

# IMPRISONED LIVES THE REALITY OF THE MASS INCARCERATION OF THE PEOPLE OF PALESTINE

State of Palestine  
Palestine Liberation Organization  
NEGOTIATIONS AFFAIRS DEPARTMENT

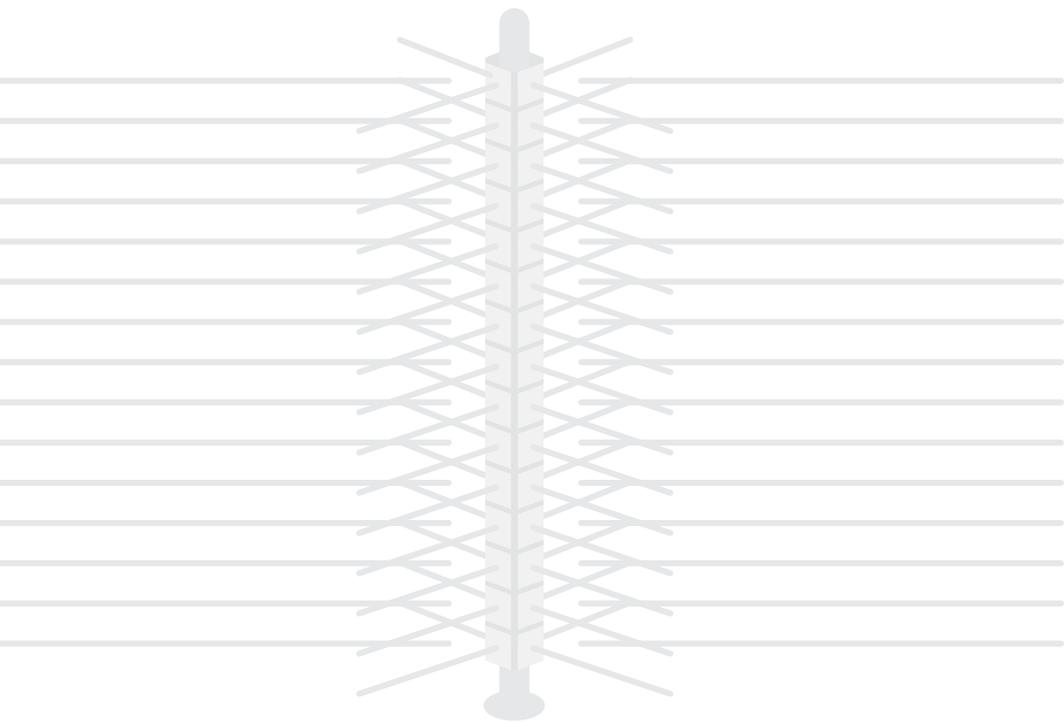
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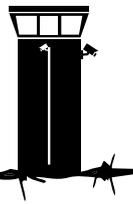
**IMPRISONED LIVES**  
**THE REALITY OF THE MASS**  
**INCARCERATION OF THE**  
**PEOPLE OF PALESTINE**

September 2017

 @nadplo  
#ImprisonedLives



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## Introduction: Life Beyond the Figures

Since it was established, Israel has sought to control an indigenous population through an intricate system of violence, political imprisonment, and a legal system skewed against them. From the capture and beginning of the military occupation of the West Bank, including East Jerusalem, and Gaza Strip in 1967, there have been over 800,000 Palestinians imprisoned in Israeli jails. When we include those Palestinians who managed to remain after the *Nakba*<sup>1</sup>, the total number of prisoners is closer to 1 million, which is akin to one in five Palestinians being incarcerated.

Such figures raise questions about the legal system to which Palestinians are subjected. Far from an impartial system of trial and justice, what exists is a policy of mass incarceration, used as a political tool to control an entire population. After 70 years of displacement and 50 years of occupation, the question of Palestinian political prisoners is thus a core issue to a just solution.

Almost every family has experienced having a loved one incarcerated by Israel. Each family knows what it is like to live without a mother, a father, a son, an uncle, or a cousin. Thabet Nasser's wife and four children do not know when, or if, their father will come home; 15-year-old Osama Zeydat has not been able to go to school for over a year due to his injuries and arrest; Samer Mahroum's son may never know his father's embrace; and Fadi al Shalodi has had his childhood stolen and thrown into adulthood years before his time. These stories, told in the final section of this publication, highlight just some of the effects of Israel's criminalization of a people.

Mass incarceration is an essential tool utilized by the occupying power to deter political action, or any activity it deems subversive.

For Israel's part, in order to suppress any effort towards freedom and self-determination, it must ensure that the Palestinian population considers its occupation to be omnipotent, omniscient, and permanent.

<sup>1</sup> The *Nakba* ('catastrophe') is the term Palestinians use to describe the catastrophic events of 1948, whereby the newly created State of Israel forcibly displaced over 700,000 Palestinians from their indigenous homeland, destroyed or ethnically cleansed at least 531 villages and massacred thousands.

Israel implements this policy of control by operating a racially-based system of discrimination manifest in different legal codes for different groups of people. The Palestinians of the West Bank find themselves under the rule of an Israeli military court system, whereby they are convicted according to military orders in front of a judge who is an arm of the occupying power<sup>2</sup>. Those in Gaza are not even afforded this privilege, as all 2 million inhabitants are considered 'unlawful combatants' under Israeli law and are liable to be held indefinitely with almost no judicial oversight.<sup>3</sup> The indigenous Palestinian population of East Jerusalem, treated by Israel as "residents" rather than citizens, appear in civilian courts, but are still liable to be imprisoned indefinitely without charge and do not have the same rights as Israeli settlers, who are treated as citizens.



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This multilayered system creates a discriminatory hierarchy, whereby an Israeli is considered a person while a Palestinian is considered a subject. More fundamentally, it represents a coherent and systematic attempt to fragment and marginalize Palestinians, and hinder collective attempts to secure basic dignity and human rights.

Like all quests for human liberation, where the weak struggle against the strong, there is a need for the strong to suppress any attempt at attaining self-determination. In order to control an entire population, the full force of the powerful must be felt at all times - either through direct force or through fear of the consequences, should one try to resist. The purpose of this publication is to outline mass incarceration, outline relevant military orders, and highlight this oppressive system with personal stories of those affected by these policies. It is an opportunity for those whose siblings, children, and partners - who are as much the target of this policy as their incarcerated loved ones - to share their experiences so that the reality of the Palestinian prisoner may be seen for what it is: the continued suppression of a people's legitimate quest for self-determination and dignity.

<sup>2</sup> Israeli Military order No.2 (1967).

<sup>3</sup> The Israeli 'Unlawful Combatants Law' of 2005 is used to justify the internment of residents of Gaza. <https://www.hrw.org/news/2017/03/01/gaza-unlawful-combatants-law-violates-rights>.



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## The System of Domination: Processes, Terms, and Clarification



There are two distinct legal systems operating in the West Bank: one for Israeli settlers, treated by Israel as citizens under Israeli civil law (although living illegally on Palestinian land according to international law); and a second one for Palestinians, treated as non-citizens and tried under Israeli military law. The military legal system, established in 1967 by the occupying forces as a temporary method for governing the occupied people, is governed by Military Orders, which are issued by the commander in a specific region. They are not subject to a legislative process, and provide Palestinians with no form of input or recourse in regard to the rules that govern them. For example, Military Order 101 of 1967 bans participating in or organizing protests, waving a flag, or displaying political symbols.



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Due to the ambiguity and arbitrariness of these orders, arrests are common and easily justified. The sheer majority of arrests of Palestinians occur in the early hours of the morning, with Israeli occupying forces entering homes, destroying property, and terrorizing communities. All inhabitants of the home are usually awakened and brought into a single room while the home is searched. As of the date of publishing of this report, an average of 85 of these operations occur every two weeks.<sup>4</sup>

<sup>4</sup> "Protection of Civilians Weekly Report", Office for Coordination of Humanitarian Affairs - Occupied Palestinian Territories, August 17 2017, <https://www.ochaopt.org/content/protection-civilians-weekly-report-1-14-august-2017>.

From this point, an individual can be held for 8 days, under Military Order 378, without being brought in front of a judge or being given a reason for detainment. Following this period, and an initial appearance in front of a judge, the individual can be held for a period of 75 days for the purpose of interrogation. The individual can be held for 60 of these days without seeing a lawyer, and the total period can be renewed for a further 75 days.<sup>5</sup>

During this time, individuals can be held in one of four interrogation facilities, all of which are located outside of Occupied Palestine, in violation of international law, which forbids the transfer of detainees from occupied territory.

For those charged with offenses deemed to “threaten the security” of the occupying power, they will be brought in front of an Israeli military court. The Military Court was established under Military Order 378, and usually is presided by a single judge, or a panel of three. The judge in question is either in active military service or a reservist, as are the prosecutors. All proceedings are carried out in Hebrew, and often the only translation provided is by the individual's lawyer. There are currently two military courts of first instance in operation, one at Ofer prison near Ramallah and the other in Salem near Jenin.<sup>6</sup>

The courts themselves have a self-reported conviction rate of 99.74%<sup>7</sup>, a figure which alone demonstrates an inherent lack of fairness in the overall process. Such inequity is made abundantly clear in the sentences handed down to Palestinians, as compared to their Israeli counterparts. For instance, the crime of manslaughter carries a sentence of lifetime imprisonment for a Palestinian, while for an Israeli it carries a maximum of 20 years.

Palestinian children tried in the military court system are separated into three categories, where the age of criminal liability begins at 12: (1) under the age of 12 are considered “children”; (2) those between 12 and 14 are defined as “youth”; and (3) those between 14 and 16 are categorized as “young adults”. However, prison sentences can be given to children under 14 if they have been convicted of murder, attempted murder, or manslaughter. For Israeli children, the criminal age of liability is 18.

Although very little evidence is needed for a conviction in the military court, if there is not enough to warrant charges, then the process of Administrative Detention can be utilized. Under international law, the

5 “Palestinian Political Prisoners in Israeli Prisons”, Addameer Prisoner Support and Human Rights Association, June 2016, [http://www.addameer.org/sites/default/files/briefings/general\\_briefing\\_paper\\_-\\_june\\_2016\\_1.pdf](http://www.addameer.org/sites/default/files/briefings/general_briefing_paper_-_june_2016_1.pdf).

6 [https://www.icrc.org/eng/assets/files/other/irrc\\_866\\_weill.pdf](https://www.icrc.org/eng/assets/files/other/irrc_866_weill.pdf).

7 Chaim Levinson, “Nearly 100% of All Military Court Cases in West Bank End in Conviction, Haaretz Learns”, Haaretz, November 29, 2011, <http://www.haaretz.com/nearly-100-of-all-military-court-cases-in-west-bank-end-in-conviction-haaretz-learns-1.398369>.



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process of administrative detention, without charge of trial, can only be used in cases that truly threaten the life of the state. With 450 administrative detainees at the time of writing, it is hard to justify that these people pose a legitimate threat to the state of Israel.

This process involves the issuance of an order by the military commander of the area, in the case of the West Bank, or by the Minister of Defense, in the case of Jerusalem residents. The order is subject to the review of a military court.

The orders can be issued for a period up to 6 months, and can be renewed indefinitely. The order is issued on the basis of secret information, which does not need to be revealed to the detainee or the lawyer. In effect, Administrative Detention can amount to long-term detention of Palestinians without any form of due process or charge.

The systems detailed above apply only to Palestinians within Occupied Palestine, and are inherently discriminatory as compared to Israeli civil law. The racially biased nature is compounded by the fact that settlers within the West Bank are subject to Israeli civil law, while military courts are solely reserved for the occupied Palestinian population or Israelis serving in the military.



The system for Jerusalemites is slightly different. Individuals are processed and tried through the civil criminal court and, in theory, Jerusalemites should have the rights that Israelis have before the court. Though, if the individual is declared a 'security case', they will then be interrogated and tried under the exact same process as their counterparts in the West Bank. This means that it is up to the discretion of the Israeli occupying authorities whether a Jerusalemite has the rights of an Israeli citizen or not.



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## International Law and the Responsibilities of the Occupying Power



As the occupying power, Israel has specific responsibilities and obligations when it comes to the treatment of the Palestinian people and prisoners in Israeli administered prisons. This section will provide a brief outline of what these responsibilities and obligations entail, Israel's violations of these obligations, and where these international responsibilities originate.

The basic definition of an 'occupation' is drawn from Article 42 of The Hague Regulations (1907):

*"Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised."*



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According to the International Court of Justice, Israel is currently the occupying power of Palestinian territory. This means that, under international law, the occupying power is obliged to fulfill specific requirements in the treatment of occupied persons. These include:

- The Fourth Geneva Convention (1949);
- Additional Protocol I to the Geneva Conventions (1977); and
- Regulations Annexed to the Hague Convention (Hague Regulations, 1907).

The Fourth Geneva Convention, which Israel is a signatory, is the primary document of international humanitarian law in regard to Palestinian prisoners. The Convention asserts that the occupying power is responsible for maintaining a certain element of normalcy in the lives of the occupied population, which is considered a protected population.



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Due to the fact that the Convention is applicable during times of conflict, a large portion of it specifically pertains to the imprisonment or detention of individuals from the occupied population. The core components in relation to Palestinian prisoners, which Israel systematically violates, includes:

- Not to engage in collective punishment - the act of punishing family members, community members or relations for an offence, whether perceived or real, conducted by a third party (Article 33);
- Maintain sentences that are proportionate with the offence (Article 68);
- Pronounce sentences only after a regular trial (Article 71);
- Right to an adequate defense (Article 72);
- Right to humane treatment while in prison, and to serve their sentence within the occupied territory (Article 76);
- Sufficient medical care (Article 91);

- Access to adequate recreation, sport and educational opportunities (Article 94);
- Being allowed to receive visitors at regular intervals (Article 116);
- Not to implement inhuman disciplinary measures against detainees (Article 119);
- Humane transfer of detainees (Article 127).

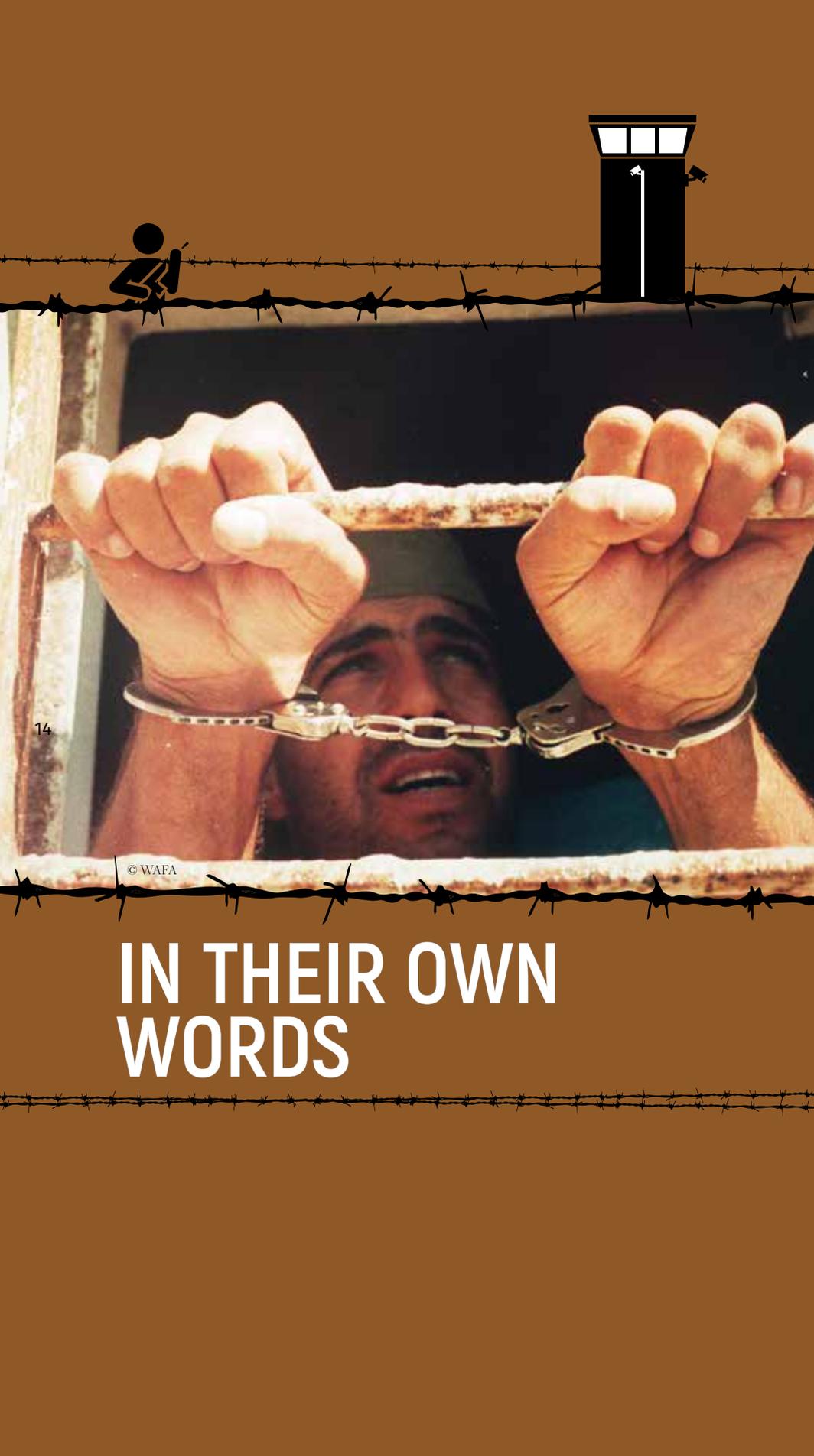
In addition to international humanitarian law, or the 'law of war and occupation', international human rights law also applies to the case of the Palestinian prisoners. These responsibilities are drawn from the International Covenant on Civil and Political Rights (ICCPR), and the Convention on the Rights of the Child (CRC), and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT). The core responsibilities, which Israel is in violation of, towards the Palestinian prisoners are as follows:

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment (Article 7 ICCPR);
- No one shall be subject to arbitrary arrest or detention (Article 9 ICCPR);
- All those imprisoned shall be treated with humanity and for the inherent dignity of the human person (Article 10 ICCPR);
- Equality before the law, a fair trial, and adequate concessions for youth in front of courts (Article 14 ICCPR);
- Freedom of expression (Article 19 ICCPR);
- Freedom of association (Article 22 ICCPR);
- Protection of the right of the child (Article 24 ICCPR);
- Non-discrimination of children based on ethnicity, religion, language or any other factor (Article 2 CRC);
- Protection of the child's fundamental legal rights (Article 4 CRC);
- Protection from all forms of violence (Article 19 CRC);
- Right to leisure, relaxation, and play (Article 31 CRC);
- No child shall be treated in a cruel or harmful way while in custody, should not be imprisoned with adults, and should not be sentenced to life or death (Article 37 CRC);
- The right to fair treatment in the justice system (Article 40 CRC);
- Ban on torture under any circumstance (Article 2 CAT).

Despite claims from Israel that human rights law does not apply in areas outside of its own territory, the consensus amongst legal scholars is that its status as an occupying power results in its human rights obligations being extended to the territory it occupies.







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# IN THEIR OWN WORDS



The experience of being a people criminalized by an occupying power, subject to arbitrary detention and an inherently unjust court system, is only partially played out within jails and detention centers. If one in five go to prison, the four others, who remain outside of prison, are left to pick up the pieces and try to live a life without their loved ones. They are not prisoners of any physical jail, but rather prisoners of uncertainty, adversity, and restriction. For those who are released, picking up where life left off is equally difficult. The following section aims to give these prisoners and their families a voice, and allows them to speak of their lives that are still deeply affected by the Israeli policy of mass incarceration.



## Long Term Detainees

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**The Circle of Pain:  
The Family of Samer Mahroum**

**A Sense of Purpose:  
Abed al Fatah and his Children**



In regard to sentencing and penalties, the system applying to Palestinians in occupied territory is vastly disproportionate compared to their Israeli counterparts. For a Palestinian, manslaughter carries a life sentence. For an Israeli, it carries 20 years. Israelis wave flags openly and freely. For a Palestinian, it can mean years in prison. Even under Israeli civil law, throwing stones can mean 20 years in prison; such a sentence has been solely utilized against Palestinians. As a result of this inequality, there are a total of 1,050 prisoners who are serving between 20 years to life sentences.<sup>8</sup> This number grows exponentially when all prisoners who are considered 'long-term', serving a sentence over 10 years or more, are included. As such, long-term prisoners represent a considerable fraction of the total prison population. Unlike Israelis, these prisoners can only seek early release after the completion of two-thirds of their sentence as compared to one-half.



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<sup>8</sup> <http://www.addameer.org/statistics>



## The Circle of Pain: The Family of Samer Mahroum

 Jenin

 27 Years

In a well-decorated, traditional home less than a 5-minute drive from the northern edge of the West Bank, an older woman points proudly to a picture on the wall. "This is Adam, Samer's son." Handala, the iconic child representing the Palestinian refugees, is painted on his shirt. When Yousra speaks of her son Samer, she loses some of the warmth reserved for her grandchild Adam. There is a kind of distance that 30 years of him being in prison is bound to create. Samer was 19 when he was arrested from his home in 1986 and was sentenced to 27 years in prison. At that time, he had been visiting from Amman, where he was studying.

During his time in prison, Samer read everything that he could get his hands on. In 2007, he published a book entitled *The Circle of Pain*, which he had written out by hand. He was released at the age of 44 in 2011 as part of a prisoner release deal. During his four years of freedom, he married and began to build a life for himself after entering prison



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as a teenager and coming out an adult. In 2014, he was rearrested and his previous sentence was reinstated. His forthcoming book, *No, It's Not a Dream*, details the experience of three years in a world that is more foreign to him than the inside of a cell.

His wife, Falasteen, who is 14 years younger than her 50-year-old husband, sits holding 4-month-old Adam. The face staring down from posters on the living room wall is reflected almost perfectly by Adam.

Adam was conceived after Samer had been rearrested. Initially, the couple considered in vitro fertilization (IVF), and the clinic had taken the necessary samples. Falasteen became pregnant with triplets during the period of freedom. She was five months pregnant when she miscarried, two boys and one girl, 10 days after Samer reentered prison. The samples, and therefore Adam, became a godsend.

Due to past instances where babies had been produced from sperm smuggled out of prison, the Israel Prison Service (IPS) does not allow children who were conceived while their fathers had been in prison to be held by the prisoner. Children under the age of 12 are usually allowed to cross the glass, and have physical contact with their parent, but Adam was not. Each of the bimonthly visits involves father and son getting to know each other through a barrier.

Yusra recounted one particular time where she, Falasteen, and Adam had come to visit him at Gilboa prison, which is a maximum security prison located near Nazareth. Samer gestured toward his son through the glass, putting his hands up to wave at the child that he has never held. Adam, trying to get close enough to touch the man who he had visited for the past four months, moved forward. Instead of meeting his father's embrace, his head met the glass and he began to cry.

His grandmother Yusra said, "I have seen my son in jail for 30 years. It has become normal. I have gotten used to it. Though this broke my heart."



## A Sense of Purpose: Abed al Fatah and his Children



Ramallah



12 Years

A soft spoken man who chooses his words wisely and speaks with an educated register sits calmly with his hands clasped. He wears a shirt which looks as if it should have a designer brand logo is covered by a Palestinian flag pin where the brand icon would normally lay. "It doesn't matter if the arrest is violent or not. All of them are calculated and systematic. They follow a pattern, and have a specific aim." He told of how his arrest involved being blindfolded, bound, and held in a truck while military dogs and military men walked over him. He felt powerless, and disoriented. "There is very little difference between how adults and children are treated."

Abed al Fatah Dawleh was arrested in 2004, and served 12 years in prison. During his time there, he read widely, from Dan Brown to Dostoyevsky, and drew knowledge from whatever books he could get his hands on. Paulo Coelho, with his mystically romantic novels, took him to a place that was infinitely bigger than his cell; a place where no one could be held against their will. He has written two books himself, one of which he wrote out by hand during a time where pen and paper was banned in the prison. He secretly sent out four copies, not knowing of their fate until his release. One had found its way into publication.



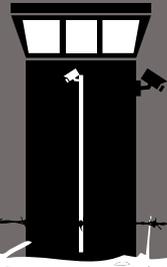


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He became the general supervisor for the children of Ofer prison, due to his belief that it be essential that children maintain their childhood to the fullest extent possible. Prison is built to box you in, but he wanted the children to at least have the space to be mentally free. "They shouldn't have their rights as children violated by having to live as adults." To achieve this, Abed advocated with the Israeli Prison Service directly to maximize access to education, clothes, and any other material needs. "I wanted them to feel like they have a father figure in there." His commitment to the imprisoned children continued after his release, as he conducted a study of 100 cases for a book on the effects of imprisonment on Palestinian youth.

Abed's wife and children have lived in the US for years. "I want a relationship with them, but they don't even know me. I can't pull them away from the life they have in America." The family comes and visits sporadically. "Education is the way out for the children here. When they know about the history and the culture, they will learn that the path to freedom comes through knowledge."





## Administrative Detention

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**Solidarity:**

The Circus Performer and his Mother

"Life Shouldn't Be This Way":  
Thabet Nassar & his 12 Years



Administrative detention is allowed under international law only in extreme circumstances where state security is threatened. Currently, there are 450 administrative detainees, which includes women, children, and Legislative Council Members. The number of detainees at any given period depends on the political situation, reaching a peak of 750 last year, and 1,140 during the Second Intifada. The process involves the issuance of an order which detains individuals for a period up to 6 months. This order can be renewed indefinitely, the longest case without release for example, has been 8 years.<sup>9</sup> There are cases where the total time period is considerably longer, with a period of a few months in between the orders. The individuals in question, or their lawyers, do not need to be provided a reason for the detention.

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<sup>9</sup> [http://www.addameer.org/israeli\\_military\\_judicial\\_system/administrative\\_detention](http://www.addameer.org/israeli_military_judicial_system/administrative_detention)





## Solidarity: The Circus Performer and his Mother

 Jenin

 20 Months

From a quick glance, you would be mistaken for thinking that Raja' was in her teens but her 41 years have etched themselves onto her face. The couch seems to swallow her as she stares at her phone, the voices flood out with different accents and pronunciations of the name. "Happy birthday Abu Sakha"; "We hope you are free soon, and have a good birthday Abu Sakha".

She looks up from strangers' faces and says "he has never seen this video, but I told him how many people around the world care about him." The young man that all the joy is directed towards has been held without charge for almost two years. Born in 1991, Mohammad Abu Sakha saw the inside of a jail for the first time at 17 years old. He was arrested for allegedly attending a protest when he was 11 years old. As a result of his imprisonment, he failed his final high school exam, and instead of trying again, he moved away from his home in the north of the West Bank to pursue his passions for performing and making people laugh.

At the Palestinian Circus School, Abu Sakha excelled and quickly became one of the lead trainers. Foreigners who came to visit grew to love the man as much as the regular attendees. While Mohammad hadn't appeared in the compilation of international voices, he cared for Abu Sakha as much as any of them. Mohammad Al-Barghouti, 11 years old, was one of the children who participated in the circus training programs that Abu Sakha managed for children with special needs. He was mobile with the assistance of a walking frame, but had managed to free himself while learning to walk on the tightrope.

Abu Sakha was arrested at Za'tra checkpoint. He was not told where he was going or why he was taken. After several days in an interrogation facility, he was brought before a military judge who told him that he was to remain in jail for a period of 6 months because he was a security risk. His administrative detention period has been renewed in differing increments continuously since his initial arrest on 14 December 2015.





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For his mother, there was never a question to visit him every opportunity she could. The journey to the prison in al Naqab starts at 7 am and has her back home at 10 pm, but the 45 minutes of seeing her son are worth the 15 hour wait. During the hunger strike, both of them committed to the full 41 days. She lost 13 kilograms from her already small frame. He lost 22 kilograms from the smiling face in clown makeup.

"There were campaigns for him all around the world. When Netanyahu visited Hungary, people were holding up signs calling for Abu Sakha's freedom. Though he feels bad about all the attention, because there are prisoners that have been there for longer and no one holds up signs with their names."

On August 31, the day before Eid al-Adha, Abu Sakha was released after almost two years under administrative detention. In the end, he was never charged with any offense or brought to trial.



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## “Life Shouldn’t Be This Way”: Thabet Nassar & his 12 Years



Madama Village  
Nablus



to date 12 1/2 Years

Apart from the large stones that once punitively blocked the entrance, the village is a picturesque snapshot of the Mediterranean. The olive trees line the narrow streets, which have no need to be widened. People are rarely in too much of a hurry to not give way as required. An older man sits in the corner chair in a well-furnished living room. He carries a regal air, but a jovial smile. “Last time Thabet was home, I told him that he wasn’t a proper villager anymore. He hadn’t been home for an olive harvest in 9 years.” His smile stays, but it only briefly skirts over the faces of Thabet’s four children.

Thabet Nassar has been in and out of Israeli prisons since 1998. He works as a nurse in Rafidia hospital in Nablus, a northern West Bank city, and has been trying to complete a degree in health administration. Despite having spent a total of 12 and a half years in prison, he has never been charged with a crime and has never had a trial. Rana, his wife, recalls that “since we got married 10 years ago, we have never had the chance to celebrate our anniversary together.”



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His eldest son, Yamen, sits next to his mother. His father's face smiles mildly from his t-shirt. The man he wears on his chest may be "baba", but is almost a complete stranger to the boy. Yamen is the child who has had the most time with his father; the youngest, Ahmad, was born four months after his father's arrest. Ahmad only knows his father in the context of prison guards and glass. Despite her having never been arrested, it is uncertain if Rana will be allowed to visit Thabet on the scheduled bimonthly visits. She is sometimes given permission by the prison, but refused the permit to leave the West Bank. Even in this apparent moment of unification, the children rarely have both of the parents.

One Eid, the youngest girl Mais was standing by the door expecting her father to walk through at any moment. His administrative detention period was meant to expire, and he was to be coming home. For the girl who was born the day of one of her father's arrests, the end of the holy month of Ramadan was to bring the greatest gift. As the day wore on, and Thabet did not come as promised, the girl turned to her mother. "You're a liar. You said Baba would be coming for Eid."

"What am I supposed to say to that? This has been so hard on them and on me. I have had to be both father and mother for almost 10 years. Life should not be this way."



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## Female Detainees

28

**Delegating Responsibilities:  
Sabah and her Dignity**

**Under Blockade:  
Nisreen and the Black Hole**



Currently, there are 62 female prisoners held in Israeli detention. They too are subject to arbitrary arrest, detention, and neglect. The added stress is the threat of sexual violence, which has been documented as a common tactic during interrogation, the lack of provision of the necessary healthcare and gynecological needs, and the humiliation of strip searches. There are currently two prison facilities specifically dedicated for female prisoners, both of which are outside of occupied Palestinian territory, in violation of international law. The medical care provided in both prisons is below the minimal international standards.





## Delegating Responsibilities: Sabah and her Dignity



al-Eizariya (Bethany)  
Jerusalem



15 Months

"She gave us all roles and specific responsibilities to make sure that the house could run as well as possible without her." Sabah's eldest child, Abdel-Razaq and his little sister Ala', carry themselves as if they were much older than their 16 and 14 years respectively. One only really feels the need to hold themselves with an explicit sense of dignity when they are aware of the weight that rests on their shoulders. Both Abdel-Razaq and Ala' have been made acutely aware of the weight over the past year.

Sabah was taken from the house in the middle of the night on 19 June 2016. They came to her home with a picture and asked specifically for her. She was taken to a room in her house, where a female soldier insisted that she be searched thoroughly and that she change her clothes. After retrieving her ID, she was taken to a detention center in Ma'ale Adumim, a West Bank settlement near Jerusalem. After a brief period, she was given an administrative detention order of three months.

Her administrative detention order was renewed for an additional month, and again twice for four months each time. This initial period was where Sabah delegated the roles that her family should play. She had managed to get the message out through other prisoners, as she was not allowed visitation during this early time. She was arrested in the middle of Ramadan and Eid was just around the corner. It was



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unthinkable if the preparations for the end of the Holy Month were to fall through the cracks of the Israeli system of incarceration. "It's hard. I have suddenly had to learn how to manage the house without my mother. It doesn't work the way it used to, but we do the best we can."

As the fourth month drew to a close, their lawyer informed the family that Sabah would be released and that they should meet her at the northern checkpoint near Jenin. The family left Jerusalem at 7 am and arrived in time for what they thought would be a 10 am collection. Time rolled by and the autumn dusk settled. The lawyer had contacted them to say that he had received word that Sabah had been delayed due to a debt at the canteen. The family slept in the car overnight and woke to the call that the administrative detention order had been renewed for a further four months.

A year and three months later, and still no charges made against their mother, the family of four children and their father hope that she will be released in September when the administrative detention expires. Even though they have had to carry the household responsibilities, their mother's instructions have guided them. Without them, they wouldn't have been able to maintain the most important thing to their mother. Ala' said: "We all go to school. My mother emphasized how important that was for her."



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## Under Blockade: Nisreen and the Black Hole



Gaza



2 Years



She discusses her hardships as if they were a shopping list. One item after another, recited in the way you speak about the weather or other things that it's not possible to change. "My baby brother was only 8 months old when my mother was taken. I don't know how to deal with children. I tried to do my best and learn from family and neighbors. It wasn't enough. I think that is why he had to go to the hospital."

Nisreen was arrested from the Erez military checkpoint on 18 October 2015. Since the Israeli blockade on Gaza was imposed in 2006, Erez has been the only operational crossing for people looking to enter into Israel from the Gaza Strip. As Nisreen was born in Haifa, and holds Israeli citizenship, she was one of the few civilians who would be crossing Erez. She had been there after receiving a call from the Ministry of Interior. Nisreen had applied for family





reunification, a process which would allow her, her husband, and her seven children to live in Haifa. After crossing, she simply never came home. The family was informed that she had been arrested shortly after.

"The most difficult moment of my life was when I realized that my mother wouldn't come home. Both because I will miss her and of the responsibility that had fallen on my shoulders." Amira and her younger sister decided that they would split the tasks amongst themselves. She would prepare the lunch meals and send her brothers to bed at the right time. Her sister would prepare them all in the morning, and they both worked together to ensure that everyone was bathed at night.

Since her mother's imprisonment, the situation in Gaza has only gotten worse. On average, they have three hours of electricity a day; they have eight mouths to feed; and the back to school period requires extra funds for school supplies. Due to a lack of funds, UNRWA schools in Gaza run double shifts. Some children come in the morning while others come in the afternoon. The family is split between these shifts. This, along with the responsibility of raising her brothers and sisters, has meant that Amira has stopped going to school for a while.

The family of seven children and their father have not been able to visit or speak to their mother. Only messages passed through the lawyer and calls into a radio show make it to Nisreen. They are not even sure if Nisreen can listen to the radio show since she cannot call in to respond. "We just want to hear from her and check on her." There is no word on when Nisreen will be released.

"We no longer feel the love and compassion we once felt in the house. My mother's arrest only compounds how difficult life already is here in Gaza."



## Child Detainees

34

**"I Want Life To Be Normal":  
Osama and his Time Alone**

**A Family Under Arrest:  
Fadi and his Childhood**



Under international law, children are afforded a special status as to ensure the full and harmonious development of his or her personality, contrary to Israeli legislation which asserts that the age of criminal liability for children is 12. Currently there are 320 children being held in Israeli jails. Although there are specific child detention facilities, at the age of 14, children are transferred to adult facilities to serve their sentences. While in prison, children have almost no access to educational materials or schooling. The policy of 'home detention' is routinely used against children, especially for those from Jerusalem. The process keeps children from attending school, often separates them from their family, and stifles their growth and development.





## "I Want Life To Be Normal": Osama and his Time Alone



Bani Na'im  
Hebron



4 Months

"It was normal", says the boy whose thigh remains in a metal cage. The bolts obviously entering his skin, and maintaining the structural integrity of his damaged knee. The hospital, the detention, the soldiers keeping an ever watchful eye on the boy who couldn't have gotten away even if he wanted to; for Osama, it was all "normal".

Osama is a 15-year-old boy who very much has the demeanor of a 15-year-old boy. When asked questions, he shrugs his shoulders as the primary mode of response. They don't raise up that high though. The bullet that hit him in the chest means that his motion of defiant agreement is not like that of the other sullen youths of his age group.

He reluctantly speaks of the experience that drew him out his unhappy childhood in September 2016. At a junction not far from his home, Osama was shot three times in the back by Israeli occupying forces (IOF). He was hit from the back once in the chest and twice in the leg. After four days, his parents were contacted by a doctor who informed them of the operations to save Osama's life. During that time, Osama was guarded around the clock in his hospital bed by two IOF soldiers. After being transferred to the Ramla Prisoners clinic, Osama was eventually released at the end of January 2017 on a 25,000 NIS (\$6,981 USD) bail.



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The first set of operations had to be repeated due to a lack of appropriate follow-up care. This meant that Osama has missed 12 months of school and spends most of his time home alone. Though a perceptive mind, Osama doesn't enjoy school. Regardless, he expresses an affinity for both English and religion. The 12 months have only put a boy, who was already knocking on the door of adolescent apathy, further behind academically.

"I want to be in the President's personal security force." Osama was invited to pay the President a visit after his release. The joy in his eyes lights up the picture of this moment, which sits on a mantle in the living room. The world of Ramallah could not be further from the reality that Osama lives in. Bani Na'im, a small village 20 minutes away from the southern tip of the West Bank, is the kind of place where you are born and you stay. For Osama, the choice of becoming a member of the security forces meant that he would be far away from the rampant settlement construction and the harsh life of the South Hebron Hills.

"I just want to go to school, spend time with my friends, go to university, and work. I want life to be normal."



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## A Family Under Arrest: Fadi and his Childhood



Silwan  
Jerusalem



7 Months: Under House Arrest  
100 Days: In Prison

"Fadi was so sweet. He was just the best son I could ask for." Shifa recounts the time before she and Fadi were sent to prison. Her eyes clearly holding on to the absolute pride she has in not just Fadi, but all four of her children. Fadi recounts the time it would take to make each one of the bracelets that he worked on during his year of home arrest. One at a time he takes them out of the golden box which once held a tea set. Their colors are bright enough to speak on their own. These are not the bracelets of someone trying to be tough. They are artifacts of Fadi's childhood, which are not fitted on his wrist but kept in the golden box, remnants of a childhood that is not more than a year gone, but is on the other side of a separation barrier.

On October 21 2015, Fadi had been on his balcony with a friend. The IOF allege that they were throwing stones that his mother provided. Ten soldiers came into the house and took them away. They arrested Shifa, Fadi, and his older brother Samer. Shifa was under house arrest for 11 months and then received a 7-month prison sentence. Fadi spent 7 months under house arrest with his mother, and then 100 days in an Israeli civilian prison. Samer was sentenced to 9 months. During interrogation, Samer was made to believe that Shifa and Fadi blamed him for the stone throwing. Between that and the fact that he failed his end of high school exams as a result of his prison time, the relationship between the three remains devoid of the unconditional trust that was once present.



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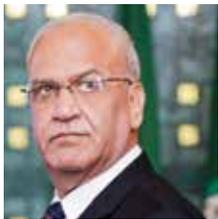
Fadi has taken it the hardest. Having gone through periods of depression, he has come out the other side as someone who realizes that being "soft" makes you a target. Having been in an Israeli civilian prison for juveniles, fights between Palestinian youths and Israeli youths were an everyday occurrence. Being a tough young man provides one with the feeling of control over a world that, in the best situations, remains a chaotic place. The occupation multiplies the uncertainty of a tested young man.

Now the children and Shifa live in one of the many apartment buildings that have sprung up in the area that Israel declared to be part of the Jerusalem Municipality, but is behind the Annexation Wall. She was never a Jerusalem ID holder, but had been granted a permit to stay there because she had married a man from Silwan. They divorced and she was banned from entering for at least 3 years as part of her sentence. People come to this area so they can maintain their Jerusalem IDs while living with loved ones who may be banned or do not have the ID card in the first place.

The chaos of the area suits Fadi's newly acquired toughness. He has left school and briefly worked as a carpenter. Shifa, with a smile that betrays her, exclaims "I raised my kids right, but the occupation has made Fadi a street kid".



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## Call to Action

The Palestinian people have spent 50 years living under a devastating system of colonial domination and deprivation of basic rights. This military structure implements elaborate and systematic tools to slowly erase the existence of the Palestinian people and Palestinian identity, while holding us hostage with the goal to isolate our very existence. Using the instruments of age old colonialism, the means of domination Israel has implemented has snowballed into Apartheid, imprisoning both the living and the dead, stripped Palestine of her natural resources, and is set on depriving her of her children. Where once lived thriving Palestinian communities, Israel continues to replace them with settler colonies, using violence and terror to cement their presence on our land.

I have lived under this system for 62 years and experienced my fair share of what it has to offer. As a child of 12, I was detained by occupation forces. They forbade me from travelling outside of the country. It is a system that ordered the finest details of my existence and made me aware of the extent to which I was already trapped. The policy of detention used against Palestinians to assert Israeli domination and made possible by racist laws and regulations, continues unabated and unquestioned by the international community. Through this system, the occupation has attempted to devastate the foundations of our political, social, and economic fabric, striking at the heart and soul of Palestine.

In tandem with the occupying power's military court system, physical torture during interrogations, administrative detention, and intentional medical neglect are all used as ways of stripping the individual of his or her dignity. This was seen in the case of 15-year-old Osama Zeydat, highlighting serious neglect and appalling treatment; the denial of education, the prohibition of visitation, and long-term detention, such as the case of Samer Mahroum; the illegal transfer of prisoner from occupied Palestine into Israel in violation of international law, and the imprisonment of children, such as in the case of Fadi al Shalodi. All of these cases share a common theme, grave violations of customary international law by Israel against Palestinian prisoners.

Since the beginning of the Israeli occupation in 1967, 800,000 people have been imprisoned in Israeli jails. The occupying power has carried out mass arrest campaigns against the children of Palestine, regardless of age, gender, or political affiliation. The occupation spares no one, from human rights defenders, mothers, children, the elderly, or government officials. There is not one Palestinian household not been affected by Israel's prison-industrial complex.



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The time is now for the international community to truly assess this colonial system and remove the cover of impunity it has afforded Israel to operate under for the past 50 years. The international community is not blameless for Israel's crimes and must ensure that international laws are not treated as mere suggestions, but a system of justice created in the wake of historic atrocities to ensure crimes against humanity do not go unpunished. The international community faces a moral, political, and humanitarian test to end the occupation and enable the Palestinians to achieve our inalienable right of self-determination in the sovereign and independent State of Palestine on the 1967 border with East Jerusalem as its capital.

At the same time, we affirm our position on the issue of prisoners in terms of their human and political rights, which are at the forefront of the Palestinian national agenda and the priorities of the State of Palestine, which seeks to continue the political, legal and diplomatic movement in international forums. We will continue our endeavors through legal mechanisms available to us, including invoking our rights under the Rome Statute of the International Criminal Court to hold those responsible for their crimes arising from the occupation. The immediate release of all Palestinian political prisoners will remain as a key provision for any possible political process, as signed in all previous agreements.

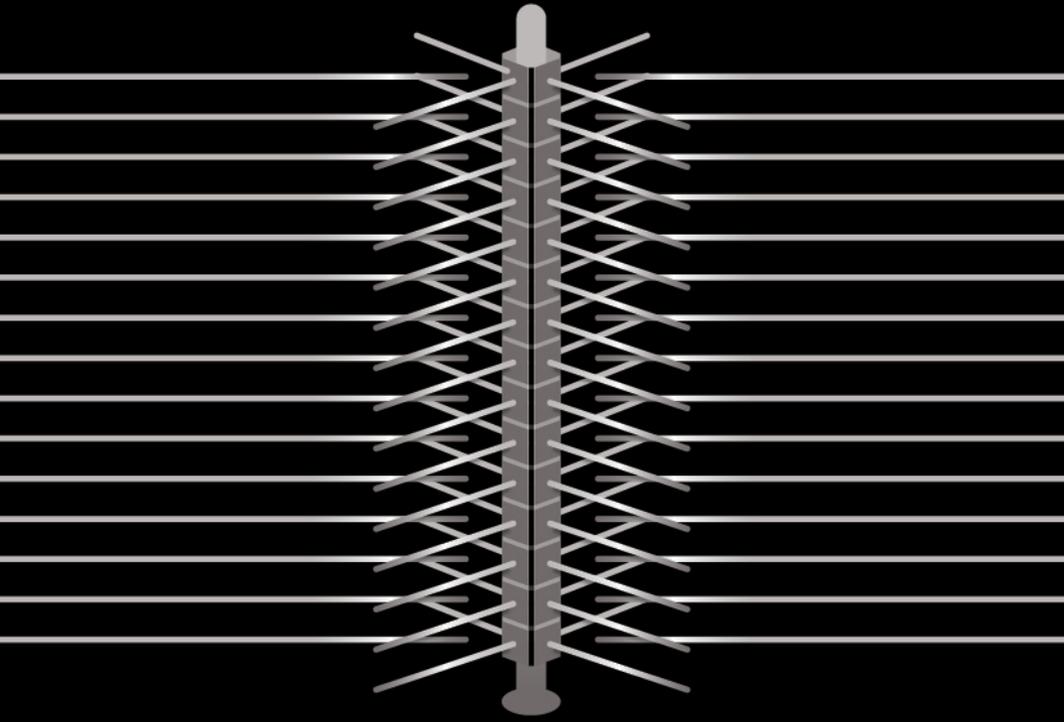
This publication, and the information contained within, provides an insight into the daily reality of existence under occupation. Sadly, the testimonies in this publication represent only a snapshot of the pain experienced by those detained by the occupation and their families. The time has come to end this system of oppression and domination.

Dr. Saeb Erekat

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