

Adalah Briefing Paper
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On Prisoner's Day: Increase of inhumane punishment by Israel Prisons Service (IPS) for thousands of Palestinians classified as "security prisoners" in 2011

Statistics

19,561	Overall number of prisoners in IPS facilities
4,631	Total number of security prisoners
4,275	Security prisoners: Palestinians from East Jerusalem, the West Bank, and Gaza (Occupied Palestinian Territory, OPT)
1,355	Security prisoners sentenced for illegal presence in Israel
533	Security prisoners from OPT sentenced to life in prison
340	Security prisoners: Palestinian citizens of Israel
2	Security prisoners: from the Golan Heights
14	Security prisoners: Jewish
≈320	Palestinians from OPT held in administrative detention (Estimate from Addameer)

Source: Israel Prisons Service, February 2012¹

"4,275 security prisoners are Palestinians from the OPT, 340 security prisoners are Palestinian citizens of Israel, and 14 security prisoners are Jewish."

Prisoners classified as "security prisoners" by Israel, overwhelmingly Palestinians, are held under much harsher and more severe detention conditions than criminal prisoners.

The Israeli Supreme Court has ruled that the Israel Prisons Service (IPS) is authorized to define who is a security prisoner and who is a criminal prisoner, and to take special measures regarding

¹ IPS letter dated 28 February 2012 in response to Adalah's request for information on the number of the Palestinian prisoners held in Israeli prisoners.

the security prisoners.² Nonetheless, the court emphasized that the IPS should balance prisoners' rights with restrictions necessary to maintain security.³

Security prisoners face harsh restrictions. For example, security prisoners may only receive family visits from first-degree relatives; they are prohibited from maintaining telephone contact with any person, including family; and they are not permitted leave from prison, even for special events such as the death of a first degree family member. Further, security prisoners' social needs are ignored: they cannot have rehabilitation services or enjoy educational opportunities that the IPS provides to criminal prisoners. During visits from first-degree family members or the prisoner's lawyer, glass barriers separate the prisoner from his visitors. Palestinian security prisoners do not receive amnesty from the President of the State of Israel, and those sentenced to life imprisonment have no opportunity for the reduction of their sentence.

In 2011, the IPS tightened restrictions on the thousands of security prisoners under its control, intentionally to worsening their conditions of confinement. These restrictions include, for example, prohibiting higher academic studies via the Open University, cancelling the possibility to view various TV channels, and narrowing rules or prohibiting sending and receiving mail.

“The Israeli government openly declared in 2011 that it was taking measures to exacerbate security prisoners’ imprisonment conditions”

Tightening strictures on security prisoners was used as a form of collective punishment leading up to the release of the imprisoned Israeli soldier Gilad Shalit in June 2011. The Israeli government openly declared that it was taking measures to exacerbate security prisoners' imprisonment conditions, beginning with the cancellation of security prisoners' academic studies.⁴

Some of these measures can be defined as ill-treatment and cruel, inhuman and degrading treatment, contrary to international law. Amongst these measures are strip searching, use of violence as punishment, incommunicado detention, inadequate medical treatment for hunger strikers, prevention of medical care by independent doctors, and prevention of access by prisoners to their lawyers.

In 2011, the Israeli authorities widely applied administrative detention and solitary confinement. In response, administrative detainees declared a hunger strike and security prisoners joined them. Hunger strikers were punished by denial of their rights by, for example, by depriving them of family visits.

In October 2011, approximately 1,000 Palestinian prisoners were released in exchange for the release and the return of Israeli soldier Gilad Shalit in a deal between Israel and Hamas. However, the harsh conditions imposed on security prisoners were not lifted.

In fact, in March 2012, the IPS imposed a new kind of collective punishment: 76 security prisoners, most of them Palestinian citizens of Israel from the Triangle and northern Israel, were suddenly moved from section 4 in Gilboa Prison, near Beit She'an and their families' homes, to Nafha Prison, located in an isolated area in the southern Naqab (Negev) desert. Their removal to

² See HCJ 221/80, **Darwish vs. the IPS**, PD 35 (1), 536 (1980).

³ Administrative Appeal 7488/95, **The State of Israel vs. Quntar**, PD 50(4) 492, 500, 503 (1996).

⁴ See <http://www.haaretz.co.il/hasite/spages/1232447.html> (Hebrew).

the remote prison imposes additional difficulties to the prisoners and their families – especially for visitors who are elderly, ill, or children.

“Section 4 of Nafha Prison: The cells are dirty, dark, and unventilated, with insects and cockroaches crawling from the mattresses.”

In addition to the questionable reasons for the transfer and the problematic way it was undertaken, Section 4 of Nafha Prison, where the prisoners were sent, is in terrible physical condition that endangers the prisoners’ physical health. Prisoners reported to Adalah that they are crowded into a small cell, with poor sanitation including no separation between toilets and showers. The cells are dirty, dark, and unventilated, with insects and cockroaches crawling from the mattresses. The prisoners reported also that the cells lack electric outlets, and blackouts take place regularly. Basic furniture such as closets, tables, and chairs are inadequate for the prisoners in each cell. In addition, the courtyard in Section 4 is not large enough to accommodate the prisoners during daily recess.

Adalah immediately wrote to the IPS after learning of the prison transfer from Gilboa to Nafha,⁵ and demanding that Section 4 be shut down promptly.⁶ The two letters went unanswered. However, at the end of March 2012 Adalah was informed that prisoners held in Section 4 were moved to another section of Nafha Prison, but the new section had similar conditions. Additional prisoners from Ramon Prison were transferred into Section 4.

“The IPS’s overarching policy of harassment and restrictions unrelated to security infringes on prisoners’ human dignity and constitutes cruel and inhuman punishment.”

The transfer of 76 prisoners from Gilboa Prison to distant Nafha, their placement in inhumane conditions in Section 4 and subsequent transfer to a similar section, and the transfer of an addition 70 prisoners from Ramon Prison to Section 4 appears to be a new form of collective punishment. However, collective punishment is characteristic of the IPS’s policy towards security prisoners, who endure harsh imprisonment conditions and regular humiliation.

⁵ Adalah's letter to the IPS, 5 March 2012. See http://www.adalah.org/eng/pressreleases/25_3_12.html

⁶Adalah's letter to the IPS, 13 March 2012.