



Palestinian Centre for Human Rights

Deprived of Freedom

Report on:
Palestinian Prisoners in Israeli Occupation Jails
(Published on the occasion of Palestinian Prisoners' Day)



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Introduction

Detentions and imprisonment are among the most damaging and pervasive policies used by Israeli Occupation Forces (IOF), since the occupation of the Occupied Palestinian Territory (OPT) began. These policies aim to intimidate and terrorize Palestinians, and deter them from resisting the occupation. This policy has become a customary practice used by IOF on a daily basis to deprive thousands of Palestinians of their freedom, under accusations of carrying out or planning what the IOF classify as "illegal acts".

Over the years, the view of Palestinian society and its institutions towards the issue of prisoners has not changed. It remains a key outstanding issue with the occupying power, especially since it remained unresolved following the signing of the Peace Accords between the Palestinian Liberation Organization and Israel. After the signing of the Accords, Israel continued to hold thousands of Palestinian prisoners in its jails. In addition, Israel continued to use its military courts and regulations.

Israel intensified the policy of detention following the outbreak of the Al-Aqsa Intifada. Over the years of the Intifada, arbitrary detention campaigns have targeted thousands of Palestinian men, women and children. As a result of the increasing number of prisoners, many new sections were opened in Israeli prisons, including the Ohali Kedar section of Be'er El-Saba prison and another new section in Jalbou Prison. In addition, IOF reopened older areas of some prisons that had previously been closed. Further, IOF reopened the Ofer detention center, which was closed in 1993; Nitsan prison in Ramla that was closed in 1994; and Ansar III detention center that was closed in 1995.

Palestinian prisoners in all Israeli prisons and detention centers endure harsh and inhumane living conditions, inflicted by the policies and actions of IOF within these facilities.

Despite international accords that have created an international consensus on the rights of prisoners, Israel continues to violate the rights of Palestinian prisoners in its jails. Israel willfully adopts a number of policies that deprive Palestinian prisoners of their most basic rights, such as the right to a lawyer, visitation rights and the right to humane treatment. Most importantly, Palestinian prisoners suffer from the policy of torture. Israel is the only country in the world that has legalized torture and practices torture officially. Torturing Palestinian prisoners is a policy that has political backing and legal cover in Israel. Israel therefore sanctions a practice that is illegal according to International Humanitarian Law.

The past few years have witnessed a number of serious precedents in the manner in which Israel deals with prisoners and implements its imprisonment and detention policy, including:

* Bringing Palestinian political leaders to trial:

In 2002, IOF detained the Secretary-General of Fatah in the West Bank, Marwan Barghouti, who is also a member of the Palestinian Legislative Council (PLC). He was tried in a civilian court. In 2003, IOF detained the head of the refugees' rights committee in the PLC, Husam Khader, and tried him. More recently, IOF stormed the government compound in Jericho and detained the Secretary-General of the Popular Front for the Liberation of Palestine (PFLP), Ahmad Sa'dat Abdel Rasoul, who was being held in prison with a number of colleagues under the terms of an agreement between

*** Forced deportation of Palestinian prisoners:**

This practice was carried out in 2003, when IOF deported scores of Palestinian administrative prisoners from the West Bank to the Gaza Strip.

*** Issuing legislation to allow continued detention of Gaza Strip prisoners:**

Simultaneous with the implementation of the unilateral disengagement plan from the Gaza Strip in September 2005, IOF issued a regulation allowing charges against Gaza Strip prisoners to be submitted to Be'er Sheva civilian court. This regulation was issued following the closure of Erez Military Court.

Directly after the implementation of the unilateral disengagement plan in September 2005, IOF created the "illegal combatant" term based on a law issued in 2002 named the "illegal combatant law". The law was issued to allow Lebanese detainees to be held without trial. According to the law, the Israeli army Chief of Staff can issue a detention order against anyone considered to be an "illegal combatant", without legal evidence.

The Israeli Knesset approved, on 31 October 2005, the first reading of a law aimed at amending the law regulating criminal procedures, in an effort to widen the scope of Israeli Security jurisdiction to allow interrogation of Palestinians living in the Gaza Strip.

The issue of prisoners is one of serious concern to PCHR. The Centre considers the provision of legal assistance to victims of IOF violations as one of the main priorities of the Legal Unit. The Centre manages the legal cases of hundreds of prisoners, providing legal counseling and aid for prisoners and their families. In addition, PCHR monitors the living and health conditions of prisoners in detention.

In this special report issued on the occasion of Palestinian Prisoners' Day, PCHR documents the latest statistics from a number of concerned institutions. The report sheds light on the Palestinian prisoners situation of Palestinian prisoners in Israeli jails and Israeli violations against them. For this purpose, the Centre has compiled statements from prisoners' lawyers and families. The report contains the following sections:

- **Statistics on Palestinian prisoners and prisoners killed while in detention;**
- **Developments in Israeli legislation regarding prisoners;**
- **Legal perspectives on Israeli violations of prisoners' rights;**
- **Complicity of the Israeli Judiciary represented by courts; and**
- **PCHR and prisoners' files.**

This report does not claim to be a comprehensive overview of Palestinian prisoners in Israeli jails. In addition, the statistics cited in the report are estimates, as it is impossible to conduct accurate monitoring of detention and imprisonment statistics, due to the constant changes caused by new detentions and the release of prisoners.

Prisoners' Statistics

Statistics compiled by PCHR and the Department of Statistics in the Ministry of Prisoners' and Ex-Detainees' Affairs, up to the end of March 2006, indicate that there are 9,400 Palestinians held in 34 Israeli detention centers, 4 interrogation centers and 2 IOF holding camps.

Prisoners by Gender:

	Male	Female	Total
Number	9280	120	9400
Percentage	98.7 %	1.3 %	100%

Prisoners by Age:

	≤ 18	> 18	Total
Number	330	9070	9400
Percentage	3.5 %	96.5 %	100%

Prisoners by Detention Date:

	Before the Intifada	After the Intifada	Total
Number	555	8845	9400
Percentage	5.9 %	94.1 %	100%

Prisoners by Marital Status:

	Single	Married	Total
Number	6975	2425	9400
Percentage	74.2 %	25.8 %	100%

Prisoners by Detention Status:

	sentenced	not sentenced	administrative	Total
Number	4582	3908	810	9400
Percentage	48.7 %	41.6 %	8.6 %	100 %

Prisoners by Detention Duration:

	> 25 years	20-25 years	15-20 years	10-15 years	<10 years	Total
Number	7	38	124	252	8979	9400
Percentage	0.07 %	0.4 %	1.3 %	2.7 %	95.5 %	100 %

Prisoners by Residence:

	West bank			Gaza Strip	Total
	Jerusalem	Rest of West Bank	Total of West Bank		
Number	528	8197	8725	675	9400
Percentage	5.6 %	87.2 %	92.8 %	7.2 %	100 %

Female Prisoners by Residence:

	West bank			Gaza Strip	Total
	Jerusalem	Rest of West Bank	Total of West Bank		
Number	6	110	116	4	121
Percentage	5 %	91.7 %	96.7 %	3.3 %	100 %

Female Prisoners by Detention Status:

	sentenced	not sentenced	administrative	Total
Number	64	50	6	120
Percentage	53.3 %	41.7 %	5 %	100 %

Female Prisoners by Age:

	≤ 18	> 18	Total
Number	5	115	120
Percentage	4.2 %	95.8 %	100%

Child Prisoners by Residence:

	West bank			Gaza Strip	Total
	Jerusalem	Rest of West Bank	Total of West Bank		
Number	16	309	325	5	330
Percentage	4.8 %	93.6 %	98.5 %	1.5 %	100 %

Prisoners by Detention Status:

	sentenced	not sentenced	administrative	Total
Number	129	193	8	330
Percentage	39.1 %	58.5 %	2.4 %	100 %

Prisoners before Al Aqsa Intifada by Detention Date:

	Before Oslo Accords	After Oslo Accords	Total
Number	369	186	555
Percentage	66.5 %	33.5 %	100%

Prisoners before Al Aqsa Intifada by Residence:

	West Bank and Others	Gaza Strip	Total
Number	388	167	555
Percentage	69.9 %	30.1 %	100%

Statistics on Prisoners Killed

The Department of Statistics in the Ministry of Prisoners' and Ex-Detainees' Affairs indicates that 182 Palestinian prisoners have been killed while under detention, in the period from the beginning of the occupation in 1967 up to the end of March 2006. The main causes of death have been medical negligence, torture and willful killing.

By Residence:

	West Bank and Others	Gaza Strip	Total
Number	123	59	182
Percentage	67.6 %	32.4 %	100%

By Cause of Death:

	Torture	Medical Negligence	Willful Killing	Total
Number	69	41	72	182
Percentage	37.9 %	22.5 %	39.6 %	100 %

Developments in Israeli Regulations on Detention and Prisoners

In the period prior to the implementation of the unilateral disengagement plan from the Gaza Strip, IOF took a number of preemptive steps and passed regulations and laws, aiming to maintain its authority to detain Gaza Strip residents, and to justify the continued detention of Gaza Strip residents already in IOF jails, serving sentences or administrative detentions.

In September 2005, IOF began submitting charge sheets against Gaza Strip detainees in Be'er Sheva civilian court. This measure was taken in order to legalize the continued detention of Gaza Strip residents in Israeli jails and detention centers, particularly following the end of Israeli military orders regarding the Gaza Strip and the closure of the military court at Erez on 8 September 2005. These steps were taken as part of the unilateral disengagement plan from the Gaza Strip and the subsequent Israeli announcement that it had ended its military rule over the Gaza Strip.

Israel has attempted to sidestep International Law and justify the continued detention of Palestinian prisoners from the Gaza Strip. For this purpose, IOF devised the "illegal combatant" term to classify Palestinian prisoners, who are in fact civilians enjoying the protection provided by the Fourth Geneva Convention. Israel justifies the continued detention of these prisoners by a special law passed in 2002 called the "Illegal Combatant Law".

This law gives the IOF Chief of Staff provision to issue a detention order for any person, if he has grounds to assume that that person is an "illegal combatant". Under this law, Israel continues to hold administrative detainees from the Gaza Strip, without charge or trial. In addition, the law allows the issuing of orders to extend the detention of prisoners, even if there is no evidence to charge them.

The government of Israel passed two new laws to ensure the continued detention of prisoners from the Gaza Strip and to give the authorities the jurisdiction to interrogate them.

The first law was called the "Law on Prison Sentences Issued by the Military Court in the Gaza Strip". It states that all prisoners from the Gaza Strip will not be released before completion of their sentences and that previous sentences issued against them, by the Military Court in the Gaza Strip, will be implemented as if issued by an Israeli civil court.

Special The second law is the "Law Regulating Criminal Procedures: Implementation Jurisdiction Regulations to Investigate Security Offenses by Non-Citizens". This law attempts to regulate the required procedures for interrogation of non-citizens. According to the draft law:

- * With the end of Israeli military rule over the Gaza Strip, investigative authorities no longer have the jurisdiction to interrogate people living in the Gaza Strip;
- * Investigative jurisdiction given to investigative authorities by military orders was broader than those provided for under the Criminal Procedures Law.

The law was therefore passed to bypass these two points, as it gives broader authority to investigative authorities to interrogate Gaza Strip residents. This is especially true with regard to extending the remand period before a detainee is put before a judge from 24 hours to 96 hours. In addition, the allowance for preventing prisoners from meeting a lawyer was extended from 21 days to 50 days under this law. In addition, the law allows for the detention of a person through a court hearing, without him actually being present at the court hearing.

These developments in Israeli law, brought about by the passing of these new laws, legalize the detention of Gaza Strip residents; allow the continued detention of Gaza Strip prisoners; and provide for interrogation of Gaza Strip residents. These laws are a serious violation of human rights and International Humanitarian Law.

Legal Perspectives on Prisoners and Israeli Violations of Prisoners Rights

International Humanitarian Law includes many provisions pertaining to individuals being deprived of their freedom. The Fourth Geneva Convention Relative to the Protection of Civilian Persons at Times of War (Fourth Geneva Convention) includes a number of regulations in its articles on detention and its justifications; procedures; deportation of detainees; criminal procedures; right to defense; treatment of detainees; prison accommodation and health conditions; detainee food and clothing; healthcare for prisoners; recreation and study; detention papers; correspondence; visits; and punitive measures.

Israel, through its prisons service and the various policies used in dealing with Palestinian prisoners, has committed and continues to commit a series of serious violations of International Humanitarian Law.

Israel rejects the jurisdiction of the Fourth Geneva Convention and its applicability in the OPT and in contravention of this international convention, IOF disregard the rights of Palestinian civilians in general, and those of Palestinian prisoners in its jails in particular.

The Fourth Geneva Convention establishes the rights of prisoners to enjoy a number of conditions that will ensure a safe and comfortable detention period but IOF continue to violate Palestinian prisoners' rights in breach of the convention.

The relationship between the legal basis established by the Fourth Geneva Convention regarding detention and prisoners on the one hand and Israeli violations in this regard on the other can be cited as follows:

Violations Relating to Detentions, Motives for Detention and Detention Procedures:

Through its policies and practices, Israel violates all the provisions of articles 41, 42 and 43 of the Fourth Geneva Convention pertaining to detention, its purpose and detention procedures. The aforementioned articles state that detentions and house arrests are the most extreme measures a state is permitted to use, in cases where all other monitoring and supervision mechanisms mentioned in the convention are insufficient. The convention makes it clear that it is illegal to order the detention of protected persons, except in urgent cases relating to the national security of the state ruling the protected persons. The convention's articles stress the need for the detaining party to provide the occupied state, as soon as possible, with the names of the protected persons who were detained or placed under house arrest, as well as the names of detainees released from prisons or from house arrest.

Israel does not consider detention as an extreme procedure. This position is proven by the arbitrary detention campaigns carried out by IOF on a daily basis in the OPT. These campaigns target hundreds

of towns, villages and refugee camps. Israel does not provide the occupied state with the names of detainees and in many instances the place of detention remains unknown for days or weeks before the lawyer learns where his client is being detained.

Arbitrary Detention Campaigns:

Israel has regularly launched large-scale arbitrary detention campaigns, since occupation of the Gaza Strip and West Bank began. Detention is one of the customary practices of the occupying power. Arbitrary detention campaigns escalated during the years of the current Intifada.

Available statistics indicate that the number of prisoners detained during the Al-Aqsa Intifada is more than 8,500, including 550 who were in prison before the outbreak of the Intifada. The number of prisoners increased 16-fold compared to pre-Intifada levels.

Due to the increase in the frequency of arbitrary detention campaigns, many new sections have been opened in Israeli jails to accommodate the increased numbers of prisoners. In addition, detention centers that were closed prior to the Intifada have been re-opened. Ansar III, Ofer and Nitsan are among the re-opened detention centers.

In particular, PCHR points to military order 1500 issued by the IOF Commander in the West Bank on 5 April 2002. This order gives IOF officers unconditional jurisdiction to detain any person for a period of up to 18 days without bringing him/her to court or allowing a lawyer to meet him/her. This order was issued to facilitate the detention of as many Palestinians as possible without judicial oversight.

Violations Relating to Deportation and Forced Transportation of Prisoners:

Since occupying the Gaza Strip and West Bank, Israel has continuously transferred Palestinian prisoners to areas outside the geographical boundaries of the OPT. This policy is a breach of article 49 of the Fourth Geneva Convention, which prohibits the forced transportation of detainees as individuals or in groups from the occupied territory to the territory of the occupying power.

For many years, it has been customary for Palestinian prisoners to be detained in Israeli jails, established inside Israel for the sole purpose of holding Palestinian prisoners. Following the signing of the Peace Accords with the PLO, Israel transported prisoners held in centers in the OPT to prisons inside Israel.

Gaza Strip Prisoners:

IOF continue to detain nearly 675 prisoners from the Gaza Strip. All of them are held in prisons located outside the Gaza Strip. Prior to the Peace Accords with the PLO, Israel held a small number of Gaza Strip prisoners inside the Strip. Most of them were held in jails inside Israel, however, which is a breach of International Humanitarian Law.

The policy of transporting Gaza Strip prisoners outside the Strip has caused numerous difficulties with

regards to family visitations. Families face many complications and time-consuming journeys and procedures in their attempts to visit their imprisoned relatives inside Israel.

Criminal Procedure Violations:

Israel does not comply with the provisions of article 71 of the Fourth Geneva Convention pertaining to criminal procedures for detainees. While the article states that the detainee must be informed in writing in a language he/she understands as to the nature of the charges being brought against him/her, hundreds of Palestinian prisoners are detained in Israeli jails without trial or charges. The article stipulates that the occupying power should inform the occupied state of any trials of protected persons, where the penalty could be execution or imprisonment for two or more years. However, Israel does not inform the occupied state of the details of such trials of protected persons. Although Israel does not enforce the death penalty, it does issue long sentences, some up to hundreds of years, against Palestinian prisoners.

Administrative Detainees:

Administrative detention is a measure which allows a prisoner to be detained without trial. IOF utilize this procedure under article 87 of military order 378, regarding security instructions for the year 1970. Administrative detention is a flagrant violation of fair judicial procedures, including the detainees right to a fair defense and the right to know the charges filed against him/her. Administrative detainees are held without trial and no charges are filed against them. Furthermore, administrative detention is a violation of article 78 of the Fourth Geneva Convention, which prohibits the use of this form of detention except for imperative reasons of security. The article prohibits the use of administrative detention as a penal measure.

Administrative detention orders are not limited to new detainees. IOF often transfer prisoners to administrative detention once their formal prison sentences are finished. Although administrative detention sentences range from 3 to 12 months, IOF can renew the administrative detention sentence. In many instances, IOF repeatedly renew administrative detention orders for prisoners. Article 87 of the aforementioned military order allows for renewing administrative detention orders successively over 60-month periods. Administrative detention can therefore continue indefinitely, causing severe psychological trauma for detainees and their families.

Administrative detainees usually undergo a prolonged interrogation period, during which IOF often do not find incriminating evidence against them and, therefore, resort to using administrative detention. In other cases, IOF issue administrative detention orders against prisoners, whose sentences are about to end.

Available statistics estimate that the number of Palestinian administrative detainees in Israeli jails is about 810 out of the total number of 9,400 Palestinians. These administrative detainees are held in the Negev, Ofer, Ayalon and other detention centers.

Riyad Ayyad is one of the most notable administrative detainees, whose file has been followed up by PCHR. The 32-year-old Ayyad has been detained since 1 January 2002. He was transferred from one prison to another until finally being kept at Ramla prison. Administrative detention sentences against him have been issued and renewed repeatedly. On 12 September 2005, and

Following the passing of the military order ending the Israeli military rule over the Gaza Strip, the IOF Chief of Staff issued a detention order against Ayyad under the “illegal combatant” law. Ayyad was considered to be an “illegal combatant”.

Violations Relating to the Right to Legal Defense and Counsel:

Israeli violations of Palestinians prisoners rights include, in the overwhelming majority of cases, the denial of a fair trial that allows them to present evidence and call witnesses for defense. In addition, Israel imposes a number of restrictions on the prisoners right to a lawyer, who can visit the prisoner freely and provide the means for his defense. These actions are in violation of article 72 of the Fourth Geneva Convention. The article states that accused persons shall have the right to present evidence necessary to their defense and may, in particular, call witnesses. They shall have the right to be assisted by a qualified advocate or counsel of their own choice, who shall be permitted to visit them freely and shall enjoy the necessary facilities for preparing the defense.

Israel imposes numerous restrictions preventing most prisoners from receiving visits from lawyers, thus depriving hundreds of prisoners of their right to a lawyer for extended periods. In particular, IOF prevent detainees from meeting their lawyers during interrogation, in an effort to place additional pressure on prisoners and extract specific confessions that incriminate the prisoner or others.

Depriving Palestinians prisoners of their right to legal counsel is one of the most notable policies implemented by Israel. The use of this policy escalated during the years of Al-Aqsa Intifada to such a degree that relevant bodies addressed the Israeli High Court, in an effort to put an end to this violation of prisoners rights. However, the court was satisfied with IOF policies and provided legal cover for them.

Gaza Strip Lawyers Prevented from Representing their Clients:

Since 1996, Israel has prohibited Gaza Strip lawyers from visiting their clients in Israeli prisons. On 8 April 1996 Israel stopped issuing permits for lawyers, ending the use of a system devised after the establishment of the PNA. The post-PNA system provided that the justice officer in the IOF civil administration would issue special cards for Gaza Strip lawyers to enter Israel and visit Israeli jails. These cards were issued after a thorough security check and were valid for one year. IOF prevented scores of lawyers from obtaining these permits, however, and most of those that were issued expired in 1996.

Israel does not recognize the certification issued by the Palestinian Bar Association and insists that a lawyer must have certification from the Israeli Bar Association, as a prerequisite to entering Israeli jails. Hundreds of lawyers are therefore deprived of the right to access Israeli jails. In addition, the rights of thousands of prisoners to legal counsel are infringed upon by limiting their choices.

Violations Relating to Treatment of Prisoners:

Israel violates Palestinian detainees rights by insisting on holding them in prisoners inside Israel. In addition, Israeli holds many Palestinian prisoners, including minors, with Israeli criminals as a way of placing them under further psychological strain.

Palestinian prisoners are not provided with a healthy diet and prisoners testimonies indicate that the

quantity and quality of meals provided for them are inadequate. In addition, Israel does not provide prisoners with the necessary medical care. Reports from Israeli prisons, detention centers and interrogation centers indicate that the health of already ill prisoners often deteriorates due to medical negligence. In addition, prisoners begin to suffer from ailments while in prison due to deficiencies in the medical care provided.

Female Palestinian prisoners are not under the supervision of females. The Israeli Prison Authority and its staff are responsible for female and male Palestinian prisoners alike. There is no differentiation between male and female prisoners in the arbitrary and punitive measures imposed by the prison authority. Furthermore, the prison authority harasses female prisoners by subjecting them to repeated searches for no clear reasons.

Israel does not allow Palestinian prisoners to receive personal or religious counseling and prevents representatives from the International Committee of the Red Cross (ICRC) from visiting prisoners without justification. In addition, Israel does not take any special measures to protect prisoners of a young age. Furthermore, prisoners are denied the right to receive aid packages on a regular basis, denying the entry of such packages to prisoners most of the time. Israel also bans the entry of numerous materials into prisons.

Israeli measures against Palestinian prisoners are a flagrant violation of article 76 of the Fourth Geneva Convention, which stipulates that protected detainees must be held in the occupied territory. The convention stipulates that the nutritional and health needs of the detainees must be provided for in a manner that ensures their well-being, and that appropriate medical care should be given to them accordance with their health condition. the convention affirms detainees right to personal or religious counseling. Furthermore, the convention states that female prisoners should be held in areas separate from males and should be under the supervision of females. The convention also outlines special measures for minors.

Imprisoned Females and Minors:

Female Prisoners:

IOF do not exclude Palestinian females from the repressive and cruel measures implemented against male Palestinians. Like other sectors of society, Palestinian females are subject to arbitrary detention during IOF arrest campaigns against civilians. In contravention of International Law, these women are held in detention centers outside the OPT.

Available statistics estimate that the number of female prisoners in Israeli jails at the end of March 2006 was 120, including 5 under 18 years of age, 27 students, 22 married women and 18 mothers, some of whom havent seen their children in years.

Palestinian female prisoners in Israeli jails endure inhumane living conditions, as a result of the prison authority policy of harassment and provocation through searches, beatings, insults, denial of visits, solitary confinement and other measures. Detained mothers live under difficult psychological conditions as a result of the separation from their children.

As is the case with their male counterparts, Palestinian female prisoners suffer from the general policy of mistreatment, medical negligence, holding in small cells, lack of ventilation in cells, educational

deprivation, lack of cleaning materials in cells, and the quantitative and qualitative lack in food. In many instances, prison guards harass female prisoners by subjecting them to unnecessary searches. If they refuse to be searched, they are beaten and insulted by the guards.

Minors:

Israel continues to detain children under 18 years of age. These minors are held under extremely harsh conditions. Reports from Israeli jails indicate that Israel adopts a systematic policy of detention, torture and sentencing against minors, raising questions regarding Israeli motives and claims that these children constitute a risk to Israeli security.

Detention can be a brutalising experience for Palestinian minors, due to the cruel conditions and inhumane treatment they are subjected to, which are often beyond the coping capacities of an adult. They are subjected to the same conditions as adult prisoners, including medical negligence; lack of adequate food and nutrition; cruel and inhumane treatment by guards; denial of visits; educational deprivation and recreational deprivation.

Available statistics indicate that approximately 330 Palestinian minors are being held in Israeli prisons, enduring torture, medical negligence, and other forms of ill-treatment.

Israel does not take into account the age of Palestinian minors when dealing with them in jails. Reports from prisons point to an intentional implementation of policies used against adult prisoners with minors. Furthermore, prison authorities willfully terrorize these minors. IOF utilize a number of military orders against minors, trying them in military courts which lack the basic requirements of a just court of law.

Violations Relating to Release of Prisoners:

Article 77 of the Fourth Geneva Convention states that protected persons, who have been accused of offences or convicted by the courts in occupied territory, shall be handed over at the end of occupation, with the relevant records, to the authorities of the liberated territory.

Legal Status of Gaza Strip Prisoners after the Implementation of the Unilateral Disengagement Plan:

Despite announcing the end of military rule over the Gaza Strip, following the implementation of its unilateral disengagement plan, Israel continues to hold hundreds of Gaza Strip prisoners illegally. PCHR has pointed this fact out repeatedly, stating that the occupation of the Gaza Strip did not end with the redeployment of military forces. The Centres position is that the occupation continues in its legal and political forms.

In breach of article 76 of the Fourth Geneva Convention, it was customary for Israel to transport Gaza Strip prisoners to prisons and detention centers outside the Strip. This breach continued after the implementation of the unilateral disengagement plan. In September 2005, IOF began to submit charges against Gaza Strip prisoners to the Israeli civil court in Beersheva. This was a pre-emptive step to ensure the continued detention of Gaza Strip prisoners in Israeli jails and detention centers

following the closure of the military court at Erez.

Further, Israel contrived the “illegal combatant” term to classify Palestinian prisoners from the Gaza Strip. These prisoners are in fact civilians enjoying legal protection provided by the Fourth Geneva Convention.

In 2002, Israel passed the “illegal combatant” law, permitting the Chief of General Staff of the Israeli army to order the detention of those considered to be illegal combatants, in accordance with special criteria and regardless of evidence. Following the implementation of the disengagement plan from the Gaza Strip, Israel began to use the “illegal combatant” term to classify Palestinian prisoners from the Gaza Strip, in order to ensure its ability to detain people from the Gaza Strip, even without evidence against the detainee.

In October 2005, the Government of Israel started to draft a new law aiming to organize the powers and jurisdiction required to interrogate non-citizens. The draft law gives the Israeli Internal Security Service, “Shin Bet”, the power to detain “suspects” for up to 96 hours, instead of the previous time window of 21 hours, before a court appearance is necessary. The law draft also allows the denial of permission for “suspects” to meet their lawyers for 50 days instead of the previous period of 21 days.

It is clear that Israel is intent on keeping the Gaza Strip prisoners file open in breach of article 77 of the Fourth Geneva Convention, which stipulates that the protected persons indicted in the courts of the occupying power should be transferred to the authority of the liberated area.

Violations Relating to Accommodation and Health Conditions:

Israeli willfully holds Palestinian prisoners in cruel and degrading conditions as an additional form of punishment and humiliation. Information from prisons indicates that the buildings where Palestinian prisoners are held are below minimum required standards. Prisoners are held in extremely small cells and rooms, often full of insects and rodents. On average, the detention space per prisoner is no more than 2.5 square meters. The recreational space available per prisoner is approximately 1.6 square meters. Both numbers are well below international standards. Furthermore, living conditions of prisoners are deteriorating due to Israel’s disregard for the minimum conditions that must be provided in cells and detention buildings, most notably those pertaining to ventilation and crowding. Israel does not allow prisoners to receive a sufficient number of blankets, preventing these and other forms of aid from reaching prisoners. In addition, Israel does not give consideration to age, health condition or gender when distributing goods to prisoners.

Prisons lack health facilities of an acceptable standard. Further, prisoners are not given the chance to maintain personal hygiene due to the lack of cleaning materials. Soap brought to the prisons by families or lawyers is prevented from reaching prisoners. In addition, prisoners are not given enough time to bathe or clean.

This situation is a flagrant breach of article 85 of the Fourth Geneva Convention, which outlines a number of conditions that must be provided by the detaining power in prisons. These conditions include health standards and guarantees to protect detainees from weather conditions and war hazards. In particular, this article points to the need for accommodation to be protected from humidity, sufficiently heated, adequately lit, adequately ventilated and satisfactory sleeping space provided. In addition, the article stipulates that detainees should be provided with covers suitable for weather, age, gender and health conditions; that prisoners should have day and night access to health facilities; that prisoners

should be provided with sufficient water and soap for their daily usage, hygiene, and clothes washing, in addition to providing them with showers.

Ansar III “Ketsa’ot” Prison:

IOF opened Ansar III detention center on 17 March 1988, as a detention center that would be under the jurisdiction of the Israeli army and not the prison authority. Ansar III was closed in 1996 but it was reopened in April 2002, following the escalation in the frequency of detention raids and the numbers of prisoners. Ansar III breaches the most basic human rights standards. Conditions in the prison violate the most basic living standards. The detention center is located in the Negev desert and is subject to extreme weather conditions in the summer and the winter.

Ansar III is built over a large area of land and is divided into several sections. Each section consists of groups of tents, each group surrounded by barbed wire and high fences. There are special isles for IOF patrols between sections. In addition, there are military watchtowers overlooking the detention center. Each tent has room for 26 bunks, with each bunk consisting of wooden boards 180 centimeters long and 80 centimeters wide. There is a 5-centimeter thick mattress on each bunk.

Living conditions inside the detention center are very poor. Disease is widespread and there is no contact with the outside world. The quantity of meals and food quality are insufficient. In addition, cleaning materials are not provided. Health facilities are substandard. Tents are not adequately heated in winter nor are they protected from humidity in summer and they are open to insects and reptiles. Furthermore, tents are subjected to continuous searches.

Violations Relating to Prison Canteen Facilities:

In the prisons and detention centers of the Israeli prisons authority, canteens and shops are provided. These canteens are not utilized by the prison authority to provide services to the prisoners, however, but rather as a means of causing further humiliation to prisoners. This is a violation of article 87 of the Fourth Geneva Convention, which states that the detaining power must provide prisoners with suitable facilities, particularly canteens that allow prisoners to purchase, at market prices, food and daily requirements such as soap and tobacco. These canteens are intended to provide a sense of life and personal comfort. The profits of the canteens, as stated by the Convention, must be placed in a special fund to provide assistance to prisoners.

Despite providing canteens in prisons, Israel uses them against prisoners by:

- * Raising prices and providing poor quality goods. The ban on receiving packages from families forces prisoners to use the canteens;
- * Profits are not put in a special fund to provide assistance to prisoners. The working system is that Israeli investors can open canteens in prisons under certain conditions. Profits go to the investors.

Ofer Detention Center:

A lawyer delegated by PCHR reported in December 2005 that prisoners in Ofer, who number approximately 800, requested that the prison canteen should begin to provide Arab food, bread, and other goods, as the prisoners were limited to purchasing non-Arab goods only. The prison administration reacted to the request, made alongside a series of other requests to improve prison conditions, by

transferring the leaders of the proposal to improve prison conditions to other prisons. The prisoners carried out a strike to protest against the transfers and the prison administration retaliated by attacking the prisoners, beating them, insulting them, spraying them with water and powder, and shooting at them. Thirty prisoners were injured.

Violations Relating to Food and Clothing:

Food:

Israel violates all aspects of article 89 of the Fourth Geneva Convention in its ill-treatment and humiliation of Palestinian prisoners. The article stipulates that daily rations of food for prisoners should be sufficient in quantity and quality to ensure good health and prevent malnutrition. In reality the food ration provided by the prison authority to prisoners is insufficient in quantity and lacking in nutrition. It does not take into consideration the traditional diet of prisoners and does not take heed of health or nutrition requirements.

Article 89 establishes that prisoners should be provided with the means to enable them to prepare additional foods they may have in their possession. The article further states that prisoners should be provided with sufficient drinking water and allowed to smoke. Prisoners who carry out manual activities should be given additional food rations suitable to the labor they are performing. Pregnant and lactating female prisoners, as well as children under the age of 15, should receive additional food and nutrition suitable to their physical needs.

Israel uses food deprivation as a punitive measure. In addition, prisoners are not provided with the means to prepare their own food or with sufficient drinking water. In addition, there is no consideration given to the special needs of pregnant women and children under the age of 15.

Clothing:

In most cases, Israel does not allow prisoners to receive clothes from their families. It has become customary for prison authorities to prevent clothes from reaching prisoners. At the same time, Israel does not provide prisoners with their clothing needs. Many complaints have been received by lawyers from prisoners regarding lack of clothing and covers suitable and necessary for weather conditions.

This is a violation of article 90 of the Fourth Geneva Convention. This article stipulates that, upon detention, prisoners should be provided with facilities to obtain clothes and shoes, and that they should be allowed to receive clothing and shoes when needed. Prisoners who do not have adequate clothing for weather conditions should be

provided with these requirements by the state without charge.

Violations Relating to Health Conditions and Access to Healthcare:

Israeli prisons lack medical clinics and specialized medical staff. In some prisons there are no doctors present and when a doctor does visit the prison, he is generally there for no longer than two hours. The prison authority does not take into consideration the special diet requirements for ill prisoners, including those suffering from heart conditions, diabetes and high blood pressure. In addition, hundreds of prisoners are suffering from chronic diseases or wounds that threaten their lives. The prison authority neglects these prisoners and does not provide them with the healthcare or medication that they require. The prison authority usually takes a period of 3 to 6 months before it can be convinced that an ill prisoner may require treatment from a specialist doctor. If surgery is required, the prisoner can be waiting for long periods of up to two or more years before it is performed, regardless of the patient's condition.

The most notable examples of medical negligence in Israeli prisons include:

- * Delayed examination of prisoners by specialist doctors or delays in taking them to a clinic;
- * Lack of clinics and specialized doctors in prisons;
- * Noncompliance with provision of the required medication for prisoners and use of sedatives as alternatives;
- * Doctors visits are often unplanned and their working hours inside prisons are short; and
- * Delays in conducting surgery for prisoners who require such treatment.

Israeli practices in prisons relating to health conditions and medical care constitute flagrant violations of articles 91 and 92 of the Fourth Geneva Convention. These two articles establish a number of requirements, including the provision of a suitable health clinic managed by a qualified doctor in each prison. Further, the articles stipulate that prisoners with infectious diseases and mental disorders must be isolated from other prisoners. In addition, female prisoners giving birth and prisoners requiring special care or surgery should be transferred to suitable medical establishments. The articles further stipulate that other items such as eye-glasses, dental requirements, or other medical needs should be provided to prisoners free of charge.

Israel does not respect these provisions and, on the contrary, it is evident that Israel implements a policy of medical negligence and deprivation of health care in its prisons.

Ill Prisoners:

Many prisoners being held in Israeli prisons are in need of medical attention but the care given to them within the prisons is limited to the provision of sedatives. The harsh living conditions can also lead to further deterioration of their medical condition.

Statistics indicate that there are 1,000 prisoners who need immediate and sustained medical care. These include patients suffering from heart conditions, spinal cord injuries, joint injuries, sight problems, diabetes and psychological disorders. It is noted that 41 Palestinians died in Israeli jails as a result of medical negligence. This number constitutes 22.5% of the total number of Palestinian prisoners who have died in Israeli jails.

The prisoner Murah Fehmi Abu Mo'aliq is 27 years old and is ill. PCHR's legal unit has been following his case since his detention on 17 June 2001. The prisoner, who is from Nuseirat, is suffering from injuries he sustained to his feet, while he was detained following an armed clash between him and IOF troops. Abu Mo'aliq is being held in Nafha desert detention center. His health is deteriorating, as his injuries have not been treated properly.

The latest report by the PCHR designated lawyer following the case states that Abu Mo'aliq is suffering from pain in his left foot, which required putting his foot in iron casting for 8 months. After undergoing several operations, he is now suffering from limited movement in the knee. As a result, he cannot bend his leg or move his foot freely. The prisoner requested physiotherapy to enable him to restore the use of his left foot but he did not receive any reply. As a result, he subsequently submitted a petition to the Israeli Central Court. The court decided to provide him with physiotherapy. But in the period between November 2005 and 4 April 2006, the last time he was visited, his mother stated that he had not yet received physiotherapy.

Violations Relating to Recreation and Education:

Israel prevents Palestinian prisoners in its jails from exercising intellectual, educational, physical, and sports activities. They are prevented from organizing such activities or participating in them. Further, the prisons do not provide prisoners with any means or facilities by which to conduct such activities. Numerous cases indicate that a methodical deprivation of education for prisoners is practiced, as well as denial of access to books and magazines. Israel also does not provide open spaces in prisons for physical and sports activities, and does not provide playing space for children.

Israel is, therefore, violating article 94 of the Fourth Geneva Convention. This article states that "The Detaining Power shall encourage intellectual, educational and recreational pursuits, sports and games amongst internees, whilst leaving them free to take part in them or not. It shall take all practicable measures to ensure the exercise thereof, in particular by providing suitable premises. All possible facilities shall be granted to internees to continue their studies or to take up new subjects. The education of children and young people shall be ensured; they shall be allowed to attend schools either within the place of internment or outside. Internees shall be given opportunities for physical exercise, sports and outdoor games. For this purpose, sufficient open spaces shall be set aside in all places of internment. Special playgrounds shall be reserved for children and young people."

Educational Deprivation:

Hundreds of school and university students are among the prisoners being held in Israeli jails. Detention has cut these students off from their education and Israeli policies have deprived them of continuing with their education in prison.

In violation of International Humanitarian Law, Israel impedes the ability of university students from taking up education by preventing prisoners from enrolling in any Palestinian university. Israel insists that prisoners can enroll with the Hebrew University but this is impossible for two reasons:

- * The extremely high costs of enrolling with the Hebrew University; and
- * The language of study is Hebrew; thus studying at that university is not possible for prisoners who do not speak the Hebrew language well.

Violations Relating to the Prisoners' Card, Denial of Mail, Mail Censoring and Searching of Mail:

Palestinian prisoners spend many days after the initial detention without their families being informed of their whereabouts. In many instances, the family does know where their relatives are being held and is given no information as regards the well-being of their relatives throughout the interrogation period. Israel imposes many restrictions on mail to and from prisoners and their families. In many instances mail is prevented from reaching prisoners. Packages sent by families are searched in a way that damages the contents, under the "security procedures" pretext. In most cases, Israel prevents packages from reaching prisoners or delays them. Searching of the package is not conducted in the presence of the prisoner or a delegated colleague. In many instances, correspondence is banned for lengthy periods of time without explanation.

In doing so, Israel is violating articles 106, 107 and 112 of the Fourth Geneva Convention. These articles establish that, "as soon as he is interned, or at the latest not more than one week after his arrival in a place of internment, and likewise in cases of sickness or transfer to another place of internment or to a hospital, every internee shall be enabled to send direct to his family...informing his relatives of his detention, address and state of health. The said cards shall be forwarded as rapidly as possible and may not be delayed in any way. The examination of consignments intended for internees shall not be carried out under conditions that will expose the goods contained in them to deterioration. It shall be done in the presence of the addressee, or of a fellow-internee duly delegated by him. The delivery to internees of individual or collective consignments shall not be delayed under the pretext of difficulties of censorship. Any prohibition of correspondence ordered by the Parties to the conflict, either for military or political reasons, shall be only temporary and its duration shall be as short as possible."

Violations Relating to Visitations:

Israel deprives prisoners of receiving family visits as a punitive measure, which it uses against the majority of prisoners and their families. Prisoners spend long periods in prison without the opportunity to receive visits from relatives. Although visitation rights are a basic right under International Humanitarian Law, IOF purposely obstruct Palestinian prisoners' enjoyment of this right as a means of imposing torture, punishment and psychological strain.

In addition, IOF use solitary confinement to isolate prisoners from other prisoners, to deprive prisoners of family visits and to prevent meetings with lawyers. The general rule for prisoners has thus become deprivation of their right to visitations, with the exception to the rule being their enjoyment of this right. This is implemented through the restrictions placed by IOF on visitation mechanisms and by the direct ban on some family members from visiting for alleged "security reasons".

Transportation of prisoners to the occupying country, in violation of International Humanitarian Law, has had many negative effects on prisoners' visitation rights. The geographical distance of prisons from the families of the prisoners and the complicated visitation mechanisms has made these visits very arduous and complex for families. IOF policies and measures have had the following effects on visits:

- * Banning relatives outside immediate family from visiting prisoners;
- * Banning prisoners' brothers and sons over 16 years of age from visiting;

- * Exhausting families by forcing them to use buses that run in routes allocated by IOF;
- * Linking visits to the overall security situation;
- * Banning family members from visits without reason; and
- * Banning prisoners from hugging or touching their children.

These Israeli measures regarding prisoners' visitation rights are a violation of article 116 of the Fourth Geneva Convention, which states that "Every internee shall be allowed to receive visitors, especially close relatives, at regular intervals and as frequently as possible. As far as is possible, internees shall be permitted to visit their homes in urgent cases, particularly in cases of death or serious illness of relatives."

Denial of Visits:

It is customary to deny Palestinian prisoners in Israeli prisons from receiving family visits for months. This denial is especially enforced during the first few weeks of detention, when prisoners are under interrogation. Some prisoners are deprived of visits for many months, putting them and their families under psychological strain.

The prisoner Ahmad Mohammad El-Ghazzawi is one of those that PCHR follows up on through a designated lawyer. He has been sentenced for 7 years, and has been detained since 22 April 2004. He is currently being held at Beersheva prison. Ahmad has been denied family visits since the beginning of his detention up to the time of writing of this report. PCHR has worked to realize his right to family visits. On 7 December 2004, the Centre sent a letter to the Israeli Government Legal Advisor regarding the case. However the Centre has not yet received any reply. Ahmad's family has not been permitted to visit him for reasons that remain unclear.

Violations Relating to Disciplinary Punishment:

In disciplinary punishments against prisoners, IOF employ practices that violate the limitations set out in article 118 of the Fourth Geneva Convention. These limitations include a ban on imprisonment in structures that do not have lighting, a ban on all forms of cruelty and risks to the health of prisoners. The convention also stipulates that age, gender and health condition must be taken into consideration when imposing disciplinary punishments and that disciplinary measures should not exceed 30 days in duration.

Israel does not limit disciplinary punishments to the four forms outlined in article 119 of the Fourth Geneva Convention:

- * A fine which shall not exceed 50 per cent of the wages which the internee would otherwise receive under the provisions of Article 95 during a period of not more than thirty days.
- * Discontinuance of privileges granted over and above the treatment provided for by the present Convention.
- * Fatigue duties, not exceeding two hours daily, in connection with the maintenance of the place of internment.
- * Confinement.

Isolation:

In its disciplinary punishments, Israel uses one of the most serious and cruel punishments: solitary

confinement. This form of punishment involves the prisoner being isolated for lengthy periods of time in a tiny cell that is not adequately ventilated. The prisoner is not allowed to receive visits, go outside for breaks, or interact with other prisoners. This measure underlines Israel's use of cruel and inhumane treatment that is detrimental to the health of prisoners. The health condition or age of a prisoner is not taken into account when isolation is enforced and, in many instances, the period of isolation exceeds one month.

As part of the isolation policy, the Israeli prisons authority has opened isolation cells in Nafha prison, Nitsan prison and Beersheva "Ahali Kedar" prison.

Testimonies from prisoners indicate that Israeli motives behind isolation are:

- * Isolating prisoners due to their leadership, experience and influence on other prisoners; and
- * Isolation as a means of punishment, intimidation and terror against prisoners.

Khalil Abu Olba has been imprisoned since 14 February 2001. He has been sentenced for life. In late November 2005, the Israeli prisons authority transferred him to solitary confinement, as a punitive measure for allegedly assaulting a prison guard. This action was taken without consideration for his health condition, as he is ill and his left leg has been amputated. Khalil is facing difficult conditions in solitary confinement, as he needs assistance with movement. In addition, there is no electricity in the place where he is being held and there is no communication with the outside world.

Use of Coercion, Corporal Punishment and Torture:

Article 31 of the Fourth Geneva Convention bans the use of physical or psychological coercion in order to obtain information. Article 32 bans imposing physical suffering on protected persons, including murder, torture, corporal punishment and other measures of physical cruelty. However, Israel implements several such methods against prisoners.

Torture:

Torture and other forms of cruel treatment are widespread in Israeli jails. Israel is the only country in the world that has sanctioned torture as an official policy with political support and legal cover. In 1996, the Israeli High Court gave the Internal Security Service permission to use torture and physical coercion against prisoners in Israeli jails.

On 6 September 1999, the Israeli High Court issued a decision banning the use of some forms of physical coercion against Palestinian detainees, specifically shabeh (being tied up in painful positions), violent shaking, forced squatting, sleep deprivation and loud music. The significant issue, however, was that the court did not indicate its position with regard to physical interrogation methods. The court only stated that Israeli law does not allow the Internal Security Service to use the particular methods mentioned above.

Further, the court stated that, if the state wanted to allow the Internal Security Service to use physical coercion in interrogations, it would have to pass legislation allowing such methods. This implies that when the court took its decision, it did not take into account the principles of International Humanitarian Law. The court sufficed with using Israeli law, indirectly calling on legislators to pass a law allowing physical torture against Palestinian detainees.

Despite the above decision, torture inside Israeli jails did not come to an end. The decision was not implemented on the ground in the practices of Israeli interrogators.

Available statistics indicate that 69 Palestinian prisoners have been killed while under physical torture inside Israeli prisons. This number constitutes 37.9% of the total number of prisoners who have died in prison. Furthermore, 98% of Palestinian prisoners have been subjected to beatings; 95% have been deprived of sleep; 94% have been forced to stand for lengthy periods of time; 89% have been subjected to shabeh (being tied up in painful positions); and 60% have been put in "refrigerators" (rooms with very low temperature).

Reports from Israeli prisons indicate the continued use of torture against Palestinian prisoners through a variety of methods, including:

- * Shabeh (tied to a wall with the upper body bent forward in a 90° angle and hands raised behind the back);
- * Tightening handcuffs painfully;
- * Covering the eyes and striking the face;
- * Shabeh in a bent position on a chair, where the head and legs are on the floor and the buttocks on the chair;
- * Sleep deprivation for long periods of time;
- * Solitary confinement and being forced to stand for lengthy periods of time;
- Humiliating insults;
- * Deprivation of access to facilities; and
- * Food deprivation.

Ali Abdel Aziz Ahmad Dawwas (26) is a prisoner whose file has been followed up by PCHR. He was detained on 6 January 2005. Following his detention, he gave an affidavit to the PCHR designated lawyer stating that he had been subjected to torture, involving being tied to a chair and beaten while blindfolded. The torture caused a serious deterioration in the prisoner's health.

In February 2005, PCHR's legal unit filed a complaint with the Israeli army legal advisor, requesting immediate intervention to ensure the prisoner's safety and to stop the flagrant legal violations perpetrated against him.

Approximately one year later, the Centre received a reply from the head of the investigations department of the police department, claiming that the detainee had been apprehended for investigation based on information that he was involved in or had assisted in the execution of terrorist operations. Therefore, the reply claimed, the interrogator could not be held criminally liable for the interrogation of the detainee. The Israeli reply indirectly legitimizes the use of torture against Palestinian prisoners during interrogation, and frees interrogators of any responsibility for the torture they inflict.

Israel continues to disregard the rights of Palestinian prisoners in contravention of human rights standards and the principles of International Humanitarian Law. Israel still refuses to recognize the application of the Fourth Geneva Convention in the OPT, as a means of justifying Israel's disregard of its obligations under the convention, particularly with regard to prisoners rights and detention conditions.

Complicity of Israeli Courts

Over the years, Israeli courts have proven beyond doubt the suspicions of many human rights organizations, including PCHR, regarding the complicity of the Israeli judiciary with the political and military establishments. Israeli courts have worked to provide legal cover for occupation crimes. This has led to the acceptance and legitimization of these crimes.

The issue of Palestinian prisoners has been a main feature of this complicity, with Israeli courts refusing hundreds of petitions submitted on behalf of prisoners requesting that their basic rights be met. PCHR points specifically to the replies its legal unit has continuously received regarding petitions for prisoners' visitation rights and their right to an attorney: the court usually accepts the position of IOF and refuses to allow detainees to receive visits. This is often done at times when the prisoner is being subjected to torture throughout interrogation. In effect, Israeli courts provide legal cover to allow the continued deprivation of visitation rights and the right to an attorney. The courts also provide legal cover to effectively permit the use of torture against prisoners.

In particular, PCHR refers to one of the most relevant petitions, one filed by four Non-Governmental Organizations (NGOs) in April 2002 against the Israeli army with regard to military order 1500.

The Israeli NGOs requested in the petition that Palestinians be allowed to meet their lawyers in opposition to the military order, which gives the army commander in the area the power to detain any person up to 18 days without bringing that person before a judge or allowing the detainee to meet a lawyer.

The Israeli High Court rejected the petition and adopted the position of the State of Israel, stating that regular detention procedures do not apply to the work of the Israeli army in the OPT.

PCHR and Prisoners Files

PCHR's legal unit continues to follow up on cases of Palestinian prisoners in Israeli prisons. Providing legal assistance to Palestinian prisoners is one of the main priorities of the unit.

During the years of Al-Aqsa Intifada, the number of Palestinian prisoners followed up by the Centre increased in line with the overall increase in the number of prisoners. Even after the implementation of the Israeli unilateral disengagement plan from the Gaza Strip, and the subsequent announcement of the end of military rule over the Strip, the prisoners' file maintains its importance. The Centre continues to represent prisoners and provide legal consultation for them and their families. This stems from the fact that the occupation continues in the physical and legal sense, as exemplified by Israel's position regarding Gaza Strip prisoners.

Last year, PCHR's legal unit provided assistance to 227 prisoners, including 6 ill prisoners. The forms of assistance included:

- * Determining the place of detention and informing prisoners families;
- * Visitation of prisoners by delegated attorneys;
- * Representation in Israeli military courts;
- * Follow up on health conditions of ill prisoners;

* Filing complaints on behalf of prisoners; and

* Legal documentation of human rights violations against Palestinian prisoners;

During its work on behalf of prisoners, PCHR's legal unit has registered a number of observations on IOF detention practices over the past year, including:

* Increase in the number of prisoners in IOF jails;

* Increase in the number of cases where lawyers are prevented from visiting prisoners;

* Increased severity in sentences issued by Israeli military courts;

* Deterioration of the health and living conditions of prisoners in Israeli jails;

* Increase in the number of cases where families are prevented from visiting their detained relatives;

* Imposing arbitrary measures against families during visits; and

* Continuation of the administrative detention policy.