

*Violations against Palestinian Prisoners & Detainees  
In Israeli Prisons & Detention Centers*

*Issued By  
Addameer Prisoners' Support & Human Rights Association*

2007

Currently, there are approximately 10,000 female and male prisoners in Israeli jails and detention centers, of whom 857 are administrative detainees without charge or trial. There are 335 detainees under the legal age of 18, and 89 Palestinian female prisoners, of whom three are administrative detainees, and 24 are mothers for 89 children (of whom 87 live outside the prison). Some detainees, however, are forced to remain in prison even during childbirth; Bara' Subeih lives with his mother, Samar Subeih, who gave birth to her child inside the prison, and Ghada Al-Zitawi entered the prison with her mother, Khawla Al-Zitawi, a year ago. Also serving time in Israeli prisons are 49 elected members of the Palestinian Legislative Council (PLC), including one female PLC member. Some of them were elected while in prison. Some 150 detainees are *1948 Palestinians* (from the part of Palestine which was occupied by Israel in 1948), of whom 22 detainees were detained before the Oslo Agreement. There are 540 Jerusalemite prisoners, of whom 49 were detained before the Oslo Agreement. There are 20 detainees of the Occupied Syrian Golan, most of whom are serving long-term sentences.

### Violations Committed Against Detainees and their Families During Detention:

Israeli occupation forces, according to Israeli occupation orders, are allowed to arrest, hold and interrogate any Palestinian suspected of 'committing a crime', or he may be likely to commit a crime related to security without a court order. Israeli military order no. (378) 'concerning security instructions', article (78) allows the Israeli army to hold people for eight days, during which detainees are prohibited from meeting a lawyer or appearing before court.

Palestinian prisoners are arrested either from their homes after midnight, or from military checkpoints, or public places. Usually, the detention is carried out by the Israeli army alongside Israeli Military Intelligence if the person is arrested from home, or by the Special Forces if the person is arrested from a public place, or by the border guards or the army if the person is arrested from a military checkpoint.

Um Samir's family lives in Beit Ijza village, northeast Jerusalem, which is suffocated by the Apartheid Wall from all sides. The family's house is approximately 60 meters away from the Wall, where the Israeli occupation forces confiscated 110 dunums from the family's land in favor of the Wall. The Wall separates two houses owned by the family. On 03 May 2007, Mohammad, the middle son, was brutally attacked by the soldiers and was beaten by their clubs and butts while he was trying to cross the fence to reach the other house. He bled from his head and all over his body. All the family members, including his father, his mother and his brothers came out of the house to protect their son. But the soldiers started to beat anyone they could catch. They struck and arrested the father, Sabri Gharib, 67, Salim, 29, and Sa'dat, 28, who was bleeding after being severely beaten as well. Mohammed was immediately taken to Al-

Maqassed Hospital in Jerusalem for medical treatment. In addition, the Israeli army came to the house more than once and entered it violently. They broke the furniture and opened fire into the air, threatening the mother with arrest under the pretext that she threw stones at them. They asked Mohammed to leave the house more than once to see the Military Intelligence, but he remained in the house. The father and the brothers were sentenced for three months with the accusation of attacking and throwing stones on the soldiers.

Detainees are not the only ones affected by the difficulties of the detention experience, but their families as well. During detention, detainees and their families are exposed to numerous violations. According to cases documented and legally pursued by Addameer during 2007, violations include:

- Raiding houses at late hours, usually at midnight;
- Beating detainees or one of the family members;
- Failure to present arrest orders or the permit issued by the party in charge of issuing the detention order;
- Using relatives and neighbors as human shields;
- Searching the house and destroying its properties;
- Confiscating properties from the house;
- Using police dogs during arrest;
- Opening fire or using sound bombs (Concussion grenades?) or throwing stones at the house before entering it;
- Forcing the family members to evacuate the house after midnight in the cold weather without taking children and elderly people into consideration;
- Taking off detainees' clothing;
- Failure to inform detainees and their families about the reason for detention or the place of detention;
- Interrogating detainees or one of the family members before detention;
- Beating detainees while transferring them to the detention location.

The following table shows violations to which Palestinian detainees and their families have been exposed during detention and the number of cases documented by Addameer during 2007 (Please See Attachment).

"When I was arrested, I was treated with brutality and cruelty by the soldiers. I was laid down on the ground. They put their? arm on my head, shackled my hands and legs, and pushed me violently while walking."

Hamzeh Musafar held in Ofer Detention Center.

"Nael Al-Sheikh was stripped of his clothing by the soldiers and spotlights were shone on him."

"Administrative detainee Mohammad Abu Eisheh, a resident of Hebron, was detained on 15 April 2007 from his house. Large units of the army and the Military Intelligence encircled the house. They entered the house in a brutal manner and took all the family members out of the house. They held Mohammad and his 19-year-old son, Bajes, for two hours in the house, interrogated them, and started beating them with their rifle butts all over their bodies. They searched the house, smashed the bedrooms, uprooted the tile, broke the plant pots, broke the windows, mixed the foodstuffs together (lentil with flour with rice), and broke the electrical appliances. The soldiers didn't aim to search the house, but to vandalize. They arrested Mohammad and seven more of his brothers' sons. According to his wife, the army came in 2004 and 2005, and vandalized the house in the same manner."

Note: Addameer Association has a videotape of the evidence of destruction.

### Exposure of Detainees to Physical & Psychological Torture during the Interrogation Period

The 1949 Fourth Geneva Convention, the 1966 International Covenant on Civil and Political Rights (ICCPR), and the 1948 International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) indicate that the use of torture is an absolutely prohibited crime and cannot be justified in any circumstance. However, Israel blatantly violates all of these conventions. The Israeli Military Intelligence uses numerous methods of psychological and physical torture against Palestinian detainees with the aim of obtaining confessions for their convictions. In 1999, the Israeli Supreme Court issued a decision which explicitly prohibits torture, and included several interrogation methods used by the Israel against Palestinian detainees, except in cases where Israelis consider their detainees to have information about a 'imminent attack'. Despite this decision, interrogation methods such as violent shaking, shackling detainees in painful positions, sleep deprivation, covering detainees' heads with a sack, playing loud music, exposing detainees to very cold or very hot temperatures for long periods, are commonly used to exert 'moderate physical pressure' against Palestinians whom they think that they have information about an 'imminent attack'. Through the loophole in the supreme court decision, the interrogator is protected from being legally pursued for using torture in accordance with the Israeli criminal law 'protection of necessity'. Additionally, Israeli law does not prohibit the acceptance of confessions obtained by force. Most security cases rely on confessions obtained from defendant Palestinians before being provided with a legal representation during the interrogation



period. During interrogation, most detainees are denied lawyers' visits for long periods reaching up to 90 renewable days. In cases researched by Addameer, the interrogation period lasted from 8 to 65 days.

The following table shows the methods of interrogation used by the Israeli Military Intelligence against Palestinian detainees and the number of cases followed up by Addameer during the interrogation period during 2007 (Please See Attachment).

"Detainee Mustafa Abed As-Sattar Zahran, aged 14 years and a half, was forced by the interrogator at Ofer Interrogation Center to sign papers without understanding their contents."

"I was arrested in June 2007 while I was on my way back from Jordan. I was receiving medical treatment after being severely injured by the Israeli army in my legs. My left leg was paralyzed and my right leg was amputated. I was interrogated at Ashkelon Interrogation Center. During interrogation, the interrogator was pressuring violently on the injury every five minutes to force me to confess." Nahed Al-Aqra in Ar-Ramleh Hospital.

## Detainees Held in Interrogation Centers Live in Inhuman and Degrading Conditions

"Prisoners shall be provided with proper rooms. They should be provided with enough area, lighting, heating and ventilation" minimum ideal rules, rule 10.

"I am in a room with five other prisoners. There are some rooms with 12 prisoners and others six prisoners. There are 12 rooms. Every prisoner has one bed and five dirty blankets. The room is inadequately clean and improperly ventilated. It has one window. We take a bath (per week, per day?). The bathrooms are not provided with the basic necessities (there are no soap, toilet papers and towels). Hot water is not available. I haven't shaved since I was arrested. The toilets are in a miserable condition and we are allowed to use them only three times a day, thus forcing us to use a bottle. Those who need the toilet regularly (due to a medical case) need to have permission from the doctor. The food is extremely bad (spaghetti, potato, schnitzel) and bread is not available. Vegetables are offered only once a week and the amount is not enough (there is always a shortage). The breakfast is served at 9:00 am, the lunch from 13:00 - 15:00 pm, and the supper from 20:00 - 21:00 pm."

Bassam Hamed, held in Atsiyon Detention Center, arrested on 08 March 2007.

Overcrowding in Rooms & Small Size of Rooms: In Ashkelon Interrogation Center, detainees live in small cells. There are four prisoners in each cell, with a total area of 2X3m<sup>2</sup>. This means that every prisoner has an area of 1.5 m<sup>2</sup> only. The area designed for every detainee is much less than the area required by the internal laws laid down by the Israeli authorities for the interrogation and detention centers.

Detainees Sleep on the Floor: There are no beds inside most of the detention and interrogation centers. In Al-Jalameh Interrogation Center, for example, every detainee has one mattress and one blanket. The blankets are dirty and have a bad smell. The mattresses are very old and bad-smelling.

Lack of Cleanliness: The prison administration doesn't provide prisoners in the interrogation and detentions centers with shampoo, soap, toilet papers or detergents to clean their rooms. Detainees are deprived of having a bath or shaving or changing their clothes, including their underwear, during the interrogation period which may last for months. Toilets are not clean and the sanitation network is bad.

"I am in a cell with six other detainees. There are four beds and two prisoners sleep on the floor. The blankets are not good. I didn't change my clothes during the interrogation period. There is hot water, but

not available all day. The toilet is inside the room, while the shower is outside the cells. There are no towels. I haven't shaved since the beginning of the interrogation."

Mahmoud Abu Hasan held in Ashkelon Interrogation Center.

**The Toilet inside the Room:** In Petach Tikva Interrogation Center, the toilet is separated from the room by a piece of garment or not at all. The toilet has a very bad smell. In the Russian Compound Center, the toilet and the shower are in the same place. The shower is a pipe above the toilet.

"The toilet is bad and uncovered. It is inside the room and the shower is a pipe above the toilet. There are no towels or soap. The room is very humid, thus spreading fungus all over the body."

Fadi Washha held in the Russian Compound Center.

**Improper Ventilation inside the Rooms:** There are no windows in the rooms. The ventilation is from the air conditioning vent. The sun doesn't come in to the interrogation rooms. The lights (neon)(fluorescent?)[maybe: There are bright fluorescent lights on all day and night, controlled by the prison administration.] is on day and night and the prison administration controls it, as in the Russian Compound Center.

**Detainees are Deprived from Exposure to Natural Light:** In all the interrogation centers (Petach Tikva, Russian Compound, Ashkelon and Al-Jalameh), detainees spend months in the interrogation rooms and are deprived of being exposed to the natural light.

"I was placed in a solitary cell for five days. After that, I was taken to the *bird's room*<sup>1</sup> for one week, and then to group cells (with six prisoners) for ten days. In these cells, we used to sleep on the floor and we were responsible for cleaning the room. There was no window in the room. We were not allowed to have our daily break. The toilet and the shower were inside the cell. There was hot and cold water. The food was insufficient. Cheese and jam were offered for breakfast, three spoons of rice and carrot soup for lunch and supper."

Hamam Al-Shamali held in Ashkelon Interrogation Center.

**Low Quality and Quantity of Food:**

The food provided lacks basic ingredients, such as vegetables, fruits and meat.

<sup>1</sup> Explain bird's room, collaborators' room.

"The food is bad and is always cold. The breakfast is one egg, one spoon of yogurt, half cucumber, 1/4 green pepper, and three pieces of bread. The lunch is spaghetti or rice or schnitzel."

Hisham Hajjiyeh held in the Russian Compound Center.

"The breakfast is three pieces of bread with labaneh, one boiled egg and 1/4 green pepper. The lunch is eggplant and a very small quantity of rice, one fruit, and sometimes one piece of meat. The supper is the same as lunch."

Wael Al-Hashash held in Salem Interrogation Center.

**Detainees are Deprived of Contacting the Outside World:** Detainees are deprived of contacting their families. Visits are only allowed for the International Red Cross or the lawyer if detainees are allowed to meet their lawyers. However, Israeli prisoners are allowed, during interrogation, to call the family or the lawyer, and Israeli detained prisoners are allowed to make one daily phone call until procedures are completed, while Palestinian prisoners are not allowed to make phone calls.

**Long Interrogation Period:** Israeli authorities deliberately delay in transferring detainees to the central prisons even after the interrogation is completed. In some cases followed up by Addameer, the transfer of detainees from the interrogation centers to the central prisons took long months. Detainee Ihab Hjeir from Al-Jalazoun Refugee Camp was arrested on 12 March 2007. Since he was arrested until November 2007, he was held in the Russian Compound Center with the civilians. (See Affidavit no. 3)

**Transferring Detainee to More Than One Interrogation Center** without notifying him or his lawyer in order to create a state of anxiety and confusion among detainees. This prevents the lawyer or the Red Cross from visiting the detainee and gives the Military Intelligence an opportunity to obtain confession from detainees before being visited by a lawyer or obtaining legal representation.

Detainee Nael As-Sheikh from Jericho City was arrested on 28 May 2007. The interrogation began in Ashkelon Center. He was prevented from meeting his lawyer until 18 June 2007. On 26 June 2007, Addameer's lawyer went to Ashkelon Center to visit the detainee, but he wasn't there. He was told that he was transferred to Al-Jalameh Interrogation Center. When the lawyer contacted Jalameh Center, he was told that the detainee was there and that the lawyer would be allowed to visit him. A prison visit was set for 02 July 2007. The lawyer called the Jalameh Center before the appointment and was told that the detainee wasn't there. They refused to tell him where he was transferred. By chance, the detainee met



with the lawyer at the Russian Compound Center on 02 July 2007. The lawyer attended the extension court session. One day after the court, the detainee was transferred to Ashkelon Interrogation Center.

The lawyer visited the detainee in Ashkelon Center on 16 July 2007.

**Detainees Denied Medical Treatment:** Israeli interrogation and detention facilities lack sufficient medical care for detainees. The doctor conducts a formal medical checkup for every detainee upon entering the prison. If the detainee suffers from any disease before being arrested, the detainee is issued a mild pain reducer, often aspirin or ibuprofen.

"I was arrested on my way back from Germany at King Hussein/Allenby Bridge. I was receiving medical treatment after being injured by the Israeli army. I suffered from lacerations in the fourth and fifth vertebra. I had an operation in Germany and was taking antibiotics and some medicines prescribed by doctors in Germany. When I was arrested, I was taken to Petach Tikva. The doctor refused to give me any antibiotics. Instead, I was taking a painkiller. My health condition deteriorated."

Omar Abu Ni'meh held in Petach Tikva.

### **Violations inside Israeli Central Prisons**

The Israeli Prison Authority (IPA) practices policies similar to those detailed in the interrogation centers in all prisons in its treatment of Palestinian prisoners. There are 22 prisons in northern Palestine, 8 in the central area, and six in the central part of the West Bank.

**Living Conditions inside Prisons:** "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing and housing." Article (25) of the Universal Declaration of Human Rights.

**Overcrowding in Rooms:** According to Israeli standards, every prisoner is entitled to an area of 3.4 square meters. Currently, the area has been reduced to 2.9 square meters. In Hasharon Prison/Telmond, for example, there are six prisoners with a total area of 3X2 square meters, an average of one square meter for every prisoner. In Megiddo Prison, there are 12 prisoners in the room, with a total area of 3X5 square meters, an average area of 1.25 m<sup>2</sup> for every prisoner. In Ohlikdar Prisoner, there are eight prisoners in the room, with a total area of 3X6 m<sup>2</sup>, an average of 2.25 m<sup>2</sup> for every prisoner.

**Lack of Ventilation:** Israeli prisons and detention centers lack ventilation and the lighting is poor. Most prisons have one small window. In Shatta Prison, for example, the size of the window is 15cmX40 cm fully covered with a metal lattice and sheet metal, thus preventing the entry of air and sun to the rooms.

**High Humidity:** Most of the Israeli prisons and detention facilities are located in very humid climates, such as Hasharon Prison and Addamoun Prison. The latter was built during the British Mandate as a storage room for cigarettes, and therefore, it is not suitable for living. When it was built, the humidity was considered beneficial for the preservation of the cigarette papers.

#### **Lack of Proper Sanitation Facilities**

In many prisons, sanitation facilities are very old, and poorly maintained. In Addamoun prison, for example, The toilets are simple holes in the ground and are in the same room where prisoners bathe. The toilets have a very bad smell. The drinking water is dirty. According to detainees, the color of the water is similar to the milk and it is filtered by putting a piece of cloth on the tap. After removing the cloth, sand and rust are accumulated in it. The administration has promised to install filters, but this has not occurred.

**Spread of Insects and Skin Diseases among Prisoners:** Female and children prisoners complain about the spread of pests (roaches(crickets?), scorpions, rats) and high humidity at Telmond Detention Center. As a result of the humidity and bad sanitation, a number of prisoners suffer from skin diseases. In Hasharon Prison, there are some 30 cases suffering from **Askapios**, it is a widely-spread and infectious skin disease, similar to mange. The prison administration doesn't provide any detergents or treatment to destroy the disease. The same situation exists in Ar-Ramleh, Addamoun and Ofer Prisons.

**Harshness of Weather Conditions:** Prisoners held in the detention centers of Megiddo, Ofer and Kitsi'ot suffer from cold weather during winter and hot weather during summer, because they live in tents that don't protect them from the harsh weather conditions. Prisoners are forced to buy blankets at their own expense, as the covers provided by the prison administration are not enough. Families are allowed to bring blankets only every three months.

**Detainees Sleep on the Floor:** Detainees are forced to sleep on the floor although there are beds inside the prisons, because there are more detainees than available beds. In most rooms, one or two detainees are forced to sleep on the floor. In the Negev Detention Center, there are 21 detainees in a tent with 20 beds, leaving one detainee on the floor. In Rimon Prison, there are 11 prisoners in each room with 10 beds, leaving

one detainee sleeping on the floor. In Jalbou' Prison, each room is 3x3m<sup>2</sup>. Each room has eight beds, and there are nine prisoners in every room, which forces one detainee to sleep on the floor.

**Break & Exposure to Natural Light:** The daily break in the central prisons is on two shifts (morning shift and afternoon shift for one hour and a half or two hours each break). In some prisons, the area designed for the break is very small, not large enough for the prisoners. In Beer Sheeba, for instance, the area designed for the break is 8X12 meters and the ceiling is covered. There is a small hole from which prisoners can see the sky, thus preventing the sun from entering. The area in some prisons, such as Ar-Ramleh and Hasharon Prisons, is covered with wires and lattice. Detainees are allowed to exercise sports only during the morning shift. But they cannot practice sports due to lack of sports equipment and the small area of the prison yard.

**Lack of Proper Meals:** The Israeli Prison Authority (IPA) does not provide the necessary utensils in order for detainees to prepare food for themselves, to supplement the food offered to them from the kitchens of criminal prisoners. The meals offered lack the essential food elements, such as meat, vegetables and fruits. At Jalbou' Prison, meat is offered once a week. Most of the meals consist of spaghetti, schnitzel, soup, and rice. Detainees complain about the quality of the food. It is not clean and is badly-cooked. Most of the time, the food is thrown away or and the leftovers are cooked again.

"The food is prepared by the criminal prisoners and is offered in unhealthy plates. The amount of food is not enough and is offered in regular times. Four boxes of yogurt are offered for eight prisoners for breakfast, rice for lunch and eggs for supper. On Fridays, chicken is offered for lunch. Usually, the bread comes late, and therefore, we are forced to [purchase our own bread from the canteen]depend on the canteen by 100%." Detainee Ibrahim Ziadeh held in Ohlikdar Prison.

**Detainees Deprived of their Right to Worship:** All Israeli prisons don't provide special places for worshipping and the prison administration doesn't allow for a preacher and clergymen to supervise the religious rites, thus violating article (93) of the Fourth Geneva Convention and articles (34 & 63) of the Third Geneva Convention.

**Detainees Deprived of their Right to Education:** The Israeli Prison Authority violates article (94) of the Fourth Geneva Convention, which guarantees detainees' right to continue their education and to provide all necessary facilities. It also violates articles (26 & 27) of the Universal Declaration of Human Rights, as Israel absolutely prevents Palestinian detainees from studying in the Arab universities and academies. It only allows them to study in the 'Israeli' universities. This represents an additional obstacle, as many lack Hebrew language skills. Prisoners are only allowed to take course in certain majors. For instance, physics, chemistry,

sociology, democracy and human rights are not allowed. Additionally, the prison administration doesn't provide the necessary measures and facilities to allow prisoners to continue their education and to practice mental activities. It denies entry of computers and other tools, such as typewriters, as well as entry of textbooks, unless through the Red Cross. It does not provide special study places, such as halls or libraries. It should be noted that detainees that have been charged with any violation of prison regulations, or that have served any time in solitary confinement are banned from pursuing any educational activities. Detainees Ayman Mabrouk and Ammar Qawasmi, held in Eishel Isolation, told Addameer's lawyer that the prison administration is not allowing them to pursue their study because they are punished in solitary confinement. Additionally, Israel prevented some 3,000 detainees from sitting for the Tawjihi Exam in 2007 for no justification as a collective punishment against prisoners. The prison administration does not provide any rehabilitation or educational programs for detainee children. Prisoners complain about the shortage of books compared to the number of detainees.

"Detainee Ibrahim Nakhleh, a resident of Al-Jalzoun Refugee Camp, held in Ofer Detention Center. He was prevented from sitting for the Tawjihi Exam as punishment, because his brother, Ahmad Nakhleh, who is in the same prison, caused a problem with one of the prisoners, according to the administration."

#### Disciplinary Penalties Taken Against Palestinian Detainees:

Prison administrations impose harsh penalties on prisoners for trivial reasons, such as the failure of prisoners to show up for morning or evening count, to appear for naked search. Among these penalties are:

- Preventing detainees from buying goods from the canteen and from getting the financial allowance for a period of six months;
- Imposing solitary confinement for long periods as a disciplinary penalty. There are prisoners who spend several years in the solitary in violation of internal standards and conventions;
- Imposing collective punishment as a punishment for an individual violation that a detainee may commit; (See annexes);
- Confiscating personal belongings or allowed belongings as a punishment;
- Preventing detainees from pursuing their study;
- Preventing detainees from having their daily break;
- Preventing detainees from practicing sports during the break;
- Raiding rooms constantly and opening fire in the air;
- Preventing sick detainees from taking their medications;
- Imposing fines on detainees;

"In May 2007, a cap was found in the children's room in Telmond Prison. The prison administration imposed a 200-shekel fine on every detainee."

Marwan Sa'ed held in Hasharon.

- Preventing detainees from performing Friday's prayer in a group;
- Denying family's visit for an extended period;

"Ayman Mabrouk, held in Eishel Isolation, was denied his family's visit. His wife reached the door of the prison and was denied entry several times."

Detainee Maher Al-Rai's wife Hasharon Prison.

- Cutting off water and electricity;
- Closing detainee's canteen special account.

"A resident of Tulkarem, detainee Abeer Odeh's canteen special account was closed for refusing naked search."

"On 23 August 2007, an entire section in Talmond Prison was denied family visits for two weeks and the break for one week. All electrical appliances were confiscated for finding an iron piece in the section."

**Detainees' Dependence on the Canteen (detainee's special account):** The Prison administration does not provide detainees with the minimum basic needs, such as detergents, food, vegetables clothes, blankets ...) in grave violation of article (15) of the Third Geneva Convention and article (81) of the Fourth Geneva Convention. The detainee lives on his own, while the prison administration doesn't bear any expenses. Clothes and blankets are supplied by the family every three months. In the last few months, Israel denied access of the financial allowance from the Palestinian Ministry of Prisoners' Affairs. The prison administration stipulated the access of the financial allowances also for criminal Palestinian prisoners to be accessed to security prisoners. Additionally, the prison authority allowed the entry of the cantina brought by the families on condition that it is accessed only through a first-degree relative. It should be noted that the cantina is sent through an Israeli post bank, which only exists in Jerusalem and Israel. The majority of prisoners and their families hold West Bank identity cards that don't enable them to enter Jerusalem or Israel.

**Transfer of Detainees either to Courts or Other Prisons:** Detainees are transferred in unhealthy, crowded means of transport. They are gathered at Ar-Ramleh crossing and are mixed with the criminal prisoners.

Detainees are exposed to a naked search, with their hands and legs shackled with iron chains while being transferred which lasts for a minimum of three days. The same procedure is applied to sick prisoners while being transferred to the hospital.

"Before I was arrested, I used to suffer from a strong cough. I was taking the necessary treatment constantly. The case began to aggravate and develop after I was arrested because I didn't take any treatment. More than once, I asked to see a doctor, but my request was rejected without knowing the reason. When I see the doctor, I am not given any treatment. He recommends that I should drink hot liquids. When the case gets worse, I am allowed to see the doctor. But in ordinary time, I am not taken out to see the doctor claiming that there is an emergency or training despite prior registration. The detainee is not examined by the doctor, but by the nurse. Both don't speak Arabic. The Shawish (sergeant) translates from Hebrew into Arabic. One time, at Ar-Ramleh crossing, my case got worse and started bleeding. I wasn't provided with any treatment, but painkillers, because of the crowdedness at the crossing. There was no ventilation and I needed to get air constantly. When I asked to go to the hospital, they rejected my request. They said that I should first register in the prison and then they take me to the hospital, although I was next to the hospital. Additionally, I suffered an injury in my back and legs, causing fracture in my left hand finger. Despite my illness and injuries, they accused me of lying, claiming that my case is simple that doesn't require hospitalization.

We are prepared one day before the transfer and are placed in rooms close to the doors. The rooms are solitary cells. We are taken out in the early morning hours, with our legs and hands shackled, and are placed in the bus. The chairs are iron from all sides, causing strong pain for sitting long hours. During the transfer, one meal is distributed, which consists of two slices of bread and one piece of cheese. We are not allowed to undo the chains while having the meal. Civilian and security prisoners from all prisons are put together and are gathered at the Ar-Ramleh crossing. We are not allowed to get out of the bus to use the toilet depending on the staff. Some allow us to use the toilet, while others don't. A detainee is allowed to use the toilet only when we reach the crossing. At the crossing, we are gathered and are allowed to use the toilet. After that, those who have a court or need a hospital are sent. The return is the same."

Ahmad Hassan Amouri, held in Megiddo Prison.

**Breaking into Prisoners' Rooms & Sections:** As part of its policy based on creating a state of confusion and exerting pressure on Palestinian prisoners, the Israeli Prison Authority (IPA) conducts large-scale searches of the prisoners' rooms, destroying their personal belongings. Special units, called (Nahashon & Mitsada Units) are brought from outside the prison. On 22 October 2007, these units raided Ansar III Prison (Negev) causing

the death of detainee Mohammad Al-Ashqar and the injury of 300 detainees. The forces used rubber bullets, pepper spray, gas bombs and clubs. (See detainee Abdullah Salah Eldeen's testimony in annex no. 8).

**Lack of Cleanliness:** The prison administration does not provide cleaning supplies (shampoo, soap, toilet papers, sponges and towels). Detainees are, therefore, forced to buy their needs from the canteen at their own expense. Hot water is not available all day. It is cut off at night. In all Israeli prisons, detainees are responsible for cleaning their rooms, even sick detainees in the Ar-Ramleh Prison's Hospital.

"In the Negev, the toilet is outside the rooms. It is very old and needs to be repaired. The sanitation network is very old and has a very bad smell. The prison administration doesn't provide any cleaning supplies, and therefore, detainees are forced to buy them from the canteen at their own expense. The towels are provided by the families." Nazzal Daoud held in Negev Prison.

**Weak Lighting inside the Rooms:** The lighting consists of white fluorescent lights which are always on. The lighting is weak and it is controlled by the prison administration. Prisoners buy the bulbs from the canteen at their own expense.

"The lighting inside the rooms consists of white neon. Two or three in the room is not enough. It is weak and very tiring for the eyes, and it is controlled by the administration." Suad Hamad held in the Al-Jalameh Isolation.

The situation of prisoners with high sentences and who, according to the prison authority, pose a security threat inside the prison, are denied visits by the family or the lawyer without being shackled in their legs and hands under strict guard. They are prevented from visiting other rooms and other sections and from writing letters to their families. Among these prisoners is Ahlam Al-Tamimi, who was sentenced to a 16-year life imprisonment, the highest sentence among female prisoners.

**Delays in Providing Medical Treatment and Deliberate Medical Negligence:** The Israeli Prison Authority adopts a consistent and systematic policy in all affiliated detention centers. This policy delays providing medical treatment to detainees, and constitutes deliberate medical negligence. Israel avoids its duty and fails to comply with international standards that require holding detainees in healthy conditions and the provision of medical treatment and specialized medical care for sick detainees. This constitutes a grave violation of human rights, International Humanitarian Law, articles (85, 91 & 92) of the Fourth Geneva Convention on the

Protection of Civilians during Times of War, and articles (30, 31 & 32) of the Third Geneva Convention on the Treatment of Prisoners of War.

Addameer Association documented numerous health violations against Palestinian prisoners and detainees during its visits to the Israeli prisons and detention centers.

In light of these conditions, there can be no wonder that there has been an increase in the number of sick prisoners during last year and the current year. Addameer Association documented, during its visits to the Israeli prisons, 118 medical cases involving life-threatening diseases (see annex no. 9). During 2007, four Palestinian detainees died due to deliberate medical negligence, increasing the number of prisoners who died in Israeli prisons due to medical negligence since the beginning of the Al-Aqsa Intifada to 15 prisoners. (See annex no. 10)

#### Medical Services:

In all Israeli prisons, clinics are staffed with one nurse. The doctor comes to the clinic once or twice a week, depending on the prison, for several hours, no more than four hours. He treats some medical cases. If the specified time is finished, he leaves the prison and the sick prisoners are not treated until the following week.

**Failure to Respect Detainees' Right to Medical Treatment at the Right Time:** The medical team does not deal with patients with professionalism and neutrality, based on the assumption that the detainee is not sick and that his claims of illness are false. The medical team deals with the cases that require medical services slowly and with deliberate negligence. If a detainee requires medical care and the prison's doctor decides to refer him to the hospital, it takes months, under the pretext that the Ar-Ramleh Prison's hospital can only take a limited number of patients, only 30 patients. If it turns out, after the medical examinations, that the patient is required to have a surgery, he has to wait for his turn, which may take months or years, thus causing severe complications and deterioration in the patient's health and psychological condition. The administration's policy is (I take you to the hospital until I see you in the bed dying).

"I got sick after being shot. I lost hearing in the right ear. I have been suffering from a constant pain since I entered the prison six years ago. Every time I see the doctor, he says to me there is nothing. I sleep for a long period because of the strong pain. The second time I saw the doctor, he said that my ear is punctured from inside and I need a hearing aid. I submitted an application to go the hospital. In the hospital, I was told that I suffer from a neurological problem and there is no puncture in the ear and I don't need a hearing aid, and in order for me to see a neurologist, I need to wait for the medical



examination. Due to intense pain caused by the transfer in the bus and waiting for long hours in the hospital, I signed papers stating that I relinquish the medical examination and I wanted to return to the prison. The situation remained as it was. The hospital didn't provide me with any treatment, even the neurological test. I have to wait until I take another appointment. Until now, I have not been provided with any medicine and the hearing is very low. Another problem appeared after the 2004 strike. I suffered from back pain and applied for the prison administration to receive a medical treatment. But the situation remained as it is. The doctor deals with us in an unprofessional manner and the only important thing for the administration is to keep us alive. The administration only provides us with painkillers, claiming that we are liars. Even the doctor doesn't examine the patient professionally. He only asks the patient what he suffers from or what is his situation. Aspirin is given for everything."

Fuad Khalil held in Nafha Prison.

**Lack of Necessary Medicines inside Prisons:** The only medicine given for the treatment of all diseases is the acetomeniphen (generic Tylenol), especially Acamol, which prisoners call 'the magic pill for the treatment of every disease'. Additionally, the prison administration denies access of medicines from outside the prison, either from the family or Palestinian organizations. Sick detainees inside Israeli prisons live on painkillers and tranquilizers.

"A week ago, I asked the prison administration to visit the doctor. My request was rejected and was I given Acamol. One week before I was arrested, I had a gallbladder surgery. I asked for covers but denied access. I don't have a bed. I sleep on the blanket on the floor. I suffer from acute flu (influenza)."

Suad Shyoukhi held in Hasharon Prison.

**Arab Doctors Denied Entry:** The Israeli Prison Authority (IPA) puts complicated security and administrative conditions that prevent the entry of Arab doctors to examine sick prisoners, despite numerous applications submitted by prisoners and their families to the prison administration.

Palestinian prisoners complain about the inhuman, demeaning and unprofessional treatment by the doctors and nurses. The doctor deals with the prisoner as if he pretends to be sick, 'without taking into consideration the ethics of the profession of medicine - principles 1 - 6' (international principles and rules for those in charge of law enforcement/ resolution no. 34/169, for the year 1971).

The dentist comes to the prison clinic intermittently and doesn't examine all the patients. He only examines two or three patients. The only treatment provided is tooth extraction or a filling. There are no prosthetic or

implant. A dentist who needs a prosthetic does it at his own expense. Detainee Nidal Al-Antari, held in Hadarim Prison, lost all of his teeth five years ago and is still without them. He only takes soups and the prison administration is refusing to provide him with dentures.

If a costly surgery is required, the prison administration gives a number of justifications and excuses with the aim of not admitting the patient to the hospital or performing the surgery.

"On 30 August 2006, while cleaning the rooms, I slipped and fell on the ground. I suffered injury above the waist, on the right-side of the chest. Since the incident, I have been suffering from acute pain to the extent that I can't sleep. I can't sleep or lie on the right side, only on the left side. I explained my case to the doctor. She said that she can't do anything, even if there is a fracture, it cannot be fixed in this part of the body. I asked the doctor to have an X-Ray. All what she did was examining my breathing using her hearing device. She then told me that I should continue using the mask. This is the answer always given by the doctor to all prisoners who suffer from breathing difficulties."

"On 31 August 2006, I had blood for three hours at Assaf Harofeh Medical Center. The doctor told me that they need to conduct other laboratory tests, but they are very expensive. They first want to check in which hospital these tests are conducted and then should obtain the approval of the Military Intelligence because of their high costs."

Detainee Fadi Zeid /Ar-Ramleh Prison's Hospital.

#### Lack of Provision of Medical Care to Female Prisoners, especially Pregnant Prisoners before Delivery:

There are three female prisoners who gave birth inside prisons. These include Mirvat Taha from Jerusalem, Manal Ghanem from Tulkarem and Samar Subeih from Nablus. They gave birth under inhuman, cruel conditions, handcuffed in the bed.

#### Ar-Ramleh Prison's Hospital

There are 36 fixed prisoners in the hospital. According to the prison authority, there are 41 prisoners inside the hospital. Only very critical cases are referred to the hospital. There are detainees who spent tens of years in the hospital, and others who suffer from life-threatening diseases, such as cancer, kidney disease and others, are not admitted to the hospital. There are numerous medical cases in prison that require treatment and medical care. Unfortunately, there is a delay in following up and providing medical treatment for them.

There are eight rooms in the hospital with an area of 4X4 m<sup>2</sup>. Each room has six beds and others have four beds consisting of two layers. Detainees suffer from the beds, as no one can sleep on them because they are high. There is overcrowdedness in beds. When a detainee from another prison comes to have an operation, he is not provided with a bed. He has three difficult options: either he sleeps on the high bed and has difficulty going up and down, or sleeps on the floor, or signs papers to postpone the operation for another time. Having an appointment may take a long period of time. Most of the time, prisoners coming to conduct medical checkups or operations are forced to sleep on the floor.

### Medical Checkups & Treatment:

Medical checkups conducted at the hospital are routine and formal. The doctor examines the patient by only asking him questions from what he suffers. The doctor only speaks Hebrew. The translation is either done by a prisoner or by a police. Most of the time, communication between the doctor and the patient is by using signals. The patient is given the medicine according to what he says. If the detainee needs medicines from a specialist, he has to wait for his turn which may take months.

Medical checkups are written by the doctors for the fixed prisoners. The prison administration's policy deliberately aims to delay in conducting medical checkups. If the checkup is approved, it may take two to three months before the checkup is done. Any medical checkup or operation cannot be conducted without the approval of the prison authority, even if it is urgent. Mostly, the magic treatment given is over-the-counter pain medication, normally Acamol.

There is medical negligence and a deliberate delay by the prison administration in conducting surgeries, especially the urgent ones.

Detainee Naji Abu Ni'meh has been in the hospital since he was arrested on 15 November 2006. He was shot and suffered injuries in the bottom of his back. As a result, he suffered from sexual impotence and urinary problems. He was taken to the hospital, but the treatment provided was insufficient. He urinates by using a bag and a tube that remain with him all the time. Since he was arrested, the bag hasn't been changed although the doctor recommended that it should be changed every month. Not being changed causes infections. Currently, he suffers from infections. The doctors at the hospital said there is a hope that he will be recovered if an operation to repair the damaged nerves is conducted. This operation is only done at Hadassah Hospital and by a certain doctor. But there is a deliberate delay in operating it. Delaying the operation will diminish possibility of speedy recovery. Despite his health condition, a bill of

indictment was submitted against him. He is now going through trial procedures. Addameer Association has a medical report from the prison administration stating the necessity of performing the surgery.

### Health Conditions inside the Hospital Rooms:

**Ventilation:** Prisoners in the hospital stay in a closed room 24 hours with no ventilation. There are no windows, except for one small window covered with lattice and sheet metal, thus preventing access of sun and air.

Humidity and temperature are very high in the rooms. There are no air conditioners. Prisoners only have fans bought at their own expense or brought by their families. Insects, especially crickets are widely spread in the rooms.

Food is prepared by civil prisoners and is not well-done. Most of the food is thrown or re-processed. The meals are unhealthy, unvaried, and insufficient. The same food is offered for all prisoners without taking into consideration those suffering from certain illnesses or who are on a certain diet, such as patients suffering from diabetes or heart problems. Onion, tomato and carrot are offered once a week to patients suffering from certain diseases. The food is bought from the canteen at their own expense.

**Cleanliness:** Detainees are responsible for cleaning their rooms. Detergents are insufficient forcing detainees to buy them from the canteen at their own expense.

**Penalties:** The prison administration imposes numerous penalties on prisoners for trivial reasons without taking their health condition into consideration. Penalties include:

- Fines;
- Solitary confinement. Detainees are placed in Ayalon isolation, which belongs to Ar-Ramleh Prison. The situation of the confinement is very difficult;
- Denying families' visits for long periods reaching up to three months;
- Preventing detainees with chronic diseases from taking their medicine as a means of punishment;

**Break:** Detainees are allowed to have a one-hour break everyday on the the third floor of the hospital. The surface is covered with wires from all sides. Detainees are searched while going up and down the stairs. They have difficulty going up and down the stairs. Therefore, they prefer not to go out for the break, except for one or three detainees.

- Detainees who carry infectious diseases are isolated a long period after the disease is discovered;
- Doctors from outside are denied access, unless in very rare cases, despite numerous applications submitted by prisoners to the prison administration.
- Sick detainees are transferred with their hands and legs shackled in crowded and unventilated vehicles to attend the courts, instead of being transferred in comfortable and well-equipped ambulances. The transfer takes two to three days under extremely bad conditions. Detainees return carrying other diseases.

The following table shows the medical cases that existed permanently in Ar-Ramleh Prison's Hospital during 2007:

No.	Type of Illness	No. of Cases
1.	Spinal cord injury	2
2.	Leg injury	5
3.	Hip injury	1
4.	Paraplegia	3
5.	Hand injury	1
6.	Open heart	2
7.	Kidney transplant	1
8.	Kidney problems	3
9.	Heart problems	2
10.	Blood pressure	1
11.	Bladder control problems	1
12.	Breathing difficulties	1
13.	Lung cancer	1
14.	Acute urinary problems	2
15.	Stomach injury	2
16.	Diabetes	1
17.	Spinal cord infection	1

18.	Head problems	1
19.	Severe joint pain	2

**Note:** The private names of these cases are kept by Addameer Association.

### Violations Related to Prisoners Families' Visits to Prisons:

According to article (49) of the Fourth Geneva Convention on the Protection of Civilians during Times of War, individual or mass forcible transfer of protected persons from occupied territory to the territory of the occupying power or to that of any other country, occupied or not, are prohibited, regardless of their motives. Israel violates this Convention. In all prisons inside Israel, the families of prisoners should obtain visit permits from the Israeli parties in order to able to visit their sons. Indeed, this permit is an entry permit to Israel. Hundreds of prisoners' families have been denied entry permits under unjustified security pretexts. These include a family member has a security record or denying the relationship between the detainee and his family.

"Detainee Shihadeh Hamed's father and mother from Silwad village in the district of Ramallah have been denied prison visits since their son was arrested on 11 June 2006 for security reasons. It should be noted that Shihadeh's mother suffers from cancer. The family has submitted numerous applications through human rights organizations to allow the mother to visit her son, but to no avail."

In 1996, Israeli authorities issued certain instructions related to visiting Palestinian detainees in Israeli jails. According to these instructions, some groups of the first-degree relatives are allowed to visit detainees. Groups include: the father, the mother, the husband, the wife, the grandfather, and the grandmother. Only sisters and brothers under the age of 16 and above the age of 45 are allowed to visit.

**Imposition of Long Penalties on Some Prisoners by Denying Family Visits Under Unjustified Pretexts as an Individual or Mass Punishment for a Violation that Has Been Committed:** In August 2007, at Rimon Prison, the prison administration forced the families to sign papers pledging that they will not come back again to the prison before one or two months according to the violation committed by the detainee. The administration stamped the visit permits so that they could not be used another time. It stamped the permits after detainees refused to sign these pledges. It forced the families to sign. The families have frequently been returned on the prison gate and prevented from visiting their sons even if they had a visit permit as a punishment for the detainee and his family.

"Detainee Ra'fat Ma'rouf's father has not been allowed to visit his son since he was arrested on 14 March 2006. The father is rejected for security reasons. He obtained a three-month visit permit for one time (from 25/3/2007 to 25/6/2007). On 02 April 2007, he visited his son at Ashkelon Prison. When he reached the prison gate, the police refused to let him in under the pretext that he has a security record. He repeated the visit on 18 April 2007, but was denied entry."

**Long Hours of Waiting outside the Prison before the Visit:** The prison administration does not provide equipped and suitable waiting facilities for the families, such as closed places, water, toilets and seats.

The families undergo humiliating and degrading search in more than one station before reaching the visitation room. They are exposed to physical (naked) and mechanical search.

The families and their sons are separated by lattice and isolation glass, which limits the families' ability to see and communicate with their sons properly. Communication between them is by phone, which most of the time, is unclear. The visitation room is small, crowded with families and their voices, preventing them from being able to understand and communicate properly with each other. The same is applied to the female prisoners. Despite numerous applications submitted by female prisoners to the prison administration to allow open visitation without lattice and glass, which limits human communication between prisoners and their families, they were rejected. Additionally, male and female prisoners are denied home visits in exceptional circumstances, (such as the death of one of the parents or getting sick). This clearly indicates that there is discrimination between Palestinian prisoners and Israeli prisoners. Israeli prisoners are allowed to have open visitation, make phone calls, and home visits.

The families of detainees from Gaza strip are prevented from visiting their sons in Israeli jails. Since the recent events that took place in Gaza in June 2007 and Israel's declaration of the Gaza Strip a 'hostile entity', Israeli authorities prevented families from visiting their sons, without taking into consideration the devastating impact resulting from such measure. These are exemplified in the need for social communication and provision of living supplies, such as clothes.

### **Denial of Fair Trial**

**Laws & Military Courts:** Following Israel's occupation of the Palestinian territories in 1967, it started to issue military orders related to the occupation administration and the daily life of Palestinians. Over 40 years of occupation, Israel issued more than 1,500 military orders in the West Bank and more than 1,400 military orders in the Gaza Strip. These laws are related to the details of the daily life in the occupied territories, in

order to impose Israeli army and civil administration's control over the territories. It also modified the existing laws and enacted new ones, due to the social and economic need for such a change. Basically, amendment is made to conform to the changing security needs of the military rule.

The military ruler is in charge of the three authorities (the legislative, the executive, and the judiciary). He enacts laws on the basis of achieving Israel's security and settlement interest, not the interest of Palestinians.

Palestinians accused of "security" charges are usually sentenced in the Israeli military courts (Ofer military court for the residents of the southern and central parts of the West Bank, or those who had activities in that area, and Salem military court for the residents of the northern West Bank or those who had activities in that area). Palestinians accused of "dangerous" charges are sentenced before a three-judge committee, while Palestinians accused of "less dangerous" charges are sentenced before one judge. Israeli military courts rarely acquit Palestinians accused of security crimes.

Beginning at the first moment of arrest, the detainee is regarded as a perpetrator, violating the acquittal hypothesis in accordance with the principles of fair trial. Article (11) of the Universal Declaration of Human Rights states the following: "Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense."

According to article (77) of the Fourth Geneva Convention, the court should take into consideration the fact that accused persons are not citizens of the occupying power. In other words, they cannot be dealt with, especially on the level of penalties, as citizens of the occupying power. However, what is taking place in the military court is completely the opposite. The legal authorities are inclined to impose stricter penalties on Palestinian citizens than those imposed on Jewish citizens.

"Born in 1989, detainee Khaled Karimi, a resident of Shu'fat in Occupied Jerusalem, was arrested on 27 November 2005 on the ground of participating in protests against Israel's ongoing construction of the Apartheid Wall. He was released on bail after being interrogated for several hours."

"On 30 November 2006, a bill of indictment was submitted against him at the Juvenile Court in Jerusalem for throwing stones at the border police. During the confrontations, a number of policemen were injured. After a number of court sessions, the bill of indictment was amended to the accusation of disruption of public order. The item related to the injury of policemen remained. The file was postponed. During this period, Khaled was



caught with a knife, which constitutes a violation under Israeli law. And a bill of indictment was submitted against him on a charge of possessing a knife."

"The lawyer asked, according to law, the conduct officer to submit a certificate concerning Khaled's conduct. The judge then decided to convict him with one accusation, which was the disruption of public order and was sentenced to a four-month imprisonment, with stay of execution."

"In his decision, the judge refused to convict Khaled of the accusation of possessing a knife. But he was sentenced to 70-hours of community service, according to the conduct officer."

It should be noted that the accusation made against Khaled, which is disruption of public order, is submitted against many Palestinians who participate in activities in protest against Israel's construction of the Apartheid Wall. In general, the general prosecution refrains from addressing similar accusations against Jewish youths who participate in the same activities. At the same time, however, it imposes strict punishment on Palestinian youths, who mostly are arrested for similar accusations and sentenced to actual imprisonment for several months. Such cases highlight the fact that Israel not only intentionally ignores the International Court of Justice (ICJ), which regards the Apartheid Wall as illegitimate, but also punishes every Palestinian who expresses his refusal of the construction of the Wall. The Wall is 780 km long and cuts through Palestinian territories in the West Bank.

"The Construction of the Apartheid Wall from the north to the south of the West Bank swallowed 11.9% of the total area of the West Bank, and turned some 92 Palestinian cities and towns into real prisons. The life of some 497,820 Palestinians has been transformed into a real nightmare."

UN Office for the Coordination of Humanitarian Affairs.

As previously mentioned, the basic criterion is to ensure the safety and security of occupation, the settlers, and the residents of Israel. When the court ratifies procedures adopted in accordance with the Israeli internal criminal law, it makes some modifications in favor of Israel's interests and considerations, without any consideration for the interest of accused Palestinians. With regard to detention, it is known that according to the detention law in Israel, the trial should be finished in nine months from the submission of the bill of indictment. This period is extended only by a decision issued by the Israeli Supreme Court, while the period in military orders is determined for two years.

"Article 9 (3) of the International Covenant on Civil and Political Rights (ICCPR) states that every person held with a criminal accusation has the right to be sentenced within a reasonable period of time or released until the trial." Principles of fair trial.

The period of detention before the submission of the bill of indictment differs in the territories from courts inside Israel. It reaches up to 90 days according to decisions issued by a military judge, with the possibility of its extension to 180 days, in accordance with the legal advisor's approval until the submission of the bill of indictment. The bill is submitted in Hebrew without Arabic translation.

Article 6 (3) (A) of the European Agreement states "In order for a person to benefit from the information delivered to him, it should be submitted in a language he understands." Principles of fair trial. The court relies on its lawyers and translators to translate the bill of indictment for the detainee. This does not meet the conditions of a professional translation required in these courts verbally before convening the session. All court sessions are held in Hebrew and an interpretation is provided, but most of the interpretation is likewise of low quality.

"The accused person is released until his trial. Persons accused of criminal acts should not be continued to be held until their trial, unless in cases in which detention is necessary, such as escape and interference in testimonies, or in cases in which the accused poses a clear and grave danger on others that cannot be contained in a less strict measure." Principles of fair trial.

One of the main responsibilities of the military court is to release detainees with conditions until their trial, as is done by ordinary courts. But the Israeli courts claim that the conditional release of Palestinian detainees is complicated and impossible under current circumstances. Since the beginning of the Intifada, Israel has used the pretext that accusations made against detainees are very dangerous, and releasing the detainee poses a real danger on the safety and security of the public, even if a bail and a vow are submitted by the family or relatives. Israelis accused of murder inside Israel are released with conditions until their trial. If the judge decides to release a Palestinian detainee, the bail is so high that, in most cases, the families are unable to pay.

"One of the major conditions for notifying a person about reasons for his arrest or detention is giving him the chance to contest the legality of the arrest or detention. The given reasons should be specific and should include clear explanation of the legal basis for the arrest and the facts on which it is based." Principles of fair trial.

Ayman Mabrouk is a clear example of Israel's failure to abide by these rules.

On 16 September 2007, during Israel's invasion of Ein Al-Ma' Refugee Camp in Nablus, Israeli occupation forces opened fired at Ayman's house. He suffered from severe injuries in the upper part of his body, especially in the neck. Some people who were in the area tried to take him to the hospital for medical treatment, but the Israeli forces prevented them from approaching him. Ayman was taken down from the house to an Israeli military ambulance and was taken to Balenson Hospital. He had surgical operations. Five days later, he was taken to a detention center. On 23 September 2007, he was taken to the military court to extend his detention. The court ordered his arrest for 15 days for interrogation. In protest against the decision, Addameer's lawyer Mahmoud Hassan appealed to the military court.

On 25 September 2007, a court session was held, during which it turned out that the detainee was held in detention without being interrogated despite his injury.

Based on this, the Appellate Court (Court of Appeal) decided to accept the appeal and to reduce the detention period until 02 October 2007. On 02 October 2007, Ayman did not attend the court. The judge extended the detention period and the detainee was not released although the detention order was terminated. Ayman continued to be illegally detained.

Accordingly, the lawyer sent a letter to the state prosecution demanding the detainee's immediate release. The detainee was released on the same day. Upon returning home, he was shocked that the Israeli occupation forces demolished the house, consisting of several apartments. The families became homeless.

Addameer Association, through its lawyer, lodged a complaint about the demolition of the house and the illegal detention. The issue is still unresolved.

Most of the data submitted to the court rely on the detainees or others' confessions, which mostly are taken under psychological and physical pressure. According to military decisions, this evidence is admissible in court. The court does not consider that torture and coercion are often used to force the detainee to sign the statement. When detainees are brought to testify before the court, the prosecution does not show the detainees their statements before it is shown to the police, where this would be useful to remind them of what they said and to discuss the truth of these statements. If they deny these statements before the court, the prosecution demands that they are declared witnesses violating their statements. The police then authorize the confessions, and the court convicts the detainees without verifying whether what they said is

true or not. Often the police officer who writes the statements does not himself take part in the basic interrogation process. It is done by the military intelligence.

The military court looks into minors' matters before the public without taking confidentiality into consideration. Usually, juvenile courts in Israel should be separated and closed before the public. In accordance with the military order, the legal age for the juvenile is between 12 and 16. Those over the age of 16 are not regarded juveniles, in violation of international law and Israeli law which states, "A juvenile is everyone who has not turned 18 years." According to Israeli law, a juvenile is sentenced and punished based on the day of court decision, not on the day of committing the violation. The court in Israel necessitates that every accused under the age of 21 shall be seen by a social worker or a juvenile officer with the approval of the concerned parties for those above the age of 21, to submit a report on his situation and a recommendation to the court on the period and the form of suitable punishment.

"The right to obtain enough facilities to prepare the defense requires that the door be opened before the accused and his lawyer to see the suitable information, including: the case documents and other evidences that might help the accused to prepare his defense, or acquit him, or when necessary, reduce his punishment. The information provides the defense with the opportunity to know the remarks recorded and the evidences gathered. It also gives the defense the chance to comment on the remarks and the evidences."

#### Principles of fair trial.

The bill of indictments in the military court are paraphrased in a vague and loose way that makes it very difficult for the lawyer and detainee to develop a defense, through paraphrasing a bill of indictment without determining a certain period or a certain place. The military court prepares a general and un-detailed bill of indictment. For example, in an unknown day to the prosecution or during 2004, the accused opened fire on several occasions on the army according to a certain confession. It is extremely difficult for the detainee to defend himself against these vague charges, and no opportunity is given to the detainee to present conflicting evidence, IE that he was not in the alleged location at the alleged time.

"Every person held, either for criminal or non-criminal act, has the right to contact a lawyer. It is granted on a large scale that allowing the detainee to contact a lawyer quickly and regularly is an important guarantee that protects the person from being exposed to torture or maltreatment or being forced to give confessions, or other violations." Principles of fair trial.

As previously mentioned, the data included in the file and the bills of indictments are based on the detainee's confessions or on other detainees' confessions. There is often no additional evidence in the file beyond the confessions.

Israeli interrogators adopt several methods to obtain confessions from Palestinian detainees. It starts from the first moment of arrest, in accordance with an 8-day arrest order extended to 90 days in accordance with a decision issued by a military judge without appearing before the court.

**Lawyers:** What Palestinian lawyers are being exposed to in Israeli courts is another picture of Palestinian suffering. The failure of the Israeli authorities to comply with international conventions regarding the treatment of Palestinian lawyers is a dangerous indicator of the volume of violations committed against Palestinians. The volume and type of violations Palestinian lawyers defending Palestinian detainees are exposed to are connected to the various tracks of detaining Palestinians. The first stations for the Palestinian detainee in the detention process are the interrogation centers. They are divided into four centers, including:

- Russian Interrogation Center in Jerusalem;
- Ashkelon Interrogation Center in Ashkelon;
- Al-Jalameh Interrogation Center near Haifa;
- Petach Tikva Interrogation Center in Petach Tikva (Mlabas).

These centers turned its administration responsibility to the Israeli Prison Authority (Shabas). Palestinian lawyers, while pursuing their clients' cases, are exposed to several violations, thus limiting their ability to handle the files properly. The detainee's right is violated. These violations can be summarized as follows:

**Denying lawyer's freedom to visit detainees:** The law guarantees that the lawyer has the right to visit his client any hour during the working hours of the detention center without delay. The Israeli institutions impede the implementation of law in relation to Palestinian detainees and their cases. They deliberately issue a decision preventing Palestinian lawyers from visiting their clients in the detention center, extended to 90 days.

In 2005, some 142 petitions were submitted to the Israeli Supreme Court, the highest legal body in Israel, to cancel prevention orders issued against Palestinian lawyers. The Court issued one decision in favor of Palestinian lawyers and turned down 141 petitions. This is a clear indication of the role of the Israeli institutions in violating the right given to human beings by the force of law. "The Anti-Torture Committee"

### Examining the lawyer's name:

The interrogation centers deliberately examine the documents owned by lawyers, particularly those residing in the occupied territories of 1967. The examination process combined by other procedures has negative implications on the psychological state of lawyers, constituting a violation of their right to work under suitable conditions.

**Forcing some detainees to issue entry permits to Israel:** Since most lawyers are from the occupied territories of 1967 and the interrogation centers are outside the West Bank and Gaza Strip, the land in which detainees live, is a violation of international law, which prohibits the transfer of detainees to the land of the occupying power in accordance with article (49) of the Fourth Geneva Convention. Forcing lawyers to apply for entry permits impedes their work to perform their legal duties and a major obstacle in communication between the lawyer and his client.

The most important time in communication between the lawyer and the client is the interrogation stage, for the pressure exerted on the detainee on the one hand, and for the data that may be used in complicating the case on the other hand.

**Detainees not taken out to the court:** In some cases, Israeli authorities practice this measure against Palestinian detainees to enhance the isolation imposed on them and to prevent them from contacting the outside world, with the aim of obtaining information from them. This measure, although taken against detainees, is a violation of the lawyer's right to meet their clients and to provide them with the necessary legal consultation in accordance with the law.

These violations practiced by the Israeli authorities against Palestinian lawyers are not limited to the stage in which a detainee is interrogated, but also involve the detention stage. Detention centers are found in Huwara, northern West Bank near Nablus, and Atsyoun, southern West Bank near Hebron. Violations committed against Palestinian lawyers at this stage can be specified as follows:

**Lawyers are not allowed to meet their clients alone:** The general law in Israel guarantees that the lawyer is allowed to meet his client separately under suitable conditions. The court allows the presence of a jailer (from a distance - not from a hearing distance) to ensure the secrecy of the relationship.

From Palestinian lawyers' personal experience, Israeli authorities do not give privacy as guaranteed by law. Detention centers and prisons deliberately aim to have a jailer standing next to the detainee and his lawyer.

Addameer's lawyer, Mahmoud Hassan, during his visit to Shatta Prison, was forced to cut his visit in protest against the presence of the jailer next to them and for recording the content of the meeting.

**Prior coordination for the visit:** This impedes the freedom and easiness of communication with the detainees, thus costing the lawyer extra effort that would be better if invested in studying the file and in defending the detainee.

**Long hours of waiting to allow for the visit:** Despite prior coordination, Israeli administration and detention centers deliberately delay in the visitation procedures, which negatively affect the atmosphere that should be available. The meeting between the lawyer and the detainee takes place in a certain hall. The prison has only one hall, which means that the visit in any prison is only for one lawyer in one day.

**Imposing permits inside the West Bank:** Some cases require that lawyers shall obtain special permits in order to be able to commute inside the West Bank and be able to reach the detention centers, such as Atsyoun.

Violations committed against Palestinian lawyers are not limited to what that has been mentioned. Violations are committed by the "Justice Home", the court that should preserve the rights of both detainees and lawyers. Following are examples of violations committed against Palestinian lawyers in the Israeli courts.

**Lack of professional translation:** International law obliges the occupying power to provide specialized translators, as one of the detainee's basic rights. The Israeli courts use one of the soldiers who speak Arabic to translate for the detainees. But the translation provided is unprofessional. It is, therefore, one of the major obstacles for the lawyer in performing his duties properly, thus constituting a violation of his right.

This violation has devastating impact on the penalties imposed on Palestinian detainees, since most lawyers lack good command of the Hebrew language. As a result, most lawyers resort to plea bargaining in closing the case, instead of developing a realistic defense. This reliance on plea bargaining prevents the detainee from any hopes of a fair trial, and results in convictions in almost all cases, regardless of the guilt of the detainee.

**Entry procedures to the court:** Palestinian lawyers are exposed to several procedures that should not be applied to legal representatives, including recording the entry hour and examining the lawyer's mobile phone. Such measures are completely unjustified, demeaning, undignified and degrading and have negative impact on the lawyers' performance.

**Photocopying files:** One of the major conditions for good preparation for defense is studying the details of the case before the court. In most cases, the Israeli prosecution doesn't give lawyers the opportunity to photocopy all the documents. In many cases, there is more than one detainee in the same case. The prosecution includes some papers in a file and takes them out from another file and doesn't allow lawyers to photocopy the file in full. These measures prevent counsel from access to evidence, and impede the counsels ability to create a strong defense.

**Court hour not determined:** The failure of the Israeli court to determine the court hour forces the lawyer to be available all day until the court allows the detainee to enter the courtroom. Such measure is not only a time-consuming for lawyers, but also has a negative impact on their motive to work and their psychological readiness.

Violations of lawyers' rights is above and beyond what is detailed here. Bills of indictments were submitted against some lawyers without any legal justifications. A bill of indictment was submitted against lawyer Firas Sabbah for exploiting his position as a lawyer in coordination between detainees at the Court of Divorce and Matrimonial Causes. All the data was confidential. The court continued until it principally retracted the case after three months. The legal advisor notified the lawyer about the court's retraction of the case. Until now, no official documents have been submitted.

"A bill of indictment was submitted against Lawyer Othman Hamadallah for renting a lawyer from Um Al-Fahem who was assigned the duty of visiting Palestinian detainees inside Israel. The case is still pending."

These examples are clear indications of the volume of violations committed by Israeli occupation authorities against Palestinian detainees' lawyers without taking the nature of their duties into account.

As for the families of Palestinian detainee, there are no humanitarian, healthy and proper facilities that protect them from cold winter and burning summer. There are no certain times for the courts. They may start in the morning or in the afternoon hours. The families don't know when their sons will be brought to the court or until when the court will be postponed without prior notice. Palestinian families try to attend the courts of their relatives and beloved ones in order to see them closely, as they cannot talk to them or even touch him. If it families attempt to get closer to the detainee, the detainee is beaten by a special force called "Nahshoun Unit", which is responsible for bringing detainees from the central prisons to the courts.



**Administrative Detention:** Currently, there are 857 administrative detainees inside Israeli prisons and detention centers. Administrative detention is arresting without a charge or trail, as the lawyer or detainee are denied access to the evidences on which the detainee has been detained, based on what is known as the secret file. Israeli authorities claim that the evidence cannot be revealed to preserve the safety of the sources of this information or that its disclosure may divulge the method of obtaining the material. The Israeli Supreme Court ratified more than once that it is possible not to reveal the data and the authority is not obliged to respect the suspect's right to obtain fair trial procedures.

Detainee Younis Issa is one of the cases followed up by Addameer Association. The case indicates the logic of the Israeli authorities in dealing with the issue of administrative detention. He was arrested on 08 November 2006. A six-month administrative detention was issued against him. He was released from a previous administrative detention on 06 February 2006. During a court session to sentence him to administrative detention, the military prosecution submitted secret materials against the detainee, and claimed that the secret materials mentioned activities carried out by the detainee after he was released from the previous detention. These activities include the detainee's work as a director of the Waqf in his residential area.

The detainee was interrogated upon arrest. The main accusation against him was that he is a Hamas activist and has recent activities without talking in detail about the nature and content of these activities. No direct accusation has been made against him. He was asked only about his nickname.

During the court session, the military prosecution stated that there are other suspects connected to the activities but didn't provide information about their cases. Were they interrogated about Younis Issa and his activities or not?

The sentencing was very short and not detailed. The judge fixed the administrative detention order for the entire period under the pretext that the secret materials collected against the detainee after his recent release indicate that he carried out pro-terrorism activities, without clarifying what is meant by this loose expression. The decision made no mention of the interrogation or the military prosecution's statements about the possibilities of other detainee partners.

The military court decision for the appeal was not much different from the first-degree decision. The appeal was rejected without clarifying the actual suspicions that justify the detention, or the possibility of submitting a bill of indictment in lieu of the administrative detention.

With the completion of the first detention period, the administrative detention order was extended for another six months. During a court session, the military prosecution stated that it obtained new secret materials, but did not add any new information or mention any development regarding partners. The judge fixed the administrative detention order, but not for the entire period issued by the military officer. The judge confirmed that he wasn't convinced that the secret materials and its gravity justified extending the detention period for six months. Therefore, the administrative order was fixed for three months.

This decision reflects the profound problem of the administrative detention issue, for relying on secret materials that the examination of its validity to justify the detention order, are subject to the estimations of the military judge who is examining the case. The file reflects the difference in estimations. The first judge approved a six-month detention order, while the second judge, based on the same first materials (the new material didn't add information), ratified a three-month detention order.

Once again, the appeal was rejected without logical explanation. The judge did not refer to the detainee's pretext that the second judge actually reduced the period of the detention order to half, thus indicating the weakness of the secret materials.

The military judge renewed the detention order for the third time for five months. The military prosecution claimed that it obtained new secret materials with additional information, but didn't claim that the materials changed the evidence in terms of evaluating the file. Despite this, the judge fixed a five-month detention order, and didn't refer to the new secret materials and whether they really indicate other activities that were unknown in the past.

The military judge at the Appellate Court decided to fix the first-degree decision, adding two remarks about the detainee. The first remark relates to the secret materials. The judge claims that the materials are true and indicate that the detainee poses a danger to the safety and security of the region and its residents. The judge didn't specify the activities carried out by the detainee and how they posed a real danger. He also didn't separate between what the danger was, its nature, and upon whom the detainee poses a threat, whether they were Palestinians or Israeli settlers who live illegally in the occupied territories. The second remark relates to the past of the detainee. The judge claims that the court gave the detainee an opportunity in the past, but he didn't take advantage of it and he continued to practice his activities, and therefore, he has only himself to blame.

The military officer renewed for the fourth time the administrative detention order for a period of four months. New materials were not submitted this time. The military judge fixed the detention order for the entire period issued by the military officer. In his decision, the military judge didn't add new information about the file. The appeal submitted by the detainee was rejected.

The current administrative detention order issued against Younis Issa ends on 29 March 2008.

The issuing of administrative detention orders is the responsibility of the Military Area Commander or the Defense Minister. Israeli military and civil laws related to the administrative detention orders are based on the British Mandate Emergency Law for the year 1945.

"If the Military Area Commander or the Defense Minister have reasons related to the security of the area or the safety of the public that require the detention of a certain person, it is allowed, in accordance with an order signed by the Military Commander or the Defense Minister, to arrest the person for the period stated in the issued order. The Military Commander or the Defense Minister can continue holding the detainee for an unspecified period, if the Military Commander or the Defense Minister, based on reports from the security apparatuses, believe that there is an expected danger if the detainee is released."

In many of the legal cases pursued by Addameer Association, administrative detainees spent years in the prison after being sentenced for committing violations, in accordance with military orders. When the period ended, they were placed under administrative detention under the pretext that they still pose a security threat. In some other cases, the detainee spends years in the administrative detention and a bill of indictment is submitted against him and is sentenced another time, without taking the period he spent in the administrative detention into consideration. Israeli authorities don't hesitate in violating the standards of fair trial, and fail to take international law or humanitarian dimension into consideration while handling the issue of administrative detention.

Detainee Anis Abu Al-Enein was arrested in February 2006 and was sentenced to six-months of administrative detention. The detainee is originally from Gaza and currently lives in Al-Yamoun village. He got married eight years ago and has three children. When he was arrested, secret materials were submitted, for which the first detention order was fixed for the entire period issued by the military officer. The second administrative detention order was also issued for six months, but was fixed for three months. After that, a number of detention orders were issued for a period of three months. The three-month detention order covering the

period from 20/08/2007 to 19/11/2007 was cancelled by the first-degree judge on 29 October 2007. During the session, the military judge revealed, for the first time since the detainee's arrest, part of the suspicions attributed to the detainee and for which he was arrested. The judge claimed that the secret materials confirm that the detainee planned, before he was arrested, for a dangerous military operation, but the initiative was taken by another person. But the judge adds that the secret materials talk about a radical change in the circumstances, which means that it is very difficult to decide whether the detainee could carry out this operation alone. The judge adds that new secret materials have not been submitted for a long time, taking into consideration the detention period. The judge suggests that the administrative detention order should be cancelled.

After revealing this information, it becomes obvious to the detainee that his case may possibly be connected to the assassination of his brother, Iyad, in Gaza in April 2006, two months after his arrest, given the fact that the detainee was never interrogated about his brother. But the Israeli occupation forces claim that Iyad is wanted and the arrest of Anis and the assassination of Iyad afterwards indicate that the military intelligence tried to connect between the two brothers, especially because Anis was arrested at the age of 16 for throwing stones.

The military prosecution appealed against this decision. Unfortunately, the appellate judge cancelled the decision issued by the first-degree judge and returned the three-month administrative detention order, under the pretext that the secret materials indicate a definite danger resulting from the detainee's activities.

Addameer Association submitted a petition to the Israeli Supreme Court against this decision. Upon hearing the case, the general prosecution submitted the secret file to the Supreme Court's judges without the presence of the detainee and his lawyer. After that, the judges were convinced of the danger resulting from the detainee's actions based on the secret materials. The general prosecution expressed its intention to renew the detention order after the current order is terminated. Therefore, the defense withdrew the appeal without obtaining a clear rejection decision from the Supreme Court.

Once again, the detention order was renewed for a period of three months. The first-degree judge who reviewed the previous order reviewed the new order, reiterating that he wasn't convinced of the necessity to continue holding the detainee. Therefore, he cancelled the detention order on 12 December 2007 and gave the military prosecution the opportunity to submit an appeal. But it wasn't submitted and the detainee was released on 15 December 2007. Once again, Israeli occupation forces arrested Anis on 19 February 2008 from his house and he was banished to Gaza.

This case reflects the severity of administrative detention. The detention of Anis was a punishment for the activities carried out by his brother. It hasn't been sufficient for the military intelligence to arrest him until the assassination of his brother, but continued to hold him for a long period of time, and banished him to Gaza. If the Israeli military intelligence were completely convinced that the release of the detainee poses a real danger on security, they wouldn't have released him only to arrest him again after two months and banish him.

Administrative detention is an arbitrary detention, in violation of the principles of fair trial. It is a clear picture of violations committed by the Israeli occupation authorities against Palestinian prisoners.

## Annexes

- Affidavits on violations committed against Palestinian prisoners.
- An affidavit from detainee Ayman Mabrouk on his injury and how he was arrested.
- An affidavit from Ayman's father on the demolition of his house.
- Testimonies from Palestinian prisoners on the oppressive measures and the collective punishments taken against them inside Israeli prisons.
- A list of medical cases documented by Addameer Association during 2007.
- A list of the names of martyrs due to medical negligence. (See attachment)

Affidavit

(1)

I, the undersigned, Thaer Nassar, holder of ID card no. 946647351, state after being legally warned the following:

On Friday morning of 13 April 2007, at 10:00 a.m., I was arrested by the Israeli army at Hizma military checkpoint. I state, during my arrest, that a bag was put on my head and my hands were shackled. I was beaten by the Israeli soldier when my cellular phone rang. I state that I asked the soldiers to put the phone off, but they refused. Jeep Adumim no. 351. With this, I state that I was beaten by the officer by his legs on my back. When I entered the jeep, I was beaten clubs on my back. I state that I was stopped at the checkpoint before I was taken to Ofer Detention Center for eight hours. I was beaten and cursed.

With this, I state that my name and my signature are correct.

Thaer Nassar

Affidavit

(2)

I am detainee Wisam Al-Mimi/ Nitsan Prison, holder of ID card no. 908077795, state after being legally warned the following:

I state that before I was transferred to Ar-Ramleh Prison, the prison administration placed me in the cell for no reason. My hands and legs were shackled when I was in the cell. I was taken out of the cell and was beaten by the prison administration and jailers with their legs and hands all over my body for one hour. I was then placed next to the doctor's room for supervision, but I wasn't provided with the necessary medical treatment. When I was taken back to the cell, I was severely attacked by the security officer with his stick all over my body for 45 minutes. After I entered the cell, I was severely beaten on my face and teeth. I suffered bleeding and wounds in my mouth. I was shackled in the bed for three days and wasn't allowed to use the toilet. I was then taken to Nitsan Hospital.

With this, I state that I was detained and the content of my statement is true.

Wisam Al-Mimi  
08 October 2007

Affidavit

(3)

I, the undersigned, Ihab Mohammad Hujeir, from Al-Jalazoun Refugee Camp in Ramallah, holder of ID card no. 850039850, state from myself and after being legally warned the following:

On 12 March 2007, I was arrested by the Israeli soldiers at Qalandia military checkpoint for catching stones and cocktail Molotov with me. After I was arrested, I was immediately taken to the Russian Compound Detention Center. I was interrogated about what was caught. I made confessions about the stones and the cocktail Molotov. I was interrogated two or three times only. My file was referred to the military prosecution in Ofer. I appeared before the military court in Ofer one week after I was arrested. A bill of indictment was submitted against me and I was detained until the legal procedures against me ended. Since the first day of my arrest, I have been in the section of civil prisoners. I am still in the section, although the legal procedures against me ended. Despite my frequent requests from the police at the Russian Compound to transfer me to another security prison, no one responded to me.

The situation inside the civil section is extremely difficult. The quality of prisoners in the section is extremely bad with criminal backgrounds. Some of them take drugs. Since I was arrested, I haven't been visited by my family for not being able to reach the Russian Compound, and haven't been provided with supplies.

I am 19 years old and being in a polluted and corrupted atmosphere is detrimental, especially that some prisoners take drugs inside the rooms. The rooms are unclean, unhealthy, highly-humid, and poorly-ventilated.

Ihab Hujeir  
Written on 01 October 2007

Affidavit

(4)

I, the undersigned, Ayman Mabrouk, holder of ID card no. 901083550, a resident of Ein Beit Al-Ma' Refugee Camp in Nablus, state after being legally warned the following:

Ramallah, Rafidein Sq., Sebat Bldg., 1<sup>st</sup> Floor, Suite 2

2  
:2970136 / 2960446 2(0) 972  
: 2960447 2(0) 972

addameer@p-ol.com  
www.addameer.org

Tel.: 972 (0)2 2960446 / 2970136  
Fax.: 972 (0)2 2960447  
Postal Address: Jerusalem, P. O. Box: 17338



On 16 September 2007, I was arrested at 3:00 before dawn. I wake up at the voice of Al-Musaharati [a person responsible for awakening people before dawn for suhur during the holy month of Ramadan]. I went to the sitting room. The moment I reached the window, I felt bullets penetrating my body in less than a minute. I fell down on the floor. Shooting continued with more than 20 bullets. The signs are still on the walls of the house. After that, I crawled 15 meters until I reached the stairs. My wife then came and called the family and the ambulance. Ten minutes later, three persons from the first aid arrived with volunteers. The person in charge of the first aid team called the ambulance, because the injury was severe. I suffered four injuries. They were as follows:

The first injury was in the right shoulder, the second was in the neck, the third was only 5ml under the heart, and the fourth was in the left shoulder. The injuries didn't settle in my body. The ambulance arrived in the camp after ten minute, but was held by the Israeli army. Another ambulance was called and was stopped by the army, and a third ambulance was held by the army. Although they came from different areas, they were denied access by the army because of the siege imposed on the refugee camp. The person in charge of the first aid team called the ambulance driver. The driver told him that the army ordered that the injured be taken out of the house in order to be treated. The first aid team was keen to take me out because of my critical health condition. I went out to the ambulance and was surprised to see a military jeep coming towards me before the ambulance. I got into the ambulance. There were two military jeeps in front and behind the ambulance. The army asked the ambulance driver to go next to the jeep in order to be able to see me. My wife, sisters and my uncle's wife were with me. The army asked them to get down the ambulance and to stand next to the nearby street. At this time, they took my ID card and examined it, given the fact that I was conscious. After examining my ID card, they told us that they will take me. The first aid team asked the army to bring an Israeli ambulance because I am in a critical health condition. The name of the person who asked for an Israeli ambulance was Tony, but the soldiers refused saying that they estimate the injury. They took me in the jeep to Bitá checkpoint. All the time, I was bleeding. At the checkpoint, I was taken out from the jeep to the ambulance (101) and was provided with first aid to stop the bleeding. We then arrived in Beilenson Hospital and I was taken to the operating room. I had a preliminary operation and was taken to the room. Three days later, I had an operation in the shoulder. On my way to the hospital, I was humiliated and cursed but was not beaten or shackled. I was taken down from the jeep without the help of the first aid team. I was not provided with physiotherapy as an injured in a very critical condition.

On the fifth day, I was told by the police that I will be taken home. I kept waiting from 7:00 in the morning until 10:00 night. After that, I was surprised to be notified that I will be taken to the detention center despite

my critical, unstable health condition. A unit from Nahshon arrived and shackled me. I was taken to Ofer Detention Center. I arrived at exactly 1:30 midnight. I was maltreated by the administration, without taking my health condition into consideration. They refused to remove the shackles until all the procedures were completed. I spent more than two hours until the procedures were finished.

The next day, I was told that I will be taken to Salem Court. I was taken from Ofer to Ar-Ramleh, during which I was maltreated and humiliated by the Nahshon Unit, ignoring my difficult health condition. The next day, I was taken from Ar-Ramleh to Megiddo Prison and remained in the autobus for 13 hours. The iron chairs are high, thus increasing the pain and felt that I was injured again. After I left the hospital, I was not given any treatment, expect for some painkillers. I was taken to the court and then returned to Megiddo Prison where I spent five days in the autobus. I then returned to Ofer and spent only two days. I was taken to Salem and Megiddo and spent ten days in Megiddo between courts and interrogation. I wasn't treated by the Intelligence and the judges as a wounded person. I was treated like the rest of prisoners, without taking my critical health condition into consideration. Before the interrogation, the Intelligence Officer didn't ask me anything. During the interrogation, I was told that they suspected me that I was a military activist, given the fact that the day I was injured, I completed one month of my release of a three-year sentence. I told the officer that I will lodge a case against them because I didn't do anything and I was at home. And the refugee camp was quite. I also told him that I will be released from the court because I wasn't convicted of anything. After that, I returned to Megiddo and spent three days and was then taken to the court. I wasn't taken down to the courtroom. And the lawyer was not there. They took me back to Megiddo Prison. At 3:00 in the afternoon, I was told that I will be released.

My house was demolished on 22 September 2007 when I was in detention. The demolition took place without prior notice. The Israeli army came at 2:00 at dawn and opened fire at the house. There are still marks of the shooting. The local inhabitants ran away because of the random shooting in search for a safe place at the neighbors. Following Israel's invasion of the refugee camp, the Israeli soldiers opened a street to reach the house. They demolished the wall and uprooted the trees in order to be able to reach the house. After that, they broke the house properties and household appliances. They then closed the doors and demolished the walls. At 4:00 in the afternoon, the Israeli bulldozers demolished the house without presenting the demolition order. The house was demolished during Israel's five-day invasion of the refugee camp. The demolition took place on the fourth day of the invasion and the local inhabitants were unable to take anything out from the house. In the neighbor's house, there were more than 75 persons inside the room. They were not provided with any help or even no one was allowed to help them during the invasion. The nearby houses were

destroyed and partially demolished. The furniture was taken out from the houses and used as blocks for the entries of the refugee camp.

I knew all about this from the family and the witnesses. This was confirmed by house-owners Ahmad Subhi Mabrouk and Qasem Mustafa Mabrouk. The demolished house consists of five floors, with one apartment each.

Written on 01 November 2007

Ayman Mabrouk

Affidavit

(5)

I, the undersigned, Ali Qasem Mabrouk, holder of ID card no. 983288416, a resident of Al-Ein Refugee Camp in Nablus, state after being legally warned that I am fully responsible for the truth of the information mentioned in this statement.

On 18 September 2007, at 2:00 noontime, the refugee camp was invaded by the Israeli army. On the same day, the soldiers broke into my house and turned it into a military barracks until 22 September 2007. On that day, they demolished the house, consisting of five floors, without prior notice or without presenting a demolition order. The demolition was combined with shooting on the house and the nearby houses. The local inhabitants of the house and some other houses evacuated their houses and gathered in safer places. There were 75 persons in the room and stayed in the room for five days during the invasion. On 22 September 2007, the Israeli soldiers brought two bulldozers and started to demolish the house. They didn't allow us to take anything out from the house. They broke our property before the demolition. A number of human rights organizations, journalists and the Red Cross arrived at the site. They wrote reports about what happened.

Since I am a house-owner, I confirm that I wasn't notified of the demolition order. The house was not previously threatened with demolition. My sons didn't do anything that led to the demolition of the house in such a manner. And even there was nothing that led to the demolition of the house before and during the invasion.

Qasem Mabrouk

63 years old. A retired former unionist

Written on 01 November 2007

Affidavit

(6)

Incidents that took place in Nitsan Prison on 23 September 2007

Affidavit taken by detainee Wael AL-Husseini on 23 September 2007

Today, at 6:00 a.m., and during the counting period, a prisoner in room no. 3 at Nitsan Prison beat a policeman and tried to beat the counting officer. The policeman severely attacked and beat the prisoner and took him to an unknown place.

A prison unit entered the section, consisting of 10 rooms, with 10 detainees in each room. They took all the detainees out to the yard with their hands shackled with plastic chains. They dragged them outside and started to beat them with sticks. They sat them in the yard on the ground. They beat any detainee who raises his head or speaks. After that, they entered the rooms and took all the electric appliances and the glass cups. They opened the closets and scattered the clothes on the ground. The rooms were a mess. They destroyed everything in the rooms. They mixed the sugar with the salt, the rice and flour.

Affidavit taken by Ibrahim Sanaf from Nitsan Prison on 08 October 2007

A detainee from my room beat the counting officer. The jailers severely attacked the detainee and took him to an unknown area. A few moments later, a unit came to the room and stood on both sides of the door. Every prisoner who tries to leave the room was beaten with their hands, legs, and sticks. They shackled us and placed us in the cells. We were interrogated for two days about the circumstances of the incident and the background that led the prisoner to beat the officer. As I was leaving the interrogation room, I told the security officer not to beat me on my eye because it hurts me. The officer slapped me on my face from the side that hurts me. During this period, they were provoking us and treating us in a humiliating manner. During the first two days of the counting, no food or water was given to us. We were in an extremely bad situation. After that, we were taken back to the rooms, with two detainees in one room. Our belongings were destroyed and nothing was left. Electric appliances were taken out and kitchen tools were destroyed. The break hours were reduced and we were denied access to the canteen.

Affidavit

(7)

Repression Measures in the Negev on 29 May 2007

I, the undersigned, detainee Nasim Hanani, holder of ID card no. 948397930, state the following:

I was among the detainees who were in section (C7) next to section (C8) at the Negev Detention Center, which was attacked by the prison administration under the pretext that one of the prisoners attacked a guard during the visit. Three days after the incident, 15 prisoners were taken out from my section (C7), and were placed in cells. We spent seven days in the cells and then were taken to Ramon Prison. We were also punished in the cells. We were immediately taken to Ramon after ordering us to take our stuff, with our hands shackled. When we came to the section, everything was upside down. The tent was dismantled, electric appliances broken, and kitchen tools destroyed. Prisoners in section (C8) didn't take anything of their belongings. Everything was destroyed. Electric appliances, fans, and refrigerator were completely destroyed. All tents were dismantled. Nothing was left in the library. Everything was mixed up. The isolation period in the cells was the most difficult. Every three prisoners were placed in one cell, with no toilet. No food or water was offered to us. We were handling the situation with great difficulty. We were only allowed to take some of our personal belongings. We were not allowed to remove the chains while taking our belongings. It was difficult to find our belongings because of the destruction in the tent.

Nasim Hanani/ Rimon Prison

## Affidavit

(8)

### Negev Incidents on 22 October 2007

#### Detainee Abdullallah Salah Eldin's testimony

The incident took place on 22 October 2007 at 1:30 a.m. without prior notice from the prison administration to search the rooms. There were no problems with the administration. They entered section (C1). There was one detainee in the yard. They opened fired on him and then shackled and dragged him outside. The unit that attacked the section (C1) was Metsada. They entered the section, shackled all the prisoners, beat them, and took them to the visitation rooms (Al-Qal'a Attahta).

The situation was developed. The unit moved to section (C2). It was accompanied with the police. They opened fire and sound bombs on the section for about half an hour, burning the enter section. The shooting was from a distance of 15 meters. The prison administration opened the section to allow prisoners to go out because of the fire. Every prisoner leaving the section was shackled and beaten with the clubs. The unit then moved to section (C3) at the same time of opening fire on section (C2). The prison administration and the Metsada were opening fire on section (C3) heavily.

In Section (C3), and before the administration entered the section, there were 25 injuries. They then asked us to hand over ourselves. After we were shackled, they attacked all of us with their clubs. After being shackled and beaten, we were taken to the visitation room. The room was overcrowded with prisoners. The administration opened fire on the window, thus injuring more prisoners. They kept us in the visitation room until 5:00 and then took us to the (Al-Qal'a Attahta) until sunset.

The attack first took place in section (C1) at 1:30 a.m. The situation was very calm. There were problems with the administration. There was only one prisoner in the yard.

They opened fire on the detainee who was in the yard and dragged him to the visitation room. They entered the section and shackled all the prisoners, attacked them, and took them to the visitation rooms.

After finishing from section (C1), Israeli forces opened fire on section (C2) for about half an hour. The tents were burnt because of the sound bombs. All the prisoners were shackled and beaten and were taken to the

visitation room. At the same time, they were opened fire on section (C3) for about two hours. The prisoners asked the police to stop shooting in order to hand over themselves, but they refused. Prisoners reacted by throwing onion and potato on the police.

Prisoners were shackled and beaten by clubs all over their body: on their stomach, hands, legs, backs, and heads. The shooting was from a distance of 15 meters all over the body. Since the shooting was random, a number of prisoners were injured. Prisoners were beaten and taken to the visitation rooms. No medical treatment was provided. Detainee Mohammad Al-Ashqar suffered injury in the head and wasn't provided with medical treatment. As a result, he died.

Prisoners were provided with treatment at only 5:00 a.m. in the clinic. There were more than 250 prisoners, of whom 12 were taken to the hospital. The next day of the incident, three prisoners were taken back to the prison: Wasim 'Arrar, Ahmad Bras and Majdi Salit, and the rest were taken to the hospital when necessary. Prisoners suffering injuries in their legs and hands are still unable to walk properly, while those suffering injuries in their stomach, back and neck are in the hospital for medical treatment.

After the attack, the prison administration didn't take penalties and almost the relationship with is over. A dialogue committee was formed. The minister of prisoners and the director of the prison authority came to the prison to bring the situation back to normal. They discussed all the files, such as canteen, families' visits, administrative detainees, and cooking to improve prisoners' health condition.

The prison administration doesn't do any provocative actions. Not an inquiry committee, or interrogators, or the Red Cross, or human rights organizations or journalists came to the prison.

In addition to the injuries, there are psychological and neurological cases and panic cases, including detainee Wasim Abu Jas that appeared after the attack.

When the prison administration met the dialogue committee, it claimed that its intensive presence was for night searching. The administration promised to improve the living conditions of prisoners.

When we were in the visitation rooms, we were shackled. All the prisoners in the three sections were in visitation rooms. We were injured and shackled. The room was overcrowded with prisoners. If we stayed for a long period of time, the number of martyrs would have been in dozens.



Section (C2) was completely burnt. Nothing was left from prisoners' stuff. They were distributed at the remaining sections.

In section (C3), prisoners' stuff was destroyed. When we returned to the section, all the electrical appliances were taken.

In section (C1), nothing was destroyed. Electrical appliances were taken from the section. Until now, prisoners have not been allowed to go back to the section. They were distributed to the remaining sections.

According to the agreement with the administration, the remaining sections were not punished. It claimed that it wanted to attack section (C1) only. It punished the remaining two sections for saying 'Alla Waakbar'

I was among those who have been beaten by the prison administration and the Metsada forces. I was shackled and beaten with clubs all over my body.

(9)

Following are cases of sick detainees that have been documented by Addameer Association through visiting Israeli prisons during 2007. Most of the cases didn't receive medical treatment. These cases are only those that Addameer was able to document inside Israeli prisons:

No.	No. of Cases	Type of Disease
1.	1	Headaches and loss of consciousness due to exposure to an electrical shock
2.	6	Dental problems
3.	6	Stomach Ulcer
4.	4	Blood pressure
5.	3	Diabetes
6.	5	Kidney failure
7.	1	Asthma
8.	6	Eye problems
9.	2	Heart problems
10.	1	Stomach bleeding
11.	1	Helicobacter pylori
12.	1	Epilepsy
13.	1	Leg swelling (Edema)
14.	1	Influenza
15.	1	Kidney + breathing difficulty
16.	1	Glands
17.	1	Hand paralysis
18.	1	Cornea problems
19.	1	Hand injury
20.	1	Epilepsy attacks
21.	1	Breaking hands before arrest (were beaten during

Ramallah, Rafidein Sq., Sebat Bldg., 1<sup>st</sup> Floor, Suite 2

2  
:2970136 / 2960446 2(0) 972  
: 2960447 2(0) 972

addameer@p-ol.com  
www.addameer.org

Tel.: 972 (0)2 2960446 / 2970136  
Fax.: 972 (0)2 2960447  
Postal Address: Jerusalem, P. O. Box: 17338

		interrogation)
22.	1	Eye loss due to beating by Nahashon Unit (the unit responsible for transferring prisoners to courts and between prisons)
23.	1	Schizophrenia
24.	1	Eye problems + high blood pressure + kidney problems
25.	1	Stone, Ulcer, disk + kidney problems
26.	1	Cholesterol
27.	1	Diabetes + platen implanted in head
28.	1	Psychological disease
29.	1	Thalasimia
30.	2	Arthritis
31.	1	Anemia + breathing difficulty
32.	1	Leg injury
33.	1	Paraplegia + colonostomy + urinate through a urine bag
34.	1	Debris in foot (he was arrested from the intensive care unit at the Anglican Hospital in Nablus)
35.	1	Complete paralysis
36.	1	Rheumatism + disk
37.	1	Ear Tumor or mass growth (unidentified) in the left or right ear
38.	1	Cancer
39.	1	Pimple under the ear causing dizziness and imbalance
40.	1	Back pain due to an injury by the army
41.	2	Respiratory infection + asthma
42.	2	Psychological disease
43.	1	Anemia + dental problems
44.	1	Hysterectomy + blood pressure
45.	1	Debris in the foot

46.	1	Thyroid gland disorders
47.	2	Nerve inflammation
48.	1	Sever Gastritis
49.	1	Hands amputation
50.	1	Anemia (was given wrong medicine)
51.	1	Gallbladder
52.	1	Stomach injury
53.	1	Epilepsy
54.	1	Migraine
55.	1	Kidney stones
56.	1	Platen implanted in the foot
57.	1	Muscles
58.	1	Loss of hearing in the left ear + backache due to spinal injury
59.	1	Headache
60.	1	Whole spasm
61.	1	Lung Fibroids Hip injury Triglycerides, cholesterol Hypoxia (decrees in O2 level in the blood)
62.	2	Paralyzed
63.	1	Congestive Heart failure & Kidney enlargement

**Note:** Full names of the above cases are kept by Addameer Association.