

---

# Administrative Detention: A Legal & Lethal Tool of Israeli Repression

Sawsan Ramahi

BRIEFING PAPER

**MEMO**  
MIDDLE EAST MONITOR

Middle East Monitor is a not-for-profit media research institute that provides research, information and analyses of primarily the Palestine-Israel conflict. It also provides briefings on other Middle East issues. Its outputs are made available for use by journalists, academics and politicians with an interest in the Middle East and North Africa.

MEMO aims to influence policy and the public agenda from the perspective of social justice, human rights and international law. This is essential to obtain equality, security and social justice across the region, especially in Palestine.

MEMO wants to see a Middle East framed by principles of equality and justice. It promotes the restoration of Palestinian rights, including the Right of Return, a Palestinian state with Jerusalem as its capital and with democratic rights upheld. It also advocates a nuclear-free Middle East.

By ensuring that policy-makers are better informed, MEMO seeks to have a greater impact on international players who make key decisions affecting the Middle East. MEMO wants fair and accurate media coverage of Palestine and other Middle Eastern countries.

## Administrative Detention: A legal and lethal tool of Israeli repression

Sawsan Ramahi

Title: *Administrative Detention: A legal and lethal tool of Israeli repression*

Published: October 2011

Second Edition: November 2017

ISBN: 978-1-907433-35-1

Copyright © MEMO Publishers 2011, 2017

All rights reserved. No part of this publication may be reproduced, stored or transmitted in any form or by any means without prior permission of the copyright owner.

This report is available to download free of charge on the Middle East Monitor Website: [www.middleeastmonitor.com](http://www.middleeastmonitor.com)



MEMO Publishers

1 Green Mews

Bevenden Street

London N1 6AS

t: +44 (0)20 8838 0231

e: [info@memopublishers.com](mailto:info@memopublishers.com)

w: [www.memopublishers.com](http://www.memopublishers.com)



Israeli security forces detain an injured Palestinian protester during clashes near the illegal Israeli settlement of Bet El, near the occupied West Bank city of Ramallah, 30 October 2015 [Shadi Hatem/APAimages]

---

# Administrative Detention: A legal and lethal tool of Israeli repression

A largely neglected instrument of legal Israeli repression used against the Palestinian people is that of administrative detention. Thousands of men, as well as women and children, are held indefinitely and under horrendous conditions in detention centres dotted across the Occupied Territories without charge, access to a fair trial or even having been accused of committing a crime. This renders administrative detainees exceptions to the rules that would govern convicts, placing them outside the normal legal system and procedures and beyond the remit of the Red Cross. This not only means that the order cannot be challenged, but it also means that detainees are not provided with adequate living conditions, medical care, food, clothing or access to their families.

The immense amount of power wielded by the military commanders able to issue administrative detention orders arbitrarily, means it has become a lethal tool of political retribution against the resistance. Moreover, it is used as a means of subjugating the people as a whole and of damaging the very fabric of Palestinian society. Israel's application of its administrative detention laws clearly contravenes both international and humanitarian law and, according to certain interpretations, constitutes a war crime.

## What is administrative detention?

Administrative detention is when an individual is detained without being accused or convicted of a crime. Their imprisonment depends on a secret dossier of undisclosed evidence that neither the detainee nor their council is privy to. The maximum period of a single administrative detention order is six months, however, this may be renewed for an unlimited number of times according to arbitrary military decree at appeal.

---

Administrative detention is a practice closely linked to the political situation in the Palestinian territories and to the protest movement opposing the continued Israeli occupation of those territories since 1967. It is a political measure and a form of punishment stemming from official Israeli government policy to collectively punish Palestinians. In the format in which it is applied by Israeli forces, administrative detention is prohibited in international law.

The International Committee for the Red Cross defines administrative detention as: The deprivation of a person's liberty based on an initiative or order from the Executive Authority and not the judiciary and without criminal charges being brought against the detainee or the person who has been administratively detained. [As elucidated by the Additional Protocols issued on 8 June 1977 in accordance with the Geneva Convention of 12 August 1949]

## The origins of administrative detention

Administrative detention as Israeli state policy began with Israel's occupation of the West Bank and the Gaza Strip and was based on Article 111 of the British state of emergency defence regulations of July 1945. On this basis, Israel began enacting special legislation, including the 1970 Security Legislation through military order 378, built on the same framework as British emergency regulations. Since then the occupying state has carried out cosmetic amendments to these regulations without altering their core substance.

During the first years of the occupation, there was widespread use of administrative detention which declined during the second half of the seventies reaching its lowest levels in 1980 and remained that way until the outbreak of the first Palestinian uprising, Intifada, in 1987. Due to obvious changes occurring thereafter, such as the expansion of popular resistance, the Occupation issued new orders and enacted fresh legislation to facilitate the process of administratively detaining the Palestinian resistance. Some of these laws and orders included:

1. Military Order no. 1228 issued on 17 March 1988 which gave the power to issue an administrative detention order to military personnel ranking lower than Regional Commander.
2. Military Resolution no. 1281 issued on 10 August 1989 which allowed for the period of administrative detention to be extended to a full year in one go subject to renewal.

From 1987-94, the number of administrative detention operations escalated dangerously reaching approximately 20,000. Detainees were held in the Ansar 3 prison in the Negev desert under extremely harsh conditions.

With the signing of the Oslo Agreement and the advent of the Palestinian Authority, the numbers of administrative detainees decreased significantly. However, they began to increase once again with the outbreak of the Second Intifada in September 2000. From then onwards, the number of administrative detainees periodically reaches upwards of 1,500 with some detainees spending up to five years in captivity before being released.

## Israel's administrative detention process

The process depends on the following:

1. A special directive specific to administrative detention which forms part of clandestine military legislation in place in the West Bank. The majority of those administratively detained are held based on individually issued detention orders. A similar system specific to the Gaza Strip was abolished following the implementation of the 'separation' plan in 2005.
2. The Special Emergency Powers Act (detention) which has been part of Israeli legislation since 1979. It aims to replace arrangements determined by the British emergency regulations system in specific regard to administrative detention. It only became clandestine after the Knesset declared a state of emergency; however, it has been the declared status quo inside Israel since the state was established. The law authorises the Minister of Defence to detain a given individual for no more than half a year. However, it also allows that the individual's period of detention to be

extended for an addition half year on an unlimited number of occasions. The law grants the detainee no protection during administrative detention, particularly with regard to the length of time they may be held before being brought before a judge as well as the pace of judicial review.

3. The Imprisonment of Unlawful Combatants Act which came into effect in 2002. This law originally aimed at allowing Israel to continue to hold Lebanese prisoners in their custody at the time and to use them as 'bargaining chips' in prisoner exchange deals and for the return of dead soldiers' bodies. Today, the law is used to arrest and detain Palestinians from the Gaza Strip without prosecuting them.

## Israeli justifications for administrative detention

Israel justifies its use of extra-judicial punishments like administrative detention by claiming such practices are consistent with the content of defence regulations from 1945 and were part of the laws of the state when it occupied the West Bank in 1967. However, the British revoked these regulations in May 1948 as confirmed by a letter sent by the British Foreign Office dated 22 April 1987 to the Rights Foundation, a branch of the Commission of International Jurists in Ramallah. Additionally, these regulations are inconsistent with the Jordanian Constitution which prevailed in 1952.

## When Israel uses the administrative detention weapon

1. Israel uses administrative detention in instances where its security forces do not possess the necessary evidence to secure a conviction but would nevertheless like to punish an individual.
2. It is often used when a Palestinian has been denounced by another and Israeli intelligence would prefer to keep the identity of the accuser secret.
3. It is also used when Israeli forces want to absent Palestinians seen to have significant capabilities or to pose a danger to Israeli security during a difficult stage but they do not have the evidence to convict them of a

---

crime.

4. It is used to adversely affect or injure the mental state of certain individuals and thus impact on their activities outside of prison once they are released.
5. It is used to inflict economic damage on detainees and their families.
6. It is used for political reasons such as with the campaign of mass detentions which saw thousands arrested when the self-rule region broke away in mid-March 2002. Those arrested were held in order to:
  - a) Satisfy the Israeli Street; to persuade them of the usefulness of the military campaign against the Palestinians and the success of the Defensive Wall strategy.
  - b) Use the detainees as means of pressuring the other side and as a bargaining tool at the start of any future negotiations with the Palestinians.

### **Administrative detention according to Israeli military orders contravenes international laws and standards**

- The way in which Israel uses administrative detention flagrantly contravenes restrictions set out for its use by international law.
- One of the most important and prominent basic fundamentals of human rights is the right to freedom and administrative detention is a flagrant violation of freedom.
- Israel's use of administrative detention against Palestinians in accordance with void emergency laws from 1945 is a clear violation of the law.
- Article 43 of the Hague Conventions of 1907 does not allow for an occupying state to make changes to the existing legislative reality in an occupied territory. Israel recognises these regulations as confirmed by

---

legal rulings made in its Supreme Court on more than one occasion, such as the decision in 2000 which ruled that Israel was not entitled to administratively detain Lebanese citizens. As such, there is no legal basis for Israel resorting to the 1945 emergency regulations as a basis for administrative detention. Moreover, administrative detention contravenes the foundations of Israeli law itself.

- The Fourth Geneva Convention of 1949, and specifically articles 70 and 71, require that a fair trial be established and the accused clearly informed of their indictments in a language they understand laying out the reasons for which they have been detained and thus allowing them the opportunity to defend themselves. Given that administrative detentions are based on secret dossiers, it is abundantly clear that this information is not presented to the court considering the case and claiming to guarantee a fair trial. As such and in accordance with articles 130 and 131 of the Third Geneva Convention as well as articles 147 and 148 of the Fourth Geneva Convention, it becomes a war crime. Particularly given that Israel has taken upon itself to abide by international law and the Hague Convention in its governance of the Palestinian Territories. The Israeli Supreme Court has confirmed this in more than one resolution, the most prominent being in 1977, case number 606/78 (Duweikat vs. the Israeli State) on the Alon Morieh Settlement issue.

*Administrative detentions are used by Israel to inflict economic damage on detainees and their families*

Authorities claim that under article 78 of the Geneva Convention on the protection of civilian persons during times of war (1949), the occupation has the right to administratively detain persons under their authority.

Article 78 of the Geneva Convention stipulates the following:

If for compelling security reasons the occupying state considers it necessary to take security measures against protected persons, at most it has the right to impose house arrest on them or to detain them.

1. The administrative detention practiced by the Israeli occupation differs from what the Geneva Convention stipulates in both form and content. The conditions authorities of the occupation use in their application of this form of detention and the legal procedures they take are incompatible with the requirements of the international convention and other international standards of fair trial. It is clear that the convention speaks of administrative detention within the context of extreme emergency and as an unavoidable last resort. If there is the possibility of imposing house arrest on the individual, this becomes the priority as it is the less damaging alternative.
2. Actual practices in the Occupied Territories highlight that the military commander authorised to issue administrative detention orders does so not only in instances of extreme emergency. This is emphasised by the fact that in some years, the numbers of those being held in administrative detention reaches the thousands, some of whom spend between two and three years behind bars. Some of them remain in prison for years after being sentenced for perpetrating offences under military orders and after serving their sentence, they are transferred to administrative detention under the pretext that they still pose a danger to security.
3. In the majority of instances of detention, the military commander's orders are based on secret materials – under the second amendment to administrative detention orders (secret instructions) (amendment no. 2) 1988 (no. 1254 in the West Bank and 966 in Gaza) – it is primarily the article which indicates the dangerousness of the individual, i.e. it is the article of evidence against them. However, it is impossible to reveal this information in order to preserve the safety of the sources or because revealing it would expose the methods through which the material was obtained. In such situations and on more than one occasion, the Israeli Supreme Court has ruled that it is permissible not to reveal this evidence and the authorities are not obliged to respect the right of the accused to a fair trial. However,

*In the majority of instances of administrative detention, the orders are based on 'secret evidence'*

the Fourth Geneva Convention does not speak about the power to use confidential materials to prove the dangerousness of an individual.

4. The legal explanations of the convention (Jean Beckett) emphasise that the powers in article 78 only come into effect if there is no possibility for the prosecution of the individual because they have not committed an offense under criminal law. The dangerousness deriving from the individual focuses on an action that they have done, but which is not a declared criminal offense. Or, if they declare their intention to commit an act considered an offense but this is not accompanied by an actual action. The military orders relating to administrative detention indicate that the majority of those detained are imprisoned because they are suspected of belonging to illegal organisations or carrying out military actions. This is what they are usually accused of in the text of the military orders themselves. Similarly, there are many detainees who find public materials being used against them such as confessions from other detainees which attribute specific actions to them.

From this we can see that there are fundamental difference between what the Geneva Convention stipulates and the policies of the Israeli occupation. Thus, the demand of administrative detainees to for investigations to be conducted into the dossiers of all those detained, whether they have been tried or released, is a genuine demand.

## Judicial control over administrative detention decisions

Article 79 of the Fourth Geneva Convention refers to article 43 of the same convention which provides that “any protected person that is detained or confined to house arrest has the right to have the decision taken reviewed as soon as possible by a court or a specialised administrative committee established by the detaining state for this purpose. If the detention or house arrest continues, the court or the administrative committee must examine the situation of the person at least twice annually with the view to amending the decision in their favour if circumstances so permit.”

What is clear from the text of the above article is that the review of the decision should preferable take place before a committee consisting of a number

---

of individuals and not just one person. This will help in achieving a more substantive consideration. The objective of the review is to modify the decision in line with what is in the interest of the detainee and not the reverse.

Amendments to military orders that have occurred during the long years of the occupation indicate that the objectives of legal review of detention orders are incompatible with the demands of the convention for the following reasons:

1. The review is carried out by a military judge and not a commission. Previously, a secret service agent would be called in to discuss each dossier and present the secret material in detail before a judge. But in the period following the re-occupation of the West Bank after the Second Intifada in 2000, this procedure was waived and today, the judge decides whether to call the secret service agent or not. This means that that in the vast majority of cases, the judge hears a summary of the evidence against a detainee rather than all the secret materials and he does not have the opportunity to discuss with a member of the intelligence how the information was obtained or how it was examined to ascertain and ensure its validity.
2. The detainee should be brought before the judge within 8 days of an administrative detention order being issued against them, however, under Israeli law they are brought before the judge within 48 hours. This period is subject to the military commander, who is the law maker, and who carries out adjustments whenever necessary as was the case in April 2002 when the period was extended for 18 days.
3. In the past, when an order was issued for a six month period, it had to be legally reviewed by a military judge twice during this period and there was a right to appeal against all decisions made by the judge. However, since April 2002, this procedure was annulled and the review is now carried out only once along with the right to appeal. It also used to be the responsibility of the military commander to specify the place of detention within the military order itself, however, currently this is unnecessary and in theory it is possible for the administrative detainee to be imprisoned anywhere.

---

What is clear is that the military commander has the power to carry out any amendments to military orders relating to administrative detention according to military necessity and suitability without taking into account any international standards related to the rights of detainees either under the Fourth Geneva Convention or human rights laws related to the rights of prisoners

## International law and administrative detention

International law delineates the general principles of administrative detention in exceptional circumstances as follows:

1. According to the Fourth Geneva Convention, administrative detention is without doubt an exceptional measure as it is a harsh procedure used to maintain control of a difficult situation.
2. Administrative detention is not a substitute for a criminal lawsuit.
3. If administrative detention is carried out according to its prescribed conditions it must only be on a case-by-case basis. Under no circumstances can it be applied collectively as collective punishment is prohibited under international law according to Additional Protocols II, article 4b.
4. Administrative detention must come to an end once the conditions that led to it no longer exist.
5. The detainee has the right to know the reasons behind the administrative detention.
6. The individual subject to administrative detention has the right to challenge the legality of their detention without any delay.

*Military commanders have the power to carry out any amendments to orders relating to administrative detention without having to take into account any international standards related to the rights of detainees*

- 
7. Detainees have the right to have the legality of their administrative detention order considered by independent and impartial parties.
  8. The detained must be allowed access to legal assistance.
  9. The administrative detainee and their legal representative must be allowed to personally attend the legal proceedings.
  10. The administrative detainee must be allowed to communicate with family members including through letters and visits.
  11. The administrative detainee has the right to medical care suited to their medical condition.
  12. Administrative detainees have the right to submit documents relating to the treatment they receive and their conditions of detention.
  13. Administrative detainees have the right to be visited by the International Committee of the Red Cross according to article 143 of the Fourth Geneva Convention.

### **What are the procedures for administrative detention?**

The administrative detention of an individual is implemented via an order by the regional military commander of the area in which the detainees lives. It is an extremely basic standardised document with blank spaces to be filled in with the name of the regional commander; the name, identity card number, date and place of birth of the detainee; the prison where they are to be held and the dates of their detention.

The document very simply states “[name of detainee] poses a danger to the security of the region, and he is hereby administratively detained...” and with that the individual in question joins tens of thousands of others who have fallen under the yoke of this oppressive occupational procedure.

Administrative detention has three courts, the first is the Ofer Military Court near the crossing in Ramallah, the second is the Negev Military Court near the

Negev Desert Prison and the third is the Supreme Court of Justice whose main headquarters are in Jerusalem. Occasionally, the Department of Prisons may transfer a detainee’s dossier to a court far from where they are being held. For example, a person being held in the Negev Desert prison would expect to be tried in the Negev Military Court, however as their trial date approaches, their file may be transferred to the Ofer Military Court compelling them to travel from the far south to the far north of the territory. This obviously results in hardship and suffering for the prisoner given not just the distance to be travelled, but also the poor conditions they are transferred under such as having both their hands and legs handcuffed throughout the journey and having to sit on iron seats. This is known as Al-Busta.

### **Harsh detention conditions**

The conditions under which administrative detainees in military detention centres are held are extremely harsh. They are detained in overcrowded tents, are not provided with appropriate meals in terms of quantity and quality and neither are they given clothing and the necessary cleaning equipment. Many Palestinians currently being detained in military detention camps sustained injury during their arrest or were previously injured, however are not given suitable medical attention. Additionally there are those who suffer from chronic illnesses which have resulted in deaths in detention due to medical negligence.

Palestinians wishing to visit detained relatives in Israeli prisons must apply for permission from Israeli Security Services for what is in fact “a permit to enter Israel”. Given the permanent closure of Palestinian areas, citizens of the West Bank and Gaza Strip are prohibited from entering Israel without obtaining a special permit. As such, even if Israel does not explicitly or directly prohibit detainees from receiving family visits, the fact that all detainees are imprisoned inside Israel means that the state has the power to determine who is granted an entry permit and who is not and in this way thousands of families are denied the ability to communicate with loved ones inside Israeli prisons.

Despite the fact that according to Israeli administrative detention laws, detainees have the right to receive two family visits, many detainees are barred from receiving any visitors whatsoever and are dealt with in accordance with

---

controls issued by the Israeli authorities in 1996. These allow for only certain categories of immediate family members to visit the detained to include the father, mother, husband, wife, grandfather and grandmother. However, visits from siblings and children are confined to those under 16 and over 46.

## Administrative detention as a means of pressure

### 1. Administrative detention as a means of extracting confessions

Sometimes during interrogations, Palestinian prisoners are faced with various accusations and alleged charges against them made by the Israeli intelligence services which they are expected to admit to. In such situations, they are faced with the prospect of receiving an administrative detention order, are threatened with many years behind bars without prosecution and the prospect of remaining in prison for twice as long as they would if they confessed. At each extension the detainee bargains over whether to recognise and acknowledge some of the “charges” against them or to have their administrative detention order endlessly renewed.

### 2. Successive extensions

Administrative detention is not limited to a period of three, six or even twelve months and there are hundreds of prisoners whose detention orders have been extended dozens of times. Some detainees have had their orders extended the night before their intended release and others mere minutes before. There are also prisoners who have spent upwards of five consecutive years in administrative detention; without any charges being brought against them besides information contained in a secret dossier prohibited to both the prisoner and their counsel.

### 3. The release of administrative detainees and their re-arrest shortly afterwards

In such circumstances, the prisoner has often suffered numerous extensions of their orders and with the prosecution having exhausted their flimsy pretexts to keep them in detention, they are freed and allowed to remain outside of detention for a short period. In many cases they are re-arrested the very same

day. Some detainees have been re-arrested as soon as they reach the nearest Israeli military roadblock from the prison and never even make it home.

### 4. Psychological pressure

When prisoners are made to languish behind bars indefinitely and without being given a fixed release date, they and their families are forced into a state of vigilant expectation and anxiety. This, coupled with the prospect that their period of detention could be extended for another six months just minutes before their release, causes immense psychological pressure. This is a systemised policy aimed at breaking the morale and the will of detainees and their families.

### 5. Sham administrative trials

In a deceptive attempt to give administrative detention a legal veneer, so called trials are held which cannot be attended by the families of detainees while the charges against detainees remain unclear and the prosecution is armed with a secret dossier that neither the detainee nor their counsel is privy to. Moreover, the detainee does not know what they are being tried for and their lawyer doesn't know what they are pleading against.

The first of these tribunals is known as the Verification trial - the name itself clearly indicating its aims. The detainee is presented before this tribunal as soon as they receive an administrative detention decision and here it is decided whether to release the individual or uphold the judgment against them. The Judge may reduce the sentence by a month or two to give the process the veneer of legality and justice. But, what is the value of a reduction in sentence when in many cases the next sentence extension is also ready.

*Between 2000 and April 2017, the Israeli occupation authorities issued a total of 27,000 administrative detention orders*

Then comes the Court of Appeals, however, the secret dossier remains a deadly weapon and the best judges are those who request that the file be sent to them to be studied for a few days. The greatest chapter is what is called the Supreme Court or to some as the Supreme Court of Injustice where, if a

---

request from the detainee is refused, this becomes grounds for extending the detainee's period of detention several times.

#### **6. From lawsuit to administration and from administration to lawsuit**

No administrative detainee is guaranteed their release date. Similarly, prisoners who are tried and convicted for clear reasons and given a definite sentence remain vulnerable to being transferred into administrative detention. There is no requirement for these prisoners to be provided with justifications or clarifications of the decision as the lethal weapon of the 'secret dossier' is brought into play.

An example of this is prisoner Shukri Al-Khawaja who served out his eight-and-a-half-year sentence and after his family had completed all preparations to collect him from prison, he was transferred to administrative detention where he spent an additional 18 months. It was unclear what new charges he had been convicted of since the activities which led to his original conviction eight years earlier.

#### **7. From administrative detention to exile**

After many long years in administrative detention and numerous extensions of orders which kill off all the family and loved ones' feelings of hope, the exile bargaining tool is used against the detainee. The detainee is given the choice of remaining in prison indefinitely or being exiled from the country. The vast majority of those presented with these two options choose to endure the darkness of imprisonment rather than the pain of expulsion and exile from the soil of the homeland.



A Palestinian boy seen being arrested by Israeli soldiers and border police during a military operation at the Shuafat refugee camp in Jerusalem on 9 February 2010. Israeli security forces raided the refugee camp in occupied East Jerusalem, arresting 11 people in an operation police said was aimed at putting "some order" in the area [Mohamar Awad/APAimages]

## Figures and statistics

It is common knowledge that for many years Israel has detained thousands of Palestinians through administrative detention orders for periods ranging from a few months to many years. According to figures from B'Tselem, the Israeli human rights information centre in the Occupied Territories, Israel placed more than 1,794 Palestinians under administrative detention during the First Intifada in 1989. In the early and middle nineties, the number of administrative detainees ranged from 100 - 500 while during "Operation Defensive Wall" in April 2002, hundreds more were detained increasing the figure by the end of that year to nearly 1,000 and by the end of 2003, numbers had surpassed the 1,000 mark.

According to the Palestinian rights group the Commission of Detainees and Ex-Detainees Affairs, 50,000 administrative detention orders against Palestinians have been issued by Israel since the occupation of the West Bank and Gaza Strip in 1967.

The table on the right shows the number of Palestinians languishing in administrative detention between 1989 and 2016.

As of 13 April 2017, the number of administrative detainees being held by Israel was 500. Between 2000 and 13 April 2017, the Israeli occupation authorities issued a total of 27,000 administrative detention orders<sup>1</sup>.

Year	Number of Administrative Detainees
1989	1,794
1990	Unknown
1991	348
1992	510
1993	125
1994	163
1995	224
1996	267
1997	354
1998	82
1999	18
2000	12
2001	34
2002	960
2003	1,007
2004	638
2005-2008	750 (approx)
2009-2010	Unknown
2011	307
2012	178
2013	150
2014	463
2015	584
2016	644



— Israeli security forces arrest a Palestinian man during clashes between Palestinian protesters and Israeli police after authorities limited access for Muslim worshippers to the Al-Aqsa Mosque on 15 October 2014  
[Muammar Awad/APAimages]

---

## Most Palestinian elites are subject to administrative detention

The use of administrative detention targets the elites in Palestinian society, such as politicians, members of the Palestinian Legislative Council (there are currently 9 PLC members held under administrative detention orders), social activists, scientists, academics, members of municipal councils, local clubs and bodies, university students, school teachers, doctors and engineers. Administrative detention is utilised to paralyse the potential growth of society by depriving it of the elites and qualified individuals generally considered to be the basic building blocks necessary for nations and their prosperity. This is the real reason why Israel targets such individuals.

### PLC members in administrative detention in the West Bank

The PLC members currently in administrative detention in the occupied West Bank are: Ahmad Al-Mubarak, Ibrahim Dahbour, Jamal Al-Natsheh, Azzam Salhab, Muhammad Abu Tir, Mohammad Maher Badr, Ahmad Attoun, Khaleda Jarrar and Omar Abdel Razek<sup>2</sup>.

Some of the experiences of Palestinians held in administrative detention with neither charge nor trial are given below.

#### 1. Ahmad Attoun

Ahmad Attoun was born in Jerusalem in 1968<sup>3</sup>. He received a bachelor's and a master's degree from Al-Quds University, as well as a higher diploma in institution management from the Hebrew University of Jerusalem. He has also completed several specialised courses in business administration, media and Hebrew.

A member of several charities and social organisations, Attoun has also participated in a variety of activities related to education and schools, as well as Al-Aqsa Mosque and Jerusalem. Married with three sons and two daughters, he is considered to be a social activist from Jerusalem and is accepted by all political and social factions in the occupied city.

Attoun was first arrested in 1988, when he spent four years in detention. He was rearrested in 1994, spending a further three years in prison. This was followed by another arrest in 1999 and being held in administrative detention for 6 months. He was then arrested several times and held under administrative detention for 6 months on each occasion.

Standing for the Change and Reform bloc in the 2006 legislative election, Attoun was elected to represent Jerusalem with Muhammad Abu Tir and Muhammad Totah. At the time, the then-Israeli Interior Minister decided to revoke their Jerusalem identity cards, along with former minister Khaled Abu Arafa, under the pretext of "disloyalty to Israel" (although Israel had agreed to the elections being held in Jerusalem). They were then detained with a group of lawmakers and ministers and sentenced to prison terms; they served their whole sentences. Ahmed Attoun was detained from 29 June 2006 to 2 November 2009. Upon his release, along with three others he was summoned by the Israeli police; their identity documents were confiscated and they were ordered to leave their home city. They insisted on remaining and in 2010, the MPs and minister announced a protest sit-in at the headquarters of the International Red Cross in Jerusalem. The protest lasted 19 months, and required them to be vigilant day and night to avoid arrest and expulsion.

Their protest tent at the Red Cross was a point of call for Palestinian and foreign delegations who stood in solidarity with them. During that period, it turned into a kind of popular headquarters for Jerusalemites, representing their causes and perseverance, until the tent was raided by undercover Israeli forces and the protesters were arrested in 2012.

They were exiled to Ramallah and became isolated and alienated. They had no documents allowing them to move outside of their residence, but they did not accept the decision to revoke their Jerusalem ID. The men appealed in the Israeli courts and their case is ongoing. Over the past few years, the Jerusalemite lawmakers and their families have suffered from constant deportation and instability, especially after being rearrested several times while in exile.

---

Ahmed Attoun has described his life since 2006 as “true diaspora” being transferred between prison, the Red Cross sit-in, exile to the West Bank and imposed house arrest<sup>4</sup>. “Years have passed,” he explained, “the case is still pending and my family has not been able to be united due to Israeli persecution and restrictions. My children grew up while I have been far away from them, and my wife gave birth to my youngest daughter while I was staging a sit-in inside the Red Cross tent.”

He described his family as living like “nomads” between Ramallah and Jerusalem. “My children’s feelings and emotions are in Ramallah with their father, while their home, friends and family are in Jerusalem. This leads to instability in the children’s lives and affects their scholastic achievement and social cohesion.”

*Palestinians today  
live as strangers in  
their country*

Palestinians today live as strangers in their country, he pointed out. “It is true that Ramallah is part of our homeland, but it is not an alternative to Jerusalem. Today, by withdrawing our identity, we cannot leave Ramallah, and because of our identity cards, we are living under city arrest.”

In light of their unstable family life, the exiled lawmakers are forced to bear the expenses of two households<sup>5</sup>. They each have a home in Ramallah and their original home in Jerusalem. None of them can move their families to Ramallah completely and close their homes in Jerusalem, because Israeli law regards the move of one’s “centre of life” from Jerusalem to the West Bank enough reason to revoke the Israeli residential permit carried by Jerusalemites.

On 12 April 2017, the Israeli occupation forces arrested Attoun once again after raiding his house in Ramallah. The authorities held him under administrative detention for four months, without directing any charges at him. A few days before the original term was up, his administrative detention was renewed for four more months<sup>6</sup>. No charge, no trial and renewable at random; that is how administrative detention works.

---

## 2. Mohammed Ali Qaraan

Mohammed Ali Qaraan was born in the city of Al-Bireh in 1981. He graduated from the prestigious Birzeit University with a master’s degree in Institution Building and Human Development. Married with two daughters and a son, Qaraan is on the verge of completing his second master’s degree in strategic planning.

As a public affairs and student activist, Qaraan was president of the student union at university, which is what led to his arrest. He also participated in various popular activities, such as volunteer coordinator for the Palestine Red Crescent Society in the West Bank; an active member of the Popular Arts Centre, the Palestinian Working Women’s Society for Development and Al-Bireh Cultural Centre; and a member of the Palestinian Ministry of Sports and Youth.

All of these and other activities have put him at risk of arbitrary arrest. The Israeli occupation forces have actually arrested him five times, four of which were on an administrative detention basis and renewed two or three times. The first administrative arrest was in 2002, when he served 10 months in prison. He was then arrested in 2004 and held for a year; arrested in 2005 for about a month and a half; and arrested again in 2006 and detained for eight months. The fifth time he was arrested was on 17 January 2017, when he was sentenced to four months of administrative detention, which was then renewed for four more months. He was released in August this year.

Due to the security coordination between the Palestinian Authority and the Israeli occupation forces, Qaraan has also been held in PA prisons five times.

Despite not committing any crimes (and certainly not being charged and found guilty of any crimes) Mohammed Ali Qaraan has suffered greatly in prison. His only “crime” is to be an active and effective member of his community.

Qaraan’s wife, Maysa’a Sawalha, explained how he and his family have suffered: “On a cold January [2017] night, after midnight, we had just gone to sleep when I woke up in a panic to the sound of rifle butts banging on our door and officers yelling and threatening to open fire if we took too long to open it. I

---

do not know how I managed to wake up, terrified, place my child on the bed, and wake up my husband. I wish I could have woken him up gently, but the voices of the soldiers and their attempts to knock down the door prevented me from doing so. He leapt out of bed to open the door, but they continued to yell at him and tried to knock the door down by force.”

When Mohammed Ali Qaraan opened the window on the door to show the Israeli soldiers that he was holding the keys and trying to open the door, said his wife, he was surprised to find a rifle pointing at him; the soldiers continued to yell hysterically. “He yelled back at them, and I realised that they would shoot him. However, God protected him and they entered the house, one after the other, heavily armed. They pushed Mohammed aside, blindfolded him, and tied his hands behind his back. They asked me to go into one of the rooms and not to come out.” After the soldiers had searched the house they left, taking Mohammed with them.

“Then they all returned, along with the senior officer of the area, and put Mohammed in the middle of the house, surrounded by soldiers on all sides, all ready to shoot. It was a very difficult situation. The captain began questioning him, but he refused to speak until they un-cuffed his hands because they were putting pressure on his veins and causing him pain. They removed the cuffs, and he answered their questions. They then told him to say goodbye to his family, bring his coat, and leave with them. The soldiers began to withdraw from the house and our courtyard, and Mohammed left us to be taken to an unknown location. I found myself alone with my children and I couldn’t hold it together. I sobbed and asked God to protect him and return him to us safely. I informed our families about what had happened, pulled myself together, was patient, and asked for God’s help.

After a few days, the family found out that no charges were directed at Qaraan, but he was being held under an administrative detention order. “We had no contact with him, and he was placed in Megiddo Prison, known to be the most oppressive of places for prisoners, as they are rarely allowed calls or visits. My children and I tried to live a stable life and I tried to make up for the absence of their father, especially because I know that administrative detention is a long process with no end date. Three and a half months later, we were issued with

---

permits to visit Mohammed. We were extremely happy, despite the difficult visitation process, the searching and the distance. However, none of this mattered as long as we got to see him.”

According to Mohammed Ali Qaraan himself, “All prisoners know that those who settled in Megiddo Prison are in a constant state of oppression. The living conditions in the prison cells are very bad, as they are only 12 square metres, include a toilet, and house 10 prisoners. The cells are very hot and humid, and temperatures in the shade reach 45°C. Sicknesses spread quickly between prisoners due to the tight space, while the drinking water is unclean and unfiltered, and therefore unsuitable for those suffering from kidney problems and kidney stones. They are forced to buy bottled water from the canteen at extremely high prices. The same goes for the prison food, as the prison is given basic ingredients and it is responsible for preparing the meals. Many prisoners buy food from the canteen at extortionate prices because the food is unsuitable for them. Others are basically detained at their own expense, living on the money they ask their families to deposit in their accounts. As for prisoners whose families cannot afford to support them financially, they are forced to live on the basics provided by the prison.”

*“The living conditions in the prison cells are very bad, as they are only 12 square metres, include a toilet, and house 10 prisoners. The cells are very hot and humid, and temperatures in the shade reach 45°C”*

He described the suffering of prisoners as a result of the surprise night searches as a “tragedy” with “endless” violations. “Trained search units suddenly enter the prison and frighten the sleeping prisoners, and even those in the bathroom. They have even gone as far as forcing a prisoner out of the bathroom, where he was taking a shower, naked. They also bring in fierce police dogs and use automatic weapons that are usually used to hunt animals and should not be used at close range. All of this occurs in a cell no bigger than 12 square metres. They also bring in gas canisters, rather than gas bombs, and open these canisters, causing the prisoners to suffocate. The odour spreads and lingers in the cell and on the prisoners’ clothes for weeks.”

---

Qaraan pointed out that there are many incidents exposing the deceit and dishonesty of the prison administration. He claimed that officers do not respect or uphold any agreement made with the leadership of the prisoners' movement, and actually oppress them, transferring them out of spite in order to disrupt internal arrangements and stability amongst the prisoners, thus affecting their psychological situation and routine.

"The conditions suffered during their transfer are another story," he added, "as prisoners are transported in special armoured vehicles with no windows, no light and no fresh air. They sit across from each other, with hand and leg restraints, on backless seats. They are kept in these vehicles for three days rather than three hours, in a deliberate attempt to create fear and panic regarding the distance travelled and the inability to find their bearings. Medical negligence is another issue, as patients reach the prison clinic only after complex efforts and coordination, despite the fact that there are serious cases that require immediate care and medical attention."

Nevertheless, he concluded, despite the poor situation and the harsh living conditions in the cells, the prisoners try to benefit from and help each other. "They have put into place several plans and cultural programmes that include open courses, such as Hebrew language courses and staff preparation, as well as specialised political and religious courses and other courses to discuss books or novels, etc. These programmes run throughout the week, except for Fridays and Saturdays, which are considered weekends."

### 3. Fadi Hamad Ghanem

Fadi Hamad Ghanem is from the town of Birzeit, in the Ramallah suburbs<sup>7</sup>. He is 32 years old and a Birzeit University graduate with a degree in business management. He is currently a master's student majoring in international relations at the same university and was former student government president.

Ghanem has been subjected to a series of arrests by the Israeli occupation<sup>8</sup>, having been arrested for the first time on 11 December 2004 and sentenced to nine months in prison, while he was still a university student. He was arrested again on 25 November 2007 and sentenced to 14 months in prison; still while

---

a student. His arrest on 2 September 2010 was changed to administrative detention, renewed until he had spent 22 months in prison.

After his release from prison, Ghanem began to study for his master's degree. He completed the first semester, and registered for the second, but he was rearrested on 19 May 2013 and held under administrative detention for six months.

"We were engaged in early February 2013," said his then fiancée, Sima Mitwali, "and had agreed to get married seven months later. However, the Israeli occupation authorities arrested Fadi three months into our engagement and he served 26 months in administrative detention during which he participated in the administrative prisoners' hunger strike."

*Re-arrested just 2 days before his wedding, determined to be happy, Ghanem's family held a symbolic wedding, while he was detained in a Palestinian prison*

Once the Israeli authorities released Fadi Ghanem, the couple set their wedding date for 30 August 2015, but the Palestinian General Intelligence Service arrested him for 38 days. After his release by the PA agency, the couple set 2 October as their revised wedding date, but they didn't have the chance to get married, as Ghanem was arrested by the Israelis just two days before the ceremony.

Sima said that she had dreamt of a quiet life at home with her husband, who looked forward to getting a decent job after completing his bachelor's degree in business administration from Birzeit University; it took him eight years to graduate instead of four because of the successive arrests.

Determined to be happy, his family held a symbolic wedding in Birzeit last August, while he was detained in a Palestinian prison. They contacted the PA and demanded his release.

This came about in 2015, after which Ghanem got married and was then blessed with a daughter. However, she was only ten months when he was

---

arrested again and put in administrative detention by the Israelis. Sima and her daughter waited for their husband and father to return. The hardest part for the families of prisoners held under administrative detention orders is not knowing when their loved ones are going to be released and brought back into their lives.

Before his latest arrest, he talked about the difficulty of being arrested again after getting married: “Any new arrest now will be harder than before because detention as the head of a family and a father is harder.”

He had experience of seeing cellmates who saw their son or daughter for the first time during a prison visit. “They would return from the visiting room very sad,” he pointed out<sup>9</sup>. “They would spend hours looking at a picture of a son or daughter, and say nothing. They would kiss the picture from time to time; it was heart-breaking. I wouldn’t want to go through the same experience [although] it is always a possibility and I am prepared for it, if need be.” His wife insisted that, “We are prepared. This is part of our life in Palestine.”

#### 4. Lawyer Bahaa Ziyoud

Lawyer Bahaa Ziyoud, from the town of Silat Al-Harithiya, west of Jenin, is yet another one of thousands of Palestinians who have been subjected to administrative detention in Israeli jails<sup>10</sup>. He was arrested by the occupation authorities on 18 December 2014 after a barbaric raid on his house during which the doors were bombed. The children and women in the house were terrified. He was handcuffed and blindfolded and then transported to Ofer Prison, where he was immediately sentenced to administrative detention for six months without any investigation, charges or trial.

The administrative detention order was renewed four times consecutively, during which he took part in the administrative prisoners’ hunger strike. Each time his detention was renewed, it was renewed for six months, until he was released on 15 December 2016, having spent two years in arbitrary administrative detention.

---

This was not the lawyer’s first arrest, as he has served several years in Israeli prisons. He is a practicing lawyer and a member of the Palestine Bar Association.

The experience of administrative detention is not confined by the walls of the prison. The prisoner’s family experiences every moment of the detention, waiting for the unknown. Ziyoud’s mother talked about the circumstances of his arrest: “It was a winter’s night in 2014. I woke up terrified to the sound of Bahaa’s door being knocked down. I didn’t know what was happening, so I looked out of the window and saw a large number of Israeli soldiers standing in front of his house. By the light of their torches, I could see my son handcuffed, in his pyjamas, being dragged by two soldiers and forced to his knees in the mud. Minutes later, he was put in a military truck and they left. A few days after his arrest, we found out that he was in Ofer Prison and was sentenced to administrative detention.”

Um Mohammad, Bahaa’s wife, is of Jordanian origin and married him three years ago before moving in with her husband’s family<sup>11</sup>. “I did not know what administrative detention was,” she said, “and I did not know anyone close to me who experienced imprisonment before marrying Bahaa. I never imagined that the story of the Palestinian prisoners would become my own story; I didn’t even understand this story until sometime after it began. I understood the meaning of administrative detention and that Bahaa would not return a day or two after his arrest.”

*Despite being a practicing lawyer and a member of the Palestine Bar Association, Ziyoud has been arrested twice, with this front door blown out with a bomb during a raid on his house*

His mother added that, “We didn’t know he was under administrative detention until a few weeks after his arrest. When I received the news, I felt a weakness and breakdown I didn’t feel during his arrest, because I am completely aware that administrative detention means going into the unknown.”

---

Not only did Bahaa's mother and wife feel the sting of his absence, but young Mohammad also began to miss his father and ask his mother about his whereabouts. "Mohammad's questions have increased with time and have become more complicated. He constantly asks me why can't his father beat the soldiers and leave prison. When I say because there are too many soldiers, he says, calmly, but heavily, 'Dad isn't strong.'"

Um Mohammed makes sure that her son sees his father as much as possible, so she registers her name at the Red Cross every time they announce future visits. However, she pointed out, "Visits are torture. We leave the house at dawn and arrive at the prison around noon. We bear the humiliation of being searched several times to see Bahaa for 45 minutes. One time, we prepared for a visit scheduled three months in advance, and when we arrived at the prison, the officers prohibited me from taking my children inside, although they had told Bahaa his children were coming to visit him."

When asked about the hardest part of her husband's absence, Um Mohammad replied, "Having to play the role of mother and father at the same time. I have to hold myself together in times of weakness so that I don't cry in front of the children and I try to make them feel as safe as possible. However, Mohammad is understanding more and more every day and his actions surprise me and at times embarrass me."

---

## Arresting children

The policies of arbitrary arrest and administrative detention are not limited to adults, but have also affected children. International law and Israeli criminal law both define minors as those under 18 years old. Israeli military law applicable to Palestinians (but not illegal Jewish settlers) in the Occupied Territories defines minors as those below the age of 16. This means that children aged 16-18 are being treated as adults under the law. These children are arrested, either at their homes or at checkpoints, and are blindfolded and handcuffed without any explanation as to why they are being taken away. In many instances, children are deprived from access to defence lawyers or lawyers to look into the reasons for their arrest. Moreover, in most cases, they are forced to sign confessions written in Hebrew, a language they generally do not understand, and these confessions are used against them as evidence.

According to Defence for Children International Palestine (DCI), the Israeli occupation authorities have placed 19 children under administrative detention orders, with neither charge nor trial, since October 2015<sup>12</sup>. In a statement issued on 20 October 2016, DCI stated that the Israeli occupation authorities are still holding six children (out of those 19) under such orders, five of whom are detained as a result of their Facebook posts.

*5 of the 6 Palestinian children held under administrative detention orders on 20 October 2016 were detained as a result of their Facebook posts*

DCI added that the occupation authorities released 11 children after serving 3-8 months in prison. Two other children were charged, convicted and imprisoned after spending three months in administrative detention.

Khaled Quzmar, General Director of DCI Palestine, said that during the Jerusalem Intifada, the occupation authorities arrested five children and transferred them to administrative detention on charges of allegedly spreading incitement via Facebook. These are some of their experiences.

---

## 1. Hamza Hammad

Hamza Hammad is a 16-year-old boy and one of the youngest of thousands of Palestinian prisoners to have been detained under administrative detention. Hammad was arrested for the first time in August 2015 for 22 days<sup>13</sup>. He was held in the Mascoubiya Detention Centre in occupied Jerusalem, where he was beaten by interrogators and questioned about weapons. He was only 15-and-a-half years old.

Wuroud Hassan, Hamza's mother, talked about his first arrest and said that several Israeli soldiers surrounded her home, where she lives with her three children, and woke everyone in the house after knocking the door down<sup>14</sup>. The soldiers terrified the children by using police dogs and pointing their weapons at them. She and her three children were scared and intimidated for seven hours, due to the yelling of the soldiers, interrogation and cursing, as well as the fact that they destroyed their property. They finally arrested Hamza, took him away, and confiscated household computers and mobile phones.

During the interrogation they asked him about his relationship to several other people and tried to scare him with threats<sup>15</sup>. Throughout his detention, he was detained in a small cell by himself. He was deprived of sleep for long periods of time because the lights were left on and the guards deliberately made a lot of noise. On one occasion, he was attacked by several individuals. During his first ten days in prison, he was prohibited from seeing his lawyer and none of his family members were allowed to visit him. The experience of his arrest and detention was harsh, and when he was released, he was suffering from various medical problems. His school grades, which were very high before his arrest, have also suffered.

On the occasion of Hamza's second arrest<sup>16</sup>, his mother was woken up at dawn on 28 February 2016 to the sounds of her house doors, in Silwad, on the outskirts of Ramallah, being bombed open. Minutes later, the occupation forces stormed her house, entered the family bedroom, and immediately pointed their guns at her and her children. They ordered her sons Bilal and Hamza to get out of their beds with their hands on their heads, and then the soldiers dragged Hamza to another room and questioned him and his mother before taking him away.

According to Wuroud, the Israeli occupation forces arrested children in the village regularly for throwing stones, but they are usually released a few days or weeks later<sup>17</sup>. She was extremely shocked when the lawyer told her that Hamza was sentenced to administrative detention: "I never imagined that they would sentence a child of his age to administrative detention. This blow was heavier and more painful than the arrest itself."

Hamza was transferred to Ofer Prison, in the Al-Ashbal unit<sup>18</sup>. His family was not allowed to visit him, and his grandparents were not issued permits to visit him on the grounds that the authorities did not accept that they were related to him. The prison administration punished Hamza twice by placing him in solitary confinement.

Hamza's father, Muayad Hammad, is serving seven life sentences<sup>19</sup>. He could not understand why his 16-year-old son was arrested for a second time and sentenced to administrative detention. In a letter, he stressed that Hamza's arrest is part of the Israeli occupation's persecution of prisoners' families and the imposition of arbitrary punishments on them as a form of revenge.

Muayad Hammad is imprisoned in Nafha Prison and has repeatedly requested that the prison administration transfer him to Ofer with his son or transfer his son to him. However, the Israelis refuse to grant his request on the basis that Hamza is being held in the Al-Ashbal unit, which is designated for children, and that he cannot be moved to the adult Nafha Prison.

Hamza Hammad's four-month administrative detention was renewed twice before he was released in December 2016. In an interview, Hamza said that there was no reason for his arrest and that he was placed in a room with 9 other prisoners, the majority of whom were not administrative prisoners<sup>20</sup>.

---

## 2. Nour Kayed Faiq Issa

Nour Kayed Faiq Issa's mother woke up at exactly 3am on 3 April 2017 to the sounds of knocking on her house's main door, in Anata, north of Jerusalem. She found her home surrounded by over 40 soldiers and several military jeeps. As soon as she opened the door, about 15 soldiers stormed into the house, along with an officer who introduced himself and said that they were there to arrest 16-year-old Nour. The boy was separated from the rest of his family members and questioned in a different room, despite his mother's objections; as a minor, she insisted, he had to have a parent present during his interrogation. The officer rejected her demands and forced her to leave the room. Nour's mother heard the soldiers threatening her son and yelling at him.

The house raid and interrogation lasted about 45 minutes. Nour was then blindfolded and handcuffed, and his family was not given any details about his arrest or where he was being taken. Over eight hours later, Nour's mother found out that he was in Ofer Prison.

Nour has an older brother and three sisters. His mother has only managed to visit her son once since his arrest, while his father was banned from visiting, "for security reasons". His arrest has had an impact on the entire family. Nour's mother says that she is most affected by the psychological pressure her son is experiencing as a child away from his parents and siblings. All he spoke about during his mother's visit was how sad he was to be away from them during Ramadan and Eid. He also said that he was upset that he didn't get to see his niece, who was born after his arrest. Nour was detained with other children, all of whom were deprived of their studies, future plans and the warmth of their families.

Immediately after his arrest, Nour was subject to 11 days of interrogation at Ofer Prison<sup>21</sup>. He was charged in relation to alleged "incitement" on Facebook and sentenced to four months of administrative detention. His lawyer asked for his sentence to be shortened so that he could spend Eid Al-Adha with his parents and siblings, but the judge refused.

Nour Issa's experience shows that the Israeli occupation authorities do not distinguish between children and adults and do not take into consideration the

psychological impact that imprisonment has on the children who are detained. The occupation authorities also resort to using administrative detention when they do not have enough evidence to arrest someone and in order to intimidate children and have an impact on their awareness as well as intellectual, cultural and social development.

## 3. Baseer Al-Atrash

Baseer Al-Atrash is 17 years old and from Hebron. In his recollection of his arrest, he said that he was taken to Ofer Prison on 28 October 2015<sup>22</sup>. Two days later he was questioned on charges of throwing rocks and posting "inciteful" pictures on Facebook. He was interrogated for an hour and a half while handcuffed and the detective continuously shouted in his face and accused him of being a liar. He also threatened to keep him in prison, without informing him of his right to remain silent; the Israeli authorities did not allow his parents to be present during the interrogation, and he wasn't given access to a lawyer. When Al-Atrash, a minor, returned to prison, after signing documents in Hebrew with his fingerprint, without understanding what the documents said, he found out from one of the prisoners that he was sentenced to three months in jail under an administrative detention order.

## 4. Fadi Al-Abbasi

Fadi Al-Abbasi is 17 years old and from Jerusalem. His father Hassan said that the Israeli occupation forces raided the house, located in the Abbasiya neighbourhood in Silwan, and left it in disarray after searching it. They arrested Fadi and asked his father to accompany them to Oz Police Station, in Jabal Al-Mukaber. The detectives would not allow him to remain inside the interrogation room with his son, even though he is a minor.

Hassan added that his son is currently serving a three-month administrative detention sentence and it may be renewed. He described the sentence as arbitrary and a huge shock, especially as it was for no reason.

"My family has been subjected to three types of collective punishment recently ratified against Jerusalemites. We are currently suffering from the cement blocks placed near our house, a military checkpoint, and my child's administrative detention. They even illegally prohibited us from being present during his questioning," he added<sup>23</sup>.



Israeli police clash with Palestinian women at one of the entrances to Jerusalem's Al-Aqsa Mosque on 5 November 2014 [Muammar Awad/APAimages]

---

## Administrative detention of Palestinian women

Thousands of Palestinian women have also been thrown into prison throughout the years of the Israeli occupation. They too have been subjected to the worst forms of torture and abuse, and a life full of suffering and pain behind bars. The greatest tragedy is when these women are mothers, torn away from their children, who are prohibited from visiting their mothers for long periods. Even if they are permitted to visit, they cannot embrace, kiss or even talk to their mothers due to the many barriers placed by the prison administration on the visitation windows. These women's suffering is compounded if they are detained without charge and end up in administrative detention. Some of their experiences are given below.

### 1. Khalida Jarrar

PLC Member Khalida Jarrar is a prominent Palestinian political and social figure. She is a member of the political bureau of the Popular Front for the Liberation of Palestine (PFLP) and a member of the PLC; thus, she has the status of an MP<sup>24</sup>.

Jarrar has also served as a member of the Supreme National Committee to follow up the file of Palestine's accession to the International Criminal Court. She was the director of Addameer Prisoner Support and Human Rights Association from 1994 to 2006, and then deputy director.

Khalida Jarrar MP was born on 9 February 1963 in Nablus. She is married to Ghassan Jarrar, a businessman who has had long experience of administrative detention, interrogation and deportation. She has two daughters, Yaffa and Suha.

During the First Intifada she was arrested several times<sup>25</sup>. On 20 August 2014, the Israeli authorities exiled her from Ramallah to Jericho and handed her a notice stating that she "poses a danger to the security of the area and must be placed under special supervision." She refused to adhere to the order and staged a sit-in at the PLC headquarters in Ramallah, with the support of human rights organisations, PLC members and activists affiliated with all Palestinian factions.

She was also arrested on 2 April 2015 and transferred to administrative detention. Released after 14 months' detention, Jarrar was rearrested in July 2017 in Ramallah and transferred to administrative detention for six months. On 2 July, it was confirmed that she was arrested after "resuming her activities for the terrorist organisation PFLP."

Her daughter Suha spoke of the horrific night when her mother was arrested again: "The Israeli occupation forces stormed the house at around 4:15 am in a barbaric and violent manner. I was asleep and woke to find three female soldiers in my room and their guns pointed at my face." They did not allow her to see her mother. "I called out to her and told her to stay strong. I am sure she went with them while remaining strong."<sup>26</sup>

The Israeli soldiers isolated each family member in separate rooms. "They were very violent and used physical violence," explained Suha. "They did not allow us to move for half an hour. They did not allow my mother to take her personal effects, not even her medicine."

During her previous imprisonment, Khaleda Jarrar suffered from cerebral infarction due to a lack of blood supply caused by the clotting of blood vessels and high cholesterol levels. She had been transferred more than once to the hospital because of these symptoms.

Jarrar's transport in the "busta" caused her to suffer even more. She said that her journey from the prison to the court and back took about 16 hours and was under very harsh conditions. During this time, she was deprived of using the washroom facilities under the pretext of a lack of women's facilities at the centres they passed through.

Jarrar suffers from several chronic diseases. She was following up on her treatment for breast cancer, which she was diagnosed with years ago.

---

## 2. Sabah Mohammad Faroun

Sabah Mohammad Faroun is from Al-Eizariya in Jerusalem and has completed her first year in administrative detention in an Israeli prison. Her second year started with charges of spreading incitement on social networking sites<sup>27</sup>.

The Israeli occupation forces arrested Sabah Faroun on 19 June 2016, after storming her house in a brutal manner and tearing her away from her four children. A few days later, the Israelis imposed a four-month administrative detention sentence on her and transferred her to HaSharon Prison for Women. After her four month sentence ended, the occupation authorities renewed her administrative occupation for the second time for four more months and then again for the third time, apparently on the grounds of “secret evidence” that she had “incited” people on social networks. She has served an entire year in Israeli prisons without any clear charges or trial.

Faroun said that her home was raided after midnight. “The Israeli army entered the house, asked for me, searched me, and took away my mobile phone. I asked why I was being arrested but they did not tell me.”<sup>28</sup>

She was taken across the street and handcuffed and blindfolded before being taken to Etzion interrogation centre. “I waited a long time there; I was strip-searched twice and then transferred to Ofer Prison for questioning. I was accused of planning a suicide bombing, but I denied all accusations. They continued to interrogate me for two hours and they constantly demanded that I confess to crimes I did not commit. I signed my statement and I was transferred to prison, and then to administrative detention.”

The Israelis deprived Faroun of being with her daughter on her birthday. She has three daughters and a son. “This is the first time that I have been away from my daughters and they are not used to my absence. Detention is very difficult for me psychologically, especially during Ramadan and Eid. Although the judge allowed me to call my family, the prison has not allowed me to do so. I suffer from rheumatism and was given painkillers at Damon Prison.”

Her daughter Ala’a summed up her experience of waiting for the release of her mother: “Hundreds of difficult days passed while we waited for my mother’s

release. We made signs and decorations, but the Israeli jailers have upset us by renewing my mother’s detention.”

Faroun’s son, Abdel Razzaq (16) described the night of his mother’s arrest as terrifying: “The occupation forces raided our house. One of the female soldiers led my mother to her room and searched her. She was then handcuffed in front of my younger sisters. It was a harsh and difficult image that we will never forget.”<sup>29</sup>

Regarding his last visit to see his mother, he said that she was very happy as she was close to being released. “She missed her home and her children. She was unable to hide the pain in her eyes and told me that she has been unable to sleep for several nights. The prison clinic has not prescribed the correct medication for her and did not diagnose her. She is only being given painkillers.”

Sabah Faroun’s happiness was short-lived; her administrative detention order was renewed for the fifth consecutive time.

## 3. Ihsan Hassan Abdel Fattah Dababseh

Ihsan Hassan Abdel Fattah Dababseh was born on 16 March 1985. She is engaged to prisoner Osama Mohammed Awad Al-Haroub from Jenin, who is currently imprisoned in Al-Naqab Prison<sup>30</sup>. She was previously detained in Israeli prisons because of her membership and activities within the ranks of the Islamic Jihad movement; the last time was on 13 October 2014. She was released on 8 July 2016 after serving 22 months in an Israeli prison.

The Israeli occupation forces arrested her again on 27 February 2017 after raiding her house and beating her. The soldiers searched her house and destroyed her property before taking her away.

After her arrest, she was taken to the Etzion interrogation centre. A few days later, she was sentenced to six months in administrative detention. Once she had served her term, the detention order was renewed for a second time for a further three months<sup>31</sup>.

---

#### 4. Suad Zureikat

Suad Zureikat is 30 years old and was arrested at 2am on 3 December 2015 at her home in the town of Tafouh. During her arrest, a female soldier searched her, blindfolded her, handcuffed her and took her to the Kiryat Arba illegal settlement near Hebron. They put her in a kitchen-like place with two soldiers until 6am. She was then transported in a military jeep to Etzion interrogation centre, leaving her there for an hour while still blindfolded and handcuffed.

Half an hour later, a prisoner transportation vehicle arrived and took her to an unknown place where they left her in an empty room. She was not allowed to use the toilet until late in the evening. When she reached Neve Tirza Prison in Ramla, around 8pm, she was left in solitary confinement and prison cells for 14 days in very harsh conditions, including extreme cold, with nothing other than a mouldy and worn blanket and a plastic mat. Zureikat did not receive any toiletries, soap or toilet paper, and was unable to attend to her personal hygiene during her time at Neve Tirza. Moreover, the food served was of very poor quality and she was not given drinking water, only having access to the water in the bathroom. A female soldier strip-searched her several times a day, despite the cold weather. After spending time in the cells, Zureikat's body was covered in a rash due to the dirt and mouldy blanket. She was examined by a doctor, who prescribed some ointment.

This was the second time that Zureikat has been arrested. In late 2008 she was sentenced to 14 months in prison and released in 2010. She was charged with providing services to and contacting “hostile” parties.

Zureikat's family consists of her mother, four brothers and four sisters. Her mother obtained a one-time visit permit, while most of her family is unable to visit her due to the authorities' refusal to issue them with permits “for security reasons”.

The Israeli military commander issued a four-month administrative detention order, in effect from 3 December 2015 to 2 April 2016, which was renewed for an additional four months. This was confirmed in a session held on 3 April in the Ofer Military Court. The judge, however, cut her sentence and she was released in time for Ramadan and Eid.

---

#### Conclusion

The issue of Palestinian prisoners and detainees has not received sufficient attention from international, Arab and even Palestinian institutions. The Palestinian Authority has neglected the issue of prisoners when signing agreements with the Israelis, despite the fact that prisoners include a large number of Palestinian political leaders and activists.

There is no doubt that administrative detention is a flagrant violation of international law, as it denies human freedom without the need to press any actual charges. It is a serious violation of one's right to protection against arbitrary detention. All international humanitarian and human rights charters and conventions state this explicitly. Moreover, these charters and conventions stipulate clearly that any person who has been the victim of unlawful arrest or detention is entitled to compensation.

Despite these provisions, which criminalise the use of administrative detention, the lenient and, in many instances, silent international position has encouraged the Israeli occupation government to continue with this punishment procedure, which dates to the British Mandate period. This issue demands urgent intervention by the international community and all humanitarian and human rights institutions to abolish administrative detention — as it was abolished in South Africa — and to demand the immediate release of all administrative detainees, and compensate them for the injustices that they have suffered.

## Endnotes

1. Palestine Central Bureau of Statistics; <http://bit.ly/2BcJRz1>
2. Palestine Legislative Council - Change and Reform Bloc; <http://bit.ly/2jMc1MX>
3. Palestine Legislative Council - Change and Reform Bloc; <http://bit.ly/2hRgy0n>
4. Hoona Al Quds; <http://bit.ly/2hHNWmi>
5. Palestinian Refugees News Network in Lebanon; <http://bit.ly/2mQMbZy>
6. Asra Media Office; <http://bit.ly/2mPm84X>
7. Palestinian Prisoners Centre for Studies; <http://bit.ly/2jHmvNE>
8. Bokra; <http://bit.ly/2zVQTuj>
9. Assafir; <http://bit.ly/2znbTuh>
10. Asra Media Office; <http://bit.ly/2zpvJFz>
11. Assafir; <http://bit.ly/2znbTuh>
12. Quds Press; <http://bit.ly/2B8oDIU>
13. Wattan TV; <http://bit.ly/2jNzi1n>
14. Al Jazeera Arabic; <http://bit.ly/2zaBN0e>
15. B'Tselem; <http://bit.ly/2jKGTxi>
16. Addameer; <http://bit.ly/2AmWEBG>
17. Assafir; <http://bit.ly/2znbTuh>
18. Quds Net; <http://bit.ly/2iDuVCt>
19. Noon Post; <http://bit.ly/2mOVrgO>
20. Wattan TV; <http://bit.ly/2jNzi1n>
21. Addameer; <http://bit.ly/2jchXLt>
22. Aqsa Online; <http://bit.ly/2zpNsMR>
23. Al Jazeera Arabic; <http://bit.ly/2hPLZYH>
24. Addameer; <http://bit.ly/2zWiif9>
25. Safa News Agency; <http://bit.ly/2zalEqL>
26. Shasha News; <http://bit.ly/2BalyBP>
27. Palestinian Prisoners Centre for Studies; <http://bit.ly/2jfn2IY>
28. Palestine Behind Bars; <http://bit.ly/2zZtVQr>
29. Al Jazeera Arabic; <http://bit.ly/2z9H88c>
30. Al-Resalah; <http://bit.ly/2hPKee9>
31. Asra Media Office; <http://bit.ly/2jMgsaz>



**MEMO**  
**MIDDLE EAST MONITOR**  
*Creating New Perspectives*

[middleeastmonitor.com](http://middleeastmonitor.com)

