

# **Cries Behind the Bars**

**Right Violations of Palestinian  
Prisoners in Israeli Jails**

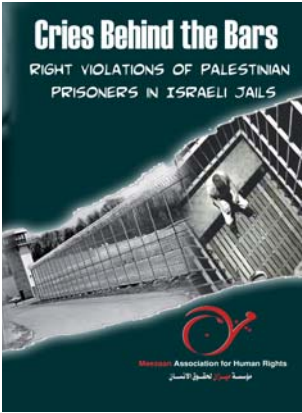
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# Cries Behind the Bars

## Right Violations of Palestinian Prisoners in Israeli Jails

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[www.alseddeek.com](http://www.alseddeek.com)



مؤسسة ميزان لحقوق الانسان  
**Meezaan Association for Human Rights**

(MAHR) Meezaan Association for Human Rights, which was established in the year 2005, is a human rights organization active within the community of Palestinians living within the borders of the Israeli state, on the Palestinian lands that have been occupied in 1948. Meezaan concentrates on human and civil rights issues concerning the Arab Palestinian minority inside and outside Israel, including the Palestinian territories that had been occupied in the 1967 war.

Based upon the conditions of political, social, cultural, economic and religious human rights in our community, our priorities outline our work and direct us to focus our efforts on three practical program areas:

1- Litigating issues of Palestinians inside Israel as a whole, being discriminated against by the Israeli authorities on religious, political, social and educational basis. Palestinians in Israel are defined by the government as "citizens" and yet their lands are still being confiscated and their internationally acknowledged basic human rights severely disrespected.

2- The establishment of an informative body for consultation and legal advisory for NGOs and individuals who are active for the sake of Palestinians in Israel, which also aims to raise the awareness of Palestinians towards their rights, through lectures, seminars and forums, as well as printed publications and online services.

3- Documenting transgressions and discrimination in every aspect of the Palestinian minority's existence, through authentic reports and publications that highlight and affirm these violations. Then we spread the word about such breaches to local and international agents and cooperators including the media, human rights organizations, parliament members and committees, academic institutions and research centers.

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# *Preface*

This in-depth report on the conditions of Palestinian prisoners in the Israeli prisons is the result of a deep investigation and research by the lawyers of MAHR- Meezaan Association for Human Rights in Nazareth and their partners. The need to release this report became increasingly compelling in the recent years in light of the unprecedented increase in the oppression against these prisoners and the violations of their rights. We are confident that no matter how big the efforts this report might awaken, they will definitely reduce the prisoners' sufferance and misery.

The report is based on the testimonials of many prisoners, whose names will not be revealed for their interest and safety. In preparing the report participated other prisoner committees and the internal legal boards of the Palestinian prisoners.

International law recognizes Palestinian prisoners as war prisoners or as protected persons, being in both cases entitled to the rights guaranteed by the international conventions, particularly Geneva's conventions. Yet the Israeli Prison Service is still refusing to recognize this legal status of Palestinian prisoners, or recognize them as prisoners of war. The Prison Service insists that they are normal prisoners subject only to Israeli regulations and laws, although the international law's role is to defend basic human rights that must be respected. The irreverence to these laws is therefore not only internationally illegal but more importantly inhumane.

According to the internal laws of the Israeli Prison Service (law 04.05.00), Palestinian prisoners are defined as «security prisoners»- prisoners convicted of offenses against the Israeli state's security. This category is automatically deprived of the majority of normal prisoners' rights, and treated according to special laws, including no. 03.02.00 and other laws related to isolation and deprivation.

The number of inmates defined as security prisoners has been recently increasing, reaching today to ten thousand, the majority of them from the occupied Palestinian territories and the rest from the Palestinian lands occupied in 1948. Those «security prisoners» outnumber all criminal prisoners in all the Israeli prisons together. So instead of being a rehabilitation center for criminals, the Israeli prisons' basic role is to assert occupation and **oppressive detention** of Palestinians.

In a series of previous interrelated researches and reports carried out by different bodies concerning the conditions of Palestinian prisoners, the results affirm the fact that they are deprived of basic human rights, not to mention legal

rights. One of the reports, prepared by a commission of the Israel Bar Association (the legal community in Israel) in 2006, reveals enormous dereliction and violation of 18 main sections of the basic prisoner rights.

The truth is that the conditions of Palestinian prisoners in the Israeli prisons are far from humane, incorporating flagrant violation of human's dignity and respect, to an extent of prohibiting the Palestinian prisoner from hugging his children or stroking their hair, and even preventing him from receiving condolence with his parent's death. These are but examples of what this report is all about.

**Adv. Abed Al-Rauf Mawassi**

**General Manager of Meezaan Association for Human Rights**

## *Part ONE*

# *The Isolated in the Israeli jails*

Solitary confinement is one of the physical and psychological torture methods, and is considered a very harsh punishment used by the occupation against Palestinian prisoners. They are isolated in small dark cells for long periods of time, deprived of the most basic rights, which might lead to the prisoner's death, like in the case of Ibrahim al-Ra'ee who died in 11/1988 after being in solitary confinement for 4 months.

Solitary confinement has become an organized strategy approved by Israeli justice authorities and faithfully carried out by the executive authority.

The Israeli Prison Service has established special sections for separating prisoners:

- 1- In Nafha desert prison, opened in 1980.
- 2- In Ramleh city, Nitsan prison, opened in 1989.
- 3- In Ber-Sheba, Ohali Kedar prison, opened in 1992

The Israeli authorities practice prisoners' separation under the pretence of various justifications, while in the prisoners eyes, the real reasons for using solitary confinement are:

- 1- The attempt to disconnect leading prisoners from other prisoners so to not have an influence over them, or because of «his dangerousness» as the authorities claim.



- 2- Separating weakened prisoners to facilitate deceiving them and recruiting them for the Israeli intelligence.
- 3- Isolating prisoners with criminals or agents (Palestinian cooperators with the Israeli army) to foul their reputation and force them to submit.

**S**olitary confinement is one of the most depressing experiences a prisoner can undergo. The Article 119 of the fourth Geneva Conventions determines the period of time it is allowed for the detainer to hold a detainee in solitary confinement, which should not exceed several weeks:

The duration of any single punishment shall in no case exceed a maximum of thirty consecutive days, even if the internee is answerable for several breaches of discipline when his case is dealt with, whether such breaches are connected or not.

in comparison, some Palestinian prisoners are now spending their 7th year in isolation. Names of prisoners currently held in solitary confinement (who are known to us):

- 1- Ibrahem Hamid: spending several life imprisonment, already two years in isolation.
- 2- Mahmud Issa: several life imprisonments, already 8 years in isolation.
- 3- Mo'ataz Hejazi: sentenced 11 years of prison, spent 7 years in isolation.
- 4- Hasan Salameh: several life imprisonments, spent 7 years in isolation.
- 5- Jamal Abu Al Haija: several life imprisonments, spent 4 years in isolation.
- 6- Abdullah Al Barghouthi, several life imprisonments, spent 5 years in isolation.
- 7- Ahmad Al Mughrabi, several life imprisonments, spent 5 years in isolation.
- 8- Muhammad Jamal Al Natshe, a member of the Palestinian Legislative Counsel, sentenced 8 years, spent 4 years in isolation.
- 9- Hisham Al Sharbati, sentenced 8 years, spent 3 years in isolation.
- 10- Atwa Al Umoor, under custody, already 1.5 years in isolation.
- 11- Muhawish Nu'eemat, detained, already 1 year in isolation.
- 12- Waleed Khaled, administrative prisoner, in isolation for 2 years now.

***Following are some of the aspects of the isolated suffering, according to the prisoners' description***

- 1- **The prisoner is held in the criminal prisoners' section**, where he endures all kinds of humiliation and cursing, and maligning their religious symbols and figures, not to forget annoying them constantly with loud music and continues knocking on their doors, and counting the prisoners now and then.
  
- 2- **Though solitary confinement is a punishment**, it is not bound by time period and is constantly extended. Worse is that the «solitary confinement court» is nothing but a gimmick where -even without informing the prisoner of the reasons behind separating him- and due to «classified information», the judge extends the isolation period an additional year through which he endures the same sufferance again.
  
- 3- **Two prisoners are occasionally put together in the same solitary confinement cell**, where the prison administration makes a wise choice of prisoners to dwell there; smoker and nonsmoker, religious and nonreligious, one fasts the month of Ramadan and the other doesn't, a 24 hours a day contradiction in harsh conditions of the very small room and the lack of fresh air. Under these circumstances, if any of the two prisoners complained he is hit with batons (while he is handcuffed) and forced to accept that situation. If the prisoners refuse to submit, their cell is transferred into a «punishment room» where all their luggage and personal belongings are confiscated, and not once the jailors told one of the two prisoners: «you can get rid of your cell mate if he dies».
  
- 4- **The small yard dedicated for the prison inmates turned to be a source of sufferance instead of grace**. In the early morning of the cold days in winter, the jailor can suddenly appear and forces the prisoners to leave their cell for a «rest» in the yard. In specific occasions, if one of the two wants to go out and the other is sleeping, the latter is awakened and has his hands cuffed with his mates hands with, and if he didn't wake up, the former is deprived of going out. But if both of them wanted to go out together, they are handcuffed, one of them

is allowed to go out, while the other is kept in the cell until his mate returns.

**5- Excessive use of handcuffs:** Isolated prisoners is handcuffed all the time; when getting rid of garbage, visit his lawyer, visit the medical center or court, and even when meeting his family and children and stepping out to the rest yard. In the clinic his hands remain handcuffed behind his back, even when he is asked to lie on the bed, and forced to give a urine sample in very humiliating way while his hands and legs are shackled.

**6- Solitary confinement leaves prisoners with remarkable psychological effects.** An isolated prisoner spends years not seeing anybody, endures torture and deprivation. And if he complains or demonstrates, he is accused of intending to commit suicide and the special force breaks into and tie the prisoner's hands and legs to the steel terrace used as a bed, and remains shackled and fettered all day long, with a break of 30 minutes in the morning and in the evening for food and for using the bathroom; a torture that lasts 7 days every time.

**7- Isolated prisoners get severely punished for any reason,** including reciting the Quran or unintentionally breaking something, or if some metallic item or a wire was caught with him. The prisoner is then deprived of electronic devices and forbidden to exit for an excursion or to the canteen; family visits are not allowed anyway, excluding rare cases where visits were allowed only once a year and by a very close relative.

**8- It takes a long time for an isolated prisoner to reach the medical clinic in the prison after many attempts to apply for an appointment.** The isolated is given access to the clinic exclusively during only one day of the week, so if it is Sunday, and the prisoner gets sick on Monday, he has to wait for the next week to see a doctor.

Yet even when his turn comes, he undergoes abasement and maltreatment by the clinic's staff, and if his medical condition required further diagnosis, he will have to wait months till his turn comes. Health conditions inside the solitary confinement cells are awful regarding the lack of fresh air and cleanness, and the invasions of mice, mosquitoes, and cockroaches.

Worse is, the space dedicated for the daily «excursion» is nothing but a small 4x5 roofed room, impossible to do any activity or sport in it, and is usually full of excrement left by criminal prisoners.

**9- Isolated prisoners in solitary confinement are deprived of all religious rights**, like holidays and Friday congregational prayers, and they are not allowed to possess religious books or tapes or even pray carpets.

**10- Violent rummage by the masked Matsada unit who storm into the cell after midnight or any time during the day**; the prisoner is stripped off, sometimes with his cellmate watching, and video-captured. The Matsada men search and destroy the prisoner's items while he is handcuffed, and when the search is over they leave the room and lock the door which has a small opening for the prisoner to extend his hands out to be released. Then the prisoner spends two or three days reorganizing and cleaning his room, for the Matsada unit to repeat the same scenario only few days later.

**11- These “special measures” apply throughout the whole imprisonment period**, even in the transit vehicle and in hospital and during family visits -if any- where the prisoner is isolated from his family in a humiliating way in front of other prisoners' families.

## Part Two

# *Infringements concerning family visits and communication with them and with the outer world*

A huge gap exists between reality and the Israeli claims of giving Palestinian prisoners adequate living conditions. The following section particularly aims to reveal the prisoners' conditions related to communication with their families and the outer world, which have been rapidly changing to the worse since 1994, following the Oslo convention.

Family visits to security prisoners from Gaza and the West bank are arranged by the Red Cross, but only for those who manage to obtain the required permissions.

### **1- Utter prohibition of visits for long periods.**

All prisoners from Gaza strip are completely disallowed to be visited by any of their family members since two years now. Some have even been deprived of visits since three years and others since 5 or 6 years. Additionally, it is not allowed for many prisoners from the West bank to meet with their families during visits.

### **2- Forbiddance of any other communication method.**

Unlike criminal prisoners, "security" prisoners are not allowed to phone call their families or parents, save very few prisoners who got permission for that but only

after a long procedure of requests and delay. This leaves the prisoners totally disconnected off their families.

### **3- *Indirect restriction of visits.***

Only direct family members are allowed to visit the prisoners, which consequently deprives hundreds of prisoners whose parents have died and who have no wives or kids of visits and from seeing anybody for long periods of time.

### **4- *Banning visits, even by prisoners' direct family members.***

A big number of prisoners are deprived even of direct relatives' visits for unknown or for "security" reasons, and by that they are deprived of yet another basic right granted by international laws.

### **5- *Prohibiting visits by sons and daughters above 16.***

Israeli forces reject passage of prisoners' children through the checkpoints separating the Palestinian authority's territories from the Israeli occupied territories, thus preventing them from reaching the jails where their father prisoners are held, increasing the total number of prisoners banned from visits.

### **6- *Disallowing visits by a former arrestee.***

Anyone who has been previously arrested or held captive for a day or two, even if he was never convicted or proved guilty, is automatically disallowed to visit a prisoner, in spite of being a direct relative.

### **7- *Insuperable permission procedures.***

A highly complicated and unjustifiable procedure is required before obtaining permission for visiting prisoners. Sometimes only the prisoner's wife or other two individuals are given permission to visit but only once every 6 months, which forces them to abandon the visit later due to the difficulties and deterrents presented by the prison authorities.

### **8- *Holding prisoners in prisons very distant from their families.***

Thousands of West Bank prisoners are being held in the remote south of the Negev, which contradicts with the Geneva Convention and causes great exhaustion and discomfort to the prisoners' families, which leads many of them to stop visiting

their sons, adding the latter to the long list of unvisited prisoners.

**9- *Holding related prisoners in remote prisons.***

In the case of two prisoner brothers, they are usually held in different, very distant prisons, increasing the pain of the parents who want to visit their sons, especially when the visiting day of one prisoner coincides with the visiting day of his brother prisoner held in another far away prison. It is further almost impossible for two prisoners in different jails to visit each other, and if that was made possible, it is done in very harsh conditions and restrictions.

**10- *The visit itself is like a torture journey, be it in the way to and back from prison, and following is a short description of that.***

- A- Long hours of waiting on checkpoints, when going and when returning.
- B- Long time of waiting on the prison's gate until allowed entry.
- C- Imposing group visits only, so when the first visitors finish their visit, they will have to wait for the whole group to finish, which may extend to several hours of waiting outside, under the sun or the rain.
- E- No toilet or restrooms for families who wait for long times in the closed yards near the prison gates, sometimes under the sun heat, or the cold and rain of winter.
- F- Not allowing the families to bring in anything inside the prison, even tissue paper and similar things.
- G- After such a tiring waiting, the families, including children and elderly, have to walk a long distance to reach the visits room, and are sometimes forced to pass into very long tunnels or climb hundreds of steps. This has many times lead to the falling and injury of old parents.
- H- Obtaining visit permission is in the first place a very wearying process, where the requester has to undergo several interrogations and pay endless visits to the liaison offices.

**11- *Very rough examination regulations that include humiliation and violation of the basic rights of the visiting families.***

- A-The visiting families are occasionally examined in a clearly abasing way, despite the glass wall between the prisoner and his visitors, which makes handing in anything to him totally impossible.
- B-Imposing harsh punishments on the visiting families, like disallowing visits for 6 months, under any pretence and justification, without being able to oppose or appeal to that decision.
- C-Creating troubles with the visitors based on no law or regulation , usually followed by verbal and physical abuse of the visitors by the prisoners.
- D-Using any item found with the visitors for causing trouble to them and even punish them and cancelling their visit, even if that is not an illegal item.

**12- *Technical and administrative issues during visits.***

- A- Visitors can seldom hear the voice of the visited prisoner -who sits behind a glass wall- through the telephone receiver due to disturbance or technical issues. Additionally, that glass barrier occasionally gets very dirty, which makes it hard for both sides to see each other.
- B- "First class prisoners" in the same prison are allowed visits at the same time, so they are forced to use the same phone receiver which is rotated between them and their visitors.
- C- Some prisoners are lead into the visit room while handcuffed although there is no need for that, save humiliation and abasement.
- D- The constant and intended yelling of the prison guards especially at the end of the visit, escalates the annoyance.
- E- The prisoner sits behind a fence that separates him from his family, which does not enable the prisoner even from touching his children's hands or his parents'. Furthermore, it is almost impossible for a father to hug his children for a moment throughout the whole span of imprisonment.

In light of these conditions, it is very sad to imagine a blind prisoner when he is visited by his family.



### **13- *Inhumane treatment in cases of death of a prisoner's relative***

Total or partial banning of visits and disallowing communication with the prisoners' families makes it difficult for prisoners to get informed of the death of their very close relatives, especially parents. They remain uninformed about such events for several weeks. They can't see their parents for the last time nor can they participate in their farewell or receive condolences for their death.

### **14- *Deterrents of sending or receiving mail***

- 1- Some jail inmates are deprived of the right to use mail communication.
- 2- Letters are usually delayed by the prison administration for weeks or even months.
- 3- Neglecting the prisoner's letters or losing them and not giving them to the prisoner is a usual behavior when transferring him to another prison.
- 4- Banning letters from relatives who are inmates in another prison, unless very complicated procedures are done by the prisoner.
- 5- Prisoners are not allowed to receive mail packages.

This treatment infringes international laws and the Geneva Conventions concerning treatment of prisoners of war, or protected persons. Such treatment violates even the Israeli laws and reveals the reality of the prisoners' sufferance and the confiscation of their most basic rights.

## *Part Three*

# *Infringements concerning transferring prisoners between prisons*

The "Posta" (Postal) is the name by which Palestinian prisoners call the process of transferring prisoners from the jail to the court, or the hospital, or to another jail. "Nachshon" is the special prison unit responsible for transferring prisoners.

Only "security", and economical, considerations are taken into account when transferring prisoners. Their humanitarian and social rights are totally disregarded and even abused. The title « posta » in its literal and actual function , dehumanizes the prisoners by regarding them as objects , and most likely like postal boxes during the process of transformation to any governmental unit . This emphasizes the torture and pain strategy the Israeli government intends on carrying out .

### ***1- Notifying the prisoner about his transfer.***

The prisoner is transferred like an object, against his will and without his prior knowledge and with no least regard of his conditions. In the evening the prison administration informs the prisoners about their will to transfer him the next morning. He has no time to prepare himself or arrange his things. If he was anticipating his family's visit the next day, there is no time to tell them not to come, which causes his family great heartbreak and pain for not being able to see their son despite the long tiring distance which might reach several hundred kilometers they crossed to come and see him.

## **2- *Waiting***

A prisoner is taken from his cell around 7:00 in the morning to the waiting room. It is a dirty room no more than 16 meters square where they guards crowd 20 or more prisoners who remain there waiting for the arrival of the transfer vehicle, which usually arrive at 11 o'clock. During this waiting time, prisoners remain without food or water, and with neither heating in winter nor cooling in summer. The situation is even harder for sick prisoners who wait to be transferred to the hospital, and who - undergoing the pain of waiting in such harsh conditions- wish that they have stayed with the pain of illness instead of bearing the sufferance that accompanies waiting and being transferred.

## **3- *Examination***

Inmates face a collective punishment, as they leave their cells with nothing save their personal items known to every prison guard and examined several times during their dwelling in the prison; and yet they are examined deeply by hand and by electric examination devices several extra times. Not to mention forcing prisoners to get completely naked for a degrading body examination.

This is all performed by the prison police, and when they finish, prisoners are brought to the Nachshon transfer unit which start the same abasing treatment all over again, after chaining the inmate's legs in addition to the handcuffs on his hands.

## **4- *The posta car***

Cars used for transferring animals are equipped with more comfort conditions than those found in the Palestinian prisoners transfer car, the "posta". The prisoners section is divided into small cells, which puts the prisoners in a great danger in case of a road accident and makes it very difficult to save these prisoners, especially with the chains on their hands and legs.

Airing depends on the air conditioner, which is usually turned off by the guards, leaving the prisoners to sink in their sweat and almost suffocate due to overcrowding and lack of fresh air.

The transfer police are accompanied by trained dogs that had several times attacked the prisoners and caused injury to them. Add to this the utter carelessness regarding the sanctity and spiritual purity of the prisoner's items like his clothes,

books, and holy books, which is violated when messed up and vandalized by the dogs.

The prisoner is forced to carry his luggage from the waiting room to the transfer car while his hands and legs are chained, which many times lead to the falling of the prisoners causing them injuries and wounds.

Prisoners then enter the transfer vehicle and sit on iron seats with solid surface not covered with any fabric or leather to protect the body throughout the long travelling. At the same time, prisoners are not allowed to take pillows or some of their blankets to sit on them.

#### **5- *Depriving prisoners of basic life necessities during travel***

Transfer takes a long time, sometimes reaching and even exceeding 12 hours.

A- Food: Prisoners do not get three meals during travel as supposed, and even often have their breakfast in the evening of the travel day.

B- Bathroom: Though no bathroom is available in the transfer vehicle, prisoners are not allowed to get off for using a public bathroom and, and they are forced to wait till they reach their target. This forces them to abstain from food and drink at the evening that precedes the transfer to avoid needing a bathroom during the transfer.

C- No consideration of sick prisoners or those with special conditions or needs.

D- Not enabling Muslim prisoners to perform prayer ablution and their 5 daily prayers during transfer, which is a blatant violation of religious rights.

E- Transfer vehicle stops at other prisons to pick up and drop prisoners. Each stop can take up to 2 or 3 hours, during which, guards take rest for eating and drinking in a restroom, while prisoners stay handcuffed in the vehicle that is turned off, with no air conditioning or food.

#### **6- *The ill and the elderly***

A special care should be given to ill and old prisoners, but they factually suffer more than anybody else. Suffering the abusive conditions during the transfer, they prefer to die than to undergo these horrible conditions and the continues humiliation by the rude guards who respect no elderly and spare no chance to curse and swear and even beat the prisoners, which occurred numerous times.

### **7- The passageway**

Passageways are places dedicated for the prisoners to stay in at night during long transfer travels. There are no bathrooms for bathing, and no sufficient food; No hot water in winter and no cold water in summer, and the rooms are dirty and full of insects and cockroaches. Additionally, After encountering endless pain and hardships moving their luggage from the transfer vehicle into the passageway while their hands and legs still chained, if the prisoners ask anything from the guards they are answered with cursing and swearing.

### **8- Waiting rooms in martial courts**

A- A room no larger than 4 meters square, yet nearly 12 prisoners are crowded into it.

B- The room has no windows for airing and the only air passageway is a very small 10x20 cm opening in the wall.

C- Prisoners remain chained in that room for nearly 12 hours.

D- Food is scarce in quantity and poor in quality. Two slices of bread with some jam between them, and in the afternoon some rice and two small sausages.

E- It is not possible to relieve nature or perform prayers in these rooms, so prisoners have to ask the guards to allow them to use the bathrooms outside. After a while of begging, the prisoner is taken to the bathroom, where he excretes while he is still handcuffed and the guard screaming at him to finish, and if he delays, he is dragged while he is doing it.

10 - Many a times, a prisoner is ordered to prepare his things and get into the posta vehicle, without telling him anything about the reason or the direction. He goes through the whole procedures of pain and humiliation we explained earlier. Upon reaching the court or the passageway, he is told that he was mistakenly brought, and he is returned back to his prison bearing the endless suffering again.

11- One of the major problems prisoners face during transfer is disallowing them to take any of their personal things from their cell. So in spite of the poor quality of the served food -for instance- they are not allowed to take food with them or even buyit from the prison's canteen. And if some prisons allow taking some items, the

prisoner will eventually lose everything when at some stop during the transfer, his belongings are either seized or damaged and made unusable, although he personally paid for them in the canteen.

12- Sometimes, in case the prisoners were allowed to take some of their things with them like electric devices; radios and shaving machines, the prisoners lose them later during the infinite examination instances, with nobody taking responsibility for this loss. Not to forget the occasions when items that inmates are not allowed to possess, were secretly placed in the prisoners' luggage to cause them trouble and punishments, notwithstanding the law's prohibition of examining personal luggage of the prisoner without the latter's presence.

*These are but few examples of a larger image that we aim to illustrate, based on testimonies of tens of Palestinian prisoners who have had and still experiencing torture, pain, and humiliation every day. These examples indicates that this abusive treatment is a systematic policy that aim to degrade prisoners and break their resistance to facilitates controlling them, with no regard to their human nature and rights. In light of this, the need for a serious third party investigation and prevention of these breaches becomes more and more insisting.*

## *Part Four*

# *Infringements concerning medical care*

One of the most basic rights guaranteed by the laws is the right of proper medical care. But the observer of the implementation of this right realizes that numerous breaches and violations take place in the treatment of the Palestinian prisoners in the Israeli prisons. While a clinic is available in every prison, and the Israeli Prison Service claims that Palestinian inmates are well medically treated, reality is far different, as the following evidences show.

### **1- *Periodic examinations***

Prisoners get no periodic checkups, and this violates the law. Even more, some prisoners asked to look into their medical file, and to their surprise, they found medical reports of periodic examinations they have supposedly done, though in fact they didn't; and sometimes even papers signed by them were found, forsaking or denying medical examination, which are forged and fabricated.

### **2- *Initial Formal examination***

Prisoners usually get no real initial examination upon entering the prison or when transferred to another. The prison authority is content with a mere question about the prisoner's health, then the doctor signs and reports on paper that he has done the physical examination, and it is over. A real medical examination by a doctor is rarely done.

### **3- *Conclusive examinations***

Most prisoners get no conclusive medical examinations for long periods, that is 10 or 15 years for some of them in prison. They aren't checked by physicians un-

less they complain about an illness, and even in that case, it is a verbal examination only, questions and answers.

#### ***4- Medical prescriptions without examination***

In many cases, doctors give medical prescriptions to the prisoners haphazardly without even checking on the prisoners health ; a behavior that has risked many prisoners welfare ,and caused very negative repercussions which sometimes lead to incurable conditions.

We have recorded specific names of prisoners who have experienced such treatment and its consequences ,which is open to anybody who is interested in investigating this utterly neglectful inhumane treatment.

#### ***5- Death-causing negligence***

This blatant carelessness regarding medical care has in some occasions lead to serious temporary or incurable damages that caused death in some cases. The frequency of this mistreatment has been noticeably rising since the last two years, exceeding 5 cases known by name.

#### ***6- Intentional delay of sending prisoners to hospitals***

Despite their serious illness, and the doctors having the authority to do so. Sending prisoners to hospitals is done only in cases of a great danger, or when the prisoner gets near death. Many doctors in external hospitals affirmed the unavoidable death some prisoners would have faced had they came only several minutes later, and indeed, some prisoners have died because of such intentional delay as reported by the doctors who examined them.

#### ***7- Complicated security precautions for doctors' visit***

Number of prisoners allowed to meet the doctor every week is restricted for each section, usually with no exclusions. This sometimes leaves ill prisoners to suffer the pain of illness for a whole week or longer, before they can meet the doctor.

#### ***8- The disaster is more apparent in most "security prisons" regarding emergency cases or hard medical conditions***

While a prisoner cries out of pain, his cellmates call for the guard to bring a doctor, the guard usually being busy chatting with another guard, or enjoying another



kind of entertainment. The guard shouts and threatens the prisoners for the noise and the disturbance they have caused him, and then phone-calls a medic who in the best cases sends a painkiller pill with one of the guards.

Long time may pass before a medic comes, and if he decides that the prisoner needs to see the doctor, a prison officer and a number of guards are summoned, and another long "security" process is required before that "visit" is made possible. This experience becomes even more tragic in the evening hours or at night when prisoners sections had already been closed and guards performed the night counting. In this case, truly endless procedures of communications and official requests are needed, which puts the prisoner's life in real danger, and might end up with his death.

### **9- *The careless and neglectful treatment of the ill prisoners***

Since prison physicians rarely perform serious checkups on the ill, they deal with them superficially and may falsely diagnose their condition. Not only that, but they might neglect the ill for several days, and when his condition worsens they claim the rightness of their diagnosis in spite of bringing the ill prisoner to the clinic in a very hard condition, carried on stretchers. And even then, prisoners are usually thrown in medication rooms without food or drink and cover, just like a bag of vegetables thrown in a storage room, deprived even of the care and assistance that his cellmates would have given him.

10- Watching their cellmate suffering and screaming of pain, and expecting the possibility of his death -which indeed happened many times-, prisoners who insist on crying and calling for a medic to come are usually punished severely, though their behavior is completely justifiable.

11- Nobody has ever been held responsible for such neglectful treatment. But that is not difficult to understand, given that even the medical staff participates in insulting and mistreating the prisoners by sometimes beating or gassing them, instead of documenting abuse and maltreatment, or at least providing proper cure as the laws require.

### **12- *Complications of meeting a specialist physician***

Physicians at prison clinics are general physicians. So if one prisoner has a skin disease, he has to wait for his turn to visit a skin specialist in the Ramleh Medical Center, the only center for prison's specialist physicians. Weeks or months may pass before his turn comes, and this certainly causes the disease to aggravate and his condition to worsen, not to mention the intolerable abuse and torment during the transfer, like we described earlier. Although implantation surgeries are very uncommon, in one case of a prisoner who had kidney failure because of the poor health conditions, he had to wait for 8 years (yes Eight Years) until his surgery was made, notwithstanding the availability of a donor.

### **13- *Cancelling visit of specialist physician or a surgery for an emergency case***

Some prisoners get permission for a surgery, and a surgery date is decided. But a prisoner's surgery, which may take several days outside the prison, might coincide with important dates for the prisoner, like holidays, or his family's visit which he might be anticipating for several months. The prisoner is therefore forced to request to postpone the visit/surgery, and he coercively signs a visit/surgery forsake paper. From now on, such prisoner is also a prisoner of this paper he has forcibly signed, which might delay his visit/ surgery some additional weeks or months.

### **14- *The torture journey to and in the external hospital***

While a sick prisoner will supposedly find some relief in his travel to the hospital, a Palestinian prisoner's experience is factually a chapter of a horror story. For "security reasons" two or three handcuffs are usually put on his hands, and a similar number chains his legs. And if that doesn't seem enough, sometimes a prisoner's hand is also bound to the hand of one of the well armed guards, inside the well armored and protected prisoners-transfer vehicle which carries alongside the prisoners, perhaps an equal number of guards with loaded guns.

In the hospital, the prisoner's hands and legs are chained to the bed all the time in a crucifixion manner. For a period that may last hours or even days, the prisoner is not allowed to eat and drink as regular, from fear of disturbing his guards by requesting to go to the bathroom. Many cases have been documented in which

prisoners had been denied drinking water for long hours, and were given some drops of water after they became in a miserable condition.

Usually, and for security or economical reasons, the Prison Service prefers to transfer the prisoner from the external hospital to the Ramleh Medical Center. The prisoner is then transferred in a critical condition by a vehicle not suitable for patient transport. In one case where a sick prisoner couldn't sit on the normal seat of the car, he was thrown on the car's floor like a slaughtered sheep and remained like that for long hours.

To further imagine the misery and pain Palestinian prisoners undergo, and the cruelty of the Israeli occupation, imagine a pregnant Palestinian woman prisoner being transferred to the external hospital in such conditions, being forced to give birth while she is still handcuffed and chained to her bed.

### **15- Treating sick prisoners in Ramleh medical center**

Although it is called "a hospital", the Ramleh Medical Center is the setting for another criminal scene against Palestinian prisoners, and an immediate investigation must be carried out to reveal the atrocities these prisoners face there.

A- For "security reasons" the hospital's administration violates prisoners' rights on daily basis, in terms of violent examinations and crowding them in the dining room during examination, with no regard to their medical condition.

B- The food quality is very poor and not cooked well, and yet the prisoners are not allowed to buy their own food, thus having to rely on canned foods.

C- The rest yard (Fawrah) is located on the hospital's roof which requires prisoners who want to spend some time there to climb long stairs which prevents many sick prisoners from reaching it for some fresh air.

D- A large portion of the hospital's beds are two floor beds, which obliges some ill prisoners to climb to the upper bed, enduring the difficulty and risk of that, or sleeping on the floor.

E- Whenever a big number of new sick prisoners arrive to the hospital at the same time, the prison gets very crowded and food and beds become insufficient. The place is suddenly flooded with newcomers who might have spent 15 hours in the posta (transfer vehicle) without food or drink or access to a bathroom, all head

to the same ward which causes great chaos and no food remains neither for the dwellers nor the newcomers. Prisoners with very hard conditions feel as if they were moved from the operation room or the intensive care to the center of a public market, or the central station of the capital city. This is but a small part of the whole picture of the extreme conditions Palestinian prisoners experience in Ramleh medical center.

#### **16- *Difficulties in getting private physicians inside prison***

Despite the fact that Israeli laws officially allow the entrance of private physicians to visit sick prisoners, an actual permission is rarely given. Add to this the forbiddance of prisoners who are medics or physicians from giving medical aid to other prisoners, and not providing them with any tools or medical equipment that they can use for basic medical treatment.

#### **17- *Medicines are insufficient and many kinds not available***

The doses of medicine available in the prison expire very shortly and those who need it do not find it, especially that it is usually not allowed to bring medicine inside by the prisoner or his family.

Prisoners with special needs are the most to suffer, as much of the equipment that is highly vital for reducing their sufferance is neither provided nor allowed to be brought into the prison.

#### **18- *The terrible hygienic conditions inside cells and wards***

Most of prison cells are very hygienically bad not suitable even for a human being to dwell into. Many prisoners are crowded inside a small cell, where their whole lives are spent and all their needs fulfilled. Sleeping, preparing food, eating, performing prayers and using the bathroom, all take place in that room, not to mention the health risks of having the toilet only 1 or 2 meters far from the eating table. Some cells are closed from all sides which makes it more like a cave, with almost no airing and no light.

#### **19- *Other forms of transgression***

1-Carelessness towards infectious diseases that are very likely to spread in such environments, like Influenza.

- 2- Psychologically ill prisoners are given no special care which they greatly need.
- 3- Deprivation of prisoners from immunization against widespread epidemics, although some of them have been staying in prison for tens years without getting a single immunization.
- 4- Drugs are usually given out to prisoners after removing their covering wrapper; and from hand to hand, they may potentially catch an infection that would be transferred to the ill. There are tens of prisoners as well as prison security members and workers in the medical facilities inside prisons who have witnessed such maltreatment and violations.

**Yet serious suspicions exist of other far more cruel types of treatment and torture that need to be checked and verified:**

- 1- According to prisoners, there is a good amount of evidence regarding the case of some prisoners who had undergone amputations in the prison's hospital, whom were not in need of an amputation surgery in the first place , and that cutting their limbs was completely unnecessary and deliberately was done as a punishment to them.
- 2- The hard medical conditions of some prisoners and their need for medication has seemingly been exploited to force them to give a confession, and even to cooperate and work for the SHABAK (the Israeli internal intelligence agency).

## Part Five

# Infringements concerning food and canteen

The observer of the nutritional conditions of Palestinian prisoners in the Israeli jails, particularly in light of the Israeli laws and the Third and Fourth Geneva Conventions (articles 26 and 89 respectively), will discover the extent of violation in all that is related to nutrition and quality of food.

- 1- **Quantity of served food:** The Geneva conventions compel countries which have prisoners in detainment to serve them sufficient quantity of food, which is not fulfilled in most Israeli prisons, where the quantities served do not conform even with the Israeli laws. Suffice it to watch the quantity of food that is prepared for a prison section which includes 120 prisoners in order to realize the insufficiency of food.
- 2- The prisoners are ***not allowed to see the menu that lists the foods they are entitled to take***, for keeping them uninformed about the foods they deserve to have.
- 3- **Food quality:** Most of the vegetables used for preparing the prisoners' food are almost and even ARE rotten but mixed with other fresh vegetables. Prisoners are usually obliged to check the foods they are given in order to separate what they can find eatable, and many times they found that the foods have already expired.
- 4- **Food diversity:** The Geneva conventions compel its signers to provide a diverse range of foods that guarantee healthy nutrition and prevent malnutrition

disorders. However, in the Israeli prisons, the foods provided are usually the cheapest, most available foods in the market. Long weeks and even months may pass with the prisoners still eating the same type of food, and when a certain type becomes cheaper and more available, the nutrition diet of the prisoners is immediately changed, and so on.

5- **Meat:** Though the laws grant prisoners a certain amount of meat in their daily meals, the Prison Service has long been ignoring these regulations.

6- Not only does the Prison Service not provide several types of food for years, but also the food they serve is usually not well cooked, or overcooked till it got burnt.

Vegetables are not well prepared for cooking, and no care is given to wash and clean neither the vegetables nor the dishes or the kitchenware used for cooking. Additionally, sometimes meals are left uncovered for long time before serving, where the food is eventually served after it got cold and attracted flies and insects.

7- **Banning kitchenware:** While The Geneva convention calls to allow prisoners to work in the kitchen and prepare their food themselves, this right had been cancelled and criminal prisoners who care nothing for cleanness and quality of food are the ones currently operating the kitchens. On the other hand, prisoners are not allowed to own kitchenware in their cells to make their own food, like small knives for cutting food and vegetables, which forces prisoners to cut food using the covers of canned foods which puts them in danger of getting wounded. Prisoners are furthermore not allowed to use glass dishes or glasses, and they forcibly use plastic material which is hard to clean.

8- **Meal delay or postponing:** In many occasions, and for «security» reasons, meals are delayed or postponed, so breakfast is not eaten before noon, and at the same time dinner is served before sunset, which leaves the prisoners hungry for the rest of the night.

## Part Six

# Infringements concerning religious rights and freedom of worship

**T**here are three basic and most blatant violations of religious rights and freedom of worship:

1- *The Prison Service do not provide any kind of religious services*, which is against human rights laws and the third and fourth conventions of Geneva, which compels any power that holds detainees or prisoners in custody to provide them with appropriate religious services, including holy books as well as Muslim sheikhs who would explain for the prisoners their religious duties and obligations.

2- *Arab prisoners –compared to Jewish prisoners- are clearly being discriminated against in all that is related to religious freedom*. Jewish prisoners enjoy many religious services, like providing Jewish Rabbai who attend Jewish prisoners in Jewish holidays; dedicated rooms for prayer and providing all items needed to perform Jewish ceremonies and prayers, as well as special Kosher foods for Jewish Holidays. There is even a special national committee that follows up issues of food and worship in prisons, which is operated by 80 employees and 115 employees who are inside the prisons. This committee is responsible, amongst other things, for 30 sanctuaries inside prisons established to serve religious Jewish prisoners.

Additionally, ten Jewish voluntarily organizations are allowed to work inside the prisons and offer religious services, whereas not even one Islamic organization was allowed to offer similar services for Muslim prisoners.



### **3- *Hindering prisoners' worship and religious ceremonies***

- A- Prisoners are not allowed to perform their prayers in the first days of detainment and during interrogation. They are psychologically and physically abused, bound for long periods, and their interrogation continues in prayer time. They are not given clean water for ablution, and not allowed to go to bathrooms to prepare for prayer. Interrogation detectives frequently curse the prisoner and his religious symbols. During this period, prisoners are not allowed prisoners are neither allowed to possess the Quran or any other religious books.
- B- Not only does the prison administration not provide a clean place for prayers, but the prisons' authorities force prisoners to perform the 5 daily prayers in their rooms, where they sleep and eat and bath and where the toilet is located, although many places inside the prison are suitable for prayer.
- C- Sometimes, prisoners are allowed to perform their congregational prayers like Friday and holiday prayers in the roofless rest yard (the Foura), under the burning heat in summer, and the sever cold of winter. Recently, prayers have been forbidden even in the rest yard.
- D- Prayers might occasionally coincide with the counting time. Performing prayer does not at all interfere with the counting process, and if anything, Muslims stand in a row during prayer, which makes it lot easier to count them. Nevertheless, performing prayer is a reasonable cause by the Prison Service to ban prayers and even punish prisoners who perform prayers during counting.
- E- Not only does the Prison Service not provide Muslim scholars and preachers for providing religious guidance to Muslim prisoners, but even those among the prisoners who are sheikhs and can provide religious assistance and guidance are forbidden from contacting other prisoners and explaining the religious matters to them.
- F- Prisoners are not allowed to perform prayers during transferring to other jails or to courts, a journey that would sometimes take up to 10 hours. During this period, detainees are not given food or drink, nor access to a bathroom to

ablute and prepare for prayer. If they insist, they are humiliated and even get punished.

G- Transferring prisoners is done with no regard to Islamic holidays, while the holidays of Jewish prisoners are respected and no prisoners are transferred in their holidays and feasts.

H- Muslim prisoners suffer a great deal in the month of Ramadan, during which they withhold eating and drinking from dawn to evening. They can hardly perform prayers of Ramadan and break their fast at supper. No food is given for the «Suhoor» meal, which fasters take before dawn prayer as their last meal until the evening. And no refrigerator is provided for preserving supper food for a later use.

I- Performing naked examination of male or female prisoners, which is humiliating and in contradiction with the Islamic doctrine that forbids Muslims, especially women, from exposing their body to others,

J- Mistreating the Holy Quran, where guards were reported to have been stepping on the Quran and tearing it, or throwing it during rummages, as well as other religious books.

K- Because Israel Prison Service does not provide dedicated rooms for prayer, which forces Muslim prisoners to perform prayers in their cells, they are often maltreated and disturbed by the Jewish prisoners in close cells. They scream and swear and turn on loud music, and throw trash on worshippers.

L- Palestinian prisoners are even not allowed to watch Islamic religious TV channels, which might recompense their need for a religious guidance by Muslim scholars and sheikhs. Religious books, recorded tapes, prayer carpets and other worship-related items are also forbidden.

M- Muslim women prisoners are also forced to wear the prisons' uniform, and not allowed to wear their Islamic legitimate outfit.

*Those are but examples of the religious abuse and maltreatment that Palestinian prisoners undergo in the Israeli prisons.*

## Part Seven

# Infringements concerning intellectual and physical activities

### **The Third Geneva Convention, in article 38 quotes:**

*While respecting the individual preferences of every prisoner, the Detaining Power shall encourage the practice of intellectual, educational, and recreational pursuits, sports and games amongst prisoners, and shall take the measures necessary to ensure the exercise thereof by providing them with adequate premises and necessary equipment.*

*Prisoners shall have opportunities for taking physical exercise, including sports and games, and for being out of doors. Sufficient open spaces shall be provided for this purpose in all camps.*

### **Similarly, the Fourth Geneva Convention, in article 94 quotes:**

*The Detaining Power shall encourage intellectual, educational and recreational pursuits, sports and games amongst internees, whilst leaving them free to take part in them or not. It shall take all practicable measures to ensure the exercise thereof, in particular by providing suitable premises.*

*All possible facilities shall be granted to internees to continue their studies or to take up new subjects. The education of children and young people shall be ensured; they shall be allowed to attend schools either within the place of internment or outside.*

*Internees shall be given opportunities for physical exercise, sports and outdoor games. For this purpose, sufficient open spaces shall be set aside in all places of internment. Special playgrounds shall be reserved for children and young people.*

Based on the above, and whether the Palestinian detainees in Israeli prisons are treated as prisoners of war according to the Third Geneva Convention, or as protected persons according to Fourth Geneva Convention, an observer would still notice a great gap between what the signed conventions say and the actual conditions of Palestinian detainees.

- 1- The Israel Prison Service and the Israeli authorities do not initiate any intellectual or athletic activities, nor does it facilitate holding such activities by the prisoners by providing them with the required tools and equipment, as the Geneva Conventions urge detaining power to do.
- 2- Prison authorities even try to hinder intellectual and educational activities, or allow it strictly and conditionally.

***To illustrate the preceding:***

- 1- There are no rooms or halls suitable for studying or holding educative sessions in any of the Israeli prisons. Prisoners are even punished if they arrange such meetings in the rest yard.
- 2- There is no room suitable for sport activities or physical training.
- 3- Some sports are prohibited, and inmates are punished if they practice it. Even self-made equipment that inmates create out of available items for training are confiscated, like plastic bottles filled with water that prisoners use as weights.
- 4- There is no library in some prisons, and yet in general, inmates are not allowed to bring books inside the prison, even school books and scientific magazines. It is also not allowed to bring into the prison equipment and accessories needed for studying; such as desk lamps, calculators, translation devices, educational tapes, recorded videos, and computers, in spite of the prisoners' readiness to buy these needed things on their own expense.
- 5- Palestinian detainees are completely disallowed to join neither Arab nor foreign schools or colleges or any education institute. Some are allowed to study in the Open College through correspondence, but their number does not exceed %1 or %2 of the total inmates, though the number of inmates who wish to study is far

more than that.

Studying in the Open College is considered a privilege rather than right. So inmates are deprived of that right for no reason, and it is used as a punishment or for extorting inmates. Letters between the inmate and his college are sometimes intentionally delayed in the prison, which causes lots of difficulties for the prisoners.

Above all, sometimes students are suddenly forbidden to continue their studies despite being already in an advanced level and approaching the completion of the courses.

6- Though prisoners are allowed to do the Tawjihi exams (final stage of the high school exams), books needed to study for the exams are banned, and no exam supervisors are allowed to enter. Number of prisoners who can do exams is limited, and sometimes prisoners are punished by not allowing them to do the exams.

7- The Prison Service applies a policy to deepen illiteracy of minor and younger prisoners, by not providing teachers, and hindering the arrival of external hired teachers. Educated inmates are even prevented from helping or educating other younger inmate, unless if were chosen by the Prison Service, which usually chooses the persons who are unqualified and unable to give young inmates the education they need. Add to all this the unavailability of stationary and textbooks, which makes the education process almost impossible.

8- Any creative products are also fought and outlawed inside the Israeli prisons. Inmates are not allowed to have their creative writings, drawings, and artwork taken outside the prison. These are usually confiscated after taking them for checking.

9- Entertainment is equally harried, as many entertainment tools are prohibited; it is forbidden to bring into the prison materials needed for handworks, or musical instruments; many TV channels (if TVs are available at all) are deleted, and no sport channels are added unless they replace other news channels which are deleted.

*This gruesome treatment reinforces the claim that what the Palestinian inmates in the Israeli prisons get is far beyond what is guaranteed by the international laws and human rights conventions, and indeed, the violations committed by the Israeli institutions are far more severe than human rights activists can imagine.*

## *Part Eight*

# *Infringements concerning basic necessities and sending and receiving mail*

According to the International conventions, detaining power should provide detainees with basic necessities, which are considered basic prisoner rights, not privileges or grants.

### **1- *The right to have clothes including underwear***

According to article 27 of the Third Geneva Convention, a country that holds prisoners of war must provide those prisoners with sufficient quantities of underwear and footwear that are suitable for the climate of the region in which they are detained. Similarly, article 90 of the Fourth Geneva Convention, suggests that it must be facilitated for prisoners to obtain clothes and shoes upon arresting them, and during detainment whenever needed. And if prisoners do not have enough clothes or clothes suitable for the current weather, it is the obligation of the detaining power to provide them with what they need for free. This means that the Prison Service has to provide them with clothes, underwear, footwear, and blankets; or to allow them to obtain such necessities upon arresting them.

Yet the Israeli Prison Service is continuously decreasing the supplies for prisons since a long time. The clothes prisoners are given are barely sufficient for family visits or meeting lawyers, not for daily life. While shoes are rarely handed out, un-

derwear, socks and blankets are no more provided to the prisoners, which forces them to buy what they need from outside.

## **2- The prisoner's right to have his worn clothes and footwear replaced**

Article 27 of the Third Geneva Convention adds:

*The regular replacement and repair of the above articles shall be assured by the Detaining Power. In addition, prisoners of war who work shall receive appropriate clothing, wherever the nature of the work demands.*

But just like the previous right is no longer respected, and prisoners are not given any such necessities anyway, this right has also been eliminated.

## **3- The right to have ordinary, non-humiliating clothes**

The fourth Geneva Convention, in article 90 quotes:

*The clothing supplied by the Detaining Power to internees and the outward markings placed on their own clothes shall not be ignominious nor expose them to ridicule.*

However, the Prison Service has been severely violating this right recently. Palestinian inmates in the Israeli prisons are now being forced to wear orange colored clothes, very similar to the infamous uniform of the inmates of Guantanamo, bringing to mind the disgraceful treatment and abuse those inmates faced in Guantanamo camp. Add to this the light reflective stripes on their clothes, which make the inmate feel like a moving target to the prison snipers. Thus, no wonder that prisoners feel scorned and ashamed because of these clothes.

## **4- The prisoners' right of getting sufficient quantities of water, soap, and other detergents for washing and cleaning their clothes**

is guaranteed to prisoners of war according to the 29 article of the Third Geneva Convention, and to protected persons, according to article 85 of the Fourth Geneva Convention. Yet this right too is overridden by the Prison Service, to an extent that materials like soap, toothpaste, shaving soap, shaving blades, and teeth brush are no longer given to prisoners. The quantities of bathing soap and clothes detergent have been significantly reduced, as well as other materials

for cleaning rooms and kitchen ware.

Water in some prisons is provided in very small amounts, not enough for basic cleanness. Also, the hours in which prisoners have access to water are very limited, preventing them from cleaning or washing their clothes when needed. Whenever there are washing machines, clothes are often returned back torn or still dirty, due to the careless treatment of the clothes by criminal inmates who replace Palestinian prisoners.

#### 5- **Bathrooms**

Access to bathrooms is very difficult for Palestinian prisoners in the Israeli prisons. Bathrooms are usually overcrowded which leaves no room for sufficient cleaning of oneself. In prisons where bathrooms are external, not in the prisoners' cells, inmates have to wait long hours before their turn comes for bathing.

#### 6- **The right of having adequate places for living.**

Article 25 of the Third Geneva Convention and article 85 of the Fourth Geneva Convention affirm the importance of the conditions needed in the places where prisoner are being kept. Their living places should be dry and sufficiently aired, warmed, and lit. In reality, many Palestinian prisoners are being kept in tents and caravans which lack the above mentioned conditions.

Repairing rooms is rarely done, and one can notice the cracks in the walls and in the ground where water gathers and make pools which, with time, and lack of fresh air, produce intolerable smells. These issues are rarely fixed, under the claim of insufficient funds, which becomes suddenly available for any «security reasons».

#### 7- **The right of receiving postal packages**

Article 72 of the Third Geneva Convention quotes:

*Prisoners of war shall be allowed to receive by post or by any other means individual parcels or collective shipments containing, in particular, food-stuffs, clothing, medical supplies and articles of a religious, educational or recreational character which may meet their needs, including books, devotional articles, scientific equipment, examination papers, musical instruments, sports outfits and materials allowing prisoners of war to pursue their studies or their cultural activities.*



Furthermore, article 108 of the fourth Geneva Convention declares that

*Internees shall be allowed to receive, by post or by any other means, individual parcels or collective shipments containing in particular foodstuffs, clothing, medical supplies, as well as books and objects of a devotional, educational or recreational character which may meet their needs.*

**In contrary of the above,** the Israeli state blatantly violates the international laws and conventions, by completely confiscating the rights of the Palestinian prisoners being either prisoners of war or protected persons.

A- Although prisoners' families were allowed in the past to bring some types of food into the prison upon visiting their son, Palestinian internees had been completely forbidden from receiving packages of foodstuff in the recent years. This prevention is justified with «security reasons» which is not accepted by the international law as a reason for prevention, as the international law permits examining foodstuff packages for security reasons, but do not recognize such security reasons a convenient cause to not allow entrance of these packages. Furthermore, article 76 of the Third Geneva Convention disallows examining these packs if that might lead to spoiling the food in them. The detaining power is even obliged, according to article 74 of the Third Geneva Convention, to take full responsibility of mail packages and to pay the cost of transporting them anywhere inside the territories under its control, if transportation by postal service is not possible due to overweight or any other reason. Depriving Palestinian internees from this basic right adds to the financial burdens on the prisoners and their families.

B- Internees are also forbidden to receive packs that contain clothes or shoes, except through their families and after very strict treatment and complications. On the other hand, those who are forbidden from family visits are utterly deprived from this right, and can only obtain new clothes or shoes after many years if the Red Cross intervenes. Shoes are also not allowed, which leaves the inmates no choice but to buy them from the canteen, despite their very high price and very poor quality.

These restrictions are accompanied by the curtailment policy we explained earlier, which cause thousands of inmates, particularly in prisons which re-

ceive new prisoners, to suffer the biting cold of winter, not having enough blankets and covers, since the Israeli authorities neither provided them with adequate blankets, nor did it allow them to purchase what they need through their families or through prisoners' organizations.

C- Although the amounts of medicines provided by the Prison Service are very low in quantity and quality, inmates are also not allowed to receive medical supplies through postal packages or family visits, which clearly violates the international law.

D- Clearly opposing article 108 of the Third Geneva Convention, Palestinian internees are prevented from receiving objects of educational, devotional, or recreational character which they need, and many obstacles are put to prevent them from obtaining these objects from their families or prisoner organizations, which forces them to either give them up, or, again, buy them at very high prices from the canteen.

E- It is very difficult as well to send or receive photos or postal cards and even letters; they are either delayed for a long time before delivering them, or simply thrown to the trash by the prison guards.

## *Part Nine*

# *Violence and physical abuse against Palestinian prisoners*

The Israeli soldier and his officer who commanded him to shoot the handcuffed Palestinian citizen from 1 meter distance in Na'len village, were not lucky when the Palestinian girl armed with a camera captured the occurrence on video. Other Israeli troops in Beit Lahem were also unlucky when one Palestinian cameraman managed to shoot the scene of the Palestinian woman who was attacked by the troops' dog while they were watching. Such photos reveal the atrocities done by the occupation; but who would document other, more horrible, treatment of Palestinians in the Israeli prisons, when the prison guard violently attack handcuffed and leg-chained Palestinian inmate?

**In this section, we will focus on the most atrocious behaviors of physical abuse and use of violence committed in the Israeli prisons.**

**A- Using violence and physically attacking barehanded inmates who present no risk to prison guards or to other prisoners or even to themselves . Many stories affirm these barbaric transgressions which violate not only human rights and international laws but even the laws of the Israeli Prison Service itself.**

The most remembered event took place in Negev in 22.10.2007, when a Mat-sada unit suddenly broke into one of the cells while internees were asleep, and rained them with tear-gas grenades and rubber-covered bullets. A large number of them were then crowded into another very small cell, which caused many of

them to suffocate and start screaming for air, during which was received with savage beating and more gas grenades and rubber bullets from very close distances. Many of them were severely injured and their calls for air and medical treatment remained unanswered which lead to the death of one inmate, Muhammad Al-Ashqar.

On many occasions, inmates who did not pose a threat to anyone, were severely attacked and beaten despite being handcuffed and leg-chained.

Guards could have accomplished what they sought avoiding any use of violence, or even in the most extreme cases, with very minimal force that would have fulfilled their aims.

Another example is that of Ya'akub Thalji Al-Rimawi, who was transferred to the court by members of Nachshon unit. Although he had chains on his hands and legs, he was beaten so savagely that he lost one eye during the act of attack, and the other eye was damaged. He also suffered severe injuries in one of his legs which left him with a permanent damage that now requires him to use a crutch for walking all the time.

**B- Such occurrence is not merely a single incident, but it is an example of the recurring treatment** which is a result of a general policy approved and backed by the persons in charge of the Prison Service. The occurrences at the Negev prison in October 2007 and the incident in Eshel prison in 15.1.2007 both revealed the involvement of high officers in the Prison Service in the attacks against the prisoners, by supervising the operations and directing the prison police by telephones. These claims are verified by the documents and testimonies that were reported to the courts as defensive evidences during the investigation of these events. These reports described the procedures of decision making by the officers, and the process of preparing for the raids on inmates and the methods of their execution.

**C- The prison guards are armed with weapons that would certainly cause wounds and injuries to inmates.**

The Prison Service established the Matsada unit and armed its members with weapons which are undoubtedly not allowed to be used inside closed areas like prison cells. It now seems that this unit enjoys violating prisoners rights and in-

ternational laws in many prisons, including Eshel prison section (4), when in the night of 15.1.2007 this unit stormed into room 25 after a phase of screeching and knocking on the cell's door, and started shooting metal and rubber-covered bullets as well as throwing stun grenades on the inmates whilst they were sleeping in their beds, a scenario very similar to a Commandos operation against sheltered and armed militants.

This attack caused the injury of many prisoners, including Abd Al-Mo'ati Haniyi who was shoot in his hand which brought about a permanent damage to it; Muhammad Dukhan was shoot in his arm and his leg, and despite that was beaten while wounded; Abdullah Al-Sharbati who had a head injury and would have been in a great danger had he not wrapped his head with a blanket that has seemingly protected him.

Another prisoner, Yahya Al-Sinwar, had a stun grenade thrown near his head while he was asleep, although everybody in the prison including officials of the Prison Service, know that Al-Sinwar had undergone a surgery in his head not long ago, and how psychologically vulnerable he is because of that operation. It is of high importance to mention that the six inmates of that room were sleeping in their beds, not presenting any danger or likely to present a danger on the guards or anybody else. The use of force was totally not necessary and unjustifiable, and the possibility of controlling the prisoners without the use of force was absolutely certain.

**D-Fabricating stories and accusations to justify excessive violence against unarmed prisoners**, which is particularly malicious when practiced with minor inmates, whose young age is exploited by guards to trap them and abuse them physically and psychologically.

One example is Murad Malayshi, who was held in Tel Mond jail for minor inmates under 18. He was cursed and humiliated and intimidated by one of the prison's officers in front of his cellmates. And in the morning, that officer came accompanied by a group of guards armed with batons and wearing helmets and protection vests. They dragged him outside and tied his hands and legs, and took him to the waiting room. They attacked him brutally on the way to the waiting room, kicking and punching him in every part of his body. When they brought

him inside the waiting room, they again fell upon him with steel batons while he was still chained. After they left him for a short while, they came back and took him to a closed section (section 6) and there a whole new episode of savage beating started, which resulted in severe injuries in his head and permanent damage to his ear which has significantly reduced his hearing ability and it causes him severe pains that deprive him of sleeping.

Many a times, these attacks are justified by prison managers or their representatives by claiming that the assaulted persons were reported to possess combat tools, while following investigations nonetheless prove the falseness of such claims, which affirms the suspect that these accusations are based on false or invented information in order to justify assaults and breaches.

**E-The violations and breaches of human rights done inside the gates of the Israeli prisons are rarely documented and proved**, which even facilitates completing the crime by the Prison Service and its guards by accusing the Palestinian innocent inmate of being the one who started the troubles and created disturbance, and consequently he is the one who faces the harsh punishments in the punishment rooms. The guards even order the victim's cellmates to clean the traces of blood or the cases of the bullets and the grenades that they used in the attack on those very inmates, while the victim is kept in solitary detainment until the marks of wounds and beating on his body disappear.

Most Palestinian prisoners who undergo similar and maybe worse scenarios of torture do not know where to go and whom to complain to, and some even do not complain out of disbelief in complaint and its usefulness. While those who do complain are visited by the investigation crews only after their wounds heal and scars vanish, lacking evidence of the abuse he suffered by the guards who are considered «keepers of law».

Such scenarios have been recurring for a long time with hundreds of prisoners, and although some of them indeed started to file complaints against prison guards who attacked them, they later find out that those guards have already filed complaints against their victims, accusing them of disobedience and revolt.

The high repetition of these assaults indicate that such oppressive behavior by the jailors is a methodical policy set by high prison officials and conducted by the jailors and the Israeli Prison Service staff.

## THE END

Aiming for this report to not remain ink on paper, and driven by our determination to document violations of Palestinian prisoners rights in the Israeli prisons and protect them; Meezaan Association for Human Rights will begin the second stage of this project, which is opening a comprehensive and professional investigation into the crimes and violations that are evidently taking place inside the Israeli prisons, hoping that this generates a global movement to reduce the sufferance and torture the Palestinian inmates endure throughout the long years they unjustly spend behind the Israeli bars.