



Palestinian Prisoner's Day 2021

April 2021

PLO Department of Public Diplomacy and Policy

The Context

Every year, Israel detains and imprisons **thousands** of Palestinians, including **women** and **children**. This is done through frequent **night raids** of Palestinian cities, towns, villages and refugee camps by Israeli occupation forces. All Palestinian detainees are tried in **military courts**, which have a **99% conviction rate**.

Since the beginning of the Israeli occupation in 1967, Israel has imprisoned **over 1 million** Palestinians. **Today**, there are **4,500** Palestinians held in Israeli prisons. **440 Palestinians** are held under "**Administrative detention**", or imprisonment without charge or trial. Since 1967, Israel has issued at least **60,000** administrative detention orders.

Despite the **COVID-19** pandemic, Israel conducted **3,425** military search and arrest raids into the occupied West Bank during the year **2020**, imprisoning **more than 4,600** Palestinians. **1,114** administrative orders were also issued during the same year.

Almost **all Palestinians** detainees, including women and children, are subject to **torture** and **ill-treatment**. Additionally, around **550** Palestinians imprisoned suffer from **chronic illnesses**.





Abid Katib/Getty Images

Torture

Israel has **no specific legislation outlawing torture**. In 1999, the Israeli "Supreme Court" ruled against torture but **provided legal cover** for Israeli interrogators to use different types of pressure amounting to **torture** and **ill-treatment** against Palestinian political detainees in so-called "ticking bomb" cases. However, Israeli interrogators still exercise torture with **full impunity** and **zero accountability**.

The Israeli legal system is **fully complicit** in allowing this flagrant violation of human rights. This complicity became fully evident in 2017, when the "Supreme Court" **exempted alleged torturers** from investigation and prosecution, prompting the UN Special Rapporteur on Torture to condemn the ruling as it provided a **"license to torture"**.

Since 1967, **one third** of Palestinian detainees who died in Israeli custody were **killed by torture**. According to Amnesty International, **four** Palestinians died while in Israeli custody from torture or other ill-treatment in 2019.

These are some of the **torture** and **ill-treatment techniques** employed by Israel: physical assault, solitary confinement, verbal abuse, stress positions, prolonged isolation from the outside world, inhumane detention conditions, excessive use of blindfolds and handcuffs, sleep deprivation, deliberate medical negligence, denial of food and water for extended periods, denial of access to toilets, denial of access to showers or change of clothes for days or weeks.

Women

As of today, **41 Palestinian women** are imprisoned by Israel, including **11 mothers**. The methods of **torture** and **ill-treatment** used against female Palestinian detainees cause severe **physical** and **mental suffering**. They endure verbal abuse, **sexual harassment**, denial of sanitary products and being forced into stress positions. Female detainees also report being subjected to **sexually degrading insults** as well as threats of **rape**, including against family members.

Israeli prison authorities also employ **strip searches** and intrusive body searches against Palestinian female prisoners. This measure is mostly used during transfer of Palestinian female prisoners from prisons to the military courts or as a form of punishment.





Breaking The Silence

Children

Israel is the **only country in the world** that has a **military juvenile court system**, exclusively for Palestinian children as young as 12 years of age. Israel detains an average of **700** Palestinian children **yearly**. **Today, 168** children are in Israeli prisons, **27** of them are placed in **solitary confinement**.

The **torture** of Palestinian child detainees begins the moment they are detained. The majority of children are detained during **night home raids**. These raids instill **fear** and **terrorize** the children and their families, who are not informed where their children are being taken.

Most children are **denied** the right to counsel or presence of parents during interrogation. Around **85%** of detained children report being **physically and verbally abused**.

International law

Torture is **strictly prohibited** under international law. The prohibition of torture and other cruel, inhuman or degrading treatment is affirmed in several international conventions and declarations, including the Geneva Conventions, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. When the use of torture is widespread and systematic, it is regarded as a **crime against humanity** under the Rome Statute.

International law **obliges Israel**, as an occupying power, to provide allowances for Palestinian detainees, as enshrined in **Articles 98** and **81** of the **Fourth Geneva Convention**. It also ensures that **support** should be provided for the **dependents** on the detainees.

The **majority** of detainees are the **sole financial providers** for their **families**, which means that Israel is required to provide for their dependents. Israel **does not honor** all these obligations. Instead, Israel is **punishing** the Palestinian government for providing allowances to the families of Palestinian prisoners by **pirating Palestinian tax revenues**.

