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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Joint written statement\* submitted by Al-Haq, Law in the Service of Man, Human Rights & Democratic Participation Center "SHAMS", Women's Centre for Legal Aid and Counseling, non-governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2023]

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\* Issued as received, in the language of submission only.



## **Palestinian Prisoners Face Heightened Oppression by New Israeli Government**

### **Background**

The new Israeli far-right government, which assumed power in 2022, launched a policy of oppressive measures against Palestinian prisoners, including the deliberate withholding of medical care, attacking prisoners within prison cells, and the imposition of prolonged periods of solitary confinement. Notably, Itamar Ben-Gvir, the Israeli Minister of National Security, an extremist settler himself, pledged when he was sworn in to tighten the conditions of detention suffered by Palestinian prisoners.<sup>1</sup> This has since materialized in military orders in the Occupied Palestinian Territory (OPT) allowing for unlimited detention of Palestinians, without charge.

As of 23 August 2023, around 5100 Palestinians have been deprived of their liberty, around 1200 of which have been put under administrative detention without charge or trial, a record-high number not witnessed in two decades.<sup>2</sup> However, Palestinians are “protected persons” and, as such, are owed the guarantees of Article 78 of the Fourth Geneva Convention that imposes criteria limiting the use of administrative detention.<sup>3</sup>

### **Israeli Minister of National Security and Israel Prison Service (IPS) Violating Prisoners’ Rights**

Ben-Gvir has introduced a series of regressive measures. These deprivations include the discontinuation of a daily fresh bread supply, a reduction in hot water allocations for hygiene purposes, and the decrease of permissible shower time to just one hour per section each day.<sup>4</sup> Furthermore, the modification of policies sought to maximize prisoner suffering, is epitomized by the amendment of laws granting early release considerations.<sup>5</sup>

To ensure the application of the new restrictions, Ben-Gvir visited the Israeli prison in Ofer in the Occupied Palestinian Territory in August 2023, and supervised the process in which prisoners’ conditions are tightened. The visit, which was considered provocative by the prisoners, flared up tensions among the prisoners who were subsequently attacked. The IPS also arbitrarily transferred prisoners to different sections in the same prison, or to other prisons, an action that aims to disturb the social life and mental health of incarcerated Palestinians through forced sudden shifts in their surrounding environment. Palestinian prisoners are further subject to assaults committed by the IPS’s staff members.<sup>6</sup>

In addition, the Knesset, Israel’s legislative body, debated and advanced several laws intended to strip citizenship or residency status from Palestinian prisoners accused of carrying out attacks against Israelis,<sup>7</sup> and the introduction of the death penalty for acts of terrorism.<sup>8</sup>

To protest against these conditions of detention and unjust incarceration, Palestinian prisoners have resorted to hunger strikes which severely damages their health. On 5 February 2023, Khader Adnan began a hunger strike in protest against his conditions of incarceration and as a result died on 2 May 2023, after nearly a three-month hunger strike.<sup>9</sup> This was his sixth hunger strike which he began just over a decade ago throughout his twelve arrests and eight years spent in Israeli prisons.<sup>10</sup>

### **Withholding Vital Medical Treatment: Israel’s Policy of Medical Negligence**

Throughout the years, the strategy of Israel, the Occupying Power, has consistently involved subjecting prisoners to physical and psychological distress as a means to break their resilience.

In the context of illness or disability, Palestinian detainees find themselves grappling with adverse conditions created by the IPS despite the explicit provisions of the Fourth Geneva Convention (Articles 76, 85, 91, and 92) that obligates the Occupying Power to provide regular medical treatment to sick prisoners and make available an adequate medical staff that can care for their needs.

Nowhere is this more evident than in Ramleh Prison, where a designated section referred to by the IPS as a 'clinic' is colloquially dubbed 'the slaughterhouse' by Palestinian detainees. The stark conditions in this section prove particularly harsh for ailing and disabled prisoners. Many depend on wheelchairs for mobility, and simple daily tasks such as using the restroom require the assistance of fellow prisoners. The moniker 'slaughterhouse' powerfully underscores the brutal conditions these individuals endure as they grapple with disease and disability within an environment devoid not only of essential amenities for health, but also of the basic requisites for human dignity. While photographic documentation of this space remains prohibited, narratives provided by former detainees offer detailed accounts of its exigent circumstances. These accounts shed light on detention facilities characterized by negligence, lack of specialized medical personnel and equipment, and the inability to provide timely medical interventions to those already plagued by serious ailments. Many detainees are ultimately relocated back to their standard cells even when there is no improvement in their conditions, in breach of their right to health and life.

Walid Daqqa, a 61-year-old Palestinian political prisoner, who has spent more than 30 years in Israeli prisons, along with 18 other Palestinian prisoners “was diagnosed with a rare form of bone marrow cancer in 2022 and has been in dire need of urgent medical attention since then”. The Israeli Prison Service’s denied an emergency hospital transfer after Walid suffered from “a blood-clot-induced stroke” in February 2023.<sup>11</sup> This case illustrates how Israel uses “medical neglect to wage a psychological war on Palestinians in prison- tantamount to inhumane and degrading treatment under international law”.<sup>12</sup>

Furthermore, the IPS has failed to address the needs of prisoners grappling with pre-existing or incarceration-induced mental illnesses. Rather than facilitating access to mental health professionals, individuals exhibiting psychological symptoms are frequently consigned to protracted periods of solitary confinement.

Finally, despite the well-known detrimental effects of solitary confinement within Israeli prisons on Palestinian prisoners,<sup>13</sup> Israel persists in its utilization as a punitive measure. The risks associated with solitary confinement include cramped, unhygienic cells characterized by high humidity and poor ventilation. The isolation imposed during this period also entails the denial of family visits and the withholding of electronic devices that could mitigate detainees' daily challenges.

## Conclusion and Recommendations

In conclusion, the advent of the Israeli extremist far-right government in 2022 marked a pivotal shift in the treatment of Palestinian prisoners, including deliberate medical neglect and extended solitary confinement. The actions of the Israeli Minister of National Security, alongside legislative measures introduced within the Knesset, demonstrate a concerted effort to exacerbate the suffering of Palestinian detainees. These actions not only contravene international human rights and humanitarian law norms but also perpetuate a cycle of injustice faced by Palestinian prisoners.

As global attention remains focused on this ongoing situation, it is imperative that stakeholders and the international community address these concerns and demand that action be taken for the sake of Palestinian prisoners, regardless of their status. Only through such collective efforts can the plight of Palestinian detainees be alleviated and a path towards a more equitable future be forged. Therefore, it is imperative for the international community, and particularly the United Nations Human Rights Council (HRC) to address the plight of Palestinian prisoners within Israeli prisons. To ensure a just and humane approach, the following recommendations are presented:

1. Urgently Investigate: The HRC should demand impartial and genuine investigations into reported violations by Israel of Palestinian prisoners' rights, including into high administrative detention rates and medical negligence in Israeli prisons, with a view to ensuring accountability and justice.
2. Facilitate Dialogue: The HRC should actively facilitate dialogue between relevant parties to address the concerns surrounding Palestinian prisoners, advocating for adherence to international human rights and humanitarian law standards, fair treatment, and improved access to medical care within Israeli prisons.

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Addameer Prisoner Support and Human Rights Association, NGO(s) without consultative status, also share the views expressed in this statement.

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