

## Quarterly Newsletter — April to June 2017


Throughout this quarter, April through June 2017, Addameer has documented ongoing human rights violations against Palestinian prisoners and detainees amidst the current escalation, which began in the beginning of October 2015. Administrative detention continues as a policy which deprives detainees of trials, access to evidence, and the chance to defend themselves against any formal charges. Key issues persistently include the detention and ill treatment of women, child prisoners and ongoing detention of journalists, Jerusalemites and human rights defenders. Addameer holds that the fulfillment of human rights and humanitarian law standards is crucial, and that ill treatment, torture, and arbitrary detention are grave violations of those standards.


### Addameer Prisoner Support and Human Rights Association


Ramallah—Al Masyoun,  
Rafiden Square, Edward Said  
Street, Sebat Building, 1st  
Floor, Suite 2

P.O. Box Jerusalem 17338  
info@addameer.ps

#### Find us on:

 /addameerassociation

 @addameer

 addameer21

### Detention in Numbers

This quarter, from April to June 2017, arrests and detention continue on a large scale by Israeli occupation forces. At the end of April 2017, there were approximately 6300 Palestinian political prisoners, including approximately 500 administrative detainees. At the end of June 2017, there were approximately 6140 Palestinian political prisoners, including approximately 449 administrative detainees, signifying a slight decrease in the total number of administrative detainees and prisoners.

### 1500 Palestinian Prisoners Carry Out 40-Day Hunger Strike



Palestinian political prisoners in Israeli prisons and detention centers launched a mass hunger strike by an estimated 1500 Palestinian prisoners starting 17 April 2017 and ending

40 days later on 28 May 2017. The call for hunger strike came amidst resentment of Israel's cruel policies towards political prisoners.

The prisoners had a range of demands, highlighting basic needs and human rights, included an end to the denial of family visits, the right to proper health care and medical treatment, the right to pursue distance higher education, an end to solitary confinement, and an end to administrative detention, imprisonment without charge or trial.

The issue of Palestinian prisoners and detainees held in Israeli prisons and detention centers transcends one of individual human rights; it is also one of collective rights of an entire people – the Palestinian people, who continue to be deprived of the right to self-determination and sovereignty – basic fundamentals of international law. All Palestinian political prisoners – regardless of their alleged political affiliations or charges – are entitled to fair trial guarantees under international humanitarian law and international human rights laws.

Addameer would like to salute the prisoners' movement for its victory. Addameer further expresses its sincere gratitude to all human rights organizations, grassroots movements, state officials, local and international solidarity activists who have expressed solidarity with the prisoners and detainees.

### Administrative Detention Order Renewed Against Addameer's Media Coordinator Hasan Safadi

The administrative detention of Palestinian journalist and human rights defender Hasan Safadi, the Media Coordinator for Addameer, has been renewed for an additional 6 months for the second time. Safadi's administrative detention order was set to end on 8 June 2017, but the order has been renewed. The new order is from 09 June - 08 December 2017. Administrative detention orders may be renewed indefinitely.



Safadi is one of approximately 449 Palestinians held without charge or trial under administrative detention. Administrative detention orders are renewable indefinitely and issued for one to six month periods at a time; some Palestinians have spent years at a time in administrative detention, on the basis of secret evidence submitted by the Shin Bet. Safadi was initially ordered to six months detention without charge or trial on 10 June 2016, and the order was set to end on 8 December 2016. It has since been renewed twice (including the latest renewal order). Safadi, 26, who has been imprisoned since 1 May 2016 while crossing the Karameh bridge between Jordan and Palestine's West Bank, was subjected to 40 days interrogation at Al-Moskobiya interrogation center. Following an order of release by judge and bail money paid by his family as terms of release, Safadi was then placed under administrative detention on 10 June 2016, the day of his scheduled release.

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### Arrest and Detention of Jerusalemite Children

The Convention on the Rights of the Child underlines in Article 27(b) that "No child shall be deprived of his or her liberty unlawfully or arbitrarily." The article further underlines that in the case of arrest, "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". The Convention states in Article 2 the principle of best interest of the child, underlining that "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be the primary consideration." These best interests undoubtedly involve treating the children with dignity, freedom from cruel and degrading punishment, the ability to grow, especially through social development, and the pursuit of their education.



The central Israeli legislation that addresses the arrest and detention of children in Jerusalem is the Trial, Punishment and Modes of Treatment Law, 5731-1971 and namely Amendment 14, which took effect in 2009. While the amendment emphasizes the principle of arrest of children only as a last resort, in practice, Palestinian children are not afforded this principle, with systematic arrests and associated discriminatory practices being maintained as the norm.

Currently, an estimated 75 Palestinian children from East Jerusalem are being held in Israeli prisons and detention centers. Based on monitoring of 9 recent and current cases of Palestinian children from Jerusalem from the onset of 2017 who were arrested and, as well as exhaustive Addameer statistics and data from several years of monitoring and legal representation in Jerusalem, Addameer published a [factsheet](#) on 6 June 2017 that explores the effects of arrest and house arrest on a child's education and development. The factsheet relies on information obtained through visit questionnaires, field visits, and court protocols.

The trends and data are based on 2015-2016 affidavits taken from Palestinian children from Jerusalem who experienced arrest by Israeli forces and were taken to Beit Alyaho Police Center, Oz police center, Salah Al-Din police station, and Qishleh police center, as well as Al-Moscobiyeh. Interrogation within these centers focused on confessions obtained through coercive methods, including physical violence, in the absence of their parents and attorneys. Despite the fact that the interrogation lasted for a few hours in some cases, some of the children were subjected to intense interrogation methods, slaps, beatings, kicking, and being cuffed by hands and legs to the chair. This factsheet aims to examine the aftermath, namely the policy of house arrest and the post-detention experience

The continued policy of arrests of Palestinian children in Jerusalem contravenes the Convention on the Rights of the Child in its use not as a last resort as stated in article 37 of the Convention. The associated disruption of education and social development unarguably violate the best interests of the child. The policy also breaches the State's responsibility to make primary and secondary education accessible to the children (article 28). Furthermore, the Convention affirms, "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration." The practice of arrest and detention of Palestinian children in Jerusalem may be seen as a larger policy of repression and disruption of a population, resulting in the obstruction of social development, the impeding of education, associated financial burdens, and sometimes, relocation outside of his or her home environment in assigned residency.

### This Year's Palestinian Prisoners' Day

On the occasion of Palestinians Prisoners' Day, 2017, the year that marks 50 years since the establishment of the military courts which routinely charge and trial Palestinian civilians, including children as young as 12 years old, the Palestinian Human Rights Organizations Council (PHROC) calls for international protection of Palestinian political prisoners, an end to ongoing collective punishment by Israeli occupation forces, administrative detention, continued denial of fair trial, and illegal transfer and deportation of detainees. Since the occupation of 1967, an estimated 800,000 Palestinians, roughly 20% of the population, have been imprisoned by the occupying authorities. On this year's Prisoners' Day, Israel holds approximately 6300 Palestinian political prisoners, 300 children and approximately 56 females (including 13 female children) as well as an estimated 500 Palestinians in administrative detention (including 2 children), held for indefinite periods without charge or trial.

This year marks 50 years of torture of Palestinian political prisoners through a military system which has historically been endemic and various forms of physical and psychological torture and ill-treatment, including beatings, kicking, insults, being forced into stress positions, sleep deprivation, isolation and solitary confinement, threats of sexual violence, and threats of arrest of family members continue to date. Furthermore, they have been systematically denied the right to a fair trial, as well adequate health care, access to education, and the right to family visits. Palestinian prisoners and detainees also continue to suffer from a policy of deliberate medical negligence, as well as poor prison conditions, including overcrowding, unsanitary conditions, and being kept in extreme temperatures.

Continued arrest and detention of Palestinians undermines the right of self-determination of the Palestinian people. These arrests target women, children, Palestinian Legislative Council Members, and civil society activists. With all Palestinian political parties being deemed illegal organizations by military orders, Palestinians continue to be deprived of participation in any form of civil and political activities. They are thereby criminalized for any tools of resistance – whether militant or not – against an illegal and protracted belligerent occupation by Israeli forces.



The issues of prisoners transcends one of individual human rights; it is also one of collective rights of an entire people – the Palestinian people, who continue to be deprived of the right to self-determination and sovereignty – basic fundamentals of international law. All Palestinian political prisoners – regardless of their alleged political affiliations or charges – are entitled to fair trial guarantees by international human rights laws.

Palestinian political prisoners are systematically subjected to torture and ill treatment with continued impunity – highlighting the need for the international community, as well as individuals, to intervene and call for immediate protection for these prisoners and detainees, long-denied basic rights.

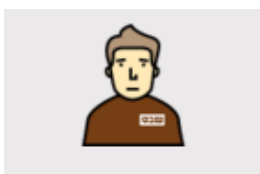
While Palestinian prisoners are about to launch a hunger strike to end Israel's ongoing violation of Palestinian prisoners human rights, including its rejection to fulfill its obligations in accordance to provisions of third and fourth Geneva conventions, the international community is asked to fulfill its responsibility through tangible and practical measures to ensure the protection for prisoners legitimate struggle and human rights.

PHROC therefore calls on the International Criminal Court to immediately open an investigation into the case of Palestinian prisoners and detainees, and bring those who have tortured, extra-judicially executed, forcibly transferred, and arbitrary detained Palestinians to be held to accountable.

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## Child Detention

The quarter has witnessed persisting violations against children. Approximately 700 Palestinian children under the age of 18 from the occupied territories are prosecuted every year. The most common charge levied against children is throwing stones, a crime that is punishable under military law by up to 20 years in prison. From April to June, the occupation forces have arrested Palestinian children systematically, and within arrest campaigns of collective punishment. These children were subjected to different forms of psychological and physical torture, systematically being interrogated in the absence of their parents and/or attorneys.



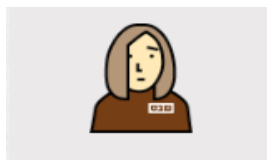
Month	Number of Palestinian Children held
April 2017	300
May 2017	300
June 2017	X

The Convention on the Rights of the Child, ratified by Israel on 3 October 1991, states in article 37 that "No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment." The article also states that "No child shall be deprived of his or her liberty unlawfully or arbitrarily" and that detention, imprisonment or arrest should be used only as a last resort.

\*UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations

## Imprisonment of Women and Girls

This quarter has witnessed persisting violations against women and girls inside Israeli prisons and detention centers. The Research and Documentation Unit at Addameer met with several women and girls and they indicated that they experienced human rights violations, ill treatment and abuses during interrogation and while in detention. The treatment of Palestinian women and girls during their arrest and detention contravenes the Convention on the Elimination of all Forms of Discrimination Against Women, ratified by Israel on 3 October 1991, which emphasizes "that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women."



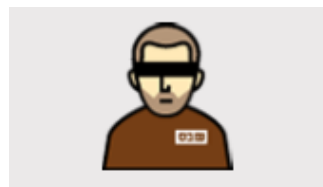
The following table shows the numbers of Palestinian female prisoners at the beginning of each month of the quarter.

Month	Number of Female Prisoners
April 2017	61
May 2017	56
June 2017	X

\* UN General Assembly, *Convention on the Elimination of all Forms of Discrimination Against Women*, 1979, United Nations

## Stop Administrative Detention!

This quarter, April through June 2017, administrative detention continues as a policy practiced by Israeli occupation forces.



**Administrative detention** is a procedure that allows the Israeli military to hold prisoners indefinitely on secret information without charging them or allowing them to stand trial. Administrative detention is used almost exclusively to detain Palestinians from the occupied Palestinian territory (OPT), which includes the West Bank including East Jerusalem. Additionally, the Internment of Unlawful Combatants Law (Unlawful Combatants Law), has been used against residents of the Gaza Strip since 2005, holding individuals without charge or trial for unlimited periods.

### Administrative Detention this quarter in numbers

The following numbers are documented administrative detainees at the onset of each month:

Month	No. held under administrative detention
April 2017	500
May 2017	490
June 2017	449

*There has been an alarming increase in administrative detention since October 2015, which has persisted from January to March 2016. The systematic use of administrative detention has resulted in hunger strikes by administrative detainees being held without charge or trial for extended periods.*

Addameer holds that the government of Israel should end the policy of administrative detention and to release all administrative detainees, and in the meantime, all administrative detainees must be granted their rights in accordance with international law. The United Nations Committee Against Torture (CAT), in its concluding observations on 13 May 2016, called on the Israeli government to "[t]ake the measures necessary to end the practice of administrative detention and ensure that all persons who are currently held in administrative detention are afforded all basic legal safeguards."

### Case Study: Ahmad Atoun

The number of imprisoned Palestinian Legislative Council members has climbed to 13 on Wednesday, 12 April after a pre-dawn raid by Israeli occupation forces seized PLC member Ahmad Atoun from his home in Ramallah. Atoun has previously spent several years in Israeli prisons. His last arrest was in 2013, during which he spent 17 months in detention. Atoun is originally from Jerusalem but is banned from living there by occupation forces.



Democratically elected Palestinian political leaders are routinely targeted and detained as part of ongoing Israeli efforts to suppress Palestinian political processes – and, as a necessary result, political sovereignty and self-determination. The Israeli policy of detaining members of the Palestinian Legislative Council (PLC) has adversely disrupted PLC normal functions. Israeli occupation forces arrested 5 Palestinian Legislative Council Members in March 2017. 8 Palestinian legislative council members are currently placed under administrative detention.

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### Human Rights and Awareness Raising Activities

***This quarter, Addameer's Training and Awareness Unit carried out several activities to bring about increased knowledge on issues related to prisoner's rights and international human rights law.***

Prisoner's Day activities at Birzeit University and Al Arroub Refugee Camp



On 3 April 2017, Addameer Adv. Farah Bayadseh led a Know Your Rights training in Silwad.



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### Longest-serving female Palestinian prisoner released after 15 years of imprisonment



The longest-serving female Palestinian prisoner Lina Jarbouni has been released today after 15 years of imprisonment. Lina Jarbouni, 43 years old, from Arabet Al-Boutof in Galilee, has been imprisoned since 18 April 2002.

Jarbouni was charged with communicating with the "enemy," and sentenced by the District Court in the city of Haifa to 17 years in jail. Despite her suffering in Israeli captivity, she was in high spirits and had a strong character, and was mandated by female Palestinian prisoners to represent them and be their spokeswoman.

Jarbouni was born on 11 January 1974 among 9 sisters and 8 brothers. On the early hours of 18 April 2002, more than 30 Israeli army vehicles surrounded her family house, arresting Lina along with her brother Said. Both were taken handcuffed and blindfolded to Jalameh detention center. She remained 30 days in an interrogation center, where she was subjected to various forms of torture such as insults, isolation and sleep deprivation.

### Palestinian writer Ahmad Qatamish receives 3 months administrative detention order



Prominent Palestinian writer and political scientist Ahmad Qatamish, who was arrested in a pre-dawn raid by Israeli occupation forces on 14 May 2017, received a three months administrative detention order, signed by the occupation military commander of the West Bank today, 17 May 2017. Within 8 days, a confirmation hearing will be held at Ofer military court. Addameer strongly condemns Qatamish's continuing detention, as it suggests that he is still being targeted for his writings and activism.

This practice of arbitrary detention is a grave violation of international laws and human rights standards, particularly articles 78 and 72 of the Fourth Geneva Convention which state that an accused individual has the right to defend himself. This also violates article 66 of the Fourth Geneva Convention and the basic standards of fair trial.

### PHROC and ICHR organize a meeting between the parents of political prisoners and representatives of foreign countries to Palestine



The Ramallah - In a meeting with diplomats and ambassadors to the state of Palestine, the families of a number of Palestinian political prisoners expressed their serious concern about the well-being of their sons in Israeli jails.

PHROC and ICHR organized the meeting yesterday for the representatives of Arab and foreign countries, to shed light on the situation of Palestinian political prisoners, especially those currently undergoing an open hunger strike.

During the meeting, the sister of the prisoner Husam Shaheen, who is sentenced to 27 years, 14 of which have already been served, expressed her utmost concern regarding the health of her hunger-striking brother. The Israeli authorities have prevented the International Red Cross from visiting him after he was transferred to the Ramleh jail due to a deterioration in his health. In addition to this, the mothers of the prisoners Ahmad Jafar, Rafat Al-Qarawi and Alaa Fuqaha expressed their fear for the lives and health of their sons, especially given the current scarcity of reliable information about them, their health and condition.

PHROC and ICHR stressed that the demands of the prisoners are humane, legal and in accordance with international law. They emphasized the importance of a clear position on the prisoners from the representatives' states and the international community to pressure Israel to comply with the prisoners' demands.

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