



Palestinian Centre for Human Rights (PCHR)
المركز الفلسطيني لحقوق الإنسان

Crimes of Torture in Palestinian Prisons and Detention Centers

June 2014 – June 2015

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Introduction

Following the United Nations' recognition of Palestine as a non-member observer in 2012, Palestine acceded to a number of international conventions, the four 1949 Geneva Conventions, 1966 International Covenant on Civil and Political Rights, and 1984 Convention against Torture and Other Cruel, Inhuman or Degrading treatment.

Although it has been a year since Palestine signed the Convention against Torture in April 2014, which requires fulfilling the stipulated international obligations to ban torture and take necessary measures to ensure that, torture in Palestinian prisons has not been stopped, and has remained one of the major challenges facing the credibility of the authority and Convention's application.

PCHR and other Palestinian human rights organizations received dozens complaints from civilians over the year claiming they were subjected to torture and cruel, inhuman, and degrading treatment, including being subject to various types of physical torture (shackling «shabeh», solitary confinement, sleep deprivation, death threats and other types of psychological torture).

The rate of torture significantly escalated after the Palestinian political split in the mid-June 2007, which consecutively proves that torture became systematic rather than an individual behavior in the Palestinian Authority (PA). Dozens of torture cases were documented in the PA prisons in the West Bank and the Gaza Strip, but many of those subjected to torture abstained from giving their affidavits in fear of being prosecuted or held accountable by the security services.

The deaths of 17 detainees under torture since the beginning of the division in the PA prisons in the West Bank and the Gaza Strip reflects the cruelty used against detainees and emphasizes that torture within the PA cannot be tolerated or overlooked. This makes stopping torture a national and humane duty that requires intensified efforts from all sides internationally and locally to hold all those responsible for crimes of torture within the PA in the West Bank and the Gaza Strip accountable.

PCHR has paid a particular attention to human rights violations committed by the Palestinian security forces in the West Bank and the Gaza Strip. Torture is considered the most serious of these violations against Palestinians in the Palestinian prisons and detention centers in the West Bank and the Gaza Strip. Torture is a direct and practical threat to the right to life as this right in subject to a maximum level of danger. Torture is divided into 2 main types: Physical torture and psychological or mental torture, and they are often combined; in any case they both devastatingly harm the individual person.

This report, which is the fifth of its kind, covers the period between June 2014 and June 2015, and was prepared as PCHR documented more crimes of torture committed against Palestinians in the PA prisons and detention facilities in the

West Bank and the Gaza Strip over around a year.¹ This report sheds light on torture as a heinous crime and a very serious physical and psychological violation that dozens of detainees are exposed to in the PA prisons and detention facilities. The report also addresses many cases of torture that abused the detainees' human dignity in the PA prisons and detention facilities through documenting, tackling and following-up these cases with the competent authorities to prosecute the perpetrators of those crimes in order to put an end to them. PCHR documented 5 deaths in the PA prisons in the West Bank and the Gaza Strip.

The report concludes that the practice of torture in the Palestinian prisons and detention facilities in the West Bank and the Gaza Strip is systematic and organized and not a case of individual behavior. The report proves that the practice of torture and degrading treatment are intensified in criminal investigation departments; however, PCHR documented cases of torture on Political and security grounds. Furthermore, the report finds that there are no signs indicating that the PA has adopted serious steps to stop this practice permanently and definitively, in spite of officials' statements about monitoring such acts, combating them and holding those responsible accountable..

PCHR had published four former reports on torture crimes in the PA prisons and detention facilities in the West Bank and the Gaza Strip. The first one covered the period between June 2007 to August 2010, while the second covered the period between August 2010 and September 2011. The third report covered the period between September 2011 and May 2013, while the fourth covered the period between May 2013 and June 2014. The previous reports depicted the continued practice of torture, as it seemed as a systematic method adopted by members of security services in the West Bank and the Gaza strip.

1. This report only covers the crimes of torture committed in the PA prisons and detention facilities in the West Bank and the Gaza Strip and does not cover the crimes of torture committed by non-official parties such as armed groups and others.

Part I: Torture in PA Prisons and Detention Centers

This part demonstrates the methods of torture that are used against detainees by members of the PA security forces. It also addresses a number of torture cases, which were documented by PCHR during the reporting period, as well as cases of death in West Bank and Gaza prisons.

First: Torture Methods Employed in the PA Prisons and Detention Facilities

PCHR has documented methods of torture, both physical and psychological, employed by the PA security services in prisons and detention facilities in the West Bank and the Gaza Strip. These methods were documented through testimonies given by torture victims, reports of the forensic medicine department and testimonies of the torture victims' families. The most significant physical and psychological torture methods included:

1. **Severe beating:** prisoners are severely beaten using sticks and cables.
2. **Slapping on the face:** prisoners are slapped on the face to cause them harm and to infringe their dignity.
3. **Punching:** prisoners are hit with closed fists on the face, teeth and abdomen.
4. **Kicking:** prisoners are kicked on the abdomen and the buttocks and they are violently pushed onto the ground.
5. **Shackling "Shabeh":** prisoners are blindfolded and their hands are tied behind their backs. They are then hung from the wrists without allowing the feet to touch the ground. In some cases, prisoners are hung from the feet with their head hanging just above the ground. During *Shabeh*, prisoners are beaten with clubs and insulted.
6. **Solitary confinement:** prisoners are held in narrow cells in an area not exceeding 2 m². The cells have a foul smell and are intentionally kept hot and humid. They lack the minimum level of human needs such as blankets and WCs. Prisoners are totally isolated from the outside world in these cells. In most of cases, cold water is poured on the floor so prisoners cannot sleep.
7. **Insulting prisoners with obscene words:** prisoners are insulted and yelled at in an obscene manner. They are insulted with accusations that they collaborated with the Israeli cooperation. This is the cruelest psychological torture because the majority of prisoners are detained on political grounds and they consider themselves leaders of the national movement.
8. **Repeated summons in cruel conditions based on political grounds:** dozens of civilians reported that they were summoned and as they headed to detention facilities they were forced to stand in the cold weather or under the sun for lengthy periods. They were then released at the end of the day.

Second: Deaths in Prisons and Detention Centers

During the reporting period, (5) Palestinians died inside prisons and detention facilities of the Palestinian security services; three in the West Bank and two in the Gaza Strip. Present data refers to failure and negligence by official bodies

to provide necessary medical care for the detainees or negligence of detainees' diseases, which must have been discovered in the first examination when they arrive at the prisons or to provide them personal protection for them. PCHR reiterates its demand to investigate the circumstances of deaths of all these detainees and to publish the results to the public.

Case (1):

On 01 June 2014, Khalil Hasan Abu Seif (64) died in al-Nussairat police station. According to PCHR's investigations, on the same day morning, Abu Seif was arrested by the Police General Investigation services when he was in his farm in al-Moghraqah in Gaza. He was taken to al-Nussairat police station in the central Gaza Strip, and his health condition shortly deteriorated, so he was transferred to al-Aqsa Martyrs Hospital in Deir al-Balah where he was pronounced dead.

Case (2):

On 23 December 2014, Usamah Rafiq al-Sha'er (36) from Heblah village south of Qalqilya, died in Qalqilya prison as he had been arrested on 16 December 2014 on charges of drug possession and abuse. The Public Relations Department of Qalqilya police said that he died normally, and his body was transferred to the coroner.

Case (3):

On 08 April 2015, the Hebron Governmental Hospital declared the death of Rabie' Mahmoud Mousa al-Jamal "Abu Sneinah" (37) from the southern area of Hebron. Al-Jamal sustained burns when the detention cell in the Military Intelligence prison in the city burnt as he was there alone. At approximately 19:30, fire broke out in one of the detention cells in the Military Investigation Prison in 'Ein 'Arab Street in the center of Hebron without the reasons being identified. As a result, Rabie' al-Jamal, a first lieutenant in the Palestinian Preventive Security Service (PSS), died on the same day he was arrested. He was then taken to the Hebron Governmental Hospital, where doctors declared his death.

Case (4):

On 27 June 2015, Bethlehem police declared the death of Hazem Yasin Mahmoud 'Edwan (29) from al-'Izzariyah village, east of Jerusalem in the Bethlehem police station cell. 'Edwan was arrested on the same day afternoon by al-'Izzariyah police and was then transferred to Bethlehem police station upon two arrest warrants issued by the First Instance courts of Ramallah and Bethlehem. 'Edwan's body was transferred to the Forensic Center in Bethlehem. Initial examination results indicated that he died due to lack of oxygen while alive (vital strangulation). PCHR knew the police opened an investigation into the incident to find out the circumstances which led to his death.

Case (5):

On 28 June 2015, Khaled Hammad al-Belbeisi, who was detained in al-Nussairat police station in the central Gaza Strip, died. According to information obtained by PCHR from al-Belbeisi's family, they received a call in the afternoon two days before from the police telling them that their son Khaled was in al-Aqsa Martyrs Hospital in Deir al-Balah in a serious health condition. The family were told about the death of Khaled when they arrived at the hospital. His body was transferred the next morning to al-Shida Hospital in Gaza City, where the forensic department confirmed his death due to a heart attack.

'Abdel Rahman Hammad al-Belbeisi (62) said that on Thursday, 25 June 2015, police officers arrested his brother, Khaled, who worked under an UNRWA temporary job creation program and was married with 4 children, from his house in al-Nussairat refugee camp upon a complaint filed by his wife claiming that he abused her. He added that the police officers took Khaled to al-Nussairat police station, where he was detained. His family members tried to visit him the next day, but the police refused to allow them before presenting him to the prosecutor. The family was informed that he would be detained for 48 hours. He was questioned about the charges against him, and his detention period was extended for another 48 hours.

Police sources stated that at approximately 19:30 on Sunday, 28 June 2015, al-Belbeisi suffered from breathing difficulties while he was in detention. Therefore, he was taken to al-Nussairat governmental clinic, where he was given two Assival and Decort injections, and then returned to the cell. At approximately 22:30, after the detainees finished the Isha'a' and Taraweeh prayers in the yard and came back to their detention cell, they found Khaled's body stiff, so he was immediately taken to al-Nussairat clinic, where they found that he died.

Third: Torture in PA Prisons in the West Bank and the Gaza Strip

A. Torture in PA Prisons and Detention Facilities in the Gaza Strip

The Palestinian Center for Human Rights (PCHR) received several statements and complaints from civilians claiming that they were subjected to forms of torture during detention or interrogation by security services in the West Bank and Gaza Strip. Most of the complaints documented by PCHR were relating to persons who were interrogated on criminal grounds in criminal investigation departments. In addition, PCHR received testimonies relevant to torture on political or security grounds.

» Torture and degrading treatment in Gaza prisons and detention facilities

Many civilians were subjected to torture, cruel and degrading treatment by security service officers in the Gaza Strip, particularly the Internal Security Service (ISS) and the police (criminal investigation). PCHR has documented and followed up many torture cases of detainees during investigations and interrogations as a tool to obtain confessions on different grounds, whether criminal, security or political.

PCHR has also documented dozens of cases in which political activists, especially those affiliated with Fatah movement, were humiliated through offending and degrading procedures when they were summoned. According to dozens of detainees and prisoners on such grounds, they were detained for lengthy periods of time in cruel and degrading conditions in an attempt to humiliate them. They were also beaten, shackled, insulted and verbally accused of collaborating with the Israeli forces. PCHR has received many complaints and affidavits from persons who claimed being subjected to torture.

The following part highlights a number of cases that provide samples of torture methods used by security personnel against detainees and prisoners of various backgrounds, including a number of cases of detainees who were subjected to extreme torture; paralysis of the upper limbs; foot fracture; kidney failure; orchietomy; and deep injuries which needed dozens of stitches. PCHR notes that the cases mentioned herein are not necessarily the most serious.

Case (1): Palestinian civilian and his children were exposed to torture in the criminal investigation office in Gaza

On 06 August 2014, 48-year-old (B.Kh.A), from Tal al-Hawa area neighborhood in the south of Gaza City, was subjected to torture. The above-mentioned civilian stated that, he received a summons from al -Remal investigation office, where they questioned him about a robbery. After which, they released him on the same day and asked him to bring his children on the next day. On 06 August 2014, he headed with his children to the investigation office where they were exposed to torture, beating up and insulting. They were released the next day. Moreover, according to the aforementioned detainee, an officer threatened him at gunpoint, insulted him with bad words and threatened him of displacement from his house. It should be mentioned that the aforementioned detainee submitted many complaints to the competent authorities but to no avail.

Case (2): Palestinian civilian paralyzed due to shackling (shabeh) in the general investigation office in al-Nusirate refugee camp

On 24 October 2014, a 31-year-old Palestinian civilian, (A.J.M), from al-Nussairat refugee camp, headed to the police general investigation office after having received a summons to refer to the office. According to the detainee's father, on 14 November 2014, he visited his son and saw signs of torture throughout his body. In addition, his son told him that members of officers questioned him about a theft incident and he was subjected to various types of torture and maltreatment. On 15 November 2014, the aforementioned detainee was taken to the doctor, and during the first medical examination, it was found that the detainee suffered from paralysis of the upper limbs; neck; and loss of sensation in his hands due to shackling (shabeh) for a long time. It should be mentioned that the detainee's father submitted a complaint to the police chief in the central Gaza Strip about the torture incident against his son, but he did not receive any reply.

Case (3): Criminal detainee subjected to maltreatment and psychological and physical pressure

On 30 October 2014, police general investigation officers in Khan Younis arrested 19-year-old (H.Y.B) after sending a summons to him to question him in the crime of killing a cambist in the city. The aforementioned detainee claimed in his statement that he was subjected to maltreatment, beating and slapping while being questioned him on suspicions of killing a cambist and planning to rob a bank, as well as collaborating with the Israeli forces before he was releasing on the same day evening. He said in his testimony:

"In the morning, I headed to the general investigation office in Khan Younis after I had received a summons. My 30-year-old brother, (A), was with me. When we arrived they arrested me and told my brother to leave the office. After that, I was taken to a small room that contained a bed and a desk. An officer questioned me about criminal issues concerning killing the cambist, planning to rob a bank and collaborating with the Israeli occupation. During the investigation, they beat me up to my face also they exerted psychological pressure on me by informing me that my father was in the intensive care unit. The police officer was leaving the room and coming back for beating me up. I was detained until the evening, and I was then released."

Case (4): A number of Fateh Movement leaders were exposed to maltreatment in Gaza

At the beginning of 2015, the internal security service summoned a number of Fateh leaders in the Gaza Strip to question them about their activities on 1 January 2015, which marked the 50th anniversary of the establishment of Fatah movement. Those summonses were on Sunday, 04 January 2015, after the activities carried out by Fateh activists on the occasion.

In addition, on 31 December 2014, some of Fateh members received threats on their mobile phones warning them from any gathering of Fateh activists. The aforementioned activists were detained for several hours in degrading conditions. Moreover, a number of detainees who were released stated that they were subjected to maltreatment and insults by security officers, as well as threats not to organize similar activities in the future.

In his statement to PCHR, one of the detainees, (N.M.H), 57, claimed that he was subjected to insults and beating on the feet and face, and cold water was poured on his back. Additionally he was standing in an open area with a wet ground, and he was naked with a sack covering his head.

According to his statement:

"A car belonging to the national security came to my house and gave my son a summons to refer to the internal security office bringing my identification documents. In the meantime, I received a call from the secretary of Fatah movement in the west of Gaza City, who told me that he also received a summons, so we went together to the

internal security office. When we arrived there, we were sat on small chairs with our face towards the wall. In the meantime, the secretary of Fatah movement in al-Sabra arrived and he was sat like us. Internal security officers then covered our heads with sacks and took us by a car to unknown destination. It was 20 minutes until we arrived at the place. One of the internal security officers said, 'welcome heroes'. They then ordered us to take off all our clothes except the underwear, and they were the saying, 'photograph them to put their photos on the social media'. In addition, instead of giving us numbers to be called for questioning, they gave us women's names, for which we must say yes when they call us using them. After that, when it was my turn for the investigation, an internal security officer called me by a woman name, but I did not respond. As a result, they beat and insulted me, and asked me why we did not take approval from them to ignite the Fateh movement's flame. I explained to him that it is not my responsibility. He then asked me about Fateh movement's activities and continued to beat and insult. One of the internal security officers poured cold water on my back and made me stand in an open area with a wet ground. I was naked with a sack covering my head. We demanded to go to the bathroom but they refused. Additionally, we also demanded to pray and they refused too. I remained standing for more than 2 hours."

According to 58-year-old (H.k.A), from al-Daraj neighborhood in Gaza City, he was subjected to maltreatment and insults while being detained by internal security service on the background of his activities related to Fateh movement. Moreover, he stated that he was arrested while praying al-Ma'reb prayer, on 04 January 2015, in al-Mou'raby mosque, by armed members wearing plain clothing who came to him and asked him to accompany them. The above-mentioned detainee added that the security officers took him to a bus which was waiting them outside the mosque and when they got into the bus, the security officer gave him the arrest order and covered his head by a sack. The bus travelled for 20 minutes until it arrived at a detention center. Furthermore, when the detainee arrived at the place. An officer beat and insulted him. Moreover, they ordered him to take off his clothes and shoes and kept him only with underwear. The abovementioned detainee stated that the investigation was on 3 rounds, and in each one of them he was insulted. Eventually, on evening, he was released.

A third civilian, (A.S.H), 45, from al-Zaytoun neighborhood in the southeast of Gaza City, who is a PA employee, stated that he was beaten and insulted by the internal security officers in the internal security office in Gaza City. He added that on 05 January 2015, he headed to the internal security office in the west of Gaza City in response to a summons sent to him on the previous day. He was questioned for 3 hours on the ground of activities carried out by Fateh movement on the 50th anniversary of the movement's establishment. During the investigation, they covered his head by a sack, handcuffed, insulted and beat him by sticks, and poured cold water on him, despite the cold weather in January. He was released on the same day.

Case (5): Detainee's leg fractured during interrogation by the internal security service in Deir al-Balah

On 24 February 2015, the internal security service in Deir al-Balah summoned a number of PA employees on the ground of planning several explosions and burning cars and property belonging to Fateh movement's activists in the central Gaza Strip. These activists were interrogated and tortured as of one of them sustained a fracture to the leg.

(H.S.A), 48, from al-Bureij refugee camp in the center of the Gaza Strip, who worked as Deputy Director of the Preventive Security Service in the central governorate when the PA controlled Gaza, stated that he was questioned about the explosions that occurred all over Gaza Strip at that time. During the interrogation, he was subjected to torture and even his leg was fractured. The complainant stated that, on 24 February 2015, he headed to the internal security office in Dier al-Balah in response to a summons which was sent to him on a previous day. He was taken to the investigation's room, and police officers brought other detainees in to the room. The complainant added that security officers took him to another room for investigation and he was blindfolded. They ordered him to stand near the wall and leave a space between his feet, but he told them that his leg was lately fractured. In spite of this, they did not care. The complainant added, "*few minutes later, I was taken to another investigation room and they sat me on a small chair. Two officer of the internal security service came and started questioning me about my relation with Mohammed Dahlan and my support for him. Additionally, they asked me about the cutting of my salary by the PA in Ramallah. I denied this, one of them pressed on my finger causing pain for me while another one beat me to the head in response. They then ordered me to stand. When I stood, one of them pushed me back to the wall. As a result, my left leg twisted and I felt that it was fractured. He continued beat me and ordered me to take off my shoes. In the meantime, I saw a swelling in my leg, however I was blindfolded. One of the aforementioned police officers brought a plastic hose and beat me to my feet. I told him my leg was fractured but he did not care. They left me later. After which, a third police officer came and unfolded my eye. He saw the swelling in my leg, so he ordered bringing a doctor who recommended taking me to the al-Aqsa Hospital in Deir al-Balah. I was taken to the hospital, where my leg was splinted. I stayed on the hospital for 2 hours, and they then took me back to the internal security office, where they questioned me in a short rounds and hit me on my face. Eventually, in evening I was released*".

Case (6): A detainee's testicle eradicated when beaten during interrogation in the police general investigation office in the central Gaza Strip

On 08 March 2015, the Palestinian police arrested a 26-year-old (M.j.A), from al-Maghazy refugee camp in the central Gaza Strip, on a criminal ground. The complainant said to (PCHR) that he was subjected to torture while being interrogated him in "Abu Midden" police station by the general investigation police. He stated the following:

“On 07 March 2015, I received a summons from “Abu Midden” police station, but I did not go. On 08 March I headed to the police station after I received another summons. At approximately 09:00, when I arrived there, they put me in a small cell. Fifteen minutes later, the chief of the general investigation department arrived and said to me that he would let police officers beat me violently. Immediately, 3 officers came and questioned me about my relation with a woman. I was beaten by a stick covered with plastic. Whenever I denied my relation with the woman they beat me again. Fifteen minutes later, they ordered me to take off my clothes, and they poured water and soap over me. They were leaving me for 15 minutes and then coming back again. This scenario was repeated many times. The officers continued to question me until 18:30 on the same day. They then ordered me to wear my clothes and took me to the cell. On the next day morning, two policemen came and took me to the general investigation office in al-Zahra town in the central Gaza Strip, where I was put in a room. After that, 4 officers came and beat me. They questioned me about possessing Tramadol drugs, but I denied all accusations. The investigation continued for 30 minutes, and the officers took me then to another room. They handcuffed me to the back, put me on a chair, shackled me to the ceiling and then pulled the chair. They started beating me while being shackled by a plastic hose to the ceiling. This action continued for an hour and a half, while deputy chief of al-Zahrah police station attended and questioned me about giving his nephew a Tramadol drug. During the investigation, he beat me by smacks and his Pistol butt behind my ear, so I fell over the ground. He then he kicked me by his leg to my testicle. The investigation continued for an hour, and they then put me in the cell. Fifteen minutes later, my testicle started swelling. I shouted due to soreness for 30 minutes, but they did not care until they came and I revealed my testicle for them. When they saw my testicle they took to the hospital after 2 hours. I arrived at al-Aqsa Hospital in Dier al-Balah, where they conducted medical examinations for me. At the hospital, doctors decided to conduct an operation for me but they demanded my family’s approval. After contacting to my family, they came to the hospital then the doctors conducted the operation for me. During the operation, my right testicle was eradicated.”

Case (7): A detainee sustains a 66-stitch wound due to being hit with a gun butt

On 19 March 2015, M. Y. Kh. was arrested by the al-Sheikh Rodwan police in Gaza on the grounds of claims of stealing a motorbike. The complainant said in his testimony to PCHR that he was subject to assault occasioning actual bodily harm and threatened at gunpoint.

He said:

“At approximately 20:00 on Thursday, 19 March 2015, I was surprised with two officers from al-Sheikh Redwan general investigation office pointing their guns at my face threatening me if I did not obey their orders to get in their car, they would shoot me. I then shouted asking for help, and the neighborhood residents started gathering. The police officers then threatened that I would be shot if anyone approaches. I got in the car and they started hitting me on my head with gun butts. They took me to a house near al-Nasser Hospital in the north of Gaza City. When I arrived, they started beating me all over my body using gun butts and sticks. I told them that I underwent a platinum surgery in my left leg, but one of them threatened me that my two legs would need platinum. I was then taken to al-Sheikh Redwan police station, and they

told who were there that I stole a motorbike but I denied the charge. I was then taken to Shifa Hospital where my head needed 66 stitches. The doctor said that I sustained a fracture in the left-hand finger in addition to bruises all over my body. However, they confiscated the medical reports and my X-rays. They then told me that I am not the wanted person as they suspected another one."

Case (8): Causing kidney failure to a detainee by repeated beating

On 02 May 2015, police general investigation officers arrested S. Y. Sh (21) from Bani Suheila village east of Khan Younis, on charges of stealing money and jewelry from his brother's apartment and then arrested his father, Y. H. Sh (64) on the same charge. The father said to PCHR that he and his son were subjected to severe torture, including shackling and beating. As a result, his son suffered kidney failure due to repeated beating on his kidney by the officers.

In his testimony to PCHR staff, the father said:

"At approximately 01:00 on Saturday, 02 May 2015, officers from Bani Suheila general investigation services came to investigate a robbery that happened in my son's, H., house upon a complaint filed by one of my nephews. The officers searched the apartment and then asked my son, S. (21) to go with them. He went with them and only half an hour later they came back with S. blindfolded and handcuffed. He looked very tired. He told them that he took the money from his brother's apartment and put it somewhere in the floor we live in. They searched the house but could not find anything. They then arrested me accusing me of stealing the money after they beat me in front of my wife and other family members in my house. They took me to Khan Younis police station, and when we arrived, I was taken to an investigation room, where they tied my hands to the ceiling with a rope so my body was high off the floor. I was severely beaten with a braided hose all over my body. My son, S., was beaten as well while being handcuffed and tied to the ceiling for prolonged hours. In the early morning, I was subjected to the same methods of torture again, and one of the officers who were questioning me said, "I will hand you Shackled". I felt that I was in a coma as I felt so much pain in my hands and feet. They then sent me to solitary confinement. At approximately 10:00 on Sunday, I was released, and later received a call telling me to head to the European Gaza Hospital as my son's, S., health condition deteriorated. The doctor told me that he suffered a kidney failure due to repeated beating on his kidney. He stayed in the hospital for 10 days due to the deterioration of his health condition and he was then transferred to al-Shifa Hospital in Gaza."

B. Torture in the PA's Prisons in the West Bank

The reporting period witnessed continued practice of torture by security services as basic means in treating detainees and prisoners in detention facilities in the West Bank. All indications show that torture and degrading treatment were mainly practiced on political or security grounds. During the reporting period, wide-scale arrest campaigns were launched by Palestinian security services against Hamas and Islamic Jihad members in the West Bank on several occasions related mainly to political escalation or in retaliation to arrests against Fatah members in the

Gaza Strip. PCHR closely monitored those wide-scale arrest campaigns launched against hundreds of Palestinians. Moreover, PCHR documented arbitrary arrests of civilians and locking them up in inappropriate conditions.

Following is PCHR's documentation of some relevant cases:

Case (1): Civilian subject to torture and degrading treatment on grounds of participating in a demonstration in solidarity with Gaza

On 30 August 2014, 'A. Y. Q. from Hebron turned himself in to the Palestinian General Intelligence upon receiving a call to refer to their office two days before. The complainant said to PCHR that he was subject to torture by Palestinian General Intelligence in Hebron after being arrested on the grounds of participating in an activity two days earlier protesting against the Israeli offensive on the Gaza Strip. The complainant claimed that he was subjected to severe beating, degrading treatment and insults, and his cell phone was confiscated.

In his testimony to PCHR, he said that:

"... I was taken to the investigation room, where someone started questioning me about the reason behind my arrest by the Palestinian General Intelligence Service in 2009 and my travel to Sudan for a year and a half. I told him that I traveled to complete my study. He then brought charges against me about joining the Islamic Bloc at Hebron University and participating in the activities held in solidarity with Gaza. During the investigation, he threatened to beat me if I did not answer the questions. I denied the charges and wrote an affidavit about what happened and signed it. They then took me to another room, where another one questioned me. He pushed me, hit my head to the wall and slapped me on my face and hands several times in a row in addition to insulting me. I was then taken to another room, where the office guard questioned me. They later confiscated my cell phone and ID card and asked me to tell him about 10 persons affiliated with Hamas who participated in the demonstration organized on 26 August in solidarity with Gaza. I told him that I do not know, but he threatened me to close the kindergarten belonging to my brother, obstruct my study, arrest my father and fiancée and delay my wedding. He then slapped me several times on my face for around half an hour. I was then taken to the Military Medical Services Center under the guard of a number of officers. I was examined by a doctor, who made fun of me saying that the red marks on my body are due to mosquito stings. I told him that I was beaten, but the doctor said, 'No. it is nothing'. I was then taken to the office and put in a room. At approximately 23:00 on Saturday, I was released."

Case (2): Six students from Bir Zeit University Subjected to Torture by the Preventive Security Service (PSS) in Ramallah after being arrested on grounds of affiliation with the Islamic Bloc in Bir Zeit University

On 08 September 2014, six students from Bir Zeit University were on their way to visit a friend from Shaqba village, west of Ramallah, when a military patrol comprised of 6 officers in uniform stopped them at the village's entrance near the PSS office. They arrested the students and took them to the PSS office. Those who were arrested and later released said that during the arrest, they were beaten,

insulted and subjected to degrading treatment. When they were questioned, they were beaten and threatened. At approximately 23:00, they were released.

'A. H. S., who is one of the students who were arrested, said:

"On 08 September 2014, my colleagues, M. K.; his brother M. K.; H. B.; 'A. 'A and M. S., and I were surprised by PSS officers. When they arrested us, we were severely beaten. M. D. was the most one beaten. We were taken to the PSS office, where our cell phones were confiscated and closed in addition to confiscating our ID cards. They insulted us, and I then asked about the reason behind arresting us. One of the officers said that they wanted to arrest M. S and the rest would be released. All of us were released but him. At approximately 18:00 on the same day, we held a protest against the arrest of our colleague. However, we were surprised by PSS officers surrounding the place. They arrested and beat us and then violently forced us to get into a vehicle belonging to the PSS. When we arrived at the office, we were severely and repeatedly beaten and kicked all over the body especially on the head. I was alone taken to the investigation room where I was questioned by two persons. They slapped me several times on the face, and one of them asked me to tell them what I know about Hamas Movement and the head of the Islamic Bloc in Bir Zeit University. The other one asked me to turn my face to the wall and tied my hands. He then hit my head to the wall and hit me on the neck and sensitive spots on my body. Another one then came to question me asking me to raise one hand and one leg. He then started searching me and found a permit to enter Israel. He then accused me of collaboration with Israel and then asked me about members of the Islamic bloc and the bloc's activities. At approximately 23:00, I was released."

Case (3): "I was beaten on my head and face"

On 22 September 2014, 'A. M. Sh (24), a student at al-Quds Open University from Bedia village, was beaten by PSS officers when he was in an olive press. Two persons dressed in plain clothes caught him and tried to take him with them. During the arrest, they beat and opened fire at him. He was then taken to their vehicle at gunpoint, and one of the officers hit him with a bottle of cold water on his face. The complainant confirmed to PCHR that while he was being transported in the vehicle, he was repeatedly hit on the head and face, insulted and threatened. They kept beating him even when he arrived at the PSS office. He was then sent to a cell until the next morning. He said that he was transferred to the Public Prosecution and after he was questioned, his case was referred to a judge, who extended his detention for 15 days pending investigation. He was then released on judicial bail until the court session. It should be mentioned that he was denied access to family and legal counsel during that period.

Case (4): They sent him to solitary confinement and turned the air conditioner on after stripping off his clothes

During the period between 23 September 2014 and 17 February 2015, L. M. 'A (21), from Hebron, was arrested several times. In his testimony to PCHR, he claimed that he was subjected to different forms of torture, including beating and

stripping off his clothes while being in an air-conditioned room. The complainant added that he was questioned about student activities in Hebron University, and was also charged with possession of weapons and money laundering. However, he was released at the end with a court decision.

The first time he was arrested was on 23 September 2014 as the complainant emphasized that PSS officers raided and searched his house and confiscated my laptop and internet router. He was detained for 14 days and then referred to the Magistrate's Court in Dura, where he was charged with unauthorized possession of a firearm. During the investigation, he was asked about his student activities in the compass. He was later released by a court decision.

On 04 January 2015, he was detained again by the Palestinian General Intelligence Service for 10 days. He said: "... I appeared before the Judge of the Magistrate's Court in Hebron as I was accused of money laundering. Meanwhile, I was questioned for the second time about my student activities. During investigation, I was hit with a wood on my fingers and forced to take off my shoes in order to step on my toes with their military boots. I was released on judicial bail of 4000 Jordanian dinars."

On 21 January 2015, when he was on his way out of Hebron University, he was arrested for the third time by the Palestinian General Intelligence. He was forced to get into their car to head to the GIS office. The complainant emphasized as well that he was subjected to torture and degrading treatment, "... They took me into the investigation room, where there were 6 persons. One of them asked me about a person studying in the university, and when I said that I do not know him, they started beating me with their hands and kicking me with their feet. On Thursday morning, I appeared before the Public Prosecution and was charged with money laundering. I then appeared before the Magistrate's Court judge, who decided to extend my detention for 4 days. On Friday morning, I was questioned for the third time about my student activities in Hebron University and was beaten for the second time. On Monday, 26 January 2015, I appeared before the Hebron Magistrate's Court judge, who decided to release me on bail of 2000 JD."

On the same day I was released, the security officers arrested me again and was detained for 6 days. "... on the same day when I left the outside gate of the office, they arrested me again and sent me to solitary confinement for 6 days before I was released," he said.

One week later, the complainant was arrested for the fifth time but this time was by the PSS. He said that he was arrested for two weeks, during which he was questioned and tortured and then decided to go on a hunger strike protesting against arresting him repeatedly. "... *On Tuesday midnight, 03 February 2015, I woke up to door knocks and was surprised with officers from the PSS. I was questioned for 11 days, and sent to solitary confinement, where they turned on the air conditioner after stripping off my clothes. I was detained for 14 days, so I decided to go on a hunger strike for being detained without any charge...*" he said.

Case (5): Beating a child while being detained and interrogated

On 21 November 2014, 17-year-old M. J. H., from al-Fare'ah refugee camp in Tubas, who is a high school student, was beaten up by police officers while he was being detained and questioned on that a number of children had thrown stones at a police patrol. In his testimony to PCHR, the aforementioned child said he was beaten several times while being transported by the police vehicle and even when he was questioned on the ground of being suspected of participating in throwing stones. In his testimony, he explained:

"... I was surprised that 2 persons in plain clothes holding my shoulder and beating me with clubs... Soon after, over 20 officers of the special forces beat me throughout my body. They then put me in a vehicle that headed towards Salfit town that is 15 kilometers away from our village. Through the whole way long I was beaten on my head and face..."

Case (6): University student shackled (subjected to Shabeh) 4 times during interrogation

On 28 February 2015, members of the Preventive Security Service (PSS) arrested E. H. G. (22), from Bir Zeit University and took him to the PSS office in Ramallah. The student said in his statement that he was subjected to Shabeh by the PSS in Ramallah while he was questioned on his participation in a protest in support of Lina Khattab, the Palestinian prisoner in Israeli jails then. He explained:

"...After the peaceful protest organized in support of my colleague, Lina Khattab, who was arrested by Israeli forces finished, I was surprised that a PSS patrol was pursuing me. They arrested me and took me to the PSS office in al-Balou' neighborhood in Ramallah city... I was taken into the interrogation room, where an interrogator questioned me about issues relating to the activities and funds of the Islamic Bloc in Bir Zeit University. I was taken then to a corridor where I was blindfolded and shackled, during which I was asked about information relevant to Hamas movement and its funding. I was moved to another room, where I was shackled for the second time. The interrogator beat me several times on my face. I was then put on a ladder with me back on the ladder. My hands and legs were tied to the ends of the ladder. I was beaten up throughout my body. A while after that, I was returned to the interrogation room and was shackled on the ladder for the third time. On the next day morning, I was taken to the interrogation room and shackled for the fourth time, but I was released on the following day morning and the file was closed."

Case (7): A detained person hit by a stun baton throughout his body and by a gun butt on his head

On 26 March 2015, members of the PSS attempted to arrest M. H. T. (24) when he was in front of his house in Hebron and obliged him to accompany them to search the house. M. H. T. said in his statement that while resisting the officers, he was beaten up and hit with a stun baton several times. Besides, he was hit by a gun butt on his head. He said in his statement:

"...I was surprised to see the PSS officers in plain clothes asking me to go up to my house to be searched. One of them held me tight and then pushed me. My 8-month pregnant wife approached to help me, but someone pushed her away, due to which she fell down. I started crying for help from my brother and neighbors, but one of the officers hit me with a stun baton all over my body while another pushed me against their car to oblige me to get in. My wife approached again to push them away from me, but a security officer slapped her on the face and she fell down again. Someone then fastened a seatbelt over me and another hit me with a stun baton several times. He also kicked me in the head. In the meanwhile, I tried to escape, but an officer caught me and hit me with a gun butt on my head several times until I bled, after which, they withdrew. I was taken to the Palestine Red Crescent Society Hospital. I sustained bruises throughout my body, wounds to my head and my left eye was swollen."

Case (8): Shackled from 23:00 until the following day noon

On 25 April 2015, J. E. S. (24) was arrested by PSS officers in Bir Zeit village and was then transferred to the PSS office in Ramallah. The aforementioned person was shackled in Ramallah on the ground of his work with the preparatory committee of the Islamic Bloc in Bir Zeit University. He said:

"... After I went out of the university, a car, from which 3 persons in civilian clothes stepped, out stopped me. They introduced themselves as members of the PSS. They violently put me in the car and took me to their office in Bir Zeit. I was questioned there about the reason why Fatah Youth failed in the student council election and the Islamic Bloc won. At approximately 19:30, I was taken to the PSS office in al-Bireh City... I was questioned again on the same issue and how the elections were held. He also asked me to list the names of persons and printing houses that helped me in the elections. He then held my neck from the back trying to choke me, took my glasses off and insulted me. Another interrogator came to question me. He put me in the corridor and shackled me with my face against the wall. He also asked me to put my hands up and space my legs out and then beat me. I was shackled from 23:00 until Sunday noon... after which, they took me down to a small and dark room, where I was shackled again while being blindfolded. On Sunday noon, 26 April 2015, I was taken to the interrogator's office to be questioned again. He asked me if I had eaten, I replied that I had never eaten since I was arrested and never been allowed to perform prayers or use the toilet. For the third time, he asked me about the elections and required details about the structure of the Islamic Bloc. At approximately 16:30, I was set free without referring me to the Public Prosecution or the magistrate's judge."

Case (9): 2 teeth of a detainee broken as he was slapped on the face during interrogation at the PSS office in Qalqilya

On 29 May 2015, PSS officers arrested a number of civilians on the grounds of their participation in a protest organized by the Liberation Party in Qalqilya. Some of those arrested and then released claimed they had been tortured while detained in the security facilities. In his statement to a PCHR fieldworker, Kh. A. Y. (52) said that his son and he were degradingly treated and tortured by the PSS officers while they were in detention. He said:

“After my son Ibrahim (25), a dentist, and I performed the Friday prayer, on 29 May 2015, in Abu Obaida Mosque in Qalqilya, I headed to my car that was 100 meters away. There were 7 armed PSS and intelligence officers in military uniform around the car in addition to other armed persons in the area. When we reached the car, one of them approached and asked for my ID without introducing himself. I told him I did not have it with me, so he started yelling and asked me to go with them. I asked him, ‘Am I under arrest?’ he said yes. I asked him to show me the arrest warrant, but he ironically answered, ‘I am a PSS officer and I do not need an arrest warrant!’ I then said, ‘This is illegal.’ A quarrel erupted between him and me, due to which someone twisted my hand to the back and aggressively pulled and beat me... My son and I were beaten in the PSS office and yard with gun butts... My son, who sustained bruises to the head, face, back and arms, told me later that someone threatened to kill him... They then took me to the military health services, where they found that 2 of my teeth were broken... I saw a number of detainees being harshly beaten during my detention period...”

In another statement, M. H. Z. (20), from Qalqilya, said that he was subjected to torture, including beating with the stun baton, strangulation and kicking, during his detention by PSS officers in Qalqilya. He said the following:

“... PSS officers came while I was standing by a store door in the city along with some friends. They surrounded me and asked me to go with them. I asked them to show the arrest warrant, but they violently pulled me into a car. When my sick father saw them, he tried to stop the car and put his hands on it, but they hit him and drove over. Moreover, other Palestinian civilians gathered, but the PSS officers stepped out of the car and fired in the air. They also attacked two children... The car moved over to the PSS office. Once we reached it, someone slapped me on the face, another strangled me and a third one hit me with a stun baton on the back and neck. They all were kicking and beating me until I fainted... I was taken inside to the office. It was approximately 23:00, when they took me to the military health services. On our way to the health center, someone tightly tied me hands to the back with a plastic strap...”

Part II: Legal Analysis

In April 2014, the State of Palestine acceded to the 1984 Convention against Torture and the 1966 International Covenant on Civil and Political Rights, in which Article 7 prohibits torture. Palestine's accession to these conventions constitutes a significant step towards the establishment of the State of Palestine free from torture provided that obligations stipulated in these conventions be integrated into the domestic law and the principle of the rule of law be complied with.

The report addressed a number of torture cases in the PA prisons by law enforcement officials that are affiliated with both governments in the West Bank and the Gaza Strip, which included numerous criminal acts, such as beating and other physical harm, threats of death, torture and imprisonment, insulting, sleep deprivation, deprivation of healthy food and drinking, and repetitive summoning to security offices. The objective of these acts is usually to obtain information, or repress and terrorize a political rival.

Torture is one of the crimes that have always been adopted by the PA since its establishment in 1994, as the PA utilized torture as a means in interrogation and repression of opponents. Torture was also extensively used after the Palestinian split in 2007. It became a way for political bickering between the 2 parties to the split. Moreover, the political detainees have been subjected to degrading and inhumane treatment and other forms of torture for their political affiliation. In addition, this became a basic tool in normal criminal investigations. Therefore, torture can be characterized in the PA whether in the West Bank and Gaza Strip as a part of the ruling authority's policy.

The Palestinian law prohibits torture according to the two penal codes applied in the PA territories and in the PLO Revolutionary Law 1979. However, these laws dramatically underestimate the seriousness of the crime of torture. Punishments for the crime of torture vary from one week to 5 years of imprisonment even if torture causes death of the victim. In addition to the weakness of the legal text, the PA has never brought anybody to justice for the commission of torture since it was established although hundreds of torture cases have been documented in the PA detention facilities since the PA was established. This proves the legal characterization of torture as being part of the general policy of the PA in the West Bank and Gaza Strip but not just individual actions.

In fact, the PA is internationally obliged not to employ torture and to criminalize it according to the customary international law. Therefore, the competent authorities in the PA have to highlight legal texts criminalizing torture. What is more important is to hold the perpetrators accountable and bring them to justice according to those legal texts.

The crime of torture is not subject to any statute of limitations both domestically and internationally, as Article 32 of the Palestinian Basic Law provides that violations of any freedoms or liberties that have been guaranteed by law or by this Basic Law shall be considered a crime and may not be subject to any statute

of limitation. This concept has been confirmed by numerous international courts and those of universal jurisdiction.

This part of the report addresses the legal analysis of acts committed by law enforcement officials, and categorizes them according to domestic and international laws. It also illustrates the criminal responsibility for the crimes of torture committed within the PA.

First: Domestic Law

The term “torture” is not mentioned in the two penal codes applied in the West Bank and Gaza Strip and even the PLO Revolutionary Law 1979, but the Palestinian Basic Law mentioned “Torture” in article 13. However, the Palestinian law includes articles criminalizing acts that constitute a crime of torture as defined in article 1 of the Convention against Torture. The articles are article 108 of the Penal Code applied in the Gaza Strip, article 208 of the Penal Code 1960 applied in the West Bank and article 280 of the PLO Revolutionary Law 1979. This part of the report clarifies the view on confessions obtained under torture, crimes documented by PCHR some of which constitute crimes according to both Penal Codes enforced in the Gaza Strip and the West Bank, and the efficiency of these articles to eradicate the crime of torture of the PA bodies.

A. Confessions under Torture

Article 13 of The Palestinian Basic Law stipulates the invalidity of confessions under torture, as well as article 114 of the Criminal Procedure Code. Thus, all rulings convicting suspects based on these confessions are null, as codified in article 477 of the Criminal Procedure Code that procedures subsequent to a void procedure shall be considered void if they are based on such void procedure. These articles are in coherence with article 15 of the International Convention against Torture, *“Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.”*

B. Criminalization of Torture in the Palestinian Law

The Penal Codes applied in the PA territories incriminate torture, but not all forms of torture, only torture resulting in obtaining confessions or information. The above-mentioned codes do not address torture as a punishment or means of intimidation. Moreover, they do not include provisions criminalizing torture by psychological methods. Following is the explanation and analysis of provisions criminalizing torture in Penal Codes applied in the PA:

1. The Penal Code No. 74 of 1936:

This Penal Code No. 74 of 1936 is applied in the Gaza Strip. Some articles in the Penal Code No. 74 of 1936 criminalize acts constituting a torture crime as defined in article 1 of the Convention against Torture. However, the Code does not use the

word “torture”. Article 108 criminalizes torture although it does not use the word “torture”. It only mentions the use of violence or force. In addition, torture is criminalized in case of using violence or force to obtain confessions or information. The above-mentioned article states that *“Each public servant who exposes a person to use force or violence or orders him to use force or violence against a third person to obtain from him or from his family confessions on an offense or information related to an offense is considered committing an offense”*.

The above-mentioned article criminalizes torture, but considers it as an offense². This gives the judge the authority to reduce the punishment to one week of imprisonment or even impose a fine. In fact, this punishment does not match the gravity of the crime of torture, besides, that punishment is not deterrent. Moreover, the PA has failed to prosecute the perpetrators. We can notice that the above-mentioned article criminalizes torture in its narrowest meanings, as the article mentions only torture by violence or force without pointing out other forms of torture like threats, verbal insults, denial of sleeping or food or water, and other forms of inhuman and degrading treatment. The article also limits criminalization to the torture practiced in order to obtain information or confessions. Thus, all torture acts committed for other purposes, such as punishment or intimidation, are not within the scope of the criminalization mentioned in this article.

PCHR emphasizes that the above-mentioned article is inadequate to deal with the crime of torture in the Gaza Strip as it does criminalize many forms of torture as explained. In light of the flaws found in the aforementioned article, it is possible to use other articles from the 1936 Penal Code that criminalize other acts, which fall under the international concept of crime of torture. The most significant articles are as follows:

A. Articles that can be used to cover some torture cases, which are not practiced to obtain information or confession:

Article 238 stipulates, “Any individual who illegally inflicts harm on another person is considered to have committed a felony punishable by imprisonment for a term of 7 years”. Article 5 of the same Law identifies harm as “that which endangers the human life;” thus, any torture incident causing severe injuries that may jeopardize the life of the victim subjects its perpetrator to 7 years of imprisonment.

Article 250 states, “Any individual who has attacked another and caused him/her physical harm is considered to have committed a felony,” as article 5 stipulates that “Any physical harm, disease or mutilation, whether permanent or temporary”. Thus, any acts of torture that do not fall under severe harm still criminalize their perpetrators and hold them accountable under these articles and so they are considered as criminals, punishable by imprisonment or fine, as determined by a judge.

2. According to article 5 of the Penal Code 1936, the punishment for an offence ranges between one week to 3 years.

Article 241 states that anyone who “Cuts another illegally, is considered to have committed a felony”. The law defines a cut as “Any cut that causes a tear in any of the body’s external membranes, in illustration, a membrane is considered external if it is touchable without cutting through any other membrane.” Thus, any form of torture that results in a cut makes its perpetrator accountable for committing a felony, punishable by imprisonment ranging from a week to three years or a fine, as determined by the judge.

B. Articles that can be used to cover some torture crimes, which are not based on physical violence:

Article 242 stipulates that “Anyone whose duty is to provide the necessities of life for another person and fails to do so without a legitimate excuse, endangering the life of that person or allowing the possibility of it, or causing permanent damage to their health or allowing the possibility of it, is considered to have committed a crime.” Thus, those responsible for depriving prisoners from healthy meals are considered to have committed a crime punishable by imprisonment ranging from a month to three years or a fine, as decided by a judge.

Article 244 stipulates that “Any individual that acts illegally or fails to act as required from them, causing by this action or failure of acting to harm to another, is considered to have committed a felony and is punishable by imprisonment for 6 months or a fine of £50 Pounds, or both.” This article criminalizes any action which inflicts harm on another; thus, this article is applicable to all forms of torture that do not fall under other articles.

C. Articles can be used to cover some cases of psychological torture:

Article 100 states that any individual who “threatens another with the intent to harm them, their reputation, money or a person affiliated with them in order to force them to do something they are not legally obliged to or to neglect doing something in their legal capacity, is considered to have committed a felony.” Psychologically threatening inmates with the actions mentioned in this article to force them to do or to confess to something is considered a felony under this article. According to article 217, the prisoner has the right to be silent, as it states “The prisoner has the right to remain silent; their silent or refusal of answering is not considered a confession”. Therefore, the law does not regard confessions as a necessity.

2. The Penal Code No. 16 of 1960:

The 1960 Penal Code applied only in the West Bank does not mention the term “torture”. However, some articles criminalize acts that represent the crime of torture as defined in article (1) of the Convention against Torture. Of those articles is Article (208) that stipulates:

“1. Anyone who subjects a person to any form of violence or coercion prohibited by law with a view to obtaining a confession to a crime, or information relating thereto, shall be punished by imprisonment for three months to three years. 2. If

such acts of violence or coercion lead to sickness or injury, the penalty shall be imprisonment for six months to three years, unless such acts call for a more severe penalty.”

What imperfects this article is that it narrowly criminalizes torture as it does not criminalize psychological torture and inhuman and degrading treatment. It does not either criminalize the torture acts, whose purpose is not for obtaining information or confessions. Moreover, this article leaves the door open for the use of forms of torture if the law permits them when it uses the phrase “prohibited by law.” The aforementioned article also comes with a punishment that is not commensurate with the seriousness of the crime of torture and does not deter perpetrators as the minimum punishment is 3 to 6 months if torture caused wounds or disease.

PCHR believes that the aforementioned article gives the perpetrators of the torture crime the opportunity to impunity in addition to PA’s failure to prosecute the crime of torture. However, other articles from the 1960 Penal Code can be used to prosecute acts that constitute torture such as Articles (333), (351) and (354).

A. Articles that cover torture incidents that is not practiced to obtain information or confession:

According to article 333 of the Penal Code, “Any individual who willfully beats, cuts or harms another with any means of violence; and as a result of the assault, the victim suffered of a sickness or an inability to work for more than 20 days, is punishable by imprisonment ranging between 3 months and 3 years.” Thus, any form of torture that includes beating, cutting or harming the victim to the extent that they are not able to work for 20 days, convicts the aggressor of committing a felony and is punishable by imprisonment ranging between 3 months and 3 years. Moreover, any person who causes, as a result of the commission of a violent act, the victim a permanent disability or the abortion of a woman he knows to be pregnant shall be sentenced, as provided in articles 235 and 236 of the same Code, to temporary hard labor for a period not exceeding ten (10) years. However, if the victim is only held from work for less than 20 days or has not suffered any disabilities, the aggressor shall be sentenced with imprisonment for a year or fine, noting that in case the disablement is for less than 10 days, the case cannot be enforced against the aggressor unless by an official complaint filed by the victim. These legal texts can be used to cover torture incidents that is not practiced to obtain information or confession.

B. Articles that can be used to cover cases of psychological torture:

Article 351 provides that “Any individual, who verbally threatens another with a crime punishable with the death penalty or with hard labor for life, is considered to have committed a felony punishable with imprisonment ranging between a month and two years.” Accordingly, threatening prisoners with death or any other offense that is punishable with hard labor for a period amounting to 15

years in order to get confessions from them is considered a crime punishable in accordance with the aforementioned article.

Article 354, which covers all threatening cases that are not previously mentioned in the Code, states that “Any individual that threatens of harming another illegally, whether verbally or in any of the means codified in article 73, which resulted in severe psychological damage to the victim, is punishable with imprisonment for a week or a fine not exceeding 5 Jordanian Dinars.” Article 73 covers the means of threatening, such as signals, pictures or writing. Thus, the methods of threat used against prisoners whether with writing, signals or verbal insults are considered violations as codified in this article and are punishable with imprisonment for a period not exceeding a week or a fine.

3. The 1979 PLO Revolutionary Law³

This law has been applied in the West Bank and Gaza Strip on military personnel or crimes committed in military zones. Article (280) of this law provides that:

“A person who subjects another person into forms of torture not allowed by the law in order to obtain confessions or information on a crime shall be sentenced to at least 3-month imprisonment. If violence leads to an illness or injury, sentence will be at least 6-month imprisonment. If torture leads to death, punishment will be at least 5 years of hard labor.”

It is clear in the aforementioned article that it criminalizes only one form of torture, which is using it in order to obtain information or confessions. Thus, torture that is not intended to obtain information is not part of the criminalization mentioned in the aforementioned article. What makes it worse is that the nature of punishments imposed on this serious crime as these punishments start from three months up to six months in case of causing an illness or injury in addition to five years in case the victim of torture died. These punishments underestimate the seriousness of torture crime and victims’ sufferings and do not contribute to achieving the appropriate deterrence to eliminate this crime. It is also obvious that this article is better than the other two articles in the previous penal codes when it used the “A person who subjects another person into forms of torture” sentence which is subject to interpretation. Thus, it concludes that other forms of torture such as deprivation of sleep and food or use of threat.

Second: International Law

The prohibition of the crime of torture is codified in various parts of international law, as it is considered as a violation of human rights, a war crime and, in certain cases, a crime against humanity. This section discusses the basis of the PA’s adherence to international law related to the prohibition and criminalization of torture, and the legal characterization of the crimes of torture committed in both the Gaza Strip and the West Bank from the view of international human rights and humanitarian laws.

3. PCHR has expressed several times its reservation over this law as it is unconstitutional and was not issued by a competent legislative authority or even constitutional body in the PA. Moreover, this law includes serious gaps, texts open to multi-interpretations and exaggerated penalties. For example, the abovementioned law approves death penalty for 45 crimes.

A. Basis of PA's adherence to international law related to the crime of torture

1. The 1984 Convention against Torture acceded to by the PA in April 2014;
2. The 1966 International Covenant on Civil and Political Rights acceded to by the PA in April 2014;
3. The four Geneva Conventions of 1949, and signed by the PA in April 2014; and
4. The Customary international law that incriminates torture in times of war and peace.

B. Criminalization of torture is an international obligation on the PNA

The PA acceded to the 1984 Convention against Torture and the 1967 International Covenant on Civil and Political Rights, in which article 7 stipulates the prohibition of torture. These conventions obliges the PA to prohibit torture and take all necessary measures to guarantee that, including integration of these obligations into domestic laws. Moreover, they confirm that prohibition of torture is a peremptory norm and not an exception, and nothing may be invoked as a justification of torture. Article (2) of the Convention against Torture provides that:

1. *"Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.*
2. *No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.*
3. *An order from a superior officer or a public authority may not be invoked as a justification of torture."*

Article (4) also provides that:

1. *"Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture.*
2. *Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature."*

Article (2) of the International Covenant on Civil and Political Rights provides that all obligations mentioned therein shall be respected including of course article (7) that prohibits torture and cruel and inhuman treatment. Article (4) of the same covenant considers article (7) as one of the articles that cannot be derogated from in time of emergency.

Thus, the PA is obliged by the two present covenants and the customary international law to abstain from committing acts of torture and punish such act. It also obliges the PA to submit reports to the treaty bodies. These bodies includes the Committee against Torture set up by the Convention against Torture and the Human Rights Committee set up by the International Covenant on Civil and Political Rights. The PA must mention in these reports the measures it has taken to give effect to its undertakings under the Convention as stipulated in Article (19) of the Convention against Torture and Article (40) of the International Covenant

on Civil and Political Rights. According to Article (19), the PA is bound to submit a report within a year and then to submit a periodic report every four years.

C. The legal characterization of crimes of torture committed against Palestinian prisoners in PA facilities under international law

Article 1 of the Convention against Torture defines torture and set 3 elements that gives rise to the crime of torture:

1. Severe pain or suffering, whether physical or psychological, intentionally inflicted on a person. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.
2. It is for purposes such as obtaining information or a confession, punishment or for any reason based on discrimination of any kind
3. When such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

Upon studying the cases of assaults inside Palestinian prisons and detention centers, it was found that assaults with beating, shackling, insults and threats against prisoners caused them severe psychological and physical harm. Furthermore, these assaults were in violation of multiple provisions of the Palestinian law as illustrated above. The objective of torture was to obtain information from detainees, and in other times it was used as a form of punishment or coercion because they are affiliated with a different political party. These attacks were also committed by law enforcement officials in prisons and detention facilities; therefore, the attacks committed inside the PA's prisons and detention facilities in the West Bank and the Gaza Strip are explicit crimes of torture which proves that the PA commits a clear violation of the customary and official international human rights law.

Part III: Persons Responsible for Torture in the PNA

The issue of criminal liability for the crimes of torture is often brought to focus, especially identifying those responsible for these acts. The criminal responsibility for the crimes of torture falls on four parties: The perpetrators of torture; those who ordered it; the commander who knows or is supposed to have known of the occurrence of torture; and partners or accomplices in the crime of torture, including international donors to the PA security establishment.

1. The perpetrators of torture:

A direct perpetrator of torture is responsible for committing the crime and may be prosecuted nationally and internationally. The perpetrators of torture may not use the pretext of receiving orders from their superiors, as confirmed in article 61 of the Jordanian Penal Code of 1960 which denied the absence of criminal responsibility of a subordinate in case an illegal order is issued. Article 74 of the Civil Service Law states that:

“No employee is excused from the disciplinary penalty under the pretext of receiving an order from their superior, unless it is proven that the violation was in execution of a written order issued by their superior, after having pointed out the violation of such conduct in writing.”

Therefore, the perpetrators of torture, under an order issued by a superior, is of full criminal responsibility for their actions even if it was in execution of an order.

Furthermore, international courts and tribunals that have the powers of universal jurisdiction support the principle of not accepting receiving an order from a superior as a pretext for committing crimes of torture or other crimes that constitute grave breaches of the Geneva Conventions, as Article 2 of the Convention against Torture of 1984 stated:

“An order from a superior officer or a public authority may not be invoked as a justification of torture.”

2. Those who issue orders to use torture

The person responsible for issuing the order is considered, in accordance with article 80 of the Jordanian Penal Code which is enforced in the West Bank, the instigator of the crime; article 81 also state that they shall be sentenced with a lesser penalty than the direct perpetrator. It is codified in the first paragraph of the article:

“An instigator of a crime is that who pushed another to commit a crime by bribing them whether with money or presents, threatening them, trickery or abuse of their stature.”

On the other hand, the British Penal Code of 1936, which is enforced in the Gaza Strip, considers the commander and the perpetrator to be equal in the crime as

codified in paragraph 4 of article 23:

“Everyone who orders another one to commit or abstain from carrying out an act that is considered as a crime if he commits it himself, shall be considered as an original perpetrator and shall be subject to the same penalty prescribed for a perpetrator of such act or abstention, and he may be charged of committing such act or abstaining.”

Therefore, anyone who issues an order to commit torture is considered an instigator or a partner in the crime depending on the circumstances of each incident, and shall be subjected to the same disciplinary penalty designated for the actual perpetrator in accordance with the 1936 Penal Code, or with a lesser penalty in accordance with the 1960 Penal Code.

Under international law and universal jurisdiction, the person issuing the order of torture is considered primarily responsible for the crime even if no actual act of torture was carried out, as confirmed by various decisions of international courts and courts with the powers of universal jurisdiction.⁴

3. The superior who is aware or is supposed to know of his subordinates’ use of torture and has not stopped it

The responsibility of these persons falls under the principle of command responsibility, which may reach – according to the circumstances of each incident – the heads of security services, ministers of interior, the Prime Minister and even the President in some cases, which confirms the superior’s responsibility towards his/her subordinates’ violations of the law, if he was aware of it or was supposed to and did not make all his efforts to stop it. This is to be decided by a judge according to evidence and data presented. It should be mentioned that the Palestinian law does not include any reference of the principle of command responsibility; however, this does not eliminate their judicial responsibility for the crimes of torture before the courts operating under the principle of universal jurisdiction. PCHR asserts that crimes of torture in the PA are conducted with the knowledge of the leadership.

4. The partner or accomplice in the crime of torture

It is sufficient for a person, to be judicially responsible nationally and internationally, to contribute to the act of torture knowingly. Therefore, providing the setting or the tools for torture, contributing to hiding the traces of torture or transporting the prisoners to a location known to be used for torture is considered as a partnering role in the crime, as provided in paragraph 1 of article 4 of the UN Convention against Torture:

“Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture.”

In this regard, PCHR emphasizes that donor countries that train and promote Palestinian security forces are complicit partners in the crime of torture, as they are, or supposed to be, aware through reports issued by various human rights organizations that trainings and potentials given to the PA are employed in torture; therefore, these States are obliged to make the continuity of its support for the PA conditioned the cessation of torture, or else they become partners in the crime of torture. PCHR preserves the right to follow legal measures both internationally and domestically against these States to stop supporting torture in PA prisons.

4. PCHR, the Principle and Practice of Universal Jurisdiction (2010) P. 22, 23.

Unpunishable Crimes

Penal codes applied in the PA areas incriminate torture but do not cover all forms of torture. They are only limited to torture resulting in obtaining confessions or information and do not address torture as a punishment or means of intimidation. Moreover, they do not include texts incriminating torture as means of psychological pressure.

This report enriches PCHR's long experience in addressing the issue of torture and the long record of physical safety violations and degrading treatment. Hundreds of detainees in detention facilities were subject to those violations that left them non-erasable and painful memories. What deepens the pains of torture is that the perpetrators have been unpunished nor prosecuted, as many torture crimes were not taken to the effective legal authorities that only punish the law enforcement officials, who violate the law, or offer remedy to the victims.

PCHR highlights that during the reporting period it filed 13 complaints before the competent authorities on behalf of victims, whom were exposed to torture in Palestinian security facilities according to PCHR; 8 of which were presented to the Attorney General and the 5 others were presented to the Comptroller General of Security Services. PCHR, as legal representative of the victims, called for initiating investigations in the abovementioned cases, inform PCHR of the investigation results, offer remedy to the victims and issue instruction for security services to halt torture and degrading treatment. However, PCHR received only 2 replies from the Attorney General office and they were negative. Regarding cases submitted to the Comptroller General of Security Services, no response was received by PCHR. Although the complaints filed by PCHR were documented through affidavits, photos and medical reports, the attorney general replies were negative.

Case (1): A. H., from Gaza, a Fateh member who was born in 1970

On 05 January 2015, A. H. headed to the Internal Security office in Gaza upon a summons sent to him the day before. He was questioned for 3 hours on the grounds of activities held by Fateh Movement on its anniversary. During interrogation, they put a sack on his head, handcuffed him to the back, hit him with sticks, insulted him and poured cold water on him although the weather was too cold in January. However, he was released on the same day.

On 08 February 2015, PCHR filed a complaint on behalf of the plaintiff to initiate an investigation, inform PCHR of the results, issue instructions for the security services to abide by the basic law and relevant laws and respect human rights.

On 23 April 2015, i.e. over 2 months after the complaint was submitted, the Attorney General's response was as follows: "After referring to the competent authorities, we inform you that A. H. was summoned on the grounds of violating the national consensus and disdained and provoked the interrogators. Therefore, he was treated in due process and was not harmed."

Case (2): M. Y. Kh., from Gaza City, was arrested on criminal grounds

M. Y. Kh. was arrested on 19 March 2015 by Shaikh Redwan police in Gaza on the grounds of stealing a motorbike. The plaintiff claimed in his statement to PCHR that he was subjected to assault occasioning actual bodily harm and intimidation with a gun. After inspection, it was actually found that the victim had sustained a fracture to the left hand fingers and 66 stitches in the head and bruises throughout the body.

PCHR, as the legal representative of the victim, filed a complaint to the attorney general demanding opening an investigation in the incident and inform PCHR of the results. PCHR attached photos and medical reports of the victim.

On 04 May 2015, the Attorney General replied, "After referring to the competent authorities, we inform you that the aforementioned person has a long criminal record. Besides, the injuries that he claimed had resulted from gunfire from unknown persons during the last Israeli offensive on the Gaza Strip. He was treated in due process while being detained at the general investigation department detention facility".

In view of the above, PCHR stresses the following:

1. There is no intent for the competent authorities to initiate investigations in the complaints filed by PCHR although they were documented and supported by affidavits, photos and medical reports. Out of 13 complaints, only 2 replies were received and they were negative;
2. It was concluded through correspondences between PCHR and the Attorney General that the latter had relinquished the powers assigned to him according to the Code of Criminal Procedure (article 55) that provides, "The General Prosecution only has the competence to investigate crimes and take the necessary measures", as the Attorney General referred some of the complaints to the office of Comptroller General of the security devices, which violates the law because the Comptroller General is the respondent party; and
3. PCHR has not learnt that any of the perpetrators in crimes of torture have been tried nor heard about results of official and serious investigations published in public and have led to prosecuting the perpetrators or offer remedy to the victims, including financial and psychological compensation. In this context, PCHR reiterates that the verbal reassurances given to PCHR after meetings and contacts with the competent authorities that confirmed their rejection to torture are not sufficient and do not meet the minimum level. The only guarantee to stop this crime is to enforce the judicial system by follow-up and prosecution of the perpetrators and bringing to justice in public and transparent trials to be deterrent. Concerning other measures and investigations within the scope of the security services that result in penalties like transfer, lay off and subtracted salaries against cannot be a substitute for public trials before courts.

Conclusion

The report has highlighted torture as a heinous crime and an extremely dangerous physical and psychological violation committed against dozens of detainees in the PA prisons and detention facilities. It has also addressed extreme cases of torture that violated the dignity of the detainees in the PA prisons and detention facilities during the reporting period (May 2013 – June 2014) by documenting them, raising the issue and attempting to follow it up with the concerned authorities to prosecute perpetrators of these crimes in order to put an end to its practice.

The report concludes by reiterating the following facts:

1. Torture continues to be systematically practiced in prisons and detention facilities in the West Bank and the Gaza Strip.
2. PCHR concludes that there is no evidence that serious measures have been taken to put an end to the practice of torture by the Gaza and Ramallah governments, in spite of officials' statements assuring that these acts are being monitored, fought and their perpetrators are held accountable, in addition to the Presidential Decree issued in 14 May 2014 on prevention of all torture forms in the PA and holding the perpetrators accountable.
3. During the preparation of this report, it has been observed that law enforcement officials have failed to open investigations or prosecute perpetrators of torture in the Gaza Strip and the West Bank. PCHR notes that none of the cases investigated have resulted in bringing the perpetrators of torture acts to trial. PCHR has submitted many complaints to concerned authorities calling upon them to open necessary investigations into different incidents of torture committed against detainees. PCHR has not received any responses to such complaints.

Recommendations:

In view of what has been reported herein and through monitoring, documenting and following up this serious crime (torture) in the PA prisons and detention facilities in the West Bank and the Gaza Strip in addition to monitoring, documenting and following up the PA's performance in holding law enforcement officials who commit the crimes of torture accountable, PCHR recommends the following:

1. PCHR calls upon the PA to put an immediate and final end to the practice of torture in PA prisons and detention facilities in the West Bank and the Gaza Strip as this crime constitutes attacks on human beings' physical and psychological safety;
2. PCHR calls upon the PA to strictly comply with the Convention against Torture and International Covenant on Civil and Political Rights and work without delay on incorporating in the Palestinian laws all obligations necessary to guarantee compliance, criminalize torture and impose punishments as a deterrent against the perpetrators;
3. PCHR calls upon Attorney-General to open genuine investigations and prosecute all the security members who are suspected to have engaged, or been involved in, acts of torture, publish results of these investigations to the public, and ensure that those found guilty would be prosecuted without lenience. PCHR notes that crimes of torture are not subject to a statute of limitations, thus perpetrators of torture crimes cannot escape justice;
4. PCHR calls upon the PA to repair prisons and detention facilities to be brought in line with international standards required to maintain the safety and dignity of prisoners.
5. PCHR calls upon the PA to open the prisons and detention facilities to human rights organizations and allow them to visit prisoners and to ensure that they are not subjected to torture.
6. PCHR calls upon law enforcement bodies to comply with legal procedures relating to arrests, and confirms that arrests are the responsibility of judicial officers, represented in the civil police, who are subject to the Attorney-General's control and supervision.
7. PCHR calls upon law enforcement bodies to organize training courses for security officers and law enforcement officials in order to raise their professional awareness on how to deal with prisoners and how to conduct investigations in a proper and professional way instead of using means of torture as primary means to obtain information.
8. PCHR calls upon human rights organizations to intensify their efforts along with civil society organizations and the media to monitor these crimes, expose

those responsible for them and bring them to justice.

9. PCHR calls upon human rights organizations to raise civilians' awareness of preliminary legal procedures that protect their rights if they are subjected to torture or other cruel or degrading treatment, and to organize training courses and workshops for this purpose.
10. PCHR calls upon the Palestinian Legislative Council (PLC) – when it is convened – to promulgate a special law that criminalizes all forms of torture and inhumane treatment according to international standards.
11. PCHR calls upon the PLC – when it is convened – to form a special committee to follow up cases of torture in PA prisons and detention facilities.

Annexes

Annex 1:

Deaths from torture in the prisons of the Palestinian Authority from June 2007 to June 2014

No.	Name	Age	Place of residency	Date of death	Place of detention	Responsible party	Cause of Death
1	Fadel Muhammad-Salim Duhmush	31	Al-Birka, Deir al-Balah	10 July 2007	Gaza Central Prison, al-Saraya		He was arrested by al-Quds Brigades, the military wing of the Islamic Jihad movement, as he was suspected of collaborating with the Israeli occupation. He was released on 05 July. Torture marks appeared all over his body. He was also arrested by Gaza government's executive force. He was subjected to torture and it appeared on his dead body which was brought to Shifa Hospital.
2	Walid Sulaiman Abu Dhalifa	45	Al-Naser, Gaza City	15 July 2007	Al-Mashtal, north of al-Shati refugee camp	Internal Security	His dead body was brought to al-Shifa Hospital due to torture.
3	Rami Muhammed-Khalifa	26	Rafah	13 December 2007	Gaza Central Prison, al-Saraya	The Palestinian Police	His dead body was brought to Shifa Hospital due to stomach ulcers according to medical staff. His parents stated that their son had no diseases before his arrest.
4	Muhammad Abdul Aziz al-Barghouthi	44	Kuber, Ramallah	22 February 2008	Intelligence-Headquarters, Ramallah	The General Intelligence	He was subjected to severe torture and died in prison a week after his arrest.
5	Taleb Muhammad Abu Sitta	72	Al-Zawaida, the Central Gaza Strip	27 July 2008	Deir al-Balah Police Center	The Palestinian Police	His dead body was brought to al-Aqsa Martyrs Hospital after he was subjected to torture.
6	Shadi Muhammad Shahin	27	Al-Bireh	29 September 2008	The Reform and Rehabilitation Center, Jericho	The General Intelligence	He was in the General Intelligence's custody from 15 March to 15 June 2006. Then he was transferred to the Reform and Rehabilitation Center till his death.

No.	Name	Age	Place of residency	Date of death	Place of detention	Responsible party	Cause of Death
7	Jamil ShafiqShaqouira	51	Khan Younis Refugee Camp	06 February 2009	Khan Younis Services Club	The Internal Security	He arrived at Naser hospital in Khan Younis with a brain stroke due to torture. Then the Internal Security arrested and tortured him. He was then sent him back to hospital. He stayed in the intensive care unit for one day then died.
8	Muhammad Jamil al-Haj	39	Jalqamous, Jenin	08 February 2009	The Preventive Security Headquarter, Jenin	The Preventive Security	The security forces spokesman claimed that he committed suicide in his cell.
9	Nihad Said al-Dabbaka	47	Al-Maghazi refugee camp	09 February 2009	Al-Maghazi Services Club	The Palestinian Police	His dead body was brought to al-Aqsa Martyrs Hospital after he was subjected to severe torture.
10	Zaid 'Aish Mabrouk Jaradat	40	Al-Shouka, Rafah	16 March 2009	Rafah Police Station	The Palestinian Police	His dead body was brought to Shifa Hospital.
11	Jamil Naser Assaf	20	Gaza City	24 March 2009	Al-Tufah Police Station	The Palestinian Police	He was transferred to Shifa Hospital on 13 March after his kidneys failed due to torture. He was admitted to the intensive care unit till he died.
12	Haitham Abdullah 'Amro	33	Beit al-Rosh al-Foqa, Hebron	15 June 2009	The General Intelligence headquarter, Hebron	The General Intelligence	He was taken to Hebron Governmental hospital on 15 June and died the following morning.
13	Kamal 'Amer Abu Tima	44	Al-Fawwar Refugee Camp	04 August 2009	The Preventive Security Headquarters	The Preventive Security	He was arrested on 15 August 2008 and was subjected to torture. His health deteriorated and the High Court issued a decision by which he was to be transferred to Hebron Governmental Hospital after he suffered a stroke. The Preventive Security Service had to release him on 31 May 2009. He was taken to a Jordanian hospital for treatment and died there.
14	FadiMuhsen-Hamadana	27	North 'Asira, Nablus	10 August 2009	General Intelligence, Nablus	General Intelligence	The security forces' spokesman claimed that he committed suicide in his cell as he hanged himself with one of the sheets.
15	Adel Saleh Rezeq Rezeq	56	'Amer Project, Beit Lahia	19 April 2011	Ansar Compound, west of Gaza	The Internal Security	Bruises and beating traces on the face, legs, and back, in addition to wounds under the foot

No.	Name	Age	Place of residency	Date of death	Place of detention	Responsible party	Cause of Death
16	Hassan Muhammad al-Hamidi	24	Wadi al-Salqa, Deir al-Balah	10 June 2011	Deir al-Balah Police Station	The Palestinian Police, Drug Control Unit	He died at Shifa Hospital in Gaza City after he was transferred from al-Aqsa Martyrs Hospital. He had been subjected to torture by the officers of the Drug Control Unit.
17	Ibrahim Akram al-Araj	45	Al-Zaitoun neighborhood, Gaza City	25 June 2011	Abu Oreiban Police Station, Nuseirat	The Palestinian Police, Drug Control Unit	He died at al-Aqsa Martyrs Hospital after he was subjected to severe torture by the officers in Abu Oreiban Police Station.
17	Ibrahim Akram al-Araj	45	Al-Zaitoun neighborhood, Gaza City	25 June 2011	Abu Oreiban Police Station, Nuseirat	The Palestinian Police, Drug Control Unit	He died at al-Aqsa Martyrs Hospital after he was subjected to severe torture by the officers in Abu Oreiban Police Station.

Annex 2:

Arrest and detention centers of the security services in the Palestinian Authority

The Gaza Strip				
No	Name	Responsible party	Province	Notes
1	Beit Hanoun Police Station	Police	The Northern Gaza Strip	
2	Sheikh Zayed Police Station ((Beit Lahiya	Police	The Northern Gaza Strip	
3	Beit Lahiya Police Station	Police	The Northern Gaza Strip	
4	Jabalia refugee camp Police Station	Police	The Northern Gaza Strip	
5	Jabalia Police Station	Police	The Northern Gaza Strip	
6	Jabalia refugee camp prison ((Abu Hatim al-Sisi Building	Police	The Northern Gaza Strip	
7	Abu Ubaidah prison – Beit Lahiya	Police	The Northern Gaza Strip	
8	The Headquarters of the Internal Security Agency Jabalia ((Detention Center	Internal Security	The Northern Gaza Strip	
9	Al-Shati Police Station	Police	Gaza City	
10	Sheikh Radwan Police Station	Police	Gaza City	
11	Al-Abbas Police Station, al-Rimal	Police	Gaza City	
12	ShujiaPolice Station	Police	Gaza City	
13	Al-Zaitoun Police Station	Police	Gaza City	
14	Al-Daraj and al-Tufah Police Station	Police	Gaza City	
15	Internal Security Agency Headquarters (Ansar) detention center	Internal Security	Gaza City	
16	(Gaza Central Prison (al-Katiba	Police	Gaza City	
17	Gaza prison, Ansar	Police	Gaza City	

The Gaza Strip				
.No	Name	Responsible party	Province	Notes
18	Zahra Police Station	Police	Gaza City	
19	Deir al-Balah Police Station	Police	The Central Gaza Strip	
20	Camps Police Station, Abu Maddein	Police	The Central Gaza Strip	
21	Abu Oreiban Police Station, Nuseirat	Police	The Central Gaza Strip	
22	Internal security Headquarters in Deir al-Balah	Internal Security	The Central Gaza Strip	
23	Khan Younis central prison, in what used to be "Ganei Tal" settlement	Police	Khan Younis	The Prison of the Southern Provinces
24	Detention Facility of Khan Younis police	Police	Khan Younis	Inside the main Police Headquarters
25	Detention Facility of al-Sharqiah Police Station, Bani Suhaila	Police	Khan Younis	Inside the Headquarters of al-Sharqiah Police Station
26	Detention Facility of al-Qararah Police Station	Police	Khan Younis	Inside the Headquarters of al-Qararah Police Station
27	Detention Facility of the Internal Security in Khan Younis	Internal Security	Khan Younis	
28	Internal Security Headquarters in Khan Younis	Internal Security	Khan Younis	Part of the former building of Khan Younis Municipality
29	Al-Balad Police Station, the Security services Complex in Rafah	Police	Rafah	
30	Tal Sultan Police Station	Police	Rafah	
31	Drug Control Administration Headquarters	Police	Rafah	
32	General Criminal Investigation Department	Police	Rafah	
33	The Headquarters of the Internal Security Agency-Tel Sultan	Internal Security	Rafah	

The West Bank				
.No	Name	Responsible part	Province	Notes
1	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Qalqilya	
2	The Military Intelligence Investigation and Arrest Center	Intelligence	Jenin	
3	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Nablus	
4	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Tulkarm	
5	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Bethlehem	
6	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Salfit	
7	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Hebron	
8	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Ramallah-transmission	
9	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Jericho	
10	The Military Intelligence Investigation and Arrest Center	Military Intelligence	Tubas	
11	Investigation and Arrest Center of Jericho	General Intelligence	Jericho	
12	The Central Center of Investigation and Arrest	General Intelligence	Jericho	
13	Investigation and Arrest Center of Ramallah	General Intelligence	Ramallah	
14	Investigation and Arrest of Center Jerusalem	General Intelligence	Jerusalem	
15	Investigation and Arrest Center of Hebron	General Intelligence	Hebron	
16	Investigation and Arrest Center of Tulkarm	General Intelligence	Tulkarm	
17	Investigation and Arrest Center of Qalqilya	General Intelligence	Qalqilya	
18	Investigation and Arrest Center of Bethlehem	General Intelligence	Bethlehem	
19	Investigation and Arrest Center of Nablus	General Intelligence	Nablus	
20	Investigation and Arrest Center of Tubas	General Intelligence	Tubas	
21	The Headquarters of the General Intelligence Services - Tubas	General Intelligence	Tubas	
22	Investigation and Arrest Center of Jenin	General Intelligence	Jenin	
23	Investigation and Arrest Center of Salfit	General Intelligence	Salfit	
24	Investigation and Arrest Center of Hebron	Preventive Security	Hebron	

The West Bank				
25	Investigation and Arrest Center of Bethlehem	Preventive Security	Bethlehem	
26	Investigation and Arrest Center of al-Dhahrya	Preventive Security	Hebron	
27	Ramallah Investigation and Arrest Center, General Headquarters	Preventive Security	Ramallah	
28	Investigation and arrest Center Ramallah Directorate	Preventive Security	Ramallah	
29	Central Prison - Ramallah	Preventive Security	Ramallah	
30	Investigation and arrest Center of Jerusalem Directorate	Preventive Security	Jerusalem	
31	Investigation and Arrest Center of Jericho	Preventive Security	Jericho	
32	Investigation and Arrest Center of Jenin	Preventive Security	Jenin	
33	Investigation and Arrest Center of Tubas	Preventive Security	Tubas	
34	Investigation and Arrest Center of Qalqilya	Preventive Security	Qalqilya	
35	Investigation and Center arrest of Tulkarm	Preventive Security	Tulkarm	
36	Investigation and Arrest Center of Salfit	Preventive Security	Salfit	
37	Investigation and Arrest Center of Nablus	Preventive Security	Nablus	
38	The Headquarters of the Preventive Security Service in Nablus	Preventive Security	Nablus	
39	Detention Facility of Ramallah Police Station	Police	Ramallah	
40	Detention Facility of Beirzeit Police Station	Police	Ramallah	
41	Detention Facility of the General Investigation Service	Police	Ramallah	
42	Detention Facility of the suburban police	Police	Ramallah	
43	Detention Facility of the General Investigation Service, Jericho	Police	Jericho	
44	Detention Facility of Jericho police	Police	Jericho	
45	Police Directorate -Bethlehem	Police	Bethlehem	
46	Detention Facility of the Juvenile police	Police	Hebron	
47	Detention Facility of Al-Qal'a Police Station	Police	Hebron	
48	Detention Facility of the Criminal Police Station	Police	Hebron	
49	Detention Facility of Qalqilya Police Station	Police	Qalqilya	
50	Detention Facility of Tammoun Police Station	Police	Jenin	

The West Bank				
51	Detention Facility of Tubas Police Station	Police	Tubas	
52	Detention Facility of Salfit Police Station	Police	Salfit	
53	Detention Facility of Tulkarm police		Tulkarm	
54	Detention Facility of Nablus Police Station	Police	Nablus	
55	Detention Facility of Jenin Police Station	Police	Jenin	
56	Jericho Reform and Rehabilitation Center	Police	Jericho	
57	Ramallah Reform and Rehabilitation Center	Police	Ramallah	
58	Al-Dhahrya Reform and Rehabilitation Center	Police	Hebron	
59	Jenin Reform and Rehabilitation Center	Police	Jenin	
60	Nablus Reform and Rehabilitation Center	Police	Nablus	
61	Bethlehem Reform and Rehabilitation of Center	Police	Bethlehem	
62	Tulkarm Reform and Rehabilitation Center	Police	Tulkarm	
63	Azoun Police Station	Police	Qalqilya	
64	Kafral-Thulth Police Station	Police	Qalqilya	
65	KafrZibad Police Station	Police	Qalqilya	
66	Bedia Police Station	Police	Salfit	



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