What Lies Beneath

The Violation of Palestinian Prisoners Rights In Israeli Prisons
Their Freedom...Our duty
كاليل المظلم ضرب الاحتلال بقضبان سجونه على قلوب الفلسطينيين النابضة بالحرية، وبنى عالمًا من النسيان تحطم فيه الأرواح الأبية كشموئي أضاءت دروب الحرية ثم ما بثت أن أخمدت أنفسها جدران الظلم.

هكذا أراد الاحتلال بهذا الشعب الفلسطيني، كلما أشرقت بين جنباته روحًا مناسبة، قال الاحتلال هيئًا إليها قتلاً بالطائرات وسفكاً لدمها بالدبابات، ومن لقيت منها فسُرمت في سجون من الخيام في عرض الصحراء، أو سيُزج به في علب من الإسمنت لا ترى النور تحت الأرض ولا فوقها، أو سيُحفظ منفردًا في زنزانة تشبه حياة القبر، ولا أُها للحياء.

11,000 هو العدد المئي الآن من الأسرى في سجون الاحتلال. 11,000 هو عدد الذين يعيشون في الخيام الصحراويَّة وعَلَب الإسمنت العفنة في ظروف حياة أبعد ما تكون عن الإنسانيَّة. 11,000 هو عدد الرجال والنساء والأطفال الذين يعذبون سجون الاحتلال محققون مع كل طلعة شمس، 11,000 هو قضية 55 ألف أمًّة زوجة وطفل يعيشون لوعة الانتظار. 11,000 هو عدد من يريد لهم الاحتلال أن يَوتوا في عام النسيان بلا حق ولا كرامة.

في كل مغيب شمس للأسرى في سجون الاحتلال ألف غشة تسألنا في الظلم ماذا قدَّمنا لهم ليصربوا النور... ومع كل غفوة عين للأسرى ألف أمنيَّة أن نذكرهم ولو حتى في حلم عابر...

هم 11,000 منسًّيون تحت جنح الظلم، يُغمض العين عليهم عينيه، وتشيح المؤسسات الدولية والحقوقية عليهم وجهها، يحصلون على حقوقهم بجموع ودمائهم، ويرسمون درب حريتهم وحدهم، بصبر وثبات يفوق طاقة احتمال البشر.
Like the darkest nights do, the Occupation hit with its prison bars on the Palestinian hearts that beat with freedom. It built around a world of forgetfulness where dignified souls melt down like the candles that light the paths of freedom before they are puffed down by ramparts of darkness.

This is what the Occupation desired to do with the Palestinian people. Whenever a struggling spirit lives, the occupation decides it must die. It calls for its air-force to raid and to ground forces to move its tanks causing blood to shed. Those who were not killed are sent to prisons which are tents located in the middle of the desert; or they are placed in boxes of concrete—above or under the ground—where light is forbidden to reach; or the Occupation isolates the prisoner in a cell that is more like a grave, except that the creature is alive.

11,000 is the forgotten number of prisoners in the Occupation cells.  
11,000 is the number of those living in the desert tents and rotten boxes of concrete, in conditions far to resemble humanitarian ones.  
11,000 is the number of men, women, and children who are being tortured by prison-keepers and investigators on every sunrise.  
11,000 is the issue of 55,000 wives, mothers and children who are agonized by the pain of “waiting”.  
11,000 is the number of those whom the Occupation wishes to vanish in the world of forgetfulness disclaiming their rights and dignity.

Every day passes with our people held in the Occupation prisons, thousand questions pang our nights asking ourselves, "What did we do to help them see the light?" And with every sleeping eye of the prisoners, they wish we remember them, at least in a passing dream"

They are 11,000. They are forgotten, unseen in the darkness. The globe closes heavy eyes upon them. The international humanitarian organizations turn their faces away from them. They are 11,000. They attain their rights through their hunger and blood; they pave the path of their freedom alone, with steadfastness, patience, and power that is above the human beings' capability.
The Detaining Power is bound to provide sufficiently spacious and well ventilated sleeping quarters, and the internees shall have suitable bedding and sufficient blankets, account being taken of the climate, and the age, sex, and state of health of the internees.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War. Article 85)
"The Detaining Power is bound to take all necessary and possible measures to ensure that protected persons shall, from the outset of their internment, be accommodated in buildings or quarters which afford every possible safeguard as regards hygiene and health."

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 85)

Occupation Authorities detain more than 40% of the Palestinian prisoners in open tents, vulnerable to heat and cold, open to all kinds of natural hazards such as scorpions, snakes, and insects.
The Detaining Power is bound to take all necessary and possible measures to provide efficient protection against the rigours of the climate and the effects of the war. In no case shall permanent places of internment be situated in unhealthy areas or in districts, the climate of which is injurious to the internees.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 85)

Occupation Authorities hold more than 3,845 Palestinian prisoners in three prisons. These are located in the Naqab Desert, known with its extremely hot summer and biting-cold winter. These prisons are Rimon, Nafha, and Ktsiyout prisons. the latter considered to be the largest of all Occupation prisons. It holds more than 2,500 prisoners in tents that lack all means of air-conditioning (heat/cold)
يجب أن تكون المباني [التي تُؤوي فيها الدولة الحاجزة المعتقلين محتفلاً بمااماً من الرطوبة، وكافية التدفئة والإضاءة، وبخاصة بين الفسق وإطفاء الأنوار».

(اتفاقية جنيف المنظمة لمعاملة أسرى الحرب، المادة 85)

"The premises [where the detaining power holds the protected persons shall be fully protected from dampness, adequately heated and lighted, in particular between dusk and lights out"

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 85)

تحتجز سلطات الاحتلال عشرات الأسرى الفلسطينيين في زنازين انفرادية في ما يعرف بقسم العزل في سجن الرملة، ويقع هذا القسم بكامله تحت الأرض، وزنازينة خافسة الإضاءة شديدة الرطوبة وذات جدران متعفنة، وتتعلّق في سقفه أنابيب الصرف الصحي التي تخدم أقسام السجن العلوية وهي تطفح على السجناء بشكل دائم وذات رائحة كبرى جداً.

Occupation Authorities detain tens of Palestinians in isolation cells in what is known as the "Isolation Division" in al-Ramleh Prison. This section of the prison is placed underground. Low-lighting and high-humidity embed the section's cells; its surrounding walls are decaying; and sewerage pipes are hung in the open on the ceiling. For lack of maintenance, those pipelines deluge propelling strong bad smell.
"The Detaining Power is bound to provide for the use of the Internees day and night, sanitary conveniences which conform to the rules of hygiene, and are constantly maintained in a state of cleanliness."

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 85)
"The Detaining Power shall provide sufficient water and soap for the Internees daily personal toilet and for washing their personal laundry; installations and facilities necessary for this purpose shall be granted to them too."

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 85)
يُحتجز الأشخاص المحميّون المتهمون في البلد المحتل، ويقضون فيه عقوبتهم إذا أدينوا. ويفصلون إذا أمكن عن بقية المحتجزين، ويخرجون لنظام غذائي وصحي يكفل المحافظة على صحتهم ويناظر عالي الأقل النظام المتبقي في سجون البلد المحتل.

(الاتفاقية جنيف المنظمة معاملة أسرى الحرب، المادة 76)

Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein. They shall, if possible, be separated from other detainees and shall enjoy conditions of food and hygiene which will be sufficient to keep them in good health, and which will be at least equal to those obtaining in prisons in the occupied country.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 76)

من بين 24 سناً وعاقتلاً تحتز في فيها دولة الاحتلال الأسرى الفلسطينيّين، لا يوجد سوى سجن واحد يقع في أراضي السلطة الفلسطينيّة، هو سجن عوفر الذي يقع في بلدة بيتونيا جنوب غرب رام الله، فيما تقع الـ23 الباقيّة في الأراضي التابعة لدولة الاحتلال.

Of the 24 prisons and detention centers that hold Palestinian persons behind the walls, only one prison is located within the territories of the Palestinian Authority. Awfar Prison is located in Bettonya, southeast of Ramallah city. The other 23 prisons are on the territories of the Occupation State.
Every place of internment shall have an adequate infirmary, under the direction of a qualified doctor, where internees may have the attention they require, as well as an appropriate diet. Isolation wards shall be set aside for cases of contagious or mental diseases.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 91)
Maternity cases and internees suffering from serious diseases, or whose condition requires special treatment, a surgical operation or hospital care, must be admitted to any institution where adequate treatment can be given and shall receive care not inferior to that provided for the general population. Internees shall, for preference, have the attention of medical personnel of their own nationality.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 91)

The number of Palestinian prisoners who suffer chronic diseases is about 1000. The prisoners who require instant surgical operations are 150. The Occupation State provides only one medical institution for those prisoners, the hospital of al-Ramleh Prison, of a capacity for 40 patients of chronic diseases. The Occupation Authorities allow exclusively 7 simple surgery operations. Complicated surgeries are not permitted to take place unless the patient would pay for it. Usually, it is very expensive and costs about 90,000 U.S. Dollars. That sum of money was actually asked from one of the Prisoners. Ahmad Issa al-Tamimi, for kidney transplant in 2003.
Internees may not be prevented from presenting themselves to the medical authorities for examination. The medical authorities of the Detaining Power shall, upon request, issue to every internee who has undergone treatment an official certificate showing the nature of his illness or injury, and the duration and nature of the treatment given.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 91)
No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 31)
تتخذ كل دولة طرف إجراءات تشريعية أو إدارية أو قضائية فعالة، أو أي إجراءات أخرى لمنع أعمال التعذيب في أي إقليم يخضع لاختصاصها القضائي، ولا يجوز التدبرع بأية ظروف استثنائية أيا كانت، سواء أكانت هذه الظروف حالة حرب، أو تهديداً بالحرب، أو عدّم استقرار سياسي داخلي، أو أي حالة من حالات الطوارئ العامة الأخرى كمبرر للتعذيب.

(اتفاقية مناهضة التعذيب المعتمدة من الأمم المتحدة في 10/12/1984، المادة 2)

Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

(Convention against Torture, embraced by the UN in 10/12/1984, Article 2)

يسمح للمحققين استخدام الضغط النفسي، وأشكال محددة من التعذيب "بشكل معتدل"، في حالات معينة خاصة عند التحقيق مع المعتقلين الذين يصنفون أجهزة الأمن كعنصر موقوتة.

(قرار المحكمة العليا لدولة الاحتلال الصادر في 6/9/1999)

'It is permitted that investigators use psychological pressure and specific methods of torture 'moderately'' for specific cases, especially when interrogating with those detainees described as timed bombs''

(Decision of the Supreme Court of the Occupation State, issued in 61999/9/1)
لا يجوز إخضاع أحد للتعذيب ولا للمعاملة أو العقوبة القاسية أو غير الإنسانيّة أو الحاطّة بالكرامة.

العهد الدولي الخاص بالحقوق المدنية والسياسية المعتمد من الأمم المتحدة في 16/12/1966، المادة 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment

(International Covenant on Civil and Political Rights, embraced by the UN in 16/12/1966, Article 7)

70، هو عدد الأسرى الذين استشهدوا تحت التعذيب في سجون الاحتلال خلال الفترة الممتدة من عام 1967 وحتى عام 2007، أي مُعْدَّل 7 أسرى كل 3 سنوات.

70 is the number of detainees who died while tortured in the Occupation prisons during the years 1967–2007; an average of 7 prisoners per 3 years.
No sentence shall be pronounced by the competent courts of the Occupying Power except after a regular trial

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 71)
يتم دون إبطاء إبلاغ أي متهم تحاكمه دولة الاحتلال كتابة وبلغة يفهمها بتفاصيل الاتهامات الموجهة إليه، وينظر في الدعوى بأسرع ما يمكن.

(اتفاقية جنيف المنظمة لمعاملة أسري الحرب المادة 71)

Accused persons who are prosecuted by the Occupying Power shall be promptly informed, in writing, in a language which they understand, of the particulars of the charges preferred against them, and shall be brought to trial as rapidly as possible.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 71)

تسمح الأوامر الاحتلال العسكرية باحتجاز المعتقل الفلسطيني لمدة 180 يومًا، دون أن توجه له أي اتهامات، وبعد نهاية هذه المدة قد تبلغ سلطات الاحتلال الإسرائيلي بالتهم الموجهة إليه، وقد تتحول للاعتقال الإداري دون أن توجه له أي اتهامات.

The Occupation’s military commands allow for keeping custody of the Palestinian prisoner for 180 days without pressing any charges. At the end of this period, the Israeli Authorities may inform the detainee of the charges against him. They may also transform him to the administrative detention without any charges.
Accused persons shall have the right to present evidence necessary to their defence and may, in particular, call witnesses. They shall have the right to be assisted by a qualified advocate or counsel of their own choice.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War. Article 72)
Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody.

(INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, EMBRACED BY THE UN IN 16/12/1966, ARTICLE 9)

In 2002, Parliament of the Occupation State issued a decree that allows to consider the Palestinian prisoners from Gaza Strip as “non legal fighters” according to confidential contents, and without accepted evidence for ordinary courts. That gives the Occupation courts the right to issue verdicts to keep prisoners for unspecified periods of time.
Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

(International Covenant on Civil and Political Rights, embraced by the UN in 16/12/1966, Article 9)

The Occupation State holds in its prisons more than 1000 Palestinian administrative detainees without pressing any charges against them, and without bringing any of them before courts. It also gives itself the right to expand the period of detention for those administrative detainees without hearings, and for unlimited periods some of which extended for more than 5 years as occurred with 7 prisoners, and more than 3 years in other cases.
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 an internment card, 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.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 106)

In most times, the Occupation State prevents the Palestinian prisoners from communicating with anyone during the first month of detention, and sometimes it might last for 3 months. It also forbids him completely from using the phone during the period of detention even if sentenced to life.
Every internee shall be allowed to receive visitors, especially near 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.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 116)
Every internee shall be allowed to receive visitors, especially near 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.

(Geneva Convention relative to the Protection of Civilian Persons in Time of War, Article 116)

35% of the Palestinian detainees are able to meet the visitors though on separate periods and irregularly. Each visit lasts for 45 minutes in which the prisoners communicate with their family through an interphone because of the thick glass wall separating both sides.
States Parties shall ensure that No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.

(Convention on the Rights of the Child, embraced by the UN in 20/11/1989, Article 37)
States Parties shall ensure that No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time

(Convention on the Rights of the Child, embraced by the UN in 20/11/1989. Article 37)
States Parties shall ensure that Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances.

(Convention on the Rights of the Child, embraced by the UN in 20/11/1989, Article37)

There is no special center set for imprisoning the Palestinian children. 260 of the 330 children prisoners are held in the division for Israeli underage prisoners in “Thlamond”. The rest of the children are kept in the different prisoners set for the adults, including Mjiddo and an-Naqab prisoners, where children are kept in tents with the rest of the adult prisoners.
States Parties shall ensure that Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

(Convention on the Rights of the Child, embraced by the UN in 20/11/1989, Article37)
بلغ مجموع الأسرى المحتجزين في سجون الاحتلال حتى شهر آذار/مارس 2008 أحد عشر ألف وستمئةٌ أسيراً.

بلغ عدد الأسراز المحتجزات في سجون الاحتلال حتى شهر آذار/مارس 2008 مئة وعشر أسراً.

بلغ عدد الأطفال الأسرى المحتجزين في سجون الاحتلال حتى شهر آذار/مارس 2008 ثلاثين وستين طفلاً.

بلغ عدد المعتقلين الإداريين المحتجزين في سجون الاحتلال دون أن توجّه لهم أيّة تهمة ودون أن يُقدّموا للمحاكمة حتى شهر آذار/مارس 2008 ألف معتقل إداريًّا.

بلغ عدد الأسرى الذين صدرت بحقهم أحكام من محاكم الاحتلال حتى شهر آذار/مارس 2008 أربعة آلاف وتسعمئة وسبعين أسراً، فيما لا زال خمسة آلاف وستمئة وثلاثون أسراً ينتظرون المحاكمة.

حتى شهر آذار/مارس 2008 بلغ عدد الأسرى الذين استشهدوا في سجون الاحتلال تحت التعذيب سبعين أسيراً.

وبلغ عدد الأسرى الذين استشهدوا نتيجة الإهمال الطبي ومنع العلاج إثمانية وأربعين أسيراً، فيما بلغ عدد الأسرى الذين قتلهم جنود الاحتلال وسجّانوه عمداً بعد اعتقالهم سبعون سناً وسبعين أسراً.

حتى شهر آذار/مارس 2008 بلغ عدد السجون والمعتقلات التي تحتجز فيها دولة الاحتلال الأسرى الفلسطينين سبعة عشر سجناً وسبعة معتقلات، تعقّب جميعها في دولة الاحتلال عدا سجن واحد.
The total number of detainees in the Occupation's prisons has reached up to 11,600. The total number of female detainees in the Occupation's prisons has reached up to 110. The total number of children detainees in the Occupation's prisons has reached up to 360. The number of Palestinian administrative detainees held in the Occupation's prisons, without pressing any charges against, and without appealing before court has reached up to 1,000.

Prisoners, upon whom court sentences have been issued, are 4,970; 5,630 prisoners are still waiting for the hearing.

Until March 2008, the number of detainees who died in the Occupation prisons under torture is 70. The number of prisoners who died as a result of medical negligence and denial of treatment is 48, while the number of prisoners killed by the Occupation soldiers and jailkeepers, intentionally, after detention is 77.

Until March 2008, the number of prisons and detention centers in which the Occupation State holds Palestinians are 17 prisons and 7 detention centers, all are located in the Occupation State except for Offer prison which is located near the West Bank city of Ramallah.