

# Monthly Newsletter

January 2021



## Top January Topics

- Addameer Condemns the Israeli Attorney General's Decision to Close the Investigation against the Shabak for Committing Torture against Samer Arbeed
- LPHR, Addameer, and Fobzu statement on International Education Day: Highlighting the systematic targeting of Palestinian university students for prolonged arbitrary military detention by Israel's military authorities
- Public Statement Issued by the Palestinian Bar Association and Civil Society Organizations on President Abbas's Decrees by Law Regarding the Judicial System
- PHROC Sends Joint Urgent Appeal to the United Nations Special Procedures on Israel's Continued Demolitions Amidst a Global Pandemic
- NGO, PNIN & PHROC Joint Statement: Racism and Institutionalised Discrimination in the Roll-Out of the COVID-19 Vaccine

The prolonged Israeli occupation as an apartheid regime is a menace to the Palestinian people's integral rights to life and dignity. This apartheid apparatus continues to commit crimes for the sole purpose of delegitimizing, oppressing, gaining, and maintaining control over Palestinians. The Israeli Occupation Forces never stopped resorting to torture as the standard operating procedure in extracting confessions from Palestinian detainees, including women, children, university students, human rights defenders, and political leaders. The crime of torture is committed in a systematic and widespread manner without any form of monitoring and protection.

# News

## General Update on Palestinian Prisoners

In January 2021, the Israeli Occupation Forces (IOF) detained 456 Palestinians, including 93 children and eight women, amounting to 4500 Palestinian prisoners currently inside Israeli prisons and detention centers. Also, 30 new administrative orders were issued, and 75 administrative orders were renewed. As of today, the number of Palestinian prisoners infected with COVID19- has reached more than 355 cases and is steadily increasing, putting 300 chronically ill Palestinian prisoners in danger, and at least 11 are cancer patients. On Sunday, 10 January 2021, five human rights organizations submitted a petition to the Israeli High Court against Public Security Minister Amir Ohana's decision, not to vaccinate Palestinian prisoners. Israel's Attorney General Avichai Mandelblit wrote to Ohana, condemning the comment as "tainted with illegality." Following the petition, on 18 January 2021, the Israeli Prison Services submitted an action plan over the course of a week to vaccinate all prisoners in Israeli prisons, including Palestinian prisoners. However, the Israeli Prison Services initiated their plan on 17 January 2021. According to Physicians for Human Rights, up until 26 January 2021, out of 12360 prisoners, a total of 9089 prisoners have received the first shot of the COVID19- vaccines, which constitutes %74 of eligible prisoners. PHR has requested a detailed report on the number of Palestinian prisoners who have received the vaccine and their distribution within Israeli prisons. The Israeli Prison Services has yet to respond. It should be noted that all prisoners are eligible for the vaccine, excluding those under the age of 16, detainees, and those who will be released within 15 days.

## Public Statement Issued by the Palestinian Bar Association and Civil Society Organizations on President Abbas's Decrees by Law Regarding the Judicial System

On 30 December 2020, President Abbas issued three decrees by Law. While the three decrees relate to the judiciary in general, the first one deals specifically with the regular courts' formation, the second amends the Judicial Authority Law number 1 of 2002 (the Law), and the third relates to administrative courts. The promulgation of these decrees came in disregard of the constitutional principles of the rule of Law, separation of powers and independence of the judiciary that prohibit any authority from interfering in the judiciary or judicial affairs. While such promulgation is per se unconstitutional, much of the substance of each of the three decrees entrench the executive's control over the judiciary in violation of the mentioned basic principles. The PBA, representatives of non-governmental organizations, community-based organizations, coalitions and networks, the Judges Club Association, and political parties, have always maintained the position that the Judicial Authority Law that is in force is great and that if an amendment is needed, it should be done by the PLC. The PBA stressed the need for consultation with all partners. This is based on the premise that judicial reform is a community right and that judicial reform should be grounded in respect for the Judicial Authority Law. A normal High Judicial Council should be established in accordance with the Basic Law and Judicial Authority Law and should serve as the protective shield of judicial independence.

## PNGO, PNIN & PHROC Joint Statement: Racism and Institutionalized Discrimination in the Roll-Out of the COVID19- Vaccine

The Palestinian NGOs Network (PNGO) and the Palestinian Human Rights Organizations Council (PHROC) and the Palestinian National Institute for NGOs (PNIN) are concerned that since commencing the roll out of a vaccine against COVID19- in December 2020, the Israeli occupying authorities have implemented its vaccine policy in a discriminatory, unlawful, and racist manner by completely disregarding its obligations to Palestinian healthcare. Throughout the Occupied Palestinian Territory (OPT), apart from East Jerusalem, Israeli occupying authorities have reserved access to the vaccine to the unlawfully transferred in settler population of Jewish Israelis in illegal settlements, and denied the vaccine to the Palestinian population. According to data collected by the University of Oxford, around 1.99 million Israelis, Palestinian citizens of Israel, and Palestinian from occupied East Jerusalem had been vaccinated by 13 January 2021. According to the State of Palestine's Negotiation Affairs Department, as of 9 January 2021, there were over 165,000 active cases in the occupied State of Palestine, including in East Jerusalem. As of 13 January, 1814 Palestinians, in the oPt lost their lives to COVID19-. In its on-going roll-out of COVID19- vaccinations, Israel is directly violating its humanitarian and human rights law obligations by denying lifesaving vaccines to Palestinians as part of its policy of maintaining its apartheid regime of institutionalized domination. This policy has revealed in a direct and clear manner how the system of apartheid operates.

## Numbers of Palestinian prisoners at Israeli occupation prisons by the end of January 2021.



Total Number of Political Prisoners

4500



Administrative Detainees

450  
(5 PLC members)



Child prisoners

140



Female prisoners

37

# Individual Case

## The Case of Samer Arbeed

On 24 January 2021, the Israeli Attorney General Avichai Mandelblit closed the investigations against the Shabak (Israeli Security Agency) for the circumstances leading to prisoner Samer Arbeed's hospitalization and use of extreme torture techniques during interrogation that almost killed him. Rather than pressing a list of charges against the perpetrators of such a heinous crime, the Israeli Attorney General decided that «there are no grounds to prove that the crime of torture has been committed.»

Such a step inevitably allows for the use of torture without any accountability. It confirms the Israeli occupation's unwillingness to investigate, prosecute, and hold the Shabak accountable for the excessive use of force and torture against Palestinian detainees during interrogations. It also shows the incompetence of a system of external supervision over the Shabak practices

during interrogations, leaving the lives of Palestinian detainees at imminent risk. On 25 September 2019, Samer Arbeed was arrested outside of his workplace. From the first moments of his arrest, the Israeli special forces unit viciously beat him with their weapons. Samer was transferred to Ofer prison, where he was immediately banned from meeting with his lawyer and led into interrogation. On day one, Samer was interrogated for hours on end, during which he was violently assaulted and forced into multiple stress positions, including the banana position and squatting in front of a wall position. In an attempt to suffocate Samer, the interrogators put pressure on his neck. On the second day, he was brought before a military judge to extend his detention; he informed the judge that he experienced chest pains, continuous vomiting, and inability to swallow. Nevertheless, the judge dismissed his statement and ordered the extension of his detention for further interrogation.

Directly following the court session, Samer was transferred to Al-Mascobiyya interrogation center, where the interrogators continued to use the same torture methods until he lost consciousness. Within 48 hours of interrogation, on 27 September 2019, Samer was transferred to a hospital with life-threatening injuries that prompted his physicians to put him under general anesthesia for around 14 days. Samer suffered from 11 broken ribs, renal failure, and several bruises on his whole body. Palestinians are subjected to various forms of torture during interrogation. In 2019, dozens of Palestinian detainees were subjected to extreme torture in Al-Mascobiyyeh interrogation center.

## Publication

### Torture Positions in Israeli Occupation Prisons Brochure

Despite the entrenched and absolute prohibition of torture under various international conventions, particularly under Article 5 of the Universal Declaration of Human Rights and Article 2(2) of the Convention against Torture, which Israel ratified on 3 October 1991, the Israeli apartheid regime's practices on the ground reflect a reality that stands in contrast with this non-derogable rule. The Israeli forces systematically put detainees under severe physical and psychological pressure, in many cases, as a means to extract confessions. This includes beatings, physical assault, sleep deprivation for prolonged hours, which often leads to the detainees' collapse, forcing the detainees into stressful positions for long periods and calling in their family members, and threatening to arrest and brutally interrogate them.

This brochure includes pictures of several stress positions used recently against Palestinian detainees at al-Mascobiyya interrogation center along with a description of each picture. The pictures are stimulated by the testimonies of Palestinian detainees who were subjected to different forms of torture and ill-treatment.

## EVENTS

### **Press Conference on the Outbreak of COVID-19 in Israeli prisons and the Conditions of Palestinian Prisoner/ National Committee to Save the Lives of Sick Prisoners**

27 January 2021: Ms. Ehteram Ghazawni, Addameer's Documentation Unit Coordinator, participated in a press conference that discussed the situation of sick Palestinian prisoners inside Israeli occupation's prisons and detention centers amidst the COVID-19 health pandemic.

### **Developments in the Palestinian Judiciary/ Palestinian Bar Association**

18 January 2021: Upon an invitation by the Palestinian Bar Association (PBA), Addameer participated in a discussion on the recent developments in the Palestinian judiciary, especially after President Mahmoud Abbas had passed three decrees by law which have devastating impact on the independence of the judiciary and the rule of law in Palestine.

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### LOCATION:

Ramallah- AlMasyoun, Rafiden Square, Mousa Tawasheh Street, Sebat building, 1st floor

P.O. Box Jerusalem 17338

[info@addameer.ps](mailto:info@addameer.ps)