-Shawish had been suffering from paralysis since 2007 due to an injury he sustained during his arrest.

On 20 February 2024, prisoner Izzuddin Al-Banna from Gaza was martyred. According to the prisoners' testimonies, Al-Banna was suffering from a mobility disability and multiple diseases. After his arrest, Al-Banna was subjected to severe torture that led to a worsening of his health condition, until he passed away. It was also announced that cancer patient and prisoner Asif Al-Rifai, 22 years old from the town of Kafr Ain near Ramallah, was martyred on 29 February 2024.

We confirm that what was mentioned previously were the names of the martyrs who were officially announced. However, the Israeli newspaper Haaretz published a report on 7 March 2024 stating that 27 Palestinians from Gaza were killed while being held in detention in Israeli army camps. The report said that some of them were suffering from health conditions and were receiving treatment before their arrest, while the rest were killed due to the torture they were subjected to and the harsh living and detention conditions<sup>129</sup>. Such a report was confirmed by a group of prisoners liberated from those camps, who confirmed to the media that they were subjected to severe beatings, restraints, and blindfolds throughout detention, in addition to the starvation policy that the Israeli army implemented against them. Moreover, the names of these martyrs and the reasons for their martyrdom are still unknown, as the occupying state refuses to disclose any information about the detainees in these army camps.

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129 Haaretz. "27 Gaza Detainees Have Died in Custody at Israeli Military Facilities Since the Start of the War". 7 March 2024 <https://www.haaretz.com/israel-news/2024-03-07/ty-article/.premium/27-gaza-detainees-died-in-custody-at-israeli-army-facilities-since-the-start-of-the-war/0000018e-1322-d950-a18e-f3bbaa370000?mid5232=open>

## Martyr Khader Adnan

**“Left as he lived, searching for freedom.”**

45-year-old Khader Adnan, from the town of Arraba near Jenin, was a baker by trade, a political activist, a husband, and a father of nine children, the eldest of whom is 14 years old, and the youngest of whom is a year and a half. Adnan was arrested about 12 times



during his life, and spent a total of eight years in Israeli prisons, most of which (nearly six years) were under administrative detention without charge or trial. Adnan protested the policy of arbitrary administrative detention by engaging in open hunger strikes, one of the peaceful tools available to prisoners to confront this arbitrary policy and other human rights violations practiced by the Prison Service. Adnan undertook six open hunger strikes during the years of his detention, four of which were to protest against his arbitrary administrative detention, while the final hunger strike was in protest against his placement in solitary confinement.

Adnan had been repeatedly arrested and administratively detained by the Israeli occupation forces, starting with his first four-month detention during his years of study at Birzeit University. Following his graduation, Adnan spent nearly six years in administrative detention, the last of which was in 2018, under the guise that he belonged to the Islamic Jihad organization, categorized as a 'terrorist' organization by the Israeli occupation authorities.

Adnan was arrested on 17 December 2011 and went on an open hunger strike to protest his arbitrary administrative detention. The strike continued for approximately 65 days and ended with the fulfillment of his demand for his release on 17 April 2012. After his release, Adnan was active in peaceful solidarity activities with prisoners until he was re-arrested in early July 2014.



The arrests continued until his final arrest, which came following the various statements made by him to the press.

The Israeli occupation forces re-arrested Adnan on 5 February 2023 after an Israeli army unit blew up the front door of the house and stormed it. Soldiers then violently searched the house, without taking into account the presence of sleeping children. After that, Adnan was cuffed behind his back with plastic ties, blindfolded, and taken to Dotan military camp. From the first moments of his arrest, Adnan declared a hunger strike in rejection of his arbitrary arrest. After that, the occupying state filed an indictment against Adnan that included two main items, and relied mainly on old confessions around his affiliation with a 'terrorist' organization, and 'incitement'. The Israeli military prosecution claimed that the visits that Adnan made to the families of Palestinian prisoners, his participation, and speeches at the funerals of martyrs killed by Israeli soldiers were a form of incitement.

International law guarantees prisoners their right to go on an open hunger strike and also emphasizes the need to preserve the dignity and lives of prisoners while on hunger strike. Adnan's announcement of his hunger strike implied that the Israeli Prison Service had an obligation to take all necessary measures to prevent the sudden death of the prisoner and to guarantee his physical safety throughout the hunger strike. International law prohibits force-feeding and/or forced treatment of prisoners as a punitive measure while on strike, in addition to practices that involve threats, and/or shackling, or coercion, which are deemed a form of inhuman and degrading treatment.

After Adnan announced his hunger strike, the IPS retaliated against him by placing him in a solitary confinement cell in Al-Jalame Prison. Adnan was detained in Section A, which contains three isolation cells. The isolation conditions in Al-Jalame were extremely harsh, as Adnan was held in an insect-infested and very cold cell, which had an area of 1.8x1.8m, a squat toilet, a shower with an open door to the outside, and a concrete bed. Adnan was not provided with a pillow and was denied a yard time<sup>130</sup>.

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130 A lawyer interview with prisoner Khader Adnan in Al-Jalame on 8 March 2023.

Isolation orders against Adnan were renewed every two weeks under the pretext that he was not subjected to security checks, even though his health condition did not allow him to make any physical effort, as he was unable to stand or walk because his body was exhausted due to the hunger strike.

Adnan was held isolated in a cell that did not have any kind of electricity, while he was suffering from very serious health conditions, as he did not take any supplements or vitamins, nor did the IPS provide him with any kind of medical care. Furthermore, the occupation authorities practiced medical neglect by claiming that Adnan refused to undergo medical treatment. The occupation authorities prevented him from accessing specialized medical treatment in a civilian hospital, and from submitting him to the medical observation he needed. Adnan informed the lawyer during a visit that he was willing to undergo medical examinations in the presence of an external doctor, or a doctor from 'Physicians for Human Rights,' yet his request was denied, and the IPS continued to detain him in isolation arbitrarily.

On the 32nd day of the hunger strike, specifically on 8 March 2023, the prison administration informed Adnan that he would be transferred to the Ramla Prison clinic, as a result of his exposure to continuous fainting, vomiting blood, weak vision, and inability to walk. Despite his critical health condition and the risk of sudden death, the IPS practiced a policy of medical neglect against Adnan, by denying him access to a wheelchair in the clinic cell and rejecting requests to transfer him to a civilian hospital several times. Physicians for Human Rights made several attempts to communicate with the Israeli Ministry of Health, Kaplan Hospital, and the Prison Service to request that Adnan be transferred, yet all rejected their requests. The colonial system with all its organs colluded, and the military judges continued to extend the trial procedures, and this demonstrated the formality and arbitrariness of these procedures.

By refusing to transfer Adnan to a specialized civilian hospital, and instead transferring him to the Ramla Prison clinic, which is not qualified to accommodate his critical medical condition, the occupation authorities violated international law which guarantees the provision of medical care to all detainees

without discrimination. However, the occupation authorities deprive Palestinian prisoners of medical care for national and political considerations, and Palestinian prisoners do not have easy access to medical facilities or doctors, whether inside or outside Israeli prisons.

Despite the arbitrary measures that were taken against Adnan, such as isolating him in very poor humanitarian and health conditions, the abuse of Adnan did not stop there. Rather, multiple punishments were imposed on Adnan, the most prominent of which was depriving him of family visitation rights. His children were not able to visit him throughout his detention, and his wife was not able to see or communicate with him except during the trial sessions that were held via video conferencing. In a report published following her visit to Adnan in the Ramla Prison clinic on 23 April 2023, PHRI chairperson, Dr. Lina Qasem, explained that Adnan suffered from difficulty moving around and excessive weight loss, as he had lost nearly 60 kilograms, in addition to suffering from weak overall strength in his limbs. Dr. Qasem indicated that Adnan refused to undergo medical examinations inside the Ramla Prison clinic, but rather requested that he be transferred to a specialized hospital to undergo all the necessary examinations, and to be under appropriate medical care in appropriate conditions. With the significant deterioration in his health, and despite PHR's several petitions to Israeli courts to have him transferred to hospitals, the courts rejected these petitions, and Adnan was kept in the Ramla Prison clinic.

Adnan's lawyer attempted to release him on bail by submitting more than one request for his release. A hearing was held on 23 April 2023 to consider a plea for bail for Adnan, as he had reached a situation that constituted a real and definite danger to his life. His lawyer stressed during the session the need to release Adnan due to the risk of sudden death, but Salem military court rejected the lawyer's request and kept Adnan in detention, prompting the lawyer to appeal the decision. The Military Court of Appeals postponed the decision, and then later announced an arbitrary postponement until May 10, despite medical reports confirming the risk of Adnan's sudden death. Adnan's condition was not taken into consideration, and Adnan was announced after he was found unconscious inside his isolation cell in the Ramla prison clinic on 2 May 2023.

What happened with Adnan revealed the collusion between the IPS and Israeli military courts and the clear and systematic policy of abusing prisoners, the activists in particular, until Adnan fell as a martyr. The occupation authorities bear direct and full responsibility for his martyrdom, and for their actions that amount to torture and cruel treatment under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which prohibited torture and ill-treatment, and classified the failure to provide adequate care for prisoners as torture, in addition to intentional medical neglect that amounted to premeditated murder.

While intentional medical neglect was one of the key factors that led to Adnan's martyrdom, it was not the only factor. Adnan was subjected to ill-treatment during his isolation in Al-Jalame Prison, including deliberate physical exhaustion to cause a further deterioration in his already weak health condition. According to his wife and the legal team that was following Adnan's case, Adnan was forced to exert strenuous physical effort. On 27 April 2023 (day 82 of the hunger strike), Adnan was forced to walk long distances to reach the place designated for a court hearing, even though it was held via video conferencing.

Adnan's body is still being held by the occupation authorities to this day, thus increasing the number of prisoners whose bodies have been withheld and denied their right to burial to 13<sup>131</sup>. Thus, withholding Adnan's body is yet another punitive measure against his family in particular, as the occupation authorities still prevent his family from saying goodbye and decently burying him, and deny them access to the medical reports that show the cause of death and confirm that the death occurred. This is another example of the arbitrariness and injustice practiced by the occupying state against Palestinian prisoners on hunger strike. With this policy, the occupying state is striving to break the resolve of the prisoners in their battle to seize freedom.

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131 This number reflects the number of bodies held until the date of the martyrdom of prisoner Khader Adnan.

## Martyr Abdurrahman Marei

33-year-old prisoner Abdurrahman Ahmad Marei, from the town of Qarawat Bani Hassan, northwest of Salfit, was martyred on 13 November 2023. Marie, who was detained in Megiddo Prison awaiting trial, died in his cell as a result of being severely beaten by special forces. Marei was arrested on 25 February 2023, and he was a husband and a father of four.



Ten days after his death, an autopsy was conducted at the Israeli Abu Kabir Forensic Institute, with the presence of a doctor from Physicians for Human Rights – Israel on behalf of Marei family. The autopsy results confirmed that Marei suffered bruises on his chest, and fractures in the ribs and breastbone. The forensic medical report also confirmed the existence of external bruises on his head, neck, back, buttocks, left arm, and thigh<sup>132</sup>. According to the report obtained by PHRI, there were no injuries to internal organs – the lungs, spleen, liver, and brain were found intact, and there was no internal bleeding. However, the doctor involved in the autopsy confirmed that the severe beating that led to fractures and injuries throughout Marei's body could have resulted in an irregular heartbeat or a heart attack<sup>133</sup>.

S. I., a freed prisoner released on 16 November 2023, recounted the details of the assassination of Abdurrahman Marei. "I was held in the same cell with Abdurrahman. Since October 7, special forces from the prison units began coming to the cells every Sunday and Tuesday, and they would tie the prisoners' hands behind their backs and beat them severely. On the same day of Abdurrahman's assassination, they entered the cell, tied our hands behind our backs, and started dancing around us. They mocked and ridiculed Abdu-

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132 Haaretz. "Six Palestinians Have Died in Israeli Prisons During the War, Two Found Bruised". 9 December 2023 <https://www.haaretz.com/israel-news/2023-12-09/ty-article-magazine/.premium/six-palestinians-have-died-in-israeli-prisons-during-the-war-two-found-bruised/0000018c-4ea8-df4b-a78e-dfab60f10000>

133 Autopsy report on the body of martyr Abdurrahman Marei on 23 November 2023.

rrahman, insulted his father who had recently died, and shouted at him. Then around 15 members of the special force surrounded him, assaulted him, and beat him severely for nearly five minutes. They focused on hitting him on the head, before taking him away. About a week later, we learned of the death of Abdurrahman.<sup>134</sup>

In light of the clear evidence included in the forensic report, which confirmed that Marei was beaten and tortured during the special forces' storming of his cell and that he was assaulted on 7 November 2023, an Israeli judge in Hadera Court decided on 13 December 2023 to open an immediate investigation into the case of the martyrdom of prisoners Marei and Daraghmeh. This decision came after the court found out that Marei had been severely beaten and tortured, as there were injuries, marks, and signs of the crime visible on his body. The judge requested the Israeli police to provide the court with the details of the party authorized by the IPS to investigate the incident, and that the court and the lawyer of Marei family have access to the official forensic report by 15 December 2023.

The Commission for Prisoners and Ex-Prisoners' Affairs confirmed that the prison clinic was aware of the assault on Marei and his critical health condition and that the beating he endured may have caused real harm that might endanger his life. However, Marei was not examined again medically from the date of the attack until the day of his martyrdom, and no treatment or medications were provided to him<sup>135</sup>.

Following an investigation into the circumstances of Marei's martyrdom, a court session was held on 16 January 2024 and was attended by the Commission's lawyer. Following the session, the Commission clarified that the latest

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134 Haaretz. "Six Palestinians Have Died in Israeli Prisons During the War, Two Found Bruised". 9 December 2023 <https://www.haaretz.com/israel-news/2023-12-09/ty-article-magazine/.premium/six-palestinians-have-died-in-israeli-prisons-during-the-war-two-found-bruised/0000018c-4ea8-df4b-a78e-dfab60f10000>

135 Watan News Agency. "The occupation admits that prisoner Abdurrahman Marei was killed as a result of severe beatings." 17 January 2024. <https://www.wattan.net/ar/news/425490.html>

definite evidence of this crime was stated in the narrative of the Israeli prosecutor's representative in the Hadera Court, who conveyed it during the court session held in the presence of a legal team from the Commission, a public prosecutor from the Nazareth District Attorney's Office, and a representative of Um al-Fahm Police.

The prosecutor's representative said during her interrogation that "Abdullah Marei bit a prison police officer on November 7, and immediately he was severely beaten and assaulted by a large group of jailers. She indicated that Marei did not receive the necessary treatment, and he was only examined in the prison clinic, which in turn indicated the presence of severe injuries to his face and upper body, mostly in the abdomen, and a problem in his lungs. The representative added that Marei was then transferred to a solitary cell while suffering from severe injuries and bleeding, and he was found dead in his cell on November 13.

The testimony of the prosecutor's representative proved that prisoner Marei was indeed subjected to torture before his death at the hands of the prison police. However, after Marei's autopsy, the occupation authorities claimed that the preliminary forensic report did not determine the cause of death, thus the court ruled that the body be transferred to Tel Hashomer Hospital for further examination, and a final report on the causes of death would be prepared, and accordingly, a hearing was scheduled for 25 January 2024. Nevertheless, the Israeli authorities have not completed the procedures to determine the cause of death and are still withholding Marei's body like the rest of the prisoners who died in Israeli prisons<sup>136</sup>.

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136 The Palestinian Information Center. "Detainees Commission: Prisoner Marei Brutally Executed in Israeli Jail". 18 January 2024. <https://english.palinfo.com/Zionist-Terrorism/2024/01/18/312981/>

## Martyr Thaer Abu Asab

39-year-old prisoner Thaer Abu Asab, from the city of Qalqilia, was martyred on 18 November 2023 after being subjected to severe beatings and torture at the hands of the Keter Unit in Naqab Prison, which is responsible for repressing prisoners and intervening in emergencies<sup>137</sup>. Abu Asab was arrested in 2005 and sentenced to 25 years in prison.



A few days into the death of Abu Asab, his family demanded an investigation into the circumstances of his martyrdom, but the Israeli authorities responded on the same day, claiming that an autopsy was performed on Abu Asab's body two days after his martyrdom, following a court ruling permitting the conduct of an autopsy without obtaining the family's consent, claiming that it was difficult to contact residents of the West Bank during a state of 'war'.

## Room 10 in Section 27 bears witness to the assassination of Abu Asab

On 18 November 2023, around 6:00 p.m., the guards stormed Room 10 in Section 27, where 10 prisoners were being held, including Thaer Abu Asab, and physically assaulted everyone in the room. Then around 20 guards from the Keter Unit stormed the room while armed with metal batons and started beating and suppressing the prisoners. After about five minutes of beating and assaulting them, they left, leaving all of the prisoners covered in blood and lying on the ground. After their withdrawal, Abu Asab was lying on the ground, bleeding, motionless, and without any signs of a pulse in his body. Despite his cellmates' calls to the guards, they disregarded them. Only a nurse – described by the prisoners as a blond nurse, of average height with a slightly overweight build – arrived after 10 minutes and said, "If he dies, we'll take him".

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137 To learn more about the Keter Unit, see the chapter on Prison Policies; Case Study: Naqab Prison.



“Approximately two hours later, as estimated during the guard’s room check at 8:00 p.m., Thaer was moved by units and guards. Moments later, we were informed that he had passed away,” said M. Q., one of Abu Asab’s cellmates<sup>138</sup>.

Prisoner S. I. confirmed the abuse caused by the Keter Unit. “In the evening, around 15 guards in armor entered the cell, ordered us all to kneel and put our hands on our heads. They immediately attacked us. They had two muzzled dogs and black sticks. They beat me with the stick until my head bled. The blows I felt extremely harmful were the ones on the left kidney, but I did not lose consciousness, and I saw them beating Thaer on the head.”<sup>139</sup>

On November 19, one day after the martyrdom of Abu Asab, all the prisoners in the room were taken for intelligence interrogation and were told what had happened. Prisoner S. I. requested to file a complaint to the Machash Unit, the Police Investigation Unit. During the interrogation, the officer asked prisoner M. Q., “Did you see the jailer who beat him?” M. Q. replied: “No because they were masked.” Then they asked everyone in the room to say that Thaer Abu Asab died during a problem between the prisoners inside the room, but all the prisoners refused. The next day, investigators from the Machash Unit arrived at the request of prisoner S. I., photographed the prisoners and the cell, and took DNA samples.


On the same day, the Israeli Channel 12 published a report stating that Israeli jailers beat a Palestinian prisoner to death in Naqab Prison, at a time when warnings escalated about the Israeli Prison Service’s intention to torture Palestinian prisoners, during the all-out aggression on the Gaza Strip. According to Israeli sources and among what was permitted for publication, the report stated that the Investigation Unit 433 opened an investigation against 14 defendants, some of whom were suspected of beating the prisoner and causing his death, while others were suspected of being involved in the violent incident. They were then released and granted leave until further notice. The report ex-

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138 A phone interview conducted by Addameer with freed prisoner M. Q. on 6 December 2023.

139 A lawyer interview with prisoner S. I. in Naqab Prison on 26 March 2024.

plained that according to initial suspicions, about a month ago, prison guards beat the security prisoner in one of the prison cells with sticks. As a result, the prisoner was seriously injured and was provided with treatment, but after a series of tests, all that remained was to declare his death<sup>140</sup>.



On 21 December 2023, the Israeli authorities admitted that prisoner Thaer Abu Asab had been killed under torture in Naqab Desert Prison; that is, a month after his martyrdom. In response to the killing of prisoner Abu Asab at the hands of prison guards, the Israeli Minister of National Security, Itamar Ben-Gvir, refused to hold a trial for the suspects in the killing, adding **“I will not hold a trial for the Naqab Prison guards, and an in-depth investigation must be conducted before determining their fate.”**<sup>141</sup>

The Israeli occupation army’s spokesperson also responded to the news that numerous Palestinian prisoners had been killed, describing the Palestinian prisoners who died in Israeli detention centers as a result of being beaten and tortured as ‘terrorists’ without giving any substantive information about the circumstances of the matter. He told AFP that “The investigation into the deaths of terrorists in military detention centers is still underway,” but without giving any further information about the number of detainees or the circumstances of their deaths<sup>142</sup>.

Furthermore, Omar Al-Atshan, who was released in early December 2023 as part of the prisoner exchange deal and was detained in the same section along with Abu Asab, stated in an interview published on social media that Abu Asab was beaten to death in detention. He was subjected to continuous beat-

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140 Al Jazeera. “Israeli channel: Jailers beat a Palestinian prisoner to death.” 21 December 2023. <https://tinyurl.com/mr3vr4ba>

141 Palestinian Information Center. “The occupation admits to killing prisoner Thaer Abu Asab by beating him to death.” 21 December 2023. <https://palinfo.com/news/2023/12/21/868448/>

142 Haaretz. “Six Palestinians Have Died in Israeli Prisons During the War, Two Found Bruised”. 9 December 2023. <https://www.haaretz.com/israel-news/2023-12-09/ty-article-magazine/.premium/six-palestinians-have-died-in-israeli-prisons-during-the-war-two-found-bruised/0000018c-4ea8-df4b-a78e-dfab60f10000>

ings until they made him a martyr. He was assaulted and killed in this brutal way because he asked a guard whether or not there was a truce, and the guard told him no. On the same night, around 15 guards entered the cell, attacked and beat him severely until they killed him. The jailers were indifferent, and none of them came until two hours had passed. This confirms to us their prior knowledge that Abu Asab was lying on the ground, bleeding until he took his last breath.<sup>143</sup>

In addition to the killing of Thaer Abu Asab, prisoner Said Imran was seriously injured in the same attack, as he was hit on the head, kidneys, and various parts of the body. This caused bleeding in the head, three holes in the stomach, and another in the left kidney. Yet, Imran was not able to find out his health condition until 50 days after the incident, as the prison administration categorically refused to refer him to a specialist doctor, even though he was suffering from dizziness and other pains throughout the body. After 50 days, Imran lost consciousness at night in the cell and was brought to the clinic doctor, who transferred him to Soroka Civil Hospital. Imran underwent stomach surgery to close the holes and stop the bleeding. It also became clear that he had sustained three fractures to the lower ribs and a fracture to the left elbow.

The assault on all prisoners confirms the targeting policy implemented by the occupation forces inside the prisons, which did not exclude any of the prisoners, regardless of their ages or health conditions. The Israeli authorities also practiced a policy of medical neglect against the prisoners who were assaulted, and that was not limited to Naqab Prison, as all Israeli prisons have witnessed such oppression and abuse since October 7.

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143 Palestinian Information Center. "The occupation admits to killing prisoner Thaer Abu Asab by beating him to death." 21 December 2023.


<https://palinfo.com/news/2023/12/21/868448/>

## Martyr Abdurrahman Al-Bahsh

23-year-old prisoner Abdurrahman Al-Bahsh from the city of Nablus was martyred in Megiddo Prison on 1 January 2024 as a result of torture, severe beating, and the use of excessive force during the assault.



Al-Bahsh was arrested on 31 May 2023 and was sentenced to 35 months in prison. Al-Bahsh was the first Palestinian prisoner to be martyred in the year 2024 in light of the campaigns of violence and torture launched by the Israeli occupation forces against Palestinian prisoners in prisons and army camps.



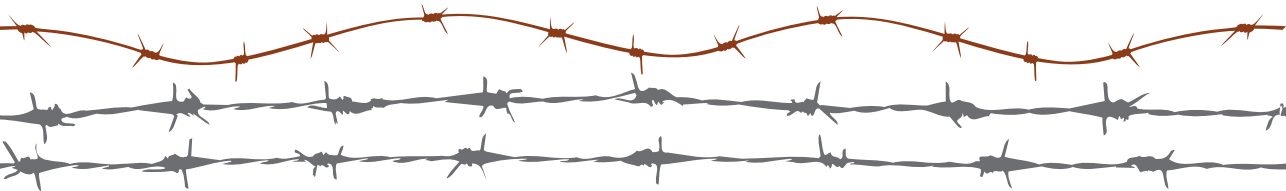
Prisoner Sameh Al-Ashqar recounted the attack carried out by the guards in Megiddo Prison on 8 December 2023. “A large number of guards came to the cell, wearing all their equipment, and took us out in handcuffs to the yard, where there were no surveillance cameras. Then around 40 guards assaulted us for nearly 15 minutes<sup>144</sup>. Al-Bahsh was feeling pain in his right ribs, and when he went to the prison clinic, he was told that he was not suffering from anything. The second time he went out to the clinic, the clinic director kicked him out. He remained in the room for 25 days until he reached the point where he was unable to stand up on his feet during the security check. On 1 January 2024, we noticed that his health condition had declined significantly, and when he tried to speak, he would lose his balance and fall. I and the rest of the prisoners carried him and placed him in the middle of the section, and the jailers took him away. We did not know that he had been martyred until a lawyer visited the prison about four days later.<sup>145</sup>”

144 A lawyer interview with prisoner Sameh Al-Ashqar in Megiddo Prison on 4 March 2024.

145 *ibid.*

Al-Bahsh was the seventh prisoner to be martyred in Israeli prisons since October 7. As part of its ongoing efforts to put an end to these violations and the deadly force used by the occupying state, in addition to seeking to hold those involved in these crimes accountable, the Commission for Prisoners and Ex-Prisoners' Affairs submitted a request to the occupation court in Hadera, and the court ordered an investigation into the circumstances of the martyrdom and allowed a family doctor to attend the autopsy. Physicians for Human Rights – Israel, which participated in the autopsy that was conducted on 14 January 2024, issued a report on January 19, indicating that there was a complete collapse of the right lung, with large amounts of fluid inside the left lung. The results of the autopsy showed a ruptured spleen, in addition to bruises in various areas of the body, and fractures to some ribs. All of these symptoms caused severe pneumonia, given that Al-Bahsh did not have any medical history, or suffer from any diseases before his arrest. This report constituted a document confirming that Al-Bahsh endured severe beatings and that a medical crime was committed against him and led to serious physical complications that led to his death.

Al-Bahsh was the third martyr killed in Megiddo Prison after October 7, which confirmed the prison's use of lethal force against prisoners, the practice of a consistent policy of targeting prisoners, and the use of excessive force against them. Even the fall of two martyrs did not deter the occupation forces inside the prisons. Rather, these forces continued to commit the same violations until the number of martyred prisoners increased dramatically within a very short time.



## Martyr Mohammad Al-Sabbar

21-year-old prisoner Mohammad Al-Sabbar, from the town of Addahiriya near Hebron, was arrested in May 2022 and transferred to administrative detention. The last administrative detention order issued against him was in November 2023 for four months. Before his arrest, Al-Sabbar was suffering from a congenital problem in the stomach and intestines<sup>146</sup> and was receiving regular treatment and medication and needed a special diet. During his detention, Al-Sabbar was sub-



jected to the crime of medical neglect, which doubled after October 7, as he was completely deprived of treatment, in addition to being exposed to the crimes of torture and abuse, and the starvation policy, thus increased the suffering of prisoners in an unprecedented way and directly affected the fate of Al-Sabbar.

Although Al-Sabbar suffered from a congenital disease, he was able to live in good health throughout his life for being committed to a healthy diet. However, in cases where Al-Sabbar did not adhere to a diet, he would be exposed to severe constipation that led to severe enlargement of the intestines, putting pressure on the abdominal organs, affecting the function of other organs, such as the kidneys and lungs, and causing a disturbance in blood flow. The delay in diagnosing and treating such a condition leads to a rapid and irreversible deterioration in the patient's health. This is what happened with Al-Sabbar, according to the initial autopsy report by Physicians for Human Rights. When he was transferred to the hospital, a CT scan showed that the diameter of the large intestine reached 15 centimeters. Due to the delay in providing treatment and transferring him to the hospital, his body's vital system collapsed four hours after his arrival to the emergency room, and doctors were unable to save his life.

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146 Mohammad Al-Sabbar suffered from a disease called 'Hirschsprung's disease', a disease that leads to disruption of the function of the large intestine due to a neurological problem in the intestinal wall, delaying the progression of stool through the intestines.

The medical report on the PHRI autopsy<sup>147</sup> confirmed the possibility of avoiding Al-Sabar's death if the Prison Service was more committed to his medical needs, and the appropriate treatment was provided at the right time. This clearly shows the medical crimes that the Prison Service deliberately commits against prisoners.

## Martyr Asif Al-Rifai

Prisoner Asif Al-Rifai was arrested on 24 September 2022 from his home in the town of Kafr Ein near Ramallah district, despite his suffering from chronic cancer of the colon and intestines, and his undergoing chemotherapy sessions.



The conditions of detention did not take into account his delicate health condition. Rather, he was handcuffed and forced to walk about four kilometers. On the way, he fainted as he could not walk long distances. He woke up and found himself shackled to a bed inside a hospital in Jerusalem. From there, he was taken to Ofer Prison for interrogation. After being held in Ofer Prison for some time, he was transferred to the Ramla Prison clinic.

After Al-Rifai was diagnosed with cancer, doctors decided that he should undergo 12 chemotherapy sessions. He had begun treatment and completed eight out of 12 sessions before his arrest, but his arrest prevented him from completing all the sessions.

During his first period of detention in Ofer Prison, Al-Rifai faced a difficult and delicate phase due to his health condition. He was not transferred to any civilian hospital to undergo tests or X-ray scans and receive chemotherapy. He only went out to the prison clinic once a week to replace the stool bag that was

147 Physicians for Human Rights in Israel. "Forensic report on martyr Mohammad Al-Sabar." 20 February 2024.

attached to his abdomen. In the end, he no longer went out to the clinic, and was forced to change the bag, clean its place, and install the new bag.

After his health condition worsened, Al-Rifai was transferred to the Ramla Prison clinic<sup>148</sup>. Due to the term 'clinic', a person would believe that Al-Rifai was being held in a clinic under continuous health care, but this clinic is a prison and does not have the minimum amount of medical equipment, or the surrounding healthy environment that patients need. Al-Rifai was undergoing chemotherapy sessions in an Israeli civilian hospital, but his detention in the Ramla Prison clinic contributed to the deterioration of his health condition. The physical conditions of the cells, which were filled with humidity, in addition to the quantity and quality of food provided to him, and his continuous transfer from the hospital to the clinic, led to the deterioration of his health condition. During a lawyer visit to the Ramla Prison clinic on 31 October 2023, Al-Rifai confirmed the food was not compatible with the patients' health conditions and nutritional needs.

During the last days of Al-Rifai's life, the disease had spread throughout his body as was evident through tests he had conducted with medical follow-up by human rights organizations in a civilian hospital. Despite undergoing chemotherapy at Assaf Harofeh Hospital, the severity of the disease affected his emaciated body, and despite the dangers of death that threatened his life, his family was not allowed to visit him in prison, and he was not released either.

During the past years, many Palestinian prisoners died inside the so-called the Ramla Prison clinic after being diagnosed with cancer, such as Sami Abu Diak and Bassam Al-Sayeh in 2019, Kamal Abu Wa'ar in 2020, Nasser Abu Hamid in 2022, and Asif Al-Rifai in 2024. All of them, except Sami Abu Diak, have their bodies still withheld by the Israeli occupation.

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148 Ramla Prison and Clinic is located between the cities of Ramla and Lod. It was established during the British Mandate of Palestine in 1934. It is a complex of several prisons, including the Ramla Clinic, which is designated for sick prisoners who cannot live in prisons due to their difficult health condition.



## Conclusion

The occupying state continues its crimes against Palestinian prisoners, including medical crimes, torture, and cases where victims are subjected to multiple forms of abuse simultaneously. Although historical experience has proven that such crimes affect the prisoners' right to life and many inalienable rights, the occupying state still deliberately violates these rights and continues committing crimes, which took a very dangerous turn after October 7 and resulted in the killing of 12 officially announced prisoners<sup>149</sup>, and 27 others in Israeli camps whose circumstances of martyrdom and identities are still unknown. With the fall of these martyrs whose bodies are being withheld by the occupying state, the number of bodies being withheld by the occupying state rose to 23<sup>150</sup>. This demonstrates the criminal approach of the Israeli occupation state, which systematically targets prisoners without any accountability or oversight by the highest political level.

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149 This number includes the number of martyred prisoners from October 7 to 29 February 2024.

150 This number includes the number of withheld bodies of martyred prisoners until 29 February 2024.



# Arbitrary Administrative Detention





## Arbitrary Administrative Detention: A Crime with Unlimited Scope

Since the occupation of the Palestinian territory, the Israeli occupation authorities have implemented a policy of arbitrary administrative detention against Palestinians. Over all these years, tens of thousands of Palestinians have been held in administrative detention. Administrative detention allows the incarceration of Palestinians without charges or trial under the guise of the so-called 'secret file', which cannot be accessed by the detainee nor his lawyer. According to Israeli military orders, an administrative detention order can be renewed indefinitely, as an administrative detention order is issued for up to six-month renewable periods. Administrative detention affects all segments and categories of the Palestinian people, including university students, journalists, women, members of the Legislative Council, human rights activists, workers, lawyers, mothers, children, the elderly, and even the sick.

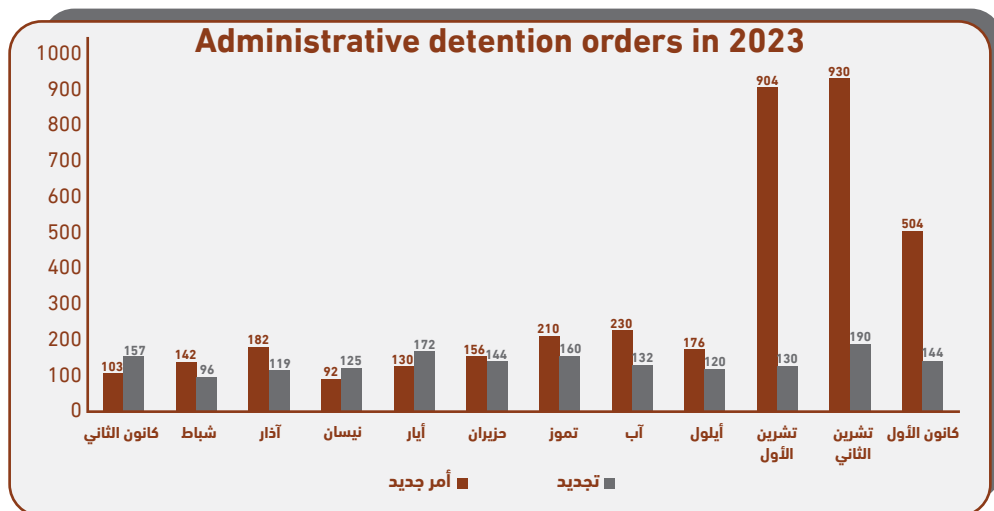
Cases of arbitrary administrative detention increase specifically during periods of popular uprisings and mass protests in the occupied territory, as the occupation authorities utilize the policy of administrative detention as a tool for oppression, control, and intimidation of Palestinians. The authorities not only issue new administrative detention orders against individuals arrested during these uprisings but also renew existing orders. This means that detainees can be kept in detention without new charges, prolonging their imprisonment indefinitely. The renewal of orders also applies to prisoners who have obtained a 'substantial' decision, which is a court pledge not to renew their administrative detention orders and to release them immediately after serving their terms. However, the occupation authorities consider this court ruling to be merely an exception and will not be applied during the period of mass protests.

This was evidenced by the number of prisoners during the first Palestinian Intifada, the "Intifada of the Stones," in 1989, which reached around 1,794 detainees as of November 5th. In the second Palestinian Intifada in 2003, the number of administrative detainees reached approximately 1,007 by January

1st.<sup>151</sup> Administrative detention orders are not limited to the aforementioned cases; they also affect prisoners who have completed their sentences, as they are transferred to administrative detention instead of being released.

With the beginning of the Israeli aggression against the Gaza Strip on October 7, the occupation authorities carried out mass arrests, which are continuing at a high rate in various cities, villages, and camps across the West Bank and Jerusalem. Prisoner institutions documented nearly 5,500 arrest cases from October 7 until the end of the year, 80% of them were transferred to arbitrary administrative detention. The number of administrative detainees by the end of the year reached 3,291 detainees, while the number of administrative detainees before October 7 was around 1,320 detainees, meaning that the number doubled one and a half times what it was before the Israeli aggression.

Significantly, there has been a spike in the number of child administrative detainees. Palestinian Association for Human Rights – Witness confirmed that in the 16 years before October 2023, an average of 3.6 children were held in administrative detention each year, but this number has risen to 46 children since October 7, an increase of 1,178%<sup>152</sup>. The number of administrative detainees today is the highest since 1967.



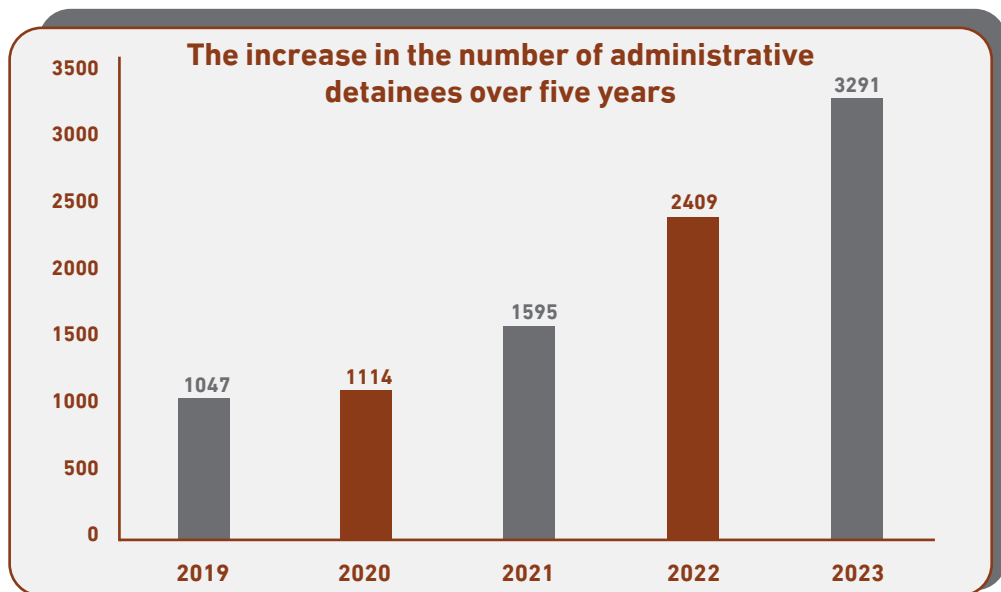
151 [https://www.btselem.org/arabic/administrative\\_detention/statistics](https://www.btselem.org/arabic/administrative_detention/statistics)

152 Military Court Watch. "Detention Update". 31 January 2024.

<https://www.militarycourtwatch.org/page.php?id=WkH4ZosDqga1868715AAtP0dyZqiz>

## Administrative detention orders in 2023<sup>153</sup>

Although the number of prisoners held in administrative detention increases year after year, since the beginning of 2023 there has been an unprecedented spike that reached its peak after October 7, which demonstrates the approach of the occupying state to arrest the largest possible number of Palestinians and throw them in prevention detention, especially after declaring a 'state of emergency'. The significant and continuous escalation of arrests and the transfer of nearly the majority of detainees to administrative detention indicate the Israeli occupation's intention to use these detainees as hostages. Under the International Convention against the Taking of Hostages, the act of hostage-taking refers to 'any person who seizes or detains and threatens to kill, to injure or to continue to detain another person, hostage, to compel a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage.'<sup>154</sup>



<sup>153</sup> These figures do not include orders issued against prisoners from Jerusalem. In 2023, there were 60 administrative detainees in Israeli prisons from Jerusalem.

<sup>154</sup> Ben Sol. International Convention against the Taking of Hostages. University of Sydney, Australia, 2017.

[https://legal.un.org/avl/pdf/ha/icath/icath\\_a.pdf](https://legal.un.org/avl/pdf/ha/icath/icath_a.pdf)

Given the definition stipulated in the Convention and the practices of the occupying state since October 7, it appears that these arrests were used in the first prisoner exchange deal that took place between the Hamas movement and the occupying state in November 2023.

The legal amendments also affected the procedures for administrative detention following the declaration of a state of emergency by the Israeli government, as previously mentioned, in order to increase the number of prisoners held as a precaution. It is worth noting that administrative detention and its amendments apply to all detainees in prisons, including children and women, and even prisoners held in administrative detention before October 7. Such amendments confirm the policy of collective punishment implemented by the occupying state against the Palestinians and the consolidation of the concept of arbitrary detention in the Israeli colonial system.

### **The Military Commander of the Area: The Person Responsible for Issuing Administrative Detention Orders**

Administrative detention is carried out without trial based on an order issued by the military commander of the area and relies on 'secret information'. In the West Bank (except for East Jerusalem), administrative detention is regulated by the 'Order Concerning Security Instructions'.<sup>155</sup> This Order empowers the military commander of the area in the West Bank, or whoever is authorized by the military commanders in this regard, to detain an individual up to six-month renewable periods if they have 'reasonable grounds to presume that the security of the area or public security requires the detention.' If it becomes clear to the military commander upon the expiration of the detention period that there are 'reasonable grounds to presume' that these reasons 'continue to require the detention,' he has the power to 'instruct from time to time' to extend the original order for an additional six months.

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155 Order Concerning Security Instructions, Consolidated Version, Order No. 1651 of 2009, Title IX, Chapter 2



There is one military commander for the central area, or the so-called 'Judea and Samaria', which refers to the West Bank excluding East Jerusalem. The military commander of the area has the authority to sign administrative detention orders or to delegate this authority to someone else. In practice, the intelligence officer at Central Command typically signs these administrative orders.

Administrative detention, as practiced by the Israeli occupation authorities, constitutes a form of psychological torture, and amounts to a crime against humanity and a war crime under the Rome Statute, which criminalizes depriving any prisoner of war, or any protected person, of his right to a fair and regular trial. Trial sessions in administrative detention take place privately, thus the detainee is deprived of his right to a public trial, which contravenes what is stipulated in the International Covenant on Civil and Political Rights which guarantees the detainee's right to a public trial. Therefore, this crime falls within the jurisdiction of the International Criminal Court, which can hold the military commander of the area accountable as a war criminal as he is directly responsible for this crime.

## **Administrative Detention of Palestinian Children**

At the end of 2023, the Israeli occupation forces were still detaining 49 Palestinian children<sup>156</sup> in three Israeli prisons; Ofer Prison, Damon Prison, and Megiddo Prison. It is the highest number of children placed in administrative detention during the previous ten years, due to the mass arrests carried out by the Israeli occupation forces since the beginning of the year, and were intensified in an unprecedented manner after October 7. Although administrative detention is merely preventive detention and is not based on any legal grounds, the Israeli occupation forces still expose children to all forms of violations during detention, starting with separating them from their families and homes, which they consider a safe haven, in addition to the traumatizing night arrests,

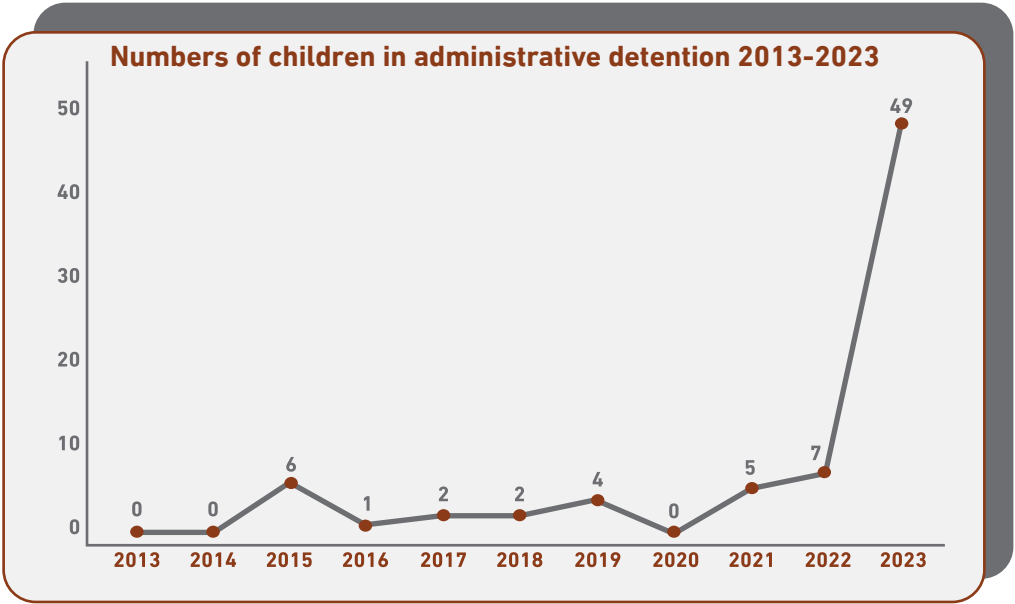
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156 Madar Center. "Conditions of Palestinian prisoners and Israeli prisons by the end of 2023." 5 February 2024.

<http://tinyurl.com/33pksjun>



breaking down the doors of homes, assaulting their families, handcuffing and blindfolding them, and subjecting them to the interrogation experience, during which they are often denied access to legal consultation and thrown in solitary confinement cells.





On 13 October 2023, Israeli occupation forces stormed the house of A. M. in Beit Awa, near Hebron, after blowing up the front door. The boy was thrown to the ground on his back, and his mother and sisters were verbally assaulted. He was tightly cuffed with plastic ties behind his back, and he was hit under his left eye by the rifle of the area officer, who identified himself as 'Jaber Abu Ibrahim.'

A. M. was taken to a military vehicle, and during the transfer, one soldier put his foot on him, while another photographed him on the phone. Although A. M. was blindfolded, he could distinguish the matter because of the flash. After he arrived at Beit Awa military camp, he and other detainees were placed inside a container on its metal floor. Whenever A. M. asked for water, the soldiers would beat him on his stomach or step on his head. He also requested to ease the plastic ties that were causing him pain, but the soldiers refused. One soldier choked him and ordered him to hit his head hard against the wall behind him so that the soldier could hear the sound. When A. M. refused to do so, the soldier grabbed him by the face and violently hit him against the wall.

Following a visit to the child in Ofer Prison on 26 October 2023, the lawyer reported that A. M. showed him signs of the restraints; dark brown lines along the right forearm near the front bone, about three-centimeter long, and also along the palm near the arteries, two to three-centimeter-long and 0.5-centimeter wide.

During the transfers carried out by Israeli soldiers to multiple military camps before arriving at the prison, A.M. was abused and his cuffs were tightened. He was not only beaten and abused by the soldiers during the transfers but also by the interrogator at Ofer Prison. "The interrogator asked me why I was there. I told him that I did not do anything, but he called me a liar and punched me in the stomach and face,"<sup>157</sup> A.M. reported to the lawyer. About two weeks after his arrest, a six-month administrative detention order was issued against him.

Q.A. was another boy who endured similar arrest and detention conditions on October 12, 2023, after the Yamam Unit stormed his family house with a military dog. He was attacked and thrown to the ground by the dog, then assaulted by around ten soldiers. One soldier put his foot on Q.A.'s neck while the others cuffed him with three plastic ties behind his back and took him to an unidentified military camp. The soldiers continued to assault him in the camp until his mouth bled. He was then transferred to Ofer Prison, strip-searched, and detained in Section 13, which lacked the minimum requirements for human life. A few days later, he was issued a six-month administrative detention order.

## **Administrative Detention of MPs and Human Rights Activists**

Administrative detention affects all segments of Palestinian society, mostly students, members of the Palestinian Legislative Council, and human rights defenders, especially in light of the large-scale arrests conducted by the Israeli occupation forces in conjunction with the aggression against the Gaza Strip. Since the beginning of the year, nearly 197 university students have been arrested, and a large number of them have been transferred to administrative

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<sup>157</sup> An interview conducted by the defense attorney for the child (A.M.) in Ofer Prison on October 26, 2023.

detention. In addition, 52 journalists were arrested throughout the year, 20 of whom remained in administrative detention at the end of 2023. Most of the journalists were arrested after October 7.<sup>158</sup> Furthermore, the Israeli forces arrested 16 PLC members since the beginning of 2023, 15 of whom were arrested after October 7, and all of them are being held in administrative detention.<sup>159</sup>

The targeting of academics also emerged, such as Professor Imad Al-Barghouti, who was arrested for the fourth time from his house in Kobar near Ramallah on 23 October 2023. Moreover, engineers, lawyers, and civil society activists were arrested as part of the ongoing targeting by the Israeli occupation forces, and a large number of them were held in administrative detention at least once. The Israeli occupation uses administrative detention as a tool to suppress civil society and restrict freedom of expression and political action. Amidst the increasing role of activists and human rights defenders in promoting human rights principles and carrying out their work on a normal, daily basis, they become more vulnerable to various forms of abuse and persecution by the Israeli authorities.

## **Administrative Detention as the First and Last Resort**

Bilal Hamouda was arrested on 27 April 2023 and was transferred to administrative detention for six months, after which it was renewed for an additional four months from 26 October 2023 until 25 February 2024. During the court session that was held on 29 October 2023, the Military Prosecution requested the renewal of the detention order for four months, claiming that Hamouda was involved in popular terrorism and suspected of being involved in incitement on social media. The lawyer affirmed that no other materials were added to the case and that the renewal had no legal grounds, adding that Hamouda, along with other detainees, were assaulted by jailers and Hamouda was injured by

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158 This number refers to journalists arrested during 2023 and does not include the total number of detained journalists, some of whom were arrested in previous years.

159 This number refers to MPs arrested during 2023, while the total number of detained MPs is 18.

a rubber-coated steel bullet, and pointing out the extremely harsh conditions of detention in prison which led to the killing of prisoner Arafat Hamdan. The lawyer requested the release of Hamouda due to such harsh conditions of detention because of the practices of the jailers, which led to the martyrdom of many prisoners in a record time.

However, Judge Ofer Shetzer rejected the lawyer's arguments and confirmed the detention order for the full term. With the expiration of this order on 25 February 2024, the military commander of the area issued a new order against the detainee Bilal Hamouda for four months ending on 24 June 2024.

The role of judges in military courts in facilitating administrative detention is evident. Although issuing administrative detention orders is the responsibility of the area's military commander under a recommendation from Israeli intelligence or the military prosecution, judges have a pivotal role in approving and confirming all of these orders for the full term. For many years, the Israeli military courts have endorsed a complex policy aimed at keeping Palestinian prisoners behind bars in various ways, as judges agree to transfer detainees to administrative detention based on false indictments in which the military prosecution fails to collect evidence and prove charges against the Palestinians. The opposite is also true; a detainee may serve his term in administrative detention before being indicted. The goal in the end is the same, which is to keep detainees in custody for as long as possible.

Prisoner Imad Ghatasha was arrested on 17 July 2023 and the Chief of Military Prosecution, Doron Saadoun, charged him with incitement and supporting a hostile organization on 24 July 2023, based on Section 251(B)(3) of the Security Instructions (consolidated version) (Judea and Samaria) No. 1651 of 2009. The indictment included one item; showing sympathy or support for a hostile organization, and contained a posting of pictures of Palestinian martyrs on his Facebook account. Due to the military prosecution's failure to collect all the evidence against Ghatasha, the military commander of the area issued an administrative detention order against him, which was confirmed by Judge Erbil Azuray from 16 August 2023 until 16 January 2024, and the order was renewed.

The occupying state also violated its commitment to the detainees who obtained a 'substantial' decision not to renew their administrative detention orders. This system is followed in military courts, but the detainees were stripped of this right, including those who were arrested before October 7, as their administrative detention orders were renewed by the military commander of the area. Among those detainees were Raghad Al-Fanni and Laith Kasabreh, whose administrative detention orders were confirmed. Many of these detainees had spent several months in administrative detention.

## Incitement Charges Against Palestinian Journalists

The occupation forces pursue Palestinians on the ground, but they also control their lives and prosecute them based on their actions in the virtual world on social media. The occupying state arrests hundreds of Palestinians annually on the grounds of expressing opinions on social media sites, which the occupying state defines as 'incitement' under Articles 144(B) and Article 144 (D)(2) on Incitement to Violence or Terror of the Penal Code of 1977 concerning the residents of East Jerusalem and the 1948 occupied territory. Concerning the residents of the West Bank, the occupation military prosecution bases its decisions against the Palestinians on the grounds of 'incitement' on Articles 251 and 199(C) of the Military Order concerning Security Instructions (consolidated version) (Judea and Samaria) No. 1651 of 2009.<sup>160</sup>



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160 For more on the incitement clause, see Addameer: "Arrests on charges of 'incitement' on social media platforms and Israeli government policy: A Facebook case study." 7 January 2019. <http://tinyurl.com/4s2uxbum>

## Case Study: Journalist Tariq Al-Sharif

Journalist Tariq Al-Sharif was arrested on 19 November 2023 when around 15 to 20 Israeli soldiers stormed his house in Al-Bireh around 4:00 a.m. His hands were tied with plastic ties behind his back and was taken to an army camp near Ramallah, where he was held until 1:00 p.m. bound, without food, and access to the bathroom. He was only provided with water and was physically assaulted. After



that, he was transferred to Ofer Prison where he was detained in a waiting room measuring 3x2 meters, after a prison guard removed his plastic ties and blindfold using a sharp tool, causing a slight cut to Al-Sharif's right hand.

After about two hours, Al-Sharif was cuffed in front of his body and taken for interrogation by the Israeli police. "A number of officers standing at the door greeted me and said the famous broadcaster has come," Al-Sharif told the defense lawyer.<sup>161</sup> An officer who introduced himself as Naseem interrogated Al-Sharif for about two hours about his journalistic work. Two days later, Al-Sharif was subjected to a Shin Bet interrogation by an interrogator who introduced himself as Orabi. The four-hour interrogation also centered around Al-Sharif's journalistic work; particularly an episode broadcasted on Al-Raya Radio during the morning program on 8 October 2023, in addition to more episodes from 2021 until 2023.

On the eighth day of his detention, a hearing was held for Al-Sharif via video conferencing, during which the judge extended his detention for a week on charges of incitement. After more than a week around 7:30 p.m., prison guards stormed the section where Al-Sharif was being held, cuffed him along with 10 other prisoners, and placed them in a waiting room, after which they were transferred by the Nahshon Unit to a prison vehicle with their heads down between their legs. The prisoners were taken to a Shin Bet interrogation facility

161 A lawyer interview with Tariq Al-Sharif in Ofer Prison on 4 January 2024.

▶▶▶ near Ofer Prison, where Al-Sharif was interrogated once again by Officer Orabi about his Facebook posts from 2021 to 2023. The interrogation lasted about half an hour, after which Al-Sharif was returned to prison.

An indictment was filed against Al-Sharif and included incitement and support for a 'hostile organization', due to the broadcast of radio episodes, one of which was on 30 March 2022 marking Earth Day, during which Al-Sharif presented the events that took place on that day. However, the occupying state manipulated what was presented in that episode into claiming that it was showing sympathy for martyr Diyaa Hamarashe, while adding to the indictment the radio episode Al-Sharif presented on 8 October 2023 about the events of October 7. Al-Sharif's indictment shows the adamance of the occupying state to prosecute journalists because of their journalistic work without any legal grounds. In drafting the terms of incitement and sympathy, the occupying state deliberately made them vague, without clear specifications so that it could use them as a weapon against journalists in particular and other Palestinians in general and put them in prisons.

Since October 7, the majority of indictments have begun with a preamble explaining what happened on October 7, after which the State of Israel declared a state of war as if justifying the widespread arrests and administrative detention orders that escalated unprecedentedly after October 7. This preamble proves the illegality of detention and the basis of detention in the current political situation while demonstrating the policy of collective punishment and the invocation of what happened on October 7 to target all Palestinians, regardless of the nature of their work or ages.<sup>162</sup>

## **Accused of Terror until Proven Innocent**

The occupation authorities have always practiced all forms of racism and violence against the Palestinians, but the recent Israeli aggression on all Palestinian lands revealed practices beyond racism, such that Palestinians in the 1948 occupied territory are accused of supporting terror until their innocence

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162 See Appendix II to view the preamble in Hebrew



is proven, and not the other way around. All Palestinians who exercise the most basic constitutional rights, such as the right to express opinion, have become at the top of the occupation forces' target list, in addition to turning demonstrations in support of the Palestinian cause in the 1948 occupied territory into opportunities to arrest and prosecute their participants based on the Anti-Terrorism Law of 2016. The Israeli authorities suppressed the demonstrations in the cities of Um al-Fahm and Haifa and arrested 12 demonstrators on 19 October 2023, as reported by Adalah Center.<sup>163</sup>

Some of those detained were kept in custody, including lawyer Ahmad Khalifa and activist Mohammad Jabarin, as the judge in Haifa Magistrate Court decided on October 21 to extend their detention until October 25 after suspicions of incitement were added to their files. Their detention was extended again by Acre Magistrate Court on October 25, claiming that they were leaders of the demonstration. The defense team appealed the extension decision, but Haifa District Court rejected the appeal on October 26 and maintained the decision issued by Acre Magistrate Court. After 18 days of detention, the Israeli Public Prosecution filed an indictment against the detainees, which included charges of 'incitement on terror' and 'identifying with a terrorist organization,' considering them to be leaders of the demonstration and claiming that the slogans spoken at the demonstration constituted incitement to and support of terror. The prosecution also requested that the detention of the accused be extended until the conclusion of the proceedings. The prosecution submitted a request to detain Khalifa and Jabarin until the conclusion of the proceedings, in line with the instructions issued by the Public Prosecutor to the police at the beginning of the war. These instructions mandate that the police must request the courts to extend the detention of any person accused of incitement until the end of the proceedings against them.<sup>164</sup>

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163 Adalah Center. "Adalah's Monitoring of War Violations: Hundreds of Cases of Various Persecutions of Palestinian Citizens." 27 October 2023.

<https://www.adalah.org/ar/content/view/10939>

164 Public Prosecution: Investigation, arrest, and prosecution of anyone who publishes words of praise and support for atrocities. 15 October 2023.

<https://www.israelhayom.co.il/news/law/article/14714230>

The defense team submitted repeated requests to consider alternatives to the detention of Khalifa and Jabarin, such as house arrest, in addition to other restrictions determined by the court, yet the court rejected these requests, and Haifa District Court extended Khalifa's detention on 15 January 2024 until the end of the legal proceedings against him, claiming that Khalifa deemed a 'threat' to the public due to the security conditions prevailing in the country. In rejection of this decision, the defense team filed an appeal with the Israeli Supreme Court for the actual release of Khalifa, and on 9 February 2024, the decision of Haifa District Court in which it was decided to extend Khalifa's detention was cancelled and the court decided to release him to house arrest.<sup>165</sup> As part of the ongoing targeting of Palestinians due to political activities, shortly after Khalifa's arrest, his house was shot at by unknown assailants.<sup>166</sup> On 16 January 2024, Haifa Magistrate Court extended Jabarin's detention until the conclusion of proceedings.<sup>167</sup>

As part of its widespread targeting of activists, artists, and human rights activists in the 1948 occupied territory, the occupation forces arrested the Palestinian artist, Dalal Abu Amneh, after she posted 'There is no victor but Allah' on her Facebook page, deemed by the occupation forces a form of incitement and support for terror. The arrest came after Abu Amneh had filed a complaint against settler incitement against her. After three days of detention, Nazareth Magistrate Court released Abu Amneh under restrictive conditions, including house arrest in her family's home from 18/10/2013 until 23/10/2023, in addition to fining her 2,500 shekels and barring her from posting anything related to the war and current situation for 45 days. The occupation authorities initiated a massive campaign of incitement against her, and settlers protested

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165 Adalah Center. "After four months in detention, Israeli Supreme Court released Palestinian attorney charged with speech-related offenses during an anti-war demonstration in Um al-Fahm, to house arrest." 9 February 2024.

<https://www.adalah.org/en/content/view/11048>

166 Sonara. "Um al-Fahm: Shooting at the house of detained lawyer Ahmad Khalifa."

<https://tinyurl.com/ysxhf66a>

167 Adalah Center. "Demanding justice for the detainees Mohammad Jabarin and Ahmad Khalifa following their participation in Um al-Fahm demonstration." 17 December 2023.

<https://www.adalah.org/ar/content/view/11002>

outside her house and chanted racist statements, in addition to receiving death threats. The incitement also extended to her place of study, as the CEO of Bit-salmo organization, Shai Glick, and the President of the Technion, Professor Uri Sivan, demanded the permanent deportation of students and faculty members for the so-called 'support for terrorism.'

Moreover, the occupying state considered the possibility of introducing an amendment to the police instructions, the aim of which was to allow the police to open fire on demonstrators due to their 'threat to public order.' The Palestinians were not spared from accusations of incitement being



thrown against them, which went beyond accusing them of posting inflammatory phrases on social media platforms, namely Facebook. Rather, the matter went beyond that and also became the number of 'likes' that any Palestinian could place on any post, causing him to be prosecuted.

The existence of certain applications on Palestinian phones has also become a pretext for arrest or assault. Since October 7, the Meta company has imposed major restrictions on content related to the Palestinian cause, which made Palestinians turn to the Telegram application as it does not impose restrictions on Palestinian content. With the widespread spread of this application among the Palestinians, the occupation forces began searching Palestinian phones at checkpoints in the West Bank, looking for any post or image on social media platforms, mostly Telegram, that supports Hamas or sympathizes with the people of the Gaza Strip. The presence of such materials is sufficient to arrest the owner of the phone, and charge him with 'incitement,' or beat him up and smash his phone.

With the tightening noose on Palestinian content, and despite the caution of some Palestinians in publishing any posts that might be interpreted as inflammatory material to avoid arrest, the occupation forces began snooping around phone applications in search of personal messages that might contain anything that expresses support for the resistance, even if with simple hints.

By utilizing such methods, the Israeli occupation forces arrested dozens of Palestinian women, specifically journalists, students, activists, and human rights defenders, in the 1948 occupied territory and the West Bank. Not only they were arrested, but some of them were also photographed in handcuffs and had their photos published on social media platforms, such as the cases of lawyer Asala Abu Khdair and actress Maysaa Abdel Hadi. This is a violation of their privacy and their right to a fair trial. Later Abu Khdair's law license was revoked due to the same post, and a court session is scheduled to be held on 16 April 2024 to decide whether the law license will be revoked permanently or temporarily.

## **Continuous Persecution of School and University Students**

During the year 2023, Palestinian students were subjected to a fierce arrest campaign by the Israeli occupation forces, affecting more than 100 school and university students. The occupation forces continued to target university students in various Palestinian universities, as the year witnessed mass arrests from Birzeit University, Polytechnic University, and Al-Quds University.



During this year, the occupation forces not only made arrests of university students, but also stormed the campus of Birzeit University several times, vandalized university property, and arrested students. On 24 September 2023, the occupation forces stormed the campus and arrested the eight students who were protesting inside the student council. According to the testimony of one of the security guards, who refused to disclose his name, the security guard

saw the soldiers' vehicles near the campus around 5:00 a.m., and went directly to the western gate to inform his supervisor. When he approached the gate, he was stopped and detained along with other security guards by three Israeli soldiers. About 10 minutes later, another army force, consisting of around 20 soldiers, stormed the place and headed towards the student council, where a number of students were holding a sit-in. The guards could not know what was happening inside or what happened with the students, until after the army completely withdrew from the campus. The soldiers also sabotaged and destroyed the contents of the student council, including furniture, belongings, and documents.

The occupation forces continued to assault the students during and after the arrest. Student Shadi Amira was arrested on 2 November 2023. A few days later, Amira was taken for interrogation at Al-Mascobiya Interrogation and Detention Center and was assaulted by a group of jailers. "Every time I was taken for interrogation, I was assaulted by four jailers, who beat me with their hands, feet, and sticks. When I arrived in Rooms 4, an interrogator came and started boxing on my face and body,"<sup>168</sup> Amira reported to the lawyer.

After he was arrested on 18 July 2023, student Tamer Ramadan was subjected to a harsh and continuous interrogation for 10 days. He was not allowed to eat or smoke during the interrogation and was threatened with the storming of his family's home and the arrest of his mother. The interrogation continued for 40 days, and Ramadan was placed in solitary confinement cells for 55 days.<sup>169</sup>

Moreover, the occupation forces launched an arrest campaign in the city of Hebron on 3 December 2023, targeting four female students from Hebron University, among whom was student B. K., who was taken with the other female students to Ofer Prison, but was first held at Etzion Interrogation and Detention Center for hours. Upon their arrival at Ofer Prison, the female students were chained and taken to a cell, after which one soldier suddenly pushed

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168 A lawyer interview with prisoner Shadi Amira at Al-Mascobiya on 8 November 2023.

169 A lawyer interview with prisoner Tamer Ramadan in Ofer Prison on 12 September 2023.

B. K.'s head down while she was handcuffed and blindfolded. B. K. was then interrogated for nearly an hour, during which the interrogator threatened her with arresting her family. After that, the female students were transferred to Hasharon Prison and detained in a dirty room. A female soldier named Yasmin searched them and abused B. K. during the search by pulling her hair and hitting her.<sup>170</sup> After they were transferred to Damon Prison, all female students received administrative detention orders for four months per each.

In addition to obstructing the educational process for university students, school students were arrested. Although the occupying state released 169 Palestinian children from its prisons as part of the humanitarian exchange deal between the Palestinian resistance and the occupation, the Israeli authorities prevented nearly 50 liberated prisoners, specifically residents of Jerusalem, from returning to school. School administrations affiliated with the Israeli Ministry of Education and the Jerusalem Municipality refused to allow them to return to school, under the pretext of a decision from the Israeli Ministry of Education not to receive students.

A few days after his liberation, student Ahmad Salaymeh went back to school to continue his education, only to be surprised when he and his mother were denied access to the school premises by a decision issued by the Israeli Ministry of Education.<sup>171</sup> A session was held in the Jerusalem Municipality/Education Department for the liberated prisoners in the exchange deal; namely Ahmad Al-Salaymeh, Motaz Salaymeh, and Mohammad Salaymeh, to examine their return to school and await the decision of the Ministry of Education. However, the Ministry of Education stated that until the end of the winter vacation on 24 January 2024, the prisoners released as part of the exchange deal would not be allowed to return to schools. After the holiday ends, there will be an individual examination for each student.<sup>172</sup>

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170 A lawyer interview with prisoner B. K. in Damon Prison on 21 December 2023.

171 Al Jazeera. "The youngest child freed in the exchange deal told Al Jazeera: The occupation robbed me of my right to education." 6 December 2023. <https://tinyurl.com/ync8973y>

172 Wadi Hilweh Information Center. "The Updates of Jerusalem on the 67th day of Operation Al-Aqsa Flood." 12 December 2023. <https://tinyurl.com/4yd4ucvf>

## Israeli Racist Procedures and Laws Embodied in the Case of Martyr Qusai Matan

On 4 August 2023, the village of Burqa near Ramallah was attacked by dozens of settlers, who attacked the residents and their property. When the villagers tried to confront their attackers, more than 200 settlers flocked to the village to turn it into a war zone. On the other hand, the village youth began attempts to legitimately defend themselves and their property and stop the settlers' attacks, clashes broke out between the unarmed youth and the settlers, half of whom were armed.

An armed settler fired live fire at the young men, and 19-year-old Qusai Matan sustained gunshot wounds to the neck area. Matan was rushed to the hospital, but he succumbed to his wounds.



The Israeli army said in a statement that they received reports indicating that Israeli civilians were injured by stones thrown at them, and during the clashes, they opened fire towards the Palestinians, resulting in the death of a Palestinian. As a result of this assault, the occupation authorities arrested two Israelis on charges of involvement in the killing of Matan. The settlers were Yehiel Indore the prime suspect, who was hit by a stone in the head and was transferred to Shaare Zedek Hospital, and Elisha Yered, a former spokesman for Knesset member Limor Son Har-Melech of the right-wing Otzma Yehudit Party, led by Minister of National Security Itamar Ben-Gvir. Yered used to call on social media platforms for the destruction of Palestinian villages and blood revenge against Palestinians. Despite his incitement and hate speech, he was named a 'promising Israeli youth' by the right-wing Channel 14.

On 5 August 2023, Jerusalem District Court decided to detain the two suspects for five days for further interrogation. In a session held on 8 August 2023, the Israeli police requested to extend their detention for 12 days on suspicion of killing Matan, but Judge Zion Saharai decided to release them and trans-

ferred them to house arrest, claiming that the evidence submitted did not meet the minimum standard required to establish the crime of manslaughter and did not justify extending the detention. On the other hand, the Israeli police filed an appeal with the Supreme Court against the judge's decision and managed to keep Indore in detention. The court released Yered and placed him under housearrest.<sup>173</sup>

Despite all the facts that the Israeli courts and police ignored concerning the murders committed by settlers against Palestinians, the use of excessive force that is disproportionate to the force used by the Palestinians, and the fatal shooting of Matan with live ammunition, there was no evidence submitted to establish the manslaughter against the settlers or prove the judge's request, which is supposed to be impartial and not racist in making decisions in favor of anyone. Conversely, the occupation forces arrested five Palestinians from Burqa who witnessed the assassination carried out by settlers. The arbitrariness and the abuse of the Israeli forces were manifested in the arrest process, as the occupation forces surrounded and stormed the home of the Asalia family on 7 August 2023, and arrested the father, who was also shot by the settler who killed Matan, and four of his sons; two of whom are children), on charges of their involvement in the clashes with the settlers on the day of the incident.

The father and his four sons were interrogated and then taken to court, which released them on bail of 2,000 shekels per each, in addition to placing them under house arrest in the village of Burqa until 17 August 2023. The actions carried out by the occupation forces against the Asalia family, including the unlawful deprivation of basic rights and freedoms, constituted crimes of apartheid committed against humanity stipulated in the Rome Statute and International Convention on the Suppression and Punishment of the Crime of Apartheid.

Given the trial procedures followed by the Israeli courts with the Palestinians and settlers, a system of apartheid and discrimination appears in dealing

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173 The Times of Israel. "Settler suspect in fatal shooting of Palestinian released to house arrest; the second suspect still in remand." 10 August 2023. <https://rb.gy/3k7n7d>



in favor of the settlers, despite the presence of all the evidence, including the murder weapon and witnesses, which all confirmed that Indore was the killer. It also shows the occupying state's lack of commitment to international agreements that stipulate the need to handle similar incidents equally and fairly, yet when an Israeli is allegedly killed by a Palestinian, a series of punitive measures is initiated against the Palestinian suspect, such as in the case of Islam Al-Faroukh.

Al-Faroukh carried out a bombing attack in occupied Jerusalem and killed three settlers. He was arrested and placed in solitary confinement for more than eight months, and his family's home was demolished on 8 June 2023 as collective punishment. Additionally, a Palestinian is given a life sentence for every Israeli he kills, in addition to a series of collective punishments against the family, including the demolition of a house that does not belong to the prisoner or martyr and the displacement of the family.<sup>174</sup>

All of these practices show the laxity and discrimination practiced in favor of the settlers, which constitutes the apartheid system upon which the occupying state and all its organs are based, and which constitutes a crime against humanity. "We strongly condemn yesterday's terror attack by Israeli extremist settlers that killed a 19-year-old Palestinian," the US State Department said in a statement.<sup>175</sup>

Israeli laws and amendments were and are still a tool used by successive governments to achieve political goals and harass all segments of Palestinian society, by expelling them from their lands and displacing them indirectly, in addition to controlling the largest possible segment by putting them in prisons. The judicial system colludes with the occupation authorities and achieves its goals. This is evident through the violations that are monitored inside the courts, as Palestinian prisoners disclose all the violations they are exposed to

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174 For the number of homes demolished as collective punishment, see the chapter on Prison Policies.

175 TRT Arabic. "Terror attack. Washington sharpens its tone regarding the killing of a Palestinian by an Israeli settler." 8 August 2023. <http://tinyurl.com/5n8yv6hy>

during the sessions, and they are recorded in the minutes of the sessions, but without any accountability or any change in the conditions of detention. Rather, these violations continue to escalate, establishing the judges' central and effective role in the inhuman reality of the Palestinian prisoners inside the occupation prisons. Furthermore, despite all the petitions that have been submitted historically by human rights organizations to address various topics affecting the lives of prisoners, only a few of them were considered and accepted by the Israeli courts.

# New Laws and Legal Amendments in 2023



## New Laws and Legal Amendments in 2023

Successive Israeli governments have systematically implemented an apartheid system in the occupied Palestinian territory, but such an apartheid system has become more severe and harsh since the extreme right-wing government took power early in 2023. The new Israeli government swiftly enacted laws and amendments directly targeting prisoners and their families, aiming to impose stricter sanctions. These measures include financial penalties, revocation of Jerusalem residency, deportation of family members, and denial of medical treatment funds for Palestinian prisoners from East Jerusalem. Many other laws have been passed, the number of which exceeded 30 new laws or amendments to laws<sup>176</sup>. These numerous laws do not include how the events of October 7 were exploited to impose a legal reality on both sides of the Green Line while maintaining policies of racial discrimination. These measures are applied to the Palestinians in a varying manner in terms of durations and certain procedures between oPt and historic Palestine [the 1948 occupied territories], and the Israeli government's announcement of a special state of emergency on October 8 has become the legal basis for all these amendments and procedures.

### Laws as a Deadly Weapon in the Hands of the Right-wing Government

The right-wing extremist government's assumption of power in the occupying state since the beginning of 2023 constituted a sharp shift in policy and legislation in general, and concerning security prisoners in particular. This right-wing government began enacting a series of legislation that falls under the umbrella of racism, targeting Palestinians in particular.



<sup>176</sup> Not all of these laws have been approved, as some are still under deliberation while others have not been approved by the Israeli Knesset.

A significant legislative measure is the direct targeting of healthcare aspects, as Palestinian prisoners were deprived of their basic health rights in a flagrant violation of international laws and humanitarian ethics. This racist trend reflects inequality in the healthcare sector and embodies one of the aspects of racial segregation that targets Palestinian security prisoners, not criminal prisoners – in Israeli prisons. On February 22, 2023, the Knesset General Assembly preliminarily approved a bill that strips prisoners of their right to medical treatment and prohibits state funding for medical procedures deemed “unnecessary” to “enhance quality of life,” which includes medications not covered under the standard health services package<sup>177</sup>.

In response to this law, Ben-Gvir stated that dental treatment, which includes initial examinations for prisoners, will all be at their expense. Israel Prison Service (IPS) began deducting from the prisoners’ funds deposited in their canteen accounts to pay for their dental treatment. For every hour of treatment that a prisoner spends in the prison clinic, an amount of 175 shekels will be deducted, and at the beginning of the second half of 2023, the deduction process started by subtracting money from some prisoners in Asqalan Prison<sup>178</sup>. It is worth mentioning that each Palestinian prisoner is allowed a canteen deposit of only 1,200 shekels per month.

On a financial level, the new government’s policies demonstrate its desire to control the finances and assets money of Palestinian prisoners and their families. These policies are becoming part of a system that aims to establish hegemony and economic control, which exacerbates discrimination against security prisoners and their families. On 12 June 2023, the Foreign Affairs and Defense Committee, chaired by Knesset member Yuli Edelstein, began its deliberations to prepare a proposal for a bill to compensate the families of victims of ‘terrorism.’ The bill stipulates that those affected by terrorist at-

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177 <https://main.knesset.gov.il/activity/legislation/laws/pages/lawbill.aspx?t=lawsuggestionssearch&lawitemid=2196049>

178 Palestinian Prisoners Club. ‘The prison administration is implementing the extremist Ben-Gvir’s decision to deduct funds from the prisoners’ canteen for dental treatment.’ <https://ppsmo.ps/home/news/9188?culture=ar-SA>

tacks are permitted to file damage claims against the perpetrators and seek compensation for the damages they sustain. Court rulings can enforce these claims by seizing property belonging to Palestinians involved in such attacks or by using frozen funds allocated by the Palestinian Authority, as per the 2018 law that freezes funds paid by the Palestinian Authority to individuals involved in attacks<sup>179</sup>.

The Israeli government has made use of what it has to target and deprive East Jerusalem and bring the number of Palestinians living there to a minimum, by developing a proposal for an arbitrary criminal law that reflects the extremism inherent in members of the Knesset. Such a law suggests the revocation of the Israeli citizenship or residency of Palestinian convicts from Jerusalem or the 1948 occupied territories if it is proven that they receive financial support from the Palestinian Authority. What confirms that the main goal of these laws is to target and suppress the Palestinians is that members of the Knesset came forward to vote on the proposed bill without adhering to the two weeks to present it to the Knesset. Based on this bill, permanent residency can be revoked by the Minister of Interior after consulting with an advisory committee and obtaining the approval of the Minister of Justice, while citizenship can be stripped by a court order at the request of the Minister of Interior after consulting with an advisory committee and obtaining the approval of the Minister of Justice. The new legislation was ratified on 15 February 2023<sup>180</sup> and entered into force, and thus became applicable to all prisoners on 19 February 2023.

On the other hand, the radical government's policies are implemented through harsh measures that include expelling the families of prisoners from their places of residence. Such a measure has become part of a broader

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179 Knesset News. 'The Foreign Affairs and Defense Committee begins discussing the proposed Terrorism Victims Compensation Law, which would allow compensation for those affected to be released from the frozen funds of the Palestinian Authority.' 13 June 2023.

[https://main.knesset.gov.il/ar/news/pressreleases/pages/press13062023\\_4.aspx](https://main.knesset.gov.il/ar/news/pressreleases/pages/press13062023_4.aspx)

180 The Knesset. 'The Knesset finally approves a legislation revoking citizenship or residency of terrorists receiving financial support for carrying out terrorist acts.' 15 February 2023.

[https://main.knesset.gov.il/AR/News/PressReleases/Pages/press15022023\\_6.aspx](https://main.knesset.gov.il/AR/News/PressReleases/Pages/press15022023_6.aspx)

strategy to achieve racist goals, as the families of the targeted prisoners are stripped of their most basic rights and become subject to exclusion and forced displacement from their places of residence. The arbitrary nature of these laws is demonstrated by their provision for the deportation of family members of prisoners or martyrs if they knew in advance of their children's activities. On 15 February 2023, the Knesset General Assembly approved in the preliminary reading a draft law presented by Knesset member Hanoch Milwidsky, requiring the deportation of families of prisoners or martyrs who are aware of terrorist acts – as expressed by the Knesset – or have expressed their support, encouragement or sympathy for them.

These practices, which target a portion of the population, only show another side of the Israeli apartheid system. Such policies are characterized by violence and injustice and reflect a spike in discrimination according to racist criteria. Furthermore, these actions represent a lack of respect for basic human values and a grave threat to the stability and development of society.

Ben-Gvir's amendments to the Early Release Law have eliminated the option of early release as a punitive measure for prisoners categorized under "acts of terrorism." The amendments specifically targeted Article 68, which previously allowed for the early release of Palestinian prisoners who had served a designated portion of their sentence and met the required conditions, primarily to address prison overcrowding. This is a temporary amendment that will remain in effect until July 2024 and was approved in the Knesset in the third reading on 19 September 2023<sup>181</sup>.

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181 The Knesset. 'The Conditional Release from Prison (Temporary Order) (Amendment No. 3) Law of 2023. <https://main.knesset.gov.il/Activity/Legislation/Laws/Pages/LawBill.aspx?t=lawsuggestionssearch&lawitemid=2208654>

Racism and discrimination reached their peak when the National Security Affairs Committee in the Knesset, chaired by Zvika Fogel from Otzma Yehudit [Jewish Power] Party, discussed the draft law to legalize the death penalty for Palestinian prisoners, which was re-introduced by the Israeli government after Operation Al-Aqsa Flood [the 7 October attack] to approve it in the first reading and speeding things up by approving it in the second and third readings to be effective immediately. The draft law states that “any person who intentionally or out of indifference causes the death of an Israeli citizen when the act is carried out from a racist motive or hate to a certain public, and with the purpose of harming the State of Israel and its security and the rebirth of the Jewish people, shall be sentenced to death.” However, the current version of the draft law does not have any details about how the death penalty will be carried out.

“The Knesset will discuss on Monday [20 November 2023] preparations for the first reading of the death penalty law for Palestinian prisoners,” Ben-Gvir said, according to the Maariv newspaper. In a preliminary reading last March, the Knesset approved the draft law that would allow courts to impose the death penalty on Palestinian prisoners convicted of killing Israelis, submitted by Ben-Gvir and was then supported by Prime Minister Benjamin Netanyahu, but the law was not passed in the second and third readings.

Discrimination is evident in the treatment of Palestinian children within Israeli legal frameworks. Israeli civil law protects children from night arrests, entitles them to have a parent present during interrogations, and limits the length of time a child may be detained before having access to a lawyer and being brought before a judge. However, Palestinian children routinely experience night arrests, interrogation without parental presence, prolonged detention without timely judicial review, and denial of legal counsel. Furthermore, Israeli authorities have demonstrated intent to prosecute Palestinian children labeled as “terrorists” by proposing a bill that lowers the prosecutorial age to 12, despite the legal threshold for prosecution and imprisonment being 14 years. On 5 July 2023, the Knesset approved the preliminary reading of a bill proposed by MK Yitzhak Kreuzer, allowing courts to impose custodial sentences on Palestinian children, as young as 12, instead of placement in rehabilita-



tion institutions if convicted of carrying out 'terrorist' acts or 'nationalistic-motivated' offenses<sup>182</sup> that the Israeli occupation classifies as acts of terrorism. A statement published on the Knesset's official website indicated that in 2016, this draft law was introduced as part of the temporary laws valid for three years, and the temporary law allowed the imprisonment of Palestinian children convicted of murder or attempted murder, but the actual serving of the sentences would be deferred until the children reach the age of 14. The new draft law, however, proposes amending the temporary law that expired in 2019 into becoming permanent legislation while limiting it to murders/manslaughters committed as part of a terrorist act and removing the condition that the punishment be carried out until the children reach the age of 14<sup>183</sup>.

## Legal Amendments in the West Bank after October 7

The Israeli mini-ministerial council for national security issues [the "Security-Political Cabinet] convened on 7 October 2023 and declared a state of war, followed by Israeli aggression on Gaza. In parallel and since this declaration, the Israeli occupation authorities have mobilized its capabilities, including legislators – the Knesset and ministers and military commanders, to make amendments and propose bills that would serve as an executive instrument used by the Israeli forces to expand arrests in the West Bank and 1948 occupied territories alike. The conditions and places of detention were, therefore, amended to accommodate the largest number of Palestinian detainees even if such amendments lead to grave violations of their basic rights.

The first amendment came through 'Temporary Military Order No. 2141,' regarding holding sessions to extend detention, judicial review, and administrative detention orders via videoconferencing<sup>184</sup>. All proceedings in the files in

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182 Madar. "Approving the preliminary reading of a draft law proposing a prison sentence on children under the age of 14". 10 July 2023. <https://rb.gy/4tg1c>

183 The Knesset. "The Knesset approves the preliminary reading of a proposed law that allows the court to impose a prison sentence on a minor under the age of 14 if convicted of murders committed as part of a terrorist act." 6 July 2023. [https://main.knesset.gov.il/ar/news/pressreleases/pages/press06072023\\_5.aspx](https://main.knesset.gov.il/ar/news/pressreleases/pages/press06072023_5.aspx)

184 Order No. (2141) on holding sessions via video conference for prisoners and detainees during the state of emergency (temporary instructions) (Judea and Samaria) 2023. Effective on 15 October 2023.

which indictments had previously been filed have been suspended. The order was later amended to include indictment hearings and the opening of trials via videoconferencing<sup>185</sup>. In parallel with these legal amendments, the Director of the Israel Prison Service, Katy Perry<sup>186</sup>, began issuing instructions regarding procedures within the IPS, aiming to restrict Palestinian prisoners' activities to a minimum through her announcement, which was published on 16 October 2023, through which she announced operating under the Emergency Law while suspending IPS laws that stipulate the political rights of Palestinian prisoners and the relationship that governs IPS with prisoners.

Under this pretext, Perry issued instructions to prison units regarding Palestinian prisoners, urging them to maintain prison security. However, these instructions were translated into repressive practices and severe beatings that did not spare any Palestinian prisoner in any of the Israeli central prisons. In turn, Perry issued a different statement, returning to work under IPS regulations in the part related to Israeli criminal prisoners<sup>187</sup>, while security prisoners remain under a state of emergency.

Arrest procedures based on 'Military Order No. 1651', specifically under Article (31), allow for the arrest of a person for 96 hours before being brought before a judicial authority, and this procedure has been applied since 2012. However, the Israeli authorities maintained the procedure that allows the person to be arrested for eight consecutive days without being brought before any judicial authority if the arrest comes in the context of a 'military operation' or a 'war on terrorism.' In this case, a detainee is immediately prohibited from meeting with a lawyer for two days from the date of the arrest<sup>188</sup>. Later, Article 33 was amended to clarify that the eight-day period means a full 192 hours from the date of signing the arrest warrant<sup>189</sup>. This allowed more time to detain

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185 Amended by Order No. 2151 on 24 October 2023.

186 See Appendix I of IPS Director Katy Perry's Declaration on Limitation of Routine Activities at Time of War.

187 Israel Prison Service. 'Routine Activities in Time of War – Criminal Prisons.' (Update). 28 January 2024.

188 Article 33 of Military Order No. 1651.

189 Order Concerning Security Instructions (Amendment No. 80) (Judea and Samaria) No. (2146) of 2023, issued on 17 October.

Palestinians before being presented to a judicial authority due to the number of arrests that had been continuously increasing since October 7th. For the prosecution and military courts to work on all these files, these amendments were made, which contradict the detainee's right to fair trial guarantees.

Furthermore, the amendments affected detention procedures concerning issuing administrative detention orders, as well as judicial review procedures. The so-called 'emergency instructions'<sup>190</sup> replaced the period of detention to issue an administrative detention order from 72 hours to 144 hours, which is equivalent to six days. If a Palestinian is held in custody for purposes related to filing an indictment or interrogation and a judge decides to release him, the military prosecution can request that the detainee be detained for 144 hours to examine the possibility of issuing an administrative detention order.

When an administrative detention order is issued, the detainee under this amendment must be brought for judicial review of the detention order within 12 days instead of eight days as previously. The arbitrariness and racism of these amendments are demonstrated by referring to the Israeli law, which stipulates that persons must be brought before a judge within 24 hours of their arrest, and this can be extended to 96 hours if permitted in exceptional cases. On the other hand and under military law, unfair procedures and policies are applied to the Palestinians that affect their constitutional rights. The occupying state implements military law through its courts to impose the harshest penalties on the Palestinians through both procedures and the period of punishment.

Regarding punishments, a prevailing rule among Israeli authorities is to treat an accused individual as guilty of incitement until proven innocent. This approach is used to prosecute activists, journalists, students, and anyone who dares to express their opinions, with the aim of intimidating and exerting control over members of Palestinian society. Such practices are beyond racism. Hence, Palestinians in the 1948 occupied territories are accused of supporting terrorism until proven innocent, not the other way around. Consequently,

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190 Order Concerning Extending Administrative Detention Dates (Swords of Iron) (Temporary Instructions) (Judea and Samaria) No. (2148) 2023, issued on 20 October 2023

all Palestinians who exercise the most basic constitutional rights, such as the right to express one's opinion, have become at the top of the Israeli forces' target list, in addition to turning demonstrations in support of the Palestinian cause in the 1948 occupied territories into opportunities to arrest and prosecute participants based on the Anti-Terrorism Law of 2016. For instance, the Israeli authorities suppressed the demonstrations in the cities of Um al-Fahm and Haifa, and some demonstrators were arrested. Adalah Center documents 12 cases of arrest in connection with Um al-Fahm demonstration on 19 October 2023, and some of them were kept in detention<sup>191</sup>.

Moreover, the Israeli authorities considered the possibility of introducing an amendment to the police instructions, the aim of which is to allow the police to open fire on demonstrators because of their 'threat to public order.' Journalists, students, and activists in the 1948 occupied territories were not spared from persecution and targeting. Not only did the occupying state arrest them, but the occupation forces photographed some of them while handcuffed and published the photos on social media sites, such as in the cases of lawyer Asala Abu Bakr and actress Maysaa Abdel Hadi, which is a violation of their privacy and their right to a fair trial.

Accordingly, the penalty for offenses related to incitement and supporting a 'hostile organization' was amended to two years in prison, and the amendment specifically stipulates that the prison term should not be less than half of the actual duration, and this modification remains in effect until the beginning of the next year<sup>192</sup>. Within the 1948 occupied territories, Palestinians can be imprisoned for participating in gatherings of only 10 people on a topic that 'can be interpreted as political' without a license, while settlers can demonstrate without a license in gatherings of no more than 50 people in an open place

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191 Adalah Center. 'Adalah's Monitoring of War Violations: Hundreds of Cases of Various Persecutions of Palestinian Citizens.' 27 October 2023. <https://www.adalah.org/ar/content/view/10939>

192 Order Concerning Toughening the Punishment for Incitement and Supporting a Hostile Organization (Swords of Iron) (Temporary Instructions) (Judea and Samaria) (No. 2153) of 2023, issued on 27 October 2023.

and include 'political speeches and statements.' Although Palestinians and Israeli settlers live in the same area, they are tried under different laws, faced with different legal procedures that must be followed in courts, and faced with different sentences for the same 'crimes,' due to the failure to apply military orders to Palestinians in the 1948 occupied territories.

For the system of repression and control to be complete, inside and outside prisons, it was necessary to also make amendments to the laws of the Israel Prison Service (IPS), to legitimize the incarceration of thousands of new detainees in harsh and degrading conditions without the minimum requirements for human living. 'Prison Authority Orders Law' was passed on 18 October 2023<sup>193</sup>, giving the 'National Security Minister' the power to proclaim a state of detention emergency. This state permits the incarceration of inmates without providing adequate sleeping quarters, resulting in overcrowding in detention facilities that do not adhere to the proper space requirements that the Israeli Supreme Court had previously mandated in 2017. This amendment was effective for three months from the date of its entry into force, and it may be extended for eight days each time and no more than 30 days.

A petition was then submitted by a group of human rights organizations objecting to the reduction of the living spaces for security prisoners only – not criminal prisoners, considering it unconstitutional and amounting to cruel, inhuman, and degrading punishment, and constitutes discrimination against security prisoners and violates their right to equality<sup>194</sup>. The Israeli Supreme Court rejected the petition, and the decision signed by Justices Yael Wilner, Khaled Kabob, and Ruth Ronen stated the following: 'The evaluation of human rights violations in times of war cannot be compared with the evaluation in peaceful situations. Having carefully examined the petition and the legal arrangement set out in the amendment – including being a temporary order for

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193 Law Amending Prison Service Orders (No. 64 – Temporary Instructions – Swords of Iron) (Detention Emergency) of 2023.

194 Association for Civil Rights in Israel. 'Petition against a temporary order that allows for increased overcrowding in security prisoner' living spaces.' 23 October 2023. [https://www.arabic.acri.org.il/post/\\_409](https://www.arabic.acri.org.il/post/_409)

a relatively short period, its limits, the balancing mechanisms, the judicial restraint that generally accompanies judicial review of legislation, and the restraint that is strengthened during the prevailing exceptional circumstances in the country, upon which were imposed unexpectedly and require extreme caution – we have not found that there are grounds for legal intervention as required.<sup>195</sup> Despite this petition, the Knesset General Assembly approved on 15 November 2023 to extend the ‘Emergency Law’ until 18 April 2024, as it originally ended on 22 January 2024<sup>196</sup>.

## **Legal Amendments Regarding Gazan Detainees after October 7**

Since its withdrawal from the Gaza Strip in 2005, Israel has continued to subject Gazan detainees to its civil laws, including the Criminal Procedure Law (Execution Powers - Arrests) of 1996, the Unlawful Combatant Law of 2002, the Prevention of Terrorism Law of 2016, and various other laws allowing for trials in Israeli civil courts. In contrast, West Bank detainees are tried before military courts. These laws have been implemented since then, and have continued to be implemented since October 7, but the Israeli authorities amended them to expand the powers of arrest, lengthen the periods of interrogation, and deny access to legal consultation, giving interrogators the power to maximize penalties on detainees during these periods.

Numerous instructions and orders have been issued by Israeli ministers since the beginning of the war, including the decision of Defense Minister Yoav Gallant to declare ‘Sdet Yaman’ camp, located near the city of Beersheba, as a place of detention for detainees declared ‘unlawful combatants,’ as of October 8 and for 10 weeks<sup>197</sup>. Since the issuance of this announcement until the end of 2023, Israeli occupation authorities prevented the International Committee of the Red Cross and lawyers from visiting detainees in this camp, and the Is-

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195 See the court’s response at [https://www.calcalist.co.il/local\\_news/article/r1d6u46ft](https://www.calcalist.co.il/local_news/article/r1d6u46ft)

196 Madar Center. ‘On first reading – extending the validity of an emergency law that allows reducing the space available for ‘security prisoners’ in prisons and detention centers.’ 17 January 2024 <http://tinyurl.com/bdeb6myn>

197 Detention of Unlawful Combatants (Determining Places of Detention) Order (Temporary Instructions) of 2023, issued on 8 October 2023.

raeli authorities did not disclose the number of Gazans detained there or under what conditions, nor the classification of such detainees.

Until the end of the year, it was still unknown whether they were fighters, civilians, or workers who were inside the 1948 occupied territories on October 7. More than 5,000 workers were arrested and detained illegally without charge or trial, and approximately 3,000 of them were released and deported to Gaza through Karam Abu Salem crossing three weeks later. Many of the released workers recounted harsh conditions and inhumane treatment by the occupation army during their detention, including humiliation and physical assault. Some of these workers are still detained in Israeli prisons and detention centers and are being tried under the guise of entering without a permit under the 'Entry into Israel Law of 1952.'

Later, the Israeli government issued temporary orders allowing the detention of 'illegal residents' from Gaza until they are deported to Gaza amid the military operations there, aiming to cover up the detention of dozens without clear legal procedures<sup>198</sup>.

The occupation authorities deal with a large group of detainees under the 'Unlawful Combatant Law of 2002,<sup>199</sup>' which is similar to administrative detention in the sense that it allows for the arrest of individuals based on undisclosed evidence and without clear charges, with an indefinite duration<sup>200</sup>. On 26 October 2023, the Israeli government issued 'Emergency Orders' to deal with 'unlawful combatants,<sup>201</sup>' allowing an officer of lower rank than the IOF

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198 Emergency Instructions (Swords of Iron) (Detention and Deportation of Illegal Residents of the Gaza Strip) 2023, issued on 9 November 2023.

199 The Unlawful Combatants Law defines an 'unlawful combatant' (Section 2) as a person who is involved in hostile operations against the State of Israel, directly or indirectly, or is part of a force that conducts hostile operations against the State of Israel and who does not meet the conditions of a prisoner of war, as detailed in Article 4 of the Third Geneva Convention.

200 To read more about administrative detention and its procedures, see Al-Addameer report, 'Administrative Detention in the Occupied Palestinian Territory.' [https://www.addameer.org/sites/default/files/publications/ar\\_for\\_web.pdf](https://www.addameer.org/sites/default/files/publications/ar_for_web.pdf)

201 Emergency Orders (Times for Dealing with Unlawful Combatants in Time of War or Military Operations) (Amendment) 2023, effective until 9 January 2024.

Chief of Staff to issue arrest warrants, facilitating the process of issuing arrest orders. Additionally, the deadline for issuing an arrest order after detention has also been extended to a period of 30 days instead of seven days, and judicial review of the order can take place after 45 days from the arrest, rather than the previous 14 days. This implies, of course, that a person may be held up to 75 days before being brought before any judicial authority whether or not the arrest was lawful, and the individual may be prevented from seeing their attorney for 45 days, and this prohibition might be extended for a further 60 days.

There is no doubt that this policy is regarded as a type of legally sanctioned enforced disappearance of captives. To continue the enforced disappearance of captives and deprive them of their right to appear before the courts or to meet with a lawyer, another amendment was issued on December 18 as part of several amendments to the 'Unlawful Combatants Law', raising the deadline for issuing an arrest order to 45 days, and for the judicial review to take place within 75 days. As for the ban on meeting with a lawyer, the individual may be prevented from seeing their attorney for a period of 75 days without a court order, and such a prohibition might be extended up to 180 days. This amendment has become the approved amendment, nullifying all amendments that conflict with what it stated. The amendment stipulates that its validity period is for months from the date of its publication<sup>202</sup>.

The most recent amendments to the 'Unlawful Combatants Law' were on 22 February 2024, which was issued under the title 'Order to Imprison Unlawful Combatants' (Determining the Location of the Prison) (Time Order) (Amendment No. (2)), and specified the places where captives are held in army camps, including Sdet Yaman, Anatot, and Ofer. This amendment is effective until 9 May 2024.

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202 Emergency Orders (Times for Dealing with Unlawful Combatants in Time of War or Military Operations) (Amendment) 2023. Published in Law Book No. 3130, p. 302. Valid since 18 December 2023 and for four months from the effective date.



As for detainees from the Gaza Strip who were transferred to interrogation centers, they are held under the 'Criminal Procedures (Execution Powers-Arrests) Law of 1996,' and the 'Prevention of Terrorism Law of 2016.' These laws set the interrogation period before filing an indictment at 35 days, and a judge may extend it for the first time to 20 days<sup>203</sup>. However, the Israeli government issued new orders on 7 November 2023<sup>204</sup>, allowing the detainee to be held for 45 days, renewable for an additional 45 days. The Israeli government had previously amended the 'Arrests Law of 1996' allowing the detainee to be prevented from meeting with a lawyer for up to 90 days<sup>205</sup>. These amendments revive the arrest and interrogation procedures under previous military orders that allowed a detainee to be held for three months without real judicial review, in complete isolation from the outside world, while being vulnerable to severe torture. Torture and arbitrary detention are war crimes under international humanitarian law and international criminal law<sup>206</sup>. This batch of laws comes in light of the enforced disappearance crime committed by the occupying state on all captives from the Gaza Strip, and the refusal of the Israeli authorities to disclose the locations, conditions, names, and numbers of detainees is supported by the decisions of the Israeli courts that rejected all petitions submitted by human rights institutions regarding detainees from the Gaza strip.

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203 Article 47 of the Prevention of Terrorism Law 2016

204 Emergency Orders (Swords of Iron) (Extension of Detention for Suspects of Security Offenses) 2023

205 Emergency Orders (Swords of Iron) (Meeting with a Lawyer for a Detainee on Security Offenses) 2023, issued on 24 October 2023

206 Article 147 of the Geneva Convention on the Protection of Civilian Persons in Time of War, 12 August 1949. Article 8 of the Rome Statute of the International Criminal Court, 17 July 1998.

## Appendix I: Punitive Demolition of Prisoners' Homes

Name of prisoner	Place of residence	Date of demolition
Younis Hailan	Hajjah – Qalqilia	3 May 2023
Islam Al-Faroukh	Ramallah	8 June 2023
Osama Al-Taweel	Nablus	15 June 2023
Kamal Juri	Nablus	22 June 2023
Maher Shaloun	Jericho	21 October 2023
Khaled Kharousha	Askar camp – Nablus	3 November 2023
Mohammad Al-Zalbani	Shuafat camp – Jeru-salem	8 November 2023
Mohammad and Saqr Al-Shantiri	Hebron	10 November 2023
Hamed Sabah	Orif – Nablus	15 December 2023
Osama Fadl	Aqraba – Nablus	19 December 2023
Ziad Safadi	Ourif -Nablus	15 December 2023

## Appendix II: preamble in Hebrew

הנאשם הנ"ל מואשם בזאת בביצוע העבירה הבאה:

**פרט העבירה:** הסתה ותמיכה בארגון עוין, עבירה לפי סעיף 251(ב)(3) לצו בדבר הוראות בטחון (נוסח משולב) (יהודה והשומרון) (מס' 1651), התש"ע-2009.

**פרט העבירה:** הנאשם הנ"ל, באזור, בתקופה שתחילתה ביום 2 למאי 2023 ועד ליום 16 באוקטובר 2023 או בתקופה הסמוכה לכך, ניסה, בין בעל פה ובין באופן אחר, להשפיע על דעת הקהל באזור באופן העלול לפגוע בשלום הציבור או בסדר הציבורי או פרסם דברי שבח, אהדה או תמיכה בארגון עוין, במשולתיו או במטרותיו, והכל במקום ציבורי או באופן שאנשים הנמצאים במקום ציבורי יכולים לראות או לשמוע גילוי כזה של הודחות או אהדה, דהיינו:

### רקע:

ביום 7 באוקטובר 2023, החל משעות הבוקר המוקדמות, חדרו פעילי ארגון הטרור חמאס ברצועת עזה, יחד עם אחרים (להלן: "פעילי טרור"), תוך שהם פורצים את גדר הגבול, וכאשר חלקם החושים היטב במגוון אמצעי לחימה, לשטח מדינת ישראל. פעילי הטרור ביצעו מעשי טרור קשים, רצחניים ואכזריים, במהלכם, בין היתר, רצחו באופן מתוכנן ומכוון בדם קר גברים ונשים, זקנים, ילדים וטף, ישראלים וזרים, חיילים וחיילות ששהו באותה העת במספר רב של יישובים אורחיים, במסיבת הטבע "נובה", ליד קיבוץ הרעים, וכן בבסיסי צה"ל, ופצעו רבים. מעבר לכך, הטפו פעילי טרור מרצועת עזה כ-200 ישראלים וזרים, גברים ונשים, קשישים, ילדים ופעוטות (להלן: "מעשי הוועה החמוניים"). במקביל, החל משעות הבוקר המוקדמות של יום זה, ובמשך תקופה נמשכת, ירו ארגוני הטרור ירי מאסיבי של אלפי רקטות ופצצות מרגמה, אל עבר שטחי מדינת ישראל, שגרמו לפגיעה ולנזק בחייהם של ישראלים, בגופם וברכושם. מעשי הטרור הנמשכים של פעילי הטרור גרמו, לפי הנתונים עד עתה, למעלה מ-1,300 הרוגים ו-3,500 פצועים, בדרגות פגיעה שונות. בנהלך האירועים, החלו להתפרסם סרטונים המתעדים את מעשי הוועה החמוניים. בתגובה למתקפת טרור רצחנית זו, הכריזה ממשלת ישראל על מלחמת "חרבות ברזל" במסגרתה נכנסו כוחות צבא לרצועת עזה. עקב האמור לעיל, קיים חשש להסלמה בגזרות אחרות, בקרב פעילי ותומכי טרור באשר הם. בעת הגשת כתב האישום, מצויה מדינת ישראל במלחמה.



## **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. in Human Rights. Established in 1992 by a group of activists interested in human rights, the center offers free legal aid to political prisoners, advocates their rights at the national and international level, and works 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 Addameer's message.

Addameer is an executive member of the Palestinian Non-Governmental Organization Network (PNGO), the Palestinian Human Rights Organizations Council (PHROC), the World Organization Against Torture (OMCT), the International Coalition against torture, and many other regional and international coalitions.

### **Addameer's Vision:**

Addameer believes in the importance of building a free and democratic Palestinian society based on justice, equality, rule of law, and respect for human rights within the larger framework of the right to self-determination. Addameer's work is based on a belief in the universality of human rights as enshrined in international law.

### **Addameer's Goals:**

- Put an end to torture and other forms of cruel, inhuman, and degrading treatment inflicted upon Palestinian prisoners and work on abolishing the death penalty.
- Put an end to arbitrary detentions and arrests and guarantee fair, impartial and public trials.
- Support political prisoners and their families by providing them with legal aid and social and moral assistance and undertaking advocacy on their behalf.
- Push for legislation 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.
- Lobby for international support and solidarity for Palestinians' legitimate rights.

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