

# PALESTINIAN PRISONERS: The Struggle for Freedom

## WHO ARE THE PALESTINIAN PRISONERS?

There are approximately 4,600 Palestinian political prisoners inside Israeli jails. Palestinians, living under occupation and oppression for nearly 64 years, have been targeted for mass imprisonment and detention by the Israeli occupation. Nearly every Palestinian family has been touched by political imprisonment - a father, mother, son, daughter, sister, brother, cousin, uncle, aunt. Since the occupation of the West Bank and the Gaza Strip in 1967, over 650,000 Palestinians from those areas have been held as political prisoners - one out of every four Palestinians from the West Bank and Gaza. Forty percent of Palestinian men in the West Bank and Gaza have spent some time in occupation jails.



Palestinian political prisoners are not only from the West Bank and Gaza. Palestinians from the 1948 occupied Palestine, or Palestinian citizens of Israel, are also held as political prisoners, subject to an apartheid legal

system that allows the use of secret evidence, torture evidence and gag orders against Palestinian 'security prisoners'. There are currently 194 Palestinian political prisoners who are also citizens of Israel.

Palestinian political prisoners are men and women, elderly and children. There are 5 Palestinian women prisoners, even after an October 2011 prisoner exchange deal that was supposed to free all of the women prisoners. There are 183 child prisoners, including 24 under the age of 16. Child prisoners have been subject to torture, solitary confinement, and other harsh and inhumane conditions, alongside their adult fellow prisoners. (While Israelis - including settlers - are considered 'adults' at age 18, Palestinians are considered 'adults' at age 16.)

Palestinian political prisoners are also political leaders. 27 members of the Palestinian Legislative Council, including Popular Front for the Liberation of Palestine General Secretary Ahmad Sa'adat, Fateh leader Marwan Barghouthi, and the Speaker of the Palestinian Legislative Council, Dr. Abdel-Aziz Dweik, who represents Hamas, are held in Israeli prisons. Ameer Makhoul, one of the Palestinian prisoners who is also a citizen of Israel, was general director of Ittijah - The Union of Arab Community-Based Associations and the Chairman of the Public Committee for the Defense of Political Freedom.

Writers, scholars, students and artists are also Palestinian political prisoners, including Palestinian scholar Dr. Ahmed Qatamesh, who has now been held without trial or charge for nearly a year, Dr. Yousef Abdul Haq, a professor at An-Najah University whose administrative detention was just extended for an additional six months, and Ola Haniyeh, a student leader at Bir Zeit University and a leading political prisoner solidarity activist abducted just before student elections and currently held under interrogation.

## NO CHARGE? NO TRIAL? NO JUSTICE!

320 Palestinians are currently held under administrative detention, including 24 members of the Palestinian Legislative Council. Administrative detention is a procedure that allows the Israeli military to hold prisoners indefinitely on secret evidence without charging them or allowing them to stand trial. It is renewable indefinitely for repeated periods of up to six months. Palestinians held under administrative detention are not charged with any crime, nor are they brought to trial even before the Israeli occupation's rigged military courts.

Palestinians have been subjected to administrative detention since the beginning of the Israeli occupation and before that time, under the British Mandate. The Palestinian hunger strikers whose cases have attracted much recent attention, Khader Adnan and Hana' Shalabi, were both held under administrative detention.

## MILITARY INJUSTICE: THE MILITARY COURT SYSTEM

Palestinian prisoners from the West Bank face a military justice system that is entirely separate from that for Jewish Israelis, including settlers, who are instead part of the Israeli civil justice system; this military justice system for Palestinian political prisoners includes systematic and arbitrary detention without charge, the acceptance of torture, an almost complete lack of due process, vague charges, very low standards of evidence including the use of secret evidence, and widely disparate and harsher sentencing than the civil justice system. Palestinian defendants facing trial in 2010 were found guilty in 99.74 percent of cases. Proceedings are conducted in Hebrew, which few Palestinians speak.

Military trials are overseen by three military judges, two of which are not required to be trained in law. The Israeli military retains for itself the right to declare any Palestinian organization 'illegal' and thus prosecute membership or association with that organization. Most Palestinian political parties, as well as countless labour unions, student groups, women's organizations, and other sectoral groups, fall squarely into the category of 'illegal organizations' and a large number of Palestinian political prisoners who have been "charged and tried," are serving sentences for 'membership in an illegal organization,' 'support for a hostile organization' and similar charges.

## SECRET EVIDENCE

Secret evidence is routinely used in military trials, 'security trials' of Palestinian citizens of Israel, and reviews of administrative detention. Palestinian prisoners - and their lawyers - are not permitted to see this secret evidence, whose secrecy is deemed necessary for the "security of the state."

### The Global Campaign for Palestinian Prisoners' Day

For more information:

[www.addameer.org](http://www.addameer.org)

[www.dci-pal.org](http://www.dci-pal.org)

[www.ufree-p.net](http://www.ufree-p.net)

[www.samidoun.ca](http://www.samidoun.ca)

[ameermakhoul.wordpress.com](http://ameermakhoul.wordpress.com)

[freeahmadsaadat.org](http://freeahmadsaadat.org)

## TORTURE AND ABUSE

Palestinians may be detained for up to twelve days without being informed of the reason for their arrests or being brought before a judge. During this period of detention, Palestinians may be interrogated constantly; following this period, prisoners may be brought before a military judge and charged, sent to administrative detention or released. A Palestinian detainee may go through 180 days of initial interrogation; for the first 60 of those days, he or she may not be seen by a lawyer.

The use of so-called “moderate physical pressure” in Israeli interrogations is accepted, legal and common. Legalized torture in Israeli jails includes the use of shortshackling, “stress positions” - painful positions in which a person is shackled for periods of time, beatings and squeezing of handcuffs, as well as sleep deprivation, exposure to temperature extremes for extended periods of time, the use of noise and loud sounds, humiliation and threats, and many other documented tactics of abuse. The Palestinian Prisoners’ Society has estimated that 90% of Palestinian detainees were tortured in Israeli custody, and confessions and other information extracted through torture may be used in military courts, ‘security trials’ and as part of secret evidence dossiers.



## SOLITARY CONFINEMENT AND ISOLATION

Isolation and solitary confinement are frequently used against Palestinian political prisoners, including hunger strikers, political leaders, and other influential prisoners. Ad-dameer reports that Palestinian prisoners are held in both solitary confinement and isolation. Solitary confinement and isolation have been deemed to be forms of torture by the UN Special Rapporteur on Torture.

Detainees and prisoners held in solitary confinement are completely cut off from the world 24 hours a day. They are held in an empty cell containing only a mattress and a blanket. Prisoners held in isolation are held in a cell alone or with one other prisoner for 23 hours a day. They are allowed to leave their cell for a daily one hour solitary walk; on the way to their walk, the prisoners’ hands and feet are typically shackled.

Isolation cells in the various Israeli prisons are similar in size – typically from 1.5 by 2 meters to 3 by 3.5 meters. Each cell usually has one small window which in most cases does not allow in sufficient light or air from the outside. The cell usually has an iron door, which includes an opening at its lower part, through which guards insert food trays. Prisoners held in these cells are thus prevented from having any eye contact with other prisoners in the isolation wing or even with guards.

## THE PALESTINIAN PRISONERS’ MOVEMENT

Despite the harsh conditions of imprisonment, the frequent use of isolation, ransacking of cells, confiscation of media, and denial of access to education among Palestinian prisoners, the Palestinian prisoners’ movement is central to the Palestinian struggle for freedom and liberation. Palestinian prisoners are not only victims of an unjust and oppressive legal/military structure - they are part of an entire people seeking their freedom and liberation, including the end of occupation, the right of return of Palestinian refugees, and full rights for all Palestinians.

Hunger strikes demanding prisoners’ rights and freedoms have galvanized the Palestinian and solidarity movements - not only the heroic actions of Khader Adnan and Hana’ Shalabi in 2012, but for decades. Palestinian Prisoners’ Day - April 17- marks the 1974 liberation of Mahmoud Hijazi, the first Palestinian prisoner freed in a prisoner exchange. This year, Palestinian Prisoners’ Day marks the launch of the Karameh hunger strike, in which thousands of Palestinian prisoners will join the 10 prisoners currently engaged in an open-ended hunger strike. The prisoners’ demands include an end to solitary confinement and isolation, allowing family visits for prisoners from Gaza, and an end to policies of humiliation and collective punishment.

The prisoners say, “The aim of the hunger strike is to shift local, regional and international public opinion. It aims to put pressure on the occupying government and hold it responsible for the health of all prisoners. Palestinian Prisoners are calling on free people across the world to do everything in their power to support them in their struggle for rights.”

## TAKE ACTION!

The Canadian government is complicit in Israel’s ongoing use of mass imprisonment against the Palestinian people when it vocally supports Israeli aggression in the UN and around the world.

**INFORM OTHERS.** Distribute this flyer and others like it (see organizations below) in your community, workplace, or school.

**HOLD AN EVENT** or organize an action or protest at Israeli consulates and embassies about political prisoners.

**WRITE** a letter or op-ed for your local newspaper, blog, or school publication, focusing on the stories of Palestinian prisoners.

**CALL** your government officials and demand they take action to sanction Israel for its abuses against Palestinian prisoners. Call the office of John Baird, Foreign Minister, and demand an end to Canadian support for Israel and justice for Palestinian prisoners, at : 613-990-7720; Email: bairdj@parl.gc.ca.

**JOIN THE MOVEMENT** for Boycott, Divestment and Sanctions against Apartheid Israel. BDS is a global movement to isolate Israel internationally in response to its violations of Palestinian rights. Some BDS targets focus on prisons, including: G4S, one of the world’s largest security companies, provides security for Israeli prisons; Hewlett Packard provides technology to run Israel’s security apparatus. CONTACT US: april17@palestinianprisoners.org