

Quarterly Newsletter — January to March 2018

Throughout the quarter, January to March 2018, 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 the right to a fair trial, and the chance to defend themselves against any formal charges. Key issues persistently include the detention and ill treatment of women, child prisoners and the ongoing detention of journalists, Jerusalemites and human rights defenders. Addameer maintains that the meeting of human rights and humanitarian law standards is crucial, and that ill treatment, torture, and arbitrary detention represent grave violations.

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Detention in Numbers

This quarter, from January to March 2018, arrests and detention were perpetrated on a large scale by Israeli occupation forces. At the end of January 2018, there were approximately 6141 Palestinian political prisoners, including approximately 450 administrative detainees, 330 child detainees, 59 female prisoners and 11 Palestinian Legislative Council member. At the end of February 2018, there were 6119 prisoners, including 450 administrative detainees, 330 child detainees, 61 female prisoners and 11 PLC member. Finally, at the end of March 2018, there were 6050 prisoners, including 427 administrative detainees, 356 child detainees, 62 female prisoners and 7 PLC members.

Bushra al-Taweel, a Young Journalist Under Administrative Detention



Bushra was arrested from her house in Um al-Sharyet on the night of 1 November 2017. This would be the third time that she had been arrested. During the arrest, the Israeli occupation forces searched the house, damaged the family's belongings, and confiscated money. Additionally, family members were interrogated during the search. Bushra was searched before being taken to the jeep.

On 6 November 2017, Bushra received a six months administrative detention order. During the confirmation hearing, this was reduced to four months. However, in February 2018, Bushra's order was renewed for another four months. It is meant to end in July 2018.

Administrative detention is a procedure that allows the Israeli authorities to hold prisoners indefinitely, based on secret information without charge or trial.

On 6 July 2011, Bushra was first arrested at the age of 18. She was sentenced to 16 months but was released 5 months later as part of the 2011 Wafa al-Ahrrar prison exchange deal. Despite this, the Israeli occupation forces continued targeting Bushra. She was again arrested on 2 July 2014 and was made to serve the remainder of her previous sentence. On 17 May 2015, after ten and a half months, Bushra was released.

In the Past 13 Years, PLC Hassan Yousef Spends 11 Years in Detention



Hassan Yousef is 63 years old, he has been imprisoned a number of times most of them were administrative detentions. In the early hours of 13 December 2017, Israeli occupation forces raided the house of PLC Member Hassan Yousef in Betunia with the intent of detaining him. Shortly after his arrest, he was handed down an administrative detention order for six months which ends in June 2018. He had been free for a little over three months before he was re-arrested.

Thus, since 2005 and in the past 13 years, PLC member Hassan Yousef spent around 11 years in detention.

Salah Hammouri's Administrative Detention Order Renewed



The judge at the District Court in Jerusalem decided on 1 March 2018 to postpone the administrative detention confirmation hearing of Salah Hammouri until next Monday, March 5th 2018, when he confirmed the renewal of the detention order.

Hammouri stated, "I don't want a lawyer or any legal representation due to the fact that administrative detention is an illegal policy that denies me my freedom. There are no charges against me and my detention is based on a secret file that is controlled by the Israeli intelligence. I don't want to be part of such proceedings in this place which lacks all forms of justice. I request

for my lawyer to retreat from this hearing." Hammouri also refused to be represented by state lawyers.

It should be mentioned that on 26 February 2018, the occupation Minister of War, Avigdor Lieberman, decided to renew the administrative detention order of Salah Hammouri. His order has been renewed for four months, this means that Salah will continue to remain in prison until at least 28 June 2018, at which point he would have been in prison for ten months.

Addameer's field researcher Salah Hammouri was arrested by Israeli occupation forces in a pre-dawn raid on 23 August 2017. Later, Hammouri was taken to Al-Moskobyeh (Russian Compound) interrogation center. Few days after, Salah was placed under administrative detention.

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Boycott Israeli Military Courts

Administrative detainees have announced in an official statement that they will begin a boycott campaign against military courts starting from Thursday 15 February 2018.



Addameer reasserts its unwavering support for administrative detainees and their legitimate demands. We believe that Israeli's systematic and wide scale implementation of the policy of administrative detention represents a violation of the Fourth Geneva Convention. In addition to being in contravention of article 78, administrative detention is also in violation of article 147 of the same convention, which means that it also constitutes a war crime and a crime against humanity according to articles 8 and 9 of the Rome Statutes. Currently, there are 429 administrative detainees including 3 PLC members, 3 women and 3 children.

Israeli occupation forces have responded violently to this boycott campaign. In the past months or so, administrative detainees are forcibly brought to the court. Some were harshly beaten and threatened for refusing to go to the court and participate in the boycott. Furthermore, several lawyers such as Addameer's lawyers were threatened by the judges for boycotting the military courts.

Statement of Behalf of the Administrative Detainees:

"This Israeli Zionist colonial project continues to use the systematic policy of administrative detention, which is a violation of conditions and terms elaborated by international humanitarian law and international human rights law. Recently, the Israeli occupation forces intensified the use of this policy as there are currently hundreds of Palestinians under administrative detention. This intensification happens regularly, not once or twice a year, but every few months. Palestinians have spent up to 14 years under administrative detention without charge or trial. Administrative detention is used as a weapon against Palestinians; it is one method of collective punishment against our people.

International law puts strict conditions and rules on the use of administrative detention. The colonial occupation claims that its situation has met the emergency status and extreme conditions, which allow administrative detention, consistently for the past 50 years. The Israeli occupation authority does not only manipulate the language and implementation of international law, but it also claims administrative detention procedures are in keeping with international law. This is a lie. In reality, the Israeli military court and laws are in complete harmony with the occupation's policies against our people and represent a complete disregard for international norms. To this end, Israeli military courts when it comes to administrative detention adopts 99.9 percent of the suggestions coming from the Israeli intelligence department.

Accordingly, as a continuation of our hunger strikes and our struggle against administrative detention, we, administrative detainees in Israeli jails, are announcing the beginning of a boycott campaign against military courts. We will begin an open boycott to all administrative detention courts because we believe that the core of resisting this policy comes from boycotting this Israeli legal system.

As we go ahead with this collective step, we put our faith and trust in our people, their power and institutions, and in the civil society which will not leave us alone in this fight. We also call on all human rights organizations, the lawyers union, the Palestinian Prisoner Club, and the Commission of Detainees and ex-Detainees to help us in this step and boycott all administrative detention courts with us. This is a national patriotic act that should not be violated by any individual or institution, so we call on the Palestinian Authority to make a submission to international criminal court on the issue of administrative detention as soon as possible. Finally, we call on forming media, legal and public committees to support us in this campaign."

Palestinian Females in Detention

Israeli occupation forces continue to violate the rights of Palestinian women. In fact, there are 62 Palestinian females held in Israeli prisons and detention centers, including 6 female children, 9 injured prisoners and 3 administrative detainees held without charge or trial. In total, 35 are held in HaSharon Prison and 25 are held in Damon Prison. Both of these prisons are located inside Israel in contravention of the Fourth Geneva Convention which prohibits the transfer of the population from the occupied territory to the territory of the occupier.

Since the beginning of the occupation 50 years ago in 1967, over 10,000 Palestinian women have been arrested and detained by Israeli occupation forces. In 2018, Palestinian women and girls are routinely arrested from the streets, Israeli military checkpoints, and during violent night raids on their homes. Those military incursions are accompanied with the presence of Israeli soldiers, intelligence officers, and police dogs, during which destruction of household items and property damage takes place. They are blindfolded and handcuffed, and they are forcibly taken to a military jeep.

Struggle for Education

Palestinian girls and women in Israeli detention centers are deprived of their right to education. In fact, female minors are not provided with any school classes in detention, which is in direct violation of international laws and standards. Thus, being a young Palestinian female detained in Israeli prisons it means you will end up being late in school, if not eventually dropping out. Currently, there are 6 female minors detained, most of them are supposed to do their official high school exams at the end of the educational year. However, those young girls are not provided with any educational services by the Israeli Prison Service (IPS) to prepare them for those exams. Nevertheless, since those young girls are detained in the same detention centers as adult women, PLC member Khalida Jarrar has been preparing those girls for the exams.

Khalida Jarrar is currently under administrative detention, she also announced her total boycott of Israeli military courts. A boycott Campaign of military courts was announced by administrative detainees last month, the campaign started officially on 1 March 2018, currently, there are 450 administrative detainees. Khalida stated,

"Greetings to all Palestinian women and women from the entire world. On this International Women's Day, I assure the importance of unity among women in their national and social struggles against colonization, discrimination and social exploitation. 8th of March is an opportunity for unity among us to

fight for justice."

87 Children Deprived of this Mother's Day

As Palestinians celebrate the occasion of Mothers' Day, 21 Palestinian mothers held in Israeli prisons and detention centers are unable to see their families. Those 21 women are mothers of 87 sons and daughters who are all spending this mother's day without mothers. Palestinian mothers are often denied their right to a fair trial, family visits, and kept for several days or months under interrogation where they are subjected to torture and ill-treatment. The methods of torture and ill-treatment used against Palestinian mothers inside Israeli prisons cause severe physical and mental suffering. Interrogation methods include prolonged isolation from the outside world, inhumane detention conditions, excessive use of blindfolds and handcuffs, sleep deprivation, denial of food and water for extended periods of time, denial of proper medical treatment, denial of access to toilets, denial of access to showers or change of clothes for days or weeks, being forced into stress positions, yelling, insults and cursing, and sexual harassment.

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Child Detention

In 2017, the number of Palestinian children detained in Israeli prisons reached 1467 children from various parts of the Palestinian territories. This number was particularly effected by the events in the last quarter of the year. Addameer's documentation showed that each year around 500–700 Palestinian children get arrested. However, these statistics do not reflect the whole situation of the comprehensive framework of the excessive arrests carried out around the occupied Palestinian territories. Many arrests were not officially documented, as Palestinians were arrested and interrogated for a few hours before their conditional or unconditional release.



Month	Number of Palestinian Children held
January 2018	330
February 2018	330
March 2018	356

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.

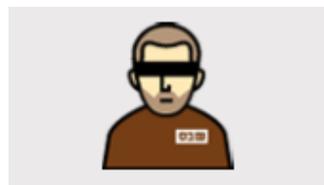
*UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations

Case Study:

R. L., a 17-year-old girl from the city of Jerusalem, was arrested on 5 February 2016 from the street. During the arrest, the Israeli soldiers harshly beat her and transferred to al-Mascobiyya for interrogation. Throughout the transfer, she was handcuffed and eyes folded, she was also humiliated, insulted and beaten by the soldiers. R. L. did not know where she was going neither her parents did. As for interrogations, she was interrogated for three days and by three Israeli officers without her lawyer, also her hands and legs were cuffed. She was tortured during interrogations; put in stress positions, beaten and deprived of sleep and food. R. L. was accused of possessing a knife, however, she was released on bail after four days of the detention. Her release was conditional, so her family had to pay 2500 Skekels (around 750 USD), and she was forcibly transferred to another village in Jerusalem but is far away from her parent's house. Then, she was placed under house arrest until she was sentenced to 14 months of imprisonment. In fact, since 5 February 2018 R. L. has been detained in Hasharon prison along with another 5 female minors. After an appeal her sentence got reduced to 8 months instead of 14, so R. L. is expected to get released in October 2018.

Stop Administrative Detention!

This quarter, October through December 2017, administrative detention continued to be used as a core policy of the occupation.



Administrative detention is a procedure that allows the Israeli authorities 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 and 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	Number of administrative detainees
January 2018	450 (7 PLC members)
February 2018	450 (6 PLC members, 3 females, 2 child)
March 2018	427 (3 PLC members, 3 females, 3 Children)

Jerusalemite Prisoners



Israel's unlawful policies and practices in Jerusalem, including the arbitrary arrest of Palestinians, have had a devastating impact on the daily lives of Palestinian Jerusalemites. Immediately following the end of the 1967 war and Israel's illegal annexation of East Jerusalem, the Israeli government proceeded to register Palestinians living there, providing them with the status of "permanent residents" rather than granting

them full legal citizenship. The rationale behind this policy was to slowly erase the Arab population of Jerusalem and replace them with Jewish Israeli citizens. Furthermore, Israel's ideological and material motives were reaffirmed in 1980 when the Israeli Knesset passed the Basic Law declaring Jerusalem as the "whole and united [...] capital of Israel".

This quarter, Palestinians from Jerusalem continued to be subjected to arrest and detention by Israeli forces and police. This includes children who were subjected to night raids on their homes, torture, ill-treatment, in detention, as well as house arrests and penalties as terms of release.

Month	Number of East Jerusalem Prisoners
January 2018	550
February 2018	550
March 2018	443 (60 children)

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Yaseen al-Saradeeh Extrajudicial Killing

Addameer Association and the Palestinian Prisoners Club declare that the Israeli occupation forces bear total responsibility for the killing of Yaseen Omar al-Saradeeh (33 years old) from Jericho, which took place shortly following his arrest.

In the early hours of Thursday 22 February 2018, the Israeli occupation forces harshly beat, arrested, and, resultantly, killed 33-years-old Yaseen. His death came about due to the unreasonable use of force. Despite this being evident, the occupation authority communicated to Palestinian officials that he died as a result of cramps and choking from gas used by the soldiers. A further investigation into his death was demanded by the Palestinian Authority.



Addameer and the Palestinian prisoner club see Yaseen's death as a continuation of the Israeli policy of the extrajudicial killing of Palestinians. Israeli occupation forces routinely use excessive force in an unnecessary and disproportionate manner, which is in violation of international law. International humanitarian law prevents the usage of excessive force against protected persons who do not form direct and actual threat.

Extrajudicial killing

An extrajudicial killing is an "unlawful and deliberate killing carried out by order of a state actor or with the state's complicity or acquiescence." Accordingly, lethal force can only be used as a measure of last resort, and it must always be proportional and necessary. The usage of firearms against a person can only be used under imminent threat of death or serious injury. Shooting to kill is only allowed in order to save a life. This requirement would make the use of lethal force proportional and, only if there are no other means to prevent the threat to life, would also make the lethal force necessary.

The events surround the death of Yaseen was thus a violation of international law as his killing was both unnecessary and disproportionate. It was clear that he did not form a serious and direct threat to the several soldiers who came to arrest him.

A'hed al-Tamimi's Case

Wednesday, 21 March 2018, Ahd, Nariman, and Noor Tamimi were all sentenced under a plea agreement with the Military prosecutor. Ahd will serve 8 months in jail, receive a three year suspended sentence, and pay 5,000 shekels (\$1,400 USD). Nariman will serve eight months, pay 6,000 shekels (\$1,700 USD), and also receive a three-year suspended sentence. Noor received 2,000 shekels (\$574 USD).



When considering the 12 counts brought against Ahd, the 8 month plea-bargain seems like quite a lenient sentence. A young girl, who was potentially going to lose her youth, should be out of jail in time for her end of high school exams. While this sounds relatively reasonable, as far as international law is concerned, there is nothing normal about it.

For the case of Ahd, she was tried in the occupation's Juvenile Military Court. The court itself was established under Military Order 1644 of 29 July 2009. It was initially to apply only to children of under 16 years. Military Order 1727, of 2013, extended the age to 18.

Besides the fact that the Juvenile Court must take place in a separate room, the only added protections are that the judge must be qualified for the task and that the individual's family may be in attendance. There is a paragraph in the order that considers the potential for the child's rehabilitation, and engagement with a probation officer, but this is not required of the court.

Israel bears certain obligations to the children of the occupied population under both international humanitarian law (IHL), and international human rights law. Besides general statements concerning food and medicine, the primary prescription for actions under IHL comes in Article 38 of the Fourth Geneva Convention of 1949. Stated in part 5, "Children under fifteen years...shall benefit by any preferential treatment to the same extent as the nationals of the State concerned." Taking into account the insight of the Commentary of 1958, published by the International Committee of the Red Cross, this essentially means that children under 15 years are to be afforded preferential treatment in essentially all regards

Addameer's Director Sahar Francis Participates in the Events of Israeli Apartheid Week

During the two months February and March Sahar Francis was travelling around both the United Kingdom and Canada participating in events and panels. Israeli Apartheid Week is an event that happens all over the world and usually Addameer participates in several of its events.



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