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# WELCOME TO HELL



The Israeli Prison System as a Network  
of Torture Camps

August 2024

**We were taken to Megiddo. When we got off the bus,  
a soldier said to us: "Welcome to hell."**

**From the testimony of Fouad Hassan**

45, a father of five and resident of Qusrah in Nablus District, who was held in Megiddo Prison

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# WELCOME TO HELL

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# Index

Introduction	5
1. Background and methodology	13
2. The normative framework	17
3. Prison protocols	21
A. Overpopulation and crowding in cells	26
B. No sunlight and no air to breathe	28
C. Roll call and cell searches	29
D. Denying access to and contact with the outside world	31
E. Restrictions on religious worship	39
F. Confiscation of personal possessions	41
G. Living in darkness	42
4. Physical and psychological abuse	44
A. Physical violence and intimidation	47
B. Sleep deprivation	53
C. Violence during transfers and travel	55
D. Sexual violence	58
5. Deprivation of adequate living conditions	62
A. Absence and denial of medical treatment	65
B. Food deprivation and starvation	73
C. Hygiene, cutting off the water supply and cold	78
6. Keter – the Israel Prison Service Initial Reaction Force (IRF)	82
7. Deaths behind bars	89
8. Palestinian prisoners with Israeli citizenship	100
9. Conclusion	112

## Introduction

Since the horrific Hamas-led attack on southern Israel on 7 October 2023, we have been hearing every day of more and more crimes and atrocities that would have been unthinkable in the not-too-distant past. Tens of thousands of civilians killed, entire neighborhoods obliterated, over a million people turned refugees in one fell swoop, civilians taken hostage and held as bargaining chips. In the West Bank, settler violence is surging, a massive expulsion of Palestinian communities is underway, and violence by Israeli armed forces is rampant. Countless human-made disasters that the mind cannot countenance and the heart cannot contain. Amid this tragic reality, state mechanisms are undergoing terrifying systemic changes, in a cynical exploitation of the loss, fear and vengefulness sweeping the country.

This report concerns the treatment of Palestinian prisoners<sup>1</sup> and the inhuman conditions they have been subjected to in Israeli prisons since 7 October. B'Tselem collected testimonies from 55 Palestinians incarcerated in Israeli prisons and detention facilities during this time. Thirty of the witnesses are residents of the West Bank, including East Jerusalem; 21 are residents of the Gaza Strip; and four are Israeli citizens. They spoke with B'Tselem after they were released from detention, the overwhelming majority of them without being tried. Their testimonies uncover a systemic, institutional policy focused on the continual abuse and torture of all Palestinian prisoners. This includes frequent acts of severe, arbitrary violence; sexual assault; humiliation and degradation; deliberate starvation; forced unhygienic conditions; sleep deprivation; prohibition on, and punitive measures for, religious worship; confiscation of all communal and personal belongings; and denial of adequate medical treatment. These descriptions appear time and again in the testimonies, in horrifying detail and with chilling similarities. The prisoners' testimonies lay bare the outcomes of a rushed process in which more than a dozen Israeli prison facilities, both military and civilian, were converted into a network of camps dedicated to the abuse of inmates. Such spaces, in which every inmate is intentionally condemned to severe, relentless pain and suffering, operate in fact as torture camps.

<sup>1</sup> In this report, the terms "Palestinian inmates" and "Palestinian prisoners" refer to Palestinian detainees, convicted prisoners and administrative detainees classified as "security prisoners" by the state.

Over the years, Israel has incarcerated hundreds of thousands of Palestinians in prisons, which have always served, above all, as a tool for oppressing and dominating the Palestinian population. The stories presented in this report are the story of thousands of Palestinians, residents of the Occupied Territories and citizens of Israel, who have been arrested since the beginning of the war, as well as Palestinians already in prison on 7 October, who experienced the massive increase in hostility from prison authorities since that day.

Just before the war started, the overall number of Palestinians incarcerated by Israel and classified as "security prisoners" was 5,192, with about 1,319 held without trial as "administrative detainees." In early July 2024, there were 9,623 Palestinians incarcerated in Israeli prisons and detention facilities, 4,781 of whom were detained without trial, without being presented with the allegations against them, and without access to the right to defend themselves.<sup>2</sup> In the months since the war started, thousands more Palestinians have been arrested, held for varying periods of time, and released without charges.

The circumstances and pretexts for arrest varied. Among the prisoners, both male and female, are physicians, academics, lawyers, students, children and political leaders. Some were jailed simply for expressing sympathy for the suffering of Palestinians. Others were taken into custody during military activity in the Gaza Strip, on the sole grounds that they came under the vague definition of "men of fighting age." Some were imprisoned over suspicions, substantiated or not, that they were operatives or supporters of armed Palestinian organizations. The prisoners form a wide spectrum of people from different areas, with varying political opinions. The only thing they have in common is being Palestinian. These people found themselves on their way to detention, handcuffed and blindfolded, for an unknown period of time.

The reality described in the prisoners' testimonies can only be explained as the outcome of the ongoing dehumanization of the Palestinian collective in Israeli public perception. This process, underway with varying intensity since the Nakba

<sup>2</sup> [See here](#), HaMoked: Center for the Defence of the Individual website. Among the 4,781 prisoners held without trial, 3,379 are defined as "administrative detainees," and 1,402 are defined as "illegal combatants."

and the establishment of the State of Israel, has become so firmly entrenched since the war that it is now prevalent and accepted in Israeli public discourse. Calls by public figures and politicians for genocide and mass expulsion of Palestinians have become commonplace.<sup>3</sup> The Israeli media reverberates and normalizes this incendiary speech, and barely reports on Palestinian victims, while a large majority of Jewish Israelis display indifference to the killing of tens of thousands of civilians in the Gaza Strip and hundreds in the West Bank. In this social climate, the abuse of Palestinian prisoners is tolerated and even welcomed.

## Systemic change: an organized plan

The abuse consistently describe in the testimonies of dozens of people held in different detention facilities is so systemic, that there is no room to doubt an organized, declared policy of the Israeli prison authorities.<sup>4</sup> This policy is implemented under the direction of Minister of National Security Itamar Ben Gvir, whose office oversees the Israel Prison Service (IPS), with the full support of the Israeli government and Prime Minister Benjamin Netanyahu. Collective abuse by dozens of guards, carried out openly for months across prison facilities, could not have occurred without support and encouragement from above. Delivering on his political credo, Minister Ben Gvir has openly steered a policy of humiliating Palestinian prisoners and trampling their basic rights underfoot from the moment he took office, long before the war, using legislative changes, political appointments<sup>5</sup> and public statements designed to drive home the ministry's new tone.

The first inklings of this shift were a series of political moves to downgrade conditions for Palestinian prisoners over the past few years. Specifically, several decisions by the Israeli government, including/and especially Minister Ben Gvir, months before the war marked a significant policy change. Among other things, Ben

<sup>3</sup> [See coverage of the topic on the 7<sup>th</sup> Eye website](#) (Hebrew).

<sup>4</sup> [A Channel 14 televised report](#) (Hebrew) that aired on 1 February 2024, shows a tour of Ketziot Prison, during which Prison Commander Brigadier General Yosef Knipes was interviewed. The story described the harsh conditions in which Hamas operatives are incarcerated as a result of Minister of Public Security Itamar Ben Gvir's policies. [See also](#), a story (Hebrew) in the ultra-Orthodox newspaper "Mishpacha," which contains impressions from a visit to Katziot prison after October 7. The reporter notes he joined an IRF unit for one of four daily counts.

<sup>5</sup> About Ben Gvir's decision to terminate IPS Commissioner Katy Perry and appoint Lieutenant General Koby Yaakobi, [see here](#).

Gvir issued directives to limit family visits<sup>6</sup> and cancel the option of early release.<sup>7</sup> Some of the changes he instated clearly have no other purpose but to torment Palestinian prisoners. They include reducing the time allocated for showers,<sup>8</sup> and canceling prisoners' ability to prepare their own food and buy from the canteen.<sup>9</sup>

The heinous attack by Hamas and other armed Palestinian organizations on 7 October, and the widespread targeting of civilians – about 800 of the 1,200 Israelis killed that day were civilians, and about 250 people were taken hostage, some still being held in Gaza – deeply traumatized Israeli society, evoking deep-seated fears and an instinct for revenge among many. For the government and the National Security Minister, this provided an opportunity to press harder with applying their racist ideology, using the oppressive mechanisms at their disposal. In record speed, the IPS molded itself in Minister Ben Gvir's image. For example, the Negev (Ketziot) Prison Commander Brigadier General Yosef Knipes proudly described the conditions in which prisoners are kept at his facility:<sup>10</sup> "Most of the day they are actually inside the cells, 23 out of 24 hours, except for those who are in the tents [...] There are between 10 and 12 terrorists in each cell. The cells are currently crowded because we are in an emergency situation. They have a mattress and a blanket, with the minimum conditions required by law." Knipes clarified that "as far as we are concerned, they are all terrorists. We've reduced the conditions to a minimum." Koby Yaakobi, a close associate of Minister Ben Gvir appointed by him as IPS Commissioner in the height of the war, declared his intent to "revolutionize" the IPS in keeping with the minister's policies as soon as he took office, naming the downgrading of prison conditions a top priority.<sup>11</sup>

6 On the security implications of Minister Ben Gvir's policy, [see ynet](#) (Hebrew); for an English language story about the family visit restrictions, [see Haaretz](#).

7 On the decision and its implications for prison overcrowding, [see Israel Hayom](#); for an English language story about early release, [see Haaretz](#).

8 On the decision as part of Minister Ben Gvir's overall policy of downgrading Palestinians' incarceration conditions, [see ynet](#).

9 On the decision as part of Minister Ben Gvir's overall policy of downgrading Palestinians' incarceration conditions, [see ynet](#). For an English language story about pita bread baking, [see Jerusalem Post](#).

10 [See interview on Walla website](#) (Hebrew) with Negev (Ketziot) Prison Commander Brigadier General Yosef Knipes. Some of these statements are also printed in a [Jerusalem Post story](#).

11 [See a ynet](#) (Hebrew) report regarding a letter sent by Lieutenant General Koby Yaakobi to the senior IPS command upon taking office. For an English language story, [see Haaretz](#).



A clear indicator of the severity of the situation and the moral degradation of the Israeli prison system can be seen in the number of Palestinian prisoners who have died in Israeli custody since the war started – no less than 60. Forty-eight of them were from the Gaza Strip. Some of these perished in the new military detention camps, and others died on their way there, likely due to extreme violence at the hands of soldiers transporting them from the Gaza Strip to Israel.<sup>12</sup> B'Tselem is aware of another 12 Palestinians who died in IPS custody. In some cases, the circumstances strongly suggest abuse and deliberate withholding of medical attention.

Israel's mass incarceration of Palestinians since 7 October, their systematic abuse, the inhuman conditions to which they are subjected, including the widespread, systematic and prolonged commission of the crime of torture, are a gross violation of multiple norms and obligations under Israeli law, international human rights law, the rules of war and international humanitarian law. Equally important, Israel's actions have trampled basic morality underfoot, along with the most protected human rights of those held in state custody.

In the face of all this, the legal gatekeepers, such as the High Court of Justice and the State Attorney's Office, ostensibly entrusted with upholding the rule of law and protecting human rights, have bowed their heads in submission to Ben Gvir's agenda, allowing abuse and dehumanization to become the governing logic of the prison system.

The result is a system specializing in torture and abuse where, at any given moment, many thousands of Palestinians are held behind bars, most without trial, and all in inhuman conditions.

<sup>12</sup> [Haaretz](#): Israeli Army Conducting Criminal Investigation Into 48 Deaths of Gazans During War, Mostly Detainees.

## The Israeli apartheid regime's incarceration project

The story of Israel's incarceration project did not begin on 7 October, nor with Itamar Ben Gvir's appointment as minister. Its roots run much deeper. The current situation, horrifying as it is, cannot be fully understood without examining the key role of this project in the social and political oppression of the Palestinian collective over the years.

The prison system is one of the most violent and oppressive state mechanisms that the Israeli regime uses to uphold Jewish supremacy between the Jordan River and the Mediterranean Sea. Israel has incarcerated hundreds of thousands of Palestinians from all walks of life over decades, as a way of undermining and unraveling the social and political fabric of the Palestinian population. The scale of the project speaks for itself: according to various estimates, since 1967, Israel has imprisoned over 800,000 Palestinian men and women from the West Bank (including East Jerusalem) and the Gaza Strip, which accounts for about 20% of the total population and about 40% of all Palestinian men.<sup>13</sup>

The cycle of suffering and the mental effects of imprisonment are not limited to the prisoners themselves. They are felt by relatives, friends, acquaintances and the entire community. It is no coincidence that Israeli prisons have become central to the Palestinian experience and national ethos. The scale of Israel's incarceration project means there are hardly any Palestinian families without a family member who has been through the Israeli prison system: children whose parent was sent to prison; women and men who had to raise their children alone; parents whose children were taken from them, sometimes for years; families who had to spend a great deal of money, even go into debt, to pay legal fees; students whose classmates suddenly disappeared with no explanation. A host of family and social relationships is violently disrupted when a person is put behind bars.

Moreover, as Palestinians in the Occupied Territories depend on Israel for work, the fact the former inmates are denied permits to work in Israel has financial implications for families extending far beyond the actual prison time. There are other long-term effects, as prisoners often struggle to reintegrate into civilian life and pick up where they left off, whether they are teens who drop out of school or adults who have trouble resuming work and parental roles.

<sup>13</sup> See: Ben-Natan, "The Boundaries of the Carceral State: Accounting for the Role of Military Incarceration".

The upheaval families go through is exacerbated by uncertainty over the fate of their loved ones within prison walls. Over the past few months, during the war, Israel has disappeared thousands of Palestinians, mostly from Gaza, for extended periods of time. Many of them are still missing at the time of publication. This practice, of enforced disappearance, has been employed in the past, but has become prevalent in recent months. The testimonies we collected describe how prisoners seem to vanish off the face of the earth once taken into custody. Their families have no way of finding out where they are or what state of health they are in, and they certainly cannot see them as family visits have been banned in all prisons. Exposed to the harrowing accounts of released prisoners, the families live in constant uncertainty and fear for their loved ones.

The mass incarceration project plays a key role in the system of control and repression that the Israeli apartheid regime inflicts on its Palestinian subjects. The sheer scale evinces that one goal, as with many other Israeli practices towards Palestinians, is to "burn a message into Palestinians' consciousness," and unravel the fabric of their community. The constant threat of arrest and imprisonment, with the attendant implications, are meant to deter Palestinians from taking part in any political action or political discourse about their lives and futures under Israeli rule; they are meant to clarify that any attempt, however inconsequential, to resist Israeli repression and apartheid might be met with detention without trial, violence and even torture.

The dehumanization of Palestinian prisoners begins the moment they are arrested, as their individual identity is erased and they are treated as a homogenous, faceless mass – whether the prisoner is a veteran doctor from Gaza, a teen from East Jerusalem, a student from Haifa or a military wing operative of an armed group. All are deemed "human animals" and "terrorists" simply because they are behind bars, whether their detention was justified or arbitrary, lawful or not. This is how abuse, degradation, and the violation of rights becomes permissible. Arbitrary and extreme violence, withholding medical care from the injured or ill, denying food and water in overcrowded cells – none of these would have been possible if the guards saw Palestinians as human.

The logic at the base of the incarceration project is the same followed by the Israeli apartheid regime elsewhere. The differentiation between Palestinian prisoners from Gaza, the West Bank and Israel, and the varying laws and practices applied to them interchangeably, demonstrate how the Israeli regime tears apart

and reconstructs the Palestinian collective to fit its needs. Likewise, the arbitrary violence, unleashed without rhyme or reason, and the anxiety that the guards instill in prisoners are essentially similar to the routine violence applied against Palestinians to uphold the regime of occupation and apartheid. The guards' systematic violation of Israel's own laws resembles the constant violation of rules and regulations by Israeli soldiers and police officers in the Occupied Territories, or when engaging with Palestinian citizens of Israel. This also holds true for the obligations, albeit partial, that Israel has undertaken to fulfill as the occupying power, but never does in practice.

The incarceration project is one of the most extreme, violent manifestations of Israel's system of control over Palestinians. The testimonies given to B'Tselem for this report by released prisoners depict a wide variety of tools for control and oppression. Their value goes beyond providing an account of the appalling reality inside Israeli prisons and detention centers since October 7. They are a window into a much broader reality.

Given the political function of Israel's prison system in a reality of accelerated dehumanization of Palestinians in Israeli discourse, a radically right-wing government, a weak judicial system swept up in public sentiment and a minister who takes pride in violating human rights – this system has become an instrument for the widespread, systematic and arbitrary oppression of Palestinians through torture.

The testimonies presented here tell the story of how Israel's prison system turned into a network of torture camps.

# **1. Background & Methodology**

# 1. Background and Methodology

In the early days after 7 October, Israel unlawfully arrested thousands of Palestinian workers from the Gaza Strip who were inside its territory with official work permits.<sup>14</sup> Hundreds of detainees were taken to an unknown location, with no notification of their arrest or whereabouts given to their families or anyone else representing them to this day. Some of these detainees are still in Israeli custody. All attempts made by families, lawyers and human rights organizations to find out who has been arrested and where they are being held have been rejected outright. Several petitions filed seeking this information have also been dismissed, with the Supreme Court accepting the state's position that it had no obligation to provide it.<sup>15</sup>

Disappearing and incarcerating Gaza residents were a precursor to a string of measures and practices, including abuse and torture, that have been systematically and consistently targeted at all Palestinian detainees and prisoners since the beginning of the war, whether they are from the West Bank (including East Jerusalem), the Gaza Strip or are Palestinian citizens of Israel. The testimonies presented below describe the new, pernicious reality of prison life Israel has created for Palestinian prisoners in its custody – designed to fit the openly espoused principles of Israel's Minister of National Security, Itamar Ben Gvir.<sup>16</sup> The policy includes, among others: unrelenting physical and psychological violence, denial of medical treatment, starvation, withholding of water, sleep deprivation,

<sup>14</sup> According to an Israel Prison Service (IPS) report, as of the morning of 20 June 2024, the total prison population (criminal and "security" inmates) was 21,801 – an increase of over 5,440 inmates since the war began (the total prison population before the war was 16,353). [See: Special Report of the Public Defender's Office on Conditions of Incarceration in the Prison Service Facilities](#) (Hebrew). According to HaMoked: Center for the Defence of the Individual figures, as of July 2024, approximately 10,000 detainees, prisoners and administrative detainees defined as "security inmates" are incarcerated in various prison facilities in Israel, [see here](#).

<sup>15</sup> See, e.g. HCJ 7439/23 *al-Wahad et al. v. Israel Defense Forces* (dated 31 October 2023); HCJ 7637/23 *Qishtah et al. v. Israel Defense Forces et al.* (dated 6 November 2023); HCJ 7946/23 *Abu 'Abed and 567 others v. Israel Defense Forces et al.* (dated 13 November 2023); HCJ 9021/23 *Wadi and 61 others v. Israel Defense Forces* (dated 18 February 2024).

<sup>16</sup> [See requests from the Attorney General to the Ministry of Public Security for clarifications about prison conditions for "security" inmates: Noa Shpigel, Israeli Gov't Approves Temporary Plan to Address Overcrowding of Palestinian Prisoners](#), Haaretz English Edition, 18 October 2023; [Attorney General's Demand Regarding the Conditions of Terrorists in Prison – and Ben-Gvir's Response](#), Maariv Online, 11 April 2024 (Hebrew); Yaki Adamker and Shlomi Heller, [Attorney General Requests Clarifications on the Conditions of Terrorists in Israeli Prisons](#), Walla, 11 April 2024 (Hebrew). Minister of National Security, Itamar Ben Gvir responded on his Twitter account, [for example here](#) (Hebrew).

confiscation of all personal belongings and more. The overall picture indicates abuse and torture carried out under orders, in utter defiance of Israel's obligations both under domestic law and under international law, as detailed below.

The next phase was sealing off prisons to external oversight by denying meetings with legal counsel and family visits, and refusing access to monitoring and oversight bodies.<sup>17</sup> Holding thousands of detainees without judicial review for weeks, sometimes months, denying family visits and prohibiting the entry of ICRC and human rights organization representatives were made possible thanks to emergency regulations and temporary orders enacted under the pretext of "dynamic needs," allegedly arising from the ongoing war.<sup>18</sup> However, in practice, these measures are aimed at completely isolating prisons from the outside world, in itself a violation of the inmates' human rights and of Israel's obligations under international law, and to prevent even minimal oversight of what happens inside the prison system.

The transition from what appears to have initially been spontaneous acts of vengeance to a permanent, systematic regime stripping away all protections designed to uphold and ensure the most basic rights of Palestinian prisoners did not occur in a legal vacuum. It would not have been possible to begin with, were it not for the government exploiting its powers to enact draconian, injurious "emergency regulations" without having to go through the ordinary legislative process, which is subject to some measure of control and oversight.

Put together, the testimonies presented below, each of which reflects a personal trauma experienced by the witness, provide a detailed depiction of the current harsh reality behind bars in Israeli prisons. They serve as a serious indictment against everyone involved – from the IPS (Israel Prison Service) Commissioner and its legal advisor, through the State Attorney's Office and the MAG (Military Advocate General's) Corps, all the way to the Supreme Court. These testimonies

<sup>17</sup> The first Public Defender's report on IPS prisoners and prison conditions came out four months into the war, on 6 February 2024; [see Public Defender's Office website](#) (Hebrew). Per Minister of National Security Ben Gvir's policy, ICRC visits have been banned as well. [See here](#) (Hebrew).

<sup>18</sup> **Incarceration of Unlawful Combatants Law Amendment No. 4 and Temporary Order – Swords of Iron, 5783-2023**, Book of Laws 3203 p. 780 (hereinafter: the Temporary Order). Under the Temporary Order, the times allotted for temporary confinement, being held prior to judicial review, and denial of meeting with legal counsel have been extended from time to time, and the judicial review process has been changed. A petition on this matter is pending before the High Court of Justice: HCJ 1414/24 **The Public Committee Against Torture in Israel et al. v. Knesset of Israel et al.** (hereinafter: the judicial review petition).

offer a detailed, consistent description of the developing "emergency" response which has made the "exception" the single organizing principle for prison spaces, turning them into a "normative black hole" where "Palestinians have no rights or protections."<sup>19</sup> Inside prison walls, these inmates are ever vulnerable to the violent, coercive and arbitrary force of the regime, stripped of their humanity, isolated and abandoned to their fate.<sup>20</sup>

This report is based on interviews B'Tselem conducted with 55 prisoners, as well as relatives of individuals who are still incarcerated.<sup>21</sup> All the witnesses – women and men, whether older or younger, from the West Bank, the Gaza Strip and the State of Israel – were released from prison after October 7. They were held in various military and civilian prison facilities in Israel and the West Bank.<sup>22</sup> The testimonies were collected by B'Tselem field researchers, usually in person, or over the phone in a handful of cases. All the testimonies were given in Arabic and translated into Hebrew and then into English. The testimonies were verified and cross-referenced against other testimonies and reliable reports. Some witnesses wished to remain anonymous and their testimonies are being published without identifying details, which B'Tselem retains. The quotes appearing here are taken from some of the testimonies we collected as we prepared the report. In some cases, they have been shortened for easier reading.

The full testimonies are available on the B'Tselem website.

19 HCJ 1892/14 **Association for Civil Rights in Israel v. Minister of Public Security**, paragraph 33 of the opinion of Supreme Court Vice President Rubinstein (June 13, 2017).

20 During hearings in the judicial review petition (see supra note 18) held recently, the State was instructed to respond to the Court's request to establish a system for processing complaints by detainees regarding prison conditions, given the long wait times for judicial review and a meeting with legal counsel currently stipulated in the law. **See: Bar Peleg, About 4,000 Gazans Were Arrested Since the Outbreak of the War, More Than 1,500 Were Released Due to Lack of Evidence**, Haaretz, 27 May 2024 (Hebrew).

21 For the full testimonies, **see the B'Tselem website**

22 List of relevant prison facilities: Sde Teiman, Negev Prison (Ketziot), Megiddo, Gilboa, Etzion Camp, Nafha, Kishon, Ramla, Ashkelon, Ofer, Damun, Ramon, Anatot, Be'er Sheva, Hasharon, Russian Compound.



**2.**

## **The normative framework**

## 2.

# The normative framework

Israel's obligations towards prisoners in general, and Palestinian prisoners in its custody in particular, are enshrined in three main and concurrently applicable branches of international law: international human rights law, relating to the state's obligations towards any person within its jurisdiction; international humanitarian law, which sets out the state's obligations towards residents of the occupied territory; and finally, international criminal law (by virtue of which the International Criminal Court in The Hague was established), which enshrines the prohibition on torture and ill-treatment as a core principle. Violations of this principle may amount to crimes against humanity when committed by either individuals or the state.

These branches of international law include several conventions and UN resolutions concerning prisoners' human rights,<sup>23</sup> which are designed to mitigate the severe harm inherent to incarceration and to prohibit torture and cruel, inhuman or degrading treatment.<sup>24</sup>

Another UN document, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,<sup>25</sup> concerns the obligation to treat prisoners humanely, stipulating, among other things, that all prisoners have the right to receive visits from family members and communicate with them, the

<sup>23</sup> See, e.g., **European Convention on Human Rights of 1950 (ECHR)**, which enshrines prisoners' rights and from which the European Court of Human Rights draws its authority. The ECHR states that prisoners retain all human rights not denied as a result of the incarceration itself. See also Benny Spanier, Israel (Issy) Doron and Faina Milman-Sivan, "Discovering Europe: Israelis at the European Court of Human Rights," **Alei Mishpat (Law Pages)** 12 (5785) (Hebrew).

<sup>24</sup> See details below in the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)**, which Israel signed in 1986 and ratified in 1991; According to the **Rome Statute (1998)**, which established the International Criminal Court in The Hague, torture is a crime against humanity and a war crime; The principle underlying the Statute dates back to the English Bill of Rights of 1689, Bill of Rights 1688, 1 Will and Mar sess 2 c. 2 (Eng.); Art. 5 of the **UN Universal Declaration of Human Rights of 1948**, **UN General Assembly, Universal Declaration of Human Rights**, 217 A (III) (10 Dec 1948) 54; and in Art. 7 of the **International Covenant on Civil and Political Rights from 1966 (ICCPR)**, International Covenant on Civil and Political Rights, UN General Assembly, Dec. 16.

<sup>25</sup> The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment was adopted in 1988. The document is [available here](#).

right to communicate with legal counsel and the right to file complaints with the competent authorities concerning their treatment and incarceration conditions, particularly torture and cruel or inhumane punishment. The document also stipulates the state must ensure oversight of prison facilities by an appointed external body. The Standard Minimum Rules for the Treatment of Prisoners, now known as the Mandela Rules,<sup>26</sup> is another important UN document. The rules listed in this document concern prison conditions, including the obligation to maintain an adequate level of cleanliness and hygiene, comply with medical standards, provide good quality food that meets prisoners' nutritional needs, and allow prisoners contact with the outside world. These rules are aimed at ensuring that the penalty imposed on prisoners does not amount to cruel or degrading punishment and that prison facilities come under regular, proper oversight.

Public international law extends special protections to residents of occupied territory (protected persons) and seeks to ensure the well-being and security of the local population.<sup>27</sup> The Fourth Geneva Convention, which forms part of this branch of law and has been ratified by the State of Israel, applies various international norms to the conduct of the occupying power in relation to the protected population.<sup>28</sup> The Convention is part of customary international law and therefore binds all countries regardless of whether they are signatories. According to Israeli case law, norms that have reached customary status in international law are considered part of domestic law, which Israeli judges must uphold, provided they do not irreconcilably clash with explicit provisions of Israeli law.

The Convention sets out the rules, rights and obligations applicable to the occupier when using its power to arrest and/or imprison protected persons.<sup>29</sup> Article 119

26 The Rules were adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1955 and approved in July 1957. The document is [available here](#). In 2015, the title was changed to **The Nelson Mandela Rules** (hereinafter: the Mandela Rules).

27 Iris Canor, "Israel and the Territories: On Private International Law, Public International Law, and What's in Between," **Mishpat Umimshal (Law and Government)** 8 (5768): 569.

28 Israel signed the Convention on 8 December 1949, ratified it on 6 July 1951 and published it in September 1965 – **Geneva Convention relative to the Protection of Civilian Persons in Time of War**, 75 U.N.T.S. 287 (1949). See mainly Arts. 3, 27, 31 and 32 (hereinafter: Fourth Geneva Convention).

29 Art. 79 of the **Fourth Geneva Convention**, which lays out the basic guiding principles for the conditions under which a protected person may be arrested. See on this also Art. 41 of the Convention; HCJ 253/88 **Ibrahim Hamid Sajdeyyah et al v. Minister of Defense**, 42(3) 801 (1988).

of the Convention states that in no case should penalties be "inhuman, brutal or dangerous for the health" of the detainee. It also sets out the occupying country's duty to humanely treat individuals held in custody as part of criminal proceedings;<sup>30</sup> prohibits torture and the infliction of suffering,<sup>31</sup> and enshrines the rights to receive medical attention,<sup>32</sup> food, water,<sup>33</sup> clothing and more.<sup>34</sup> The Convention also stipulates that protected persons will serve prison sentences in the occupied territory and prohibits transferring them to the occupying country for incarceration.<sup>35</sup> Since the Convention lacks a similar provision with respect to administrative detainees, the Supreme Court of Israel maintains they can be held inside Israel. This controversial position is injurious to human rights given the prohibition on the forcible transfer of protected persons.<sup>36</sup>

To remove any doubt, the standards set by these conventions are "customary norms," which are binding even if not incorporated into domestic law. Inasmuch as the norm stipulated in the Convention does not contradict a norm in domestic law, the court is obligated to interpret domestic law as compatible with the provisions of the Convention.<sup>37</sup>

<sup>30</sup> Art. 37 of the **Fourth Geneva Convention** stipulates as follows: "Protected persons who are confined pending proceedings or serving a sentence involving loss of liberty, shall during their confinement be humanely treated."

<sup>31</sup> Art. 32 of the **Fourth Geneva Convention** stipulates a blanket prohibition on the use of torture against protected persons or any other intentional infliction of suffering.

<sup>32</sup> Article 91 of the **Fourth Geneva Convention**, for instance, requires providing access to medical examinations.

<sup>33</sup> Art. 89 of the **Fourth Geneva Convention** stipulates an obligation to provide detainees with a sufficient amount of water, as well as food "sufficient in quantity, quality and variety to keep internees in a good state of health." Detainees are also entitled to receive the means necessary to prepare their own food.

<sup>34</sup> Art. 90 of the **Fourth Geneva Convention** stipulates the obligation to provide detainees with enough appropriate clothing, including underwear.

<sup>35</sup> With respect to protected persons incarcerated for criminal offenses, Art. 76 of the **Fourth Geneva Convention** states: "Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein." Smadar Ben-Natan, "The boundaries of the carceral state: Accounting for the role of military incarceration," **Theoretical Criminology**, Vol. 28(1), (2024): 12-16; see also the communication to the ICC raising the claim that the forcible transfer of detainees from the occupied territory to Israel is a war crime.

<sup>36</sup> The ruling in HCJ 253/88 **Sajdeyyah et al. v. Minister of Defense** held that administrative detainees could be held in Ketziot Prison. However, this is a controversial interpretation given the prohibition on deportation and forcible transfer enshrined in Art. 49(1) of the Geneva Convention. On this and other issues related to the incarceration of Palestinian prisoners on Israeli soil see, HCJ 2690/09 **Yesh Din et al. v. Commander of the IDF Forces in the West Bank et al.**, in which the Court held that where Israeli law contradicts international law, the Court must follow Israeli law.

<sup>37</sup> Binyamin Rubin, "The Adoption of International Conventions into Domestic Law," **Mishpatim (Laws)** 13 (5744) (Hebrew); Yaffa Zilbershats, "The Assimilation of International Law into Israeli Law – The Law Present is the Law Wanted," **Mishpatim (Laws)** 24 (5574) (Hebrew). The binding force of human rights law, including prisoners' rights, stems from international conventions complemented and enhanced by customary international law. Customary law is one of the main sources of international legal obligations, as stipulated in Art. 38 (1) (b)

**3.**

## **Prison protocols**

## 3.

# Prison Protocol

## New policy – new reality

For Palestinian prisoners in Israeli custody, life took a complete turn on the very morning of the 7 October attack. The change was felt in all prisons at the same time and applied to all Palestinian prisoners – those incarcerated before the Hamas attack and those arrested from that day forward, be they from the Gaza Strip, the West Bank or Israel, and regardless of whether they were involved in the attack. As soon as the war broke out, the IPS declared a new "lockdown" policy designed to reduce the movement of Palestinian prisoners to a minimum and cut them off from the outside world as much as possible.<sup>38</sup>

From 7 October 2023 to early July 2024, Israel arrested thousands of Palestinians in the Gaza Strip, the West Bank and inside Israel. While just before the war, the total number of Palestinians in Israeli prisons was 5,192, in July 2024 it had climbed to 9,623.<sup>39</sup> Israeli prisons were overcrowded even before 7 October, with Palestinian prisoners held in cramped conditions. The surge in the number of inmates made matters worse, producing inhuman conditions in prison cells pushed beyond capacity, where many prisoners were forced to sleep on the floor. "Routine life" was abruptly disrupted, and minimal living conditions provided to the prisoners until then were scaled back until they were effectively denied. The testimony below reflects these drastic changes:

<sup>38</sup> of the **Statute of the International Court of Justice**, which interpreted this Article as follows: "It is of course axiomatic that the material of customary international law is to be looked for primarily in the actual practice and opinion juris of States Case Concerning Continental Shelf" (Libyan Arab Jamahiriya v. Malta, ICJ (27) 30–29 p. 1985, Reports ICJ 1985, June 3, Jud.). For an exhaustive review on the subject see also: Leslie Sebba and Rachel Erel, "Freestyle Imprisonment: On the Implementation of International Human-Rights Norms in the Israeli Prison System", **Hukim (Laws)** 10 (2017): 131-138 (Hebrew).

<sup>38</sup> See **Temporary Order – "Reduced Routine Operations During War,"** dated 16 October 2023 (extended periodically since). Prison conditions, including movement of Palestinian detainees, were scaled back to a minimum, such that prisoners are allowed out of their cells only for showering rather than throughout the day; they have no access to the canteen; all personal belongings have been confiscated; access to radio and television has been denied, and lights remain off through most of the day.

<sup>39</sup> For details, see here.

Until the war, I was held in tents in the Negev Prison and the conditions were reasonable. After the war broke out, I was transferred with all the other inmates to cells on 15 October 2023. That's when our ordeal began. [...] That morning, as early as 6:00 A.M., we heard prisoners in other wings shouting and screaming. It sounded like they were being slaughtered! We'd never experienced anything like that before. Inmates on our wing were crying in fear over what might happen to them. Some sat in the corner of the tent, crying [...] Three hours after the raid on the other wings began, the guards reached our wing and started clearing it out. They brought in reinforcements from outside the prison who raided the wings with firearms. Members of those units took us out of the cells and beat us. They took away all our belongings, including letters from my late mother and documents and articles I was using to study for a master's degree in prison. They also poured out the food products we had: frying oil, olive oil, spices.

[...] They crammed 11 of us in a cell meant for four. In it were only mattresses and a blanket for each inmate. Four prisoners slept on beds, and the other seven on the floor. There were none of the things there used to be in other cells I was held in: hotplate, sugar, tea, coffee, cigarettes, cleaning supplies and shampoo, tissue paper, toothpaste, hot water. They closed the canteen so we couldn't buy anything anymore. They also closed the laundry room and mess hall. We were left with absolutely nothing. After a week, they brought us shampoo: half of a small cup for the whole cell. We showered with one drop each.

The windows had no windowpanes. The prison administration took them down, and it was impossible to close the window. It was very cold. I'd never suffered from such cold before. I had frostbite

**We'd never experienced anything like that before. Inmates on our wing were crying in fear over what might happen to them. Some sat in the corner of the tent, crying**

on my fingers and toes. They were hard as rock, cracked and blue. They've gotten a lot better since I was released.

[...] Roll call changed, too: We were forced to kneel with our heads bowed down and our hands on our heads. Anyone who raised their head got beaten up. There were three counts a day. During morning and afternoon roll call, prisoners had to face the wall, and during the evening one, we had to face the guards. Every roll call was an opportunity to abuse us. Every roll call, on top of the prison guards, about 30 IRF people would raid the cell.

**We were forced to kneel with our heads bowed down and our hands on our heads. Anyone who raised their head got beaten up.**

[...] We were all in bad shape mentally and focused only on survival. We all thought of only one thing – hoping to hear that the war was over and there was a prisoner exchange deal. But we didn't get any information from the outside world, with no TV, radio or other source of news. When we tried to ask the guards, they beat us, humiliated us and abused us.

[...] I was released, but thousands of prisoners were left behind and they are really suffering. This is the worst time in the history of Palestinians in Israeli prisons. The prisoners have no rights. They've been stripped of everything, and left completely vulnerable and isolated. Even family visits have been abolished since the beginning of the war. Our isolation was complete.

**From the testimony of Sami Khalili**

41, a resident of Nablus who had been serving a prison sentence since 2003, and was held in the Negev Prison (Ketziot) | [Full testimony](#)

The IPS held organized publicity tours to showcase the downgrading of prison conditions and flaunt the dehumanizing treatment of Palestinian prisoners.<sup>40</sup> As

40 A Channel 14 televised report about a tour of Ketziot Prison in February 2024 shows prison commander Brigadier General Yosef Knipes pointing out the harsh prison conditions received by Hamas prisoners under Ben Gvir's tenure at the Ministry of National Security (hereinafter: Ketziot commander Knipes), [available here](#) (Hebrew). A printed story in the ultra-Orthodox newspaper Mishpacha recounts impressions from a visit to Ketziot Prison, quoting Knipes as saying: "We can categorically say that the new policy and the tone set from



testimonies and media reports indicate,<sup>41</sup> visitors were sometimes allowed to participate in the humiliation rampages that became an inherent element of the newly developed regime:

During the visits, they explained the suppression and torture methods being used against us. They brought them into the cells and forced us to keep our heads down, so we didn't actually see the visitors. Once they told us [Minister of National Security] Ben Gvir was there himself. Those humiliating visits lasted at least 40 minutes each, and the whole time we had to kneel. Sometimes the visitors took an active part in humiliating, swearing and shouting at us.

**Ben Gvir was there himself. Those humiliating visits lasted at least 40 minutes each, and the whole time we had to kneel.**

**From the testimony of Musa 'Aasi**

58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha, Ofer and Negev (Ketziot) prisons | [Full testimony](#)

From time to time, they brought Israeli visitors and Israeli journalists and show them our situation and how we were being mistreated. Sometimes, they'd bring some of the visitors into the cells and tell us to kneel on the floor and bend over, in a very difficult and humiliating position, until the end of the visit. Sometimes they jeered and laughed at us.

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

the top are good for us – the executive authority. When government-level officials back decisions and give the professionals in the field the powers needed to get the job done properly, it produces the desired outcomes... And it can be said with certainty that the odds of any terrorist finishing their prison time and returning to terrorist activity drops sharply. The most logical thing that could be is... that they'll be afraid of it, that it'll get etched in their consciousness." [Available here](#) (February 2024) (Hebrew).

<sup>41</sup> See: Moshe Nusbaum, [The Song that the Nukhba Terrorists Hear in Prison Non-Stop – the National Anthem, Mako](#), 14 November 2023 (Hebrew); Alon Hakmon, [As the Anthem Plays in the Background: Ben Gvir visited the Facility Where the Nukhba terrorists are Kept](#), Maariv, 15 November 2023 (Hebrew).

## A. Overpopulation and crowding in cells

Under the rules of international law, including the International Covenant on Civil and Political Rights of 1966 (ICCPR), and the Mandela Rules, minimum prison conditions must meet various health standards, including a minimum floor space.<sup>42</sup>

Overcrowding was a well-known issue in the Israeli prison system long before 7 October, and has been deliberated by Israel's High Court of Justice.<sup>43</sup> In that matter, the Supreme Court instructed the state to provide, within a set timeline, minimal, adequate living spaces to persons held in state custody, as required by the right to living in dignity. The state has yet to fully meet these requirements.<sup>44</sup>

Shortly after 7 October, and as a result of the wave of mass arrests carried out by Israel in the West Bank and Gaza Strip, prison authorities pushed cell occupancy past capacity. Later, on 18 October, the minister in charge declared a "prison state of emergency" as part of **emergency legislation**,<sup>45</sup> which effectively allowed the government to get around the Supreme Court's ruling and not comply with its instructions on minimum living spaces. This legislation produced a serious, substantive violation of the most basic human rights of Palestinian prisoners, who have been held for months in overcrowded, stifling conditions that have made their living spaces unfit for human habitation.

42 The **Mandela Rules** expressly mention an obligation to provide adequate living space. Art. 10(1) of the **ICCPR** also states: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person." This provision has been interpreted by the UN Human Rights Committee, the body in charge of applying the **ICCPR**, as obligatory (see on this, HCJ. 1892/14 **Association for Civil Rights et al. v. The Minister of Public Security et al.**, paras. 49-51). Furthermore, in international law, prison conditions, including adequate living space, have been ruled to fall under the prohibition on cruel and inhuman punishment in Art. 7 of the **ICCPR** and Art. 16 of the **CAT**, which was ratified by Israel (1991).

43 See HCJ 1892/14 **Association for Civil Rights et al. v. Minister of Public Security et al.** (hereinafter: overcrowding case).

44 See the State's latest response to the overcrowding case from December 2023, [available here](#) (Hebrew); [see media stories](#), as well (Hebrew).

45 On 18 October 2023, the Minister of National Security announced a "prison state of emergency," which has since been extended every three months over the course of the war and into the present. "Security conditions in Israel produced a need for additional prison spots, which precludes compliance with living space requirements or the right to a bed. This means prison directors may lodge prisoners in conditions that deviate from these requirements and have them sleep on a mattress (which must be double) rather than a bed". See **Amendment to the Prison Ordinance (No. 64 Temporary Order – Swords of Iron) (Prison Emergency) 5784-2023**; on the right to a bed, see, Sec. 9(b)(2) of the Criminal Procedure Law (Enforcement Powers – Arrests) 5756-1996.

The testimonies indicate cell occupancy more than doubled. Cells intended for six prisoners held 12 to 14 prisoners at a time, with "excess" inmates forced to sleep on the floor, sometimes with no mattress or blanket.

**After 7 October 2023, [...] the prison administration collectively punished us on a regular basis. The first thing was increasing the number of prisoners in each cell from six to 14. This meant reduced privacy and a much longer wait to use the toilet in the cell. In addition, the new detainees who came to the cell had to sleep on the floor, because there were only three bunk beds.**

**From the testimony of S.B.**  
a resident of East Jerusalem | [Full testimony](#)

**They put us in detention cells. The cells were very crowded. In a cell measuring 5x2.5 meters, which is enough for eight inmates at most, they put 12 or 14 of us. A cell like that has three to five iron beds. The rest of the detainees slept on the floor, on very thin mattresses and without blankets. The toilets were inside the cell, with a very smelly blanket instead of a door.**

**The cell had a disgusting toilet that stank, with no door.**

**On 27 November 2023, I was transferred to the Negev Prison (Ketziot), and there the real suffering began. [...] They transferred me to a cell with three bunk beds and one single bed, meaning it was suited for seven inmates. They put 12 of us in that cell. The overcrowding was worse than in the previous places, you couldn't take a single step. The cell had a disgusting toilet that stank, with no door.**

**From the testimony of Musa 'Aasi**  
58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons  
[Full testimony](#)

## B. No sunlight and no air to breathe

The Mandela Rules, which, as noted, stipulate the minimum standard for the treatment of prisoners, address living conditions and especially emphasize the cubic content of air in the room, light and ventilation.<sup>46</sup>

Following the radical change in prison protocols, some inmates found themselves locked in their cells throughout the entire day; others were allowed out for an hour once every few days in order to shower. Prisoners described being denied the right to access the yard – a vested and protected right of prisoners – for their entire incarceration, which sometimes lasted six months or more.<sup>47</sup> Some never saw daylight during their time in prison, and others described the impact of being locked in crowded cells on their health.

**When we arrived [at the prison], they put me in cell 68 in wing 12. I think that wing is designated for Hamas prisoners. The cells were dilapidated and it looked like we were the first ones to be put in them. It smelled damp and there was mold on the walls. It was impossible to breathe inside. All you dream of in there is a breath of fresh air. The cells had no windows facing the yard, and they were connected by a long, roofed corridor, so no sunlight or clean air came through. [...] There were no walks or breaks in the yard, and our legs almost atrophied from too much sitting. The cell was very crowded, and it was almost impossible to walk.**

**All you dream of in there is a breath of fresh air.**

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was in the Etzion detention facility and in the Ofer and Nafha prisons.

**[Full testimony](#)**

<sup>46</sup> See Rules 13-14 of the **Mandela Rules**. In this regard, an obligation to ensure lighting and ventilation has been established, such that places where prisoners are held have windows large enough to allow them to read or work under natural light, in addition to supplying artificial lighting. The rules also stipulate an obligation to allow fresh air to enter, regardless of the presence of a ventilation system.

<sup>47</sup> The right to an hour outside the cell in the open air for physical exercise and maintaining prisoners' health is enshrined, for instance, in Rule 21 of the **Mandela Rules** on minimum standards for the treatment of prisoners, and in domestic law, in Sec. 9 of the **Criminal Procedure Regulations (Enforcement Powers – Arrests) (Detention Conditions) 5757-1997**, which enshrines the right to an "excursion hour" and walking in the fresh air each day.

Until the war, we were allowed out of the cells for 12 hours, between 6:00 A.M. and 6:00 P.M., and could walk in a large lot outside, to be in the sun. But since 7 October, we were only allowed out for the shower, and we'd look there for the few rays of sunlight that came through a hole in the wall. On the days we couldn't shower, I bathed in the toilet bowl with cold water, using the pitcher for hand washing before prayers.

**From the testimony of S.B.**  
a resident of East Jerusalem | [Full testimony](#)

We were also forbidden to go outside to the yard, unlike before. For 191 days, I didn't see the sun.

**For 191 days,  
I didn't see  
the sun.**

**From the testimony of Thaer Halahleh**  
45, a father of four and resident of Kharas in Hebron District, who was held in the Ofer and Nafha prisons | [Full testimony](#)

## C. Roll call and cell searches

Another major change in prison procedures since 7 October concerns the frequency of roll calls and cell searches and how they are conducted. These practices no longer serve their original purpose, and have become an opportunity for prison guards to unleash severe violence and another tool for humiliating and degrading prisoners. Roll call was held three to five times a day, and sometimes included a search of the cell. Most of the witnesses related that inmates were forced to crowd together, facing the wall, with their heads bowed down to the floor and their hands interlocked on the back of their necks, in some cases kneeling in prostration as during prayer. Unlike the past, cell searches became a daily occurrence, even though the cells had been almost entirely emptied of personal belongings.

The rules for roll call also changed completely. Each inmate had to stand, put both hands on his head and bend his neck. One of the guards read out the names over loudspeaker, and each inmate had to answer he was present.

**From the testimony of Muhammad Nazzal**  
18, a resident of Qabatiyah in Jenin District, who was held in the Megiddo and Negev (Ketziot) prisons | [Full testimony](#)

In addition to the daily count, which was meant to humiliate the detainees, they would conduct a daily search of the cells: they would handcuff us, take us out of the cells, beat and kick everyone; then they would search the cell, including the windows, walls and floor. That happened every day: three counts and one search a day. Sometimes, during the daily search, they would wet our clothes and mattresses.

**During the daily search, they would wet our clothes and mattresses.**

**From the testimony of Z.H.**, a resident of East Jerusalem | [Full testimony](#)

We were counted three times a day. It was done in a humiliating way, with the guards shouting. The unit would come in heavily armed with gas and batons. It was absolutely forbidden to not stand up for roll call. Those who didn't obey were punished with isolation or beatings. You couldn't talk or do anything during roll call, not even move. If you scratched your nose, for example, you were in for it. [...] There was also a policy of collective punishment and random searches of the cells about once a week. They would force us to undress and then search us, take us out of the cells into the corridor and do a thorough search of the room. It could take an hour or even several hours, and included shouting, assaults and beatings with batons.

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

We were counted three times a day. During roll call, we had to kneel on the floor with our heads bent down to the ground and our hands on our heads. They took photos of us in that position.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron who was held in the Etzion detention facility and in the Ofer and Negev (Ketzio) prisons | [Full testimony](#)

They started searching the cells frequently and confiscating the most basic things, paper, pens, batteries and radios. They took

| away our mattresses every day between 6:00 A.M. and 10:00 P.M.

From the testimony of S.B., a resident of East Jerusalem | [Full testimony](#)

## D. Denying access to and contact with the outside world

### The right to access the courts

In October, as the Minister of National Security declared a "prison state of emergency" in Israel and the West Bank, the government extended the maximum time permitted in law to hold Palestinian detainees without judicial or administrative review.

In the West Bank, Israel made several amendments to military legislation,<sup>48</sup> including an amendment to Section 33 of the Order regarding Security Provisions [Incorporated Version] (Judea and Samaria Area) (No. 1651) 5760-2009, which governs the use of "combat arrest" – an arrest made during counter-terrorism operations – and applies only when there is concern the detainee might pose a threat to the security of the area, the forces, the military or the public. The amendment extends the time a detainee may be held before being brought before a judge to receive an administrative detention order to eight full days, even though the detention periods permitted in security legislation are already much longer than the standards set in international law, and in comparison to the times stipulated in Israeli law.<sup>49</sup>

Using a different approach to arrests made in the Gaza Strip, Israel brought these under the infamous and controversial Incarceration of Unlawful Combatants Law (2002),<sup>50</sup> in a bid to deny Gaza detainees the status of "prisoners of war" or "protected persons," which affords them various protections under international humanitarian law.<sup>51</sup> In practice, most Gaza residents who were detained did not

48 On 7 June 1967, the Military Commander signed the Proclamation Concerning the Entry into Force of the Order Concerning Security Provisions (West Bank Area) (No. 3), 5727-1967, according to which the **Order Concerning Security Provisions (West Bank Area) 1967**, will come into effect that day.

49 See, e.g., HCJ 10720/06 **Farid v. Military Court of Appeals (2007)**; HCJ 3368/10 **Ministry of Palestinian Prisoners v. Minister of Defense (2014)**.

50 As well as criminal arrest warrants. See, e.g., HCJ 2254/24 **Musa v. Israel Defense Forces et al.** (2 May 2024).

51 Though Israel did significantly extend the period of time in which detainees can be held without judicial review or meeting with legal counsel in the West Bank via security legislation and criminal warrants, in its view, Israel was constrained by provisions of international law from extending these periods as radically as it did in the case of Gaza detainees.

actively participate in the fighting and were taken into custody in a mass wave of arbitrary arrests. Under this law, thousands of Palestinians were automatically tagged as "enemy combatants" with no factual basis to support this. Defining them as such allowed Israel to hold them for extremely long periods of time with no external review whatsoever, while, even in its original format, the detention powers prescribed in the law were deemed to "significantly and seriously violate the personal liberty of the prisoner" and the means it provides for were found to be "exceptional".<sup>52</sup>

The temporary order and emergency regulations enacted by the government extended the maximum periods set in law for holding detainees before launching the initial administrative process, holding a hearing and issuing a custody order, and bringing the detainee before a judge. They also set longer periods for denying a meeting with legal counsel, and limited judicial review to video conferencing.<sup>53</sup> Over the course of the war, and as the number of detainees grew, the periods stipulated in the temporary orders were extended further,<sup>54</sup> even though the detention powers provided for in the law prior to the amendment had already been described by the Supreme Court as significantly and seriously violating detainees' personal liberty.<sup>55</sup> The Supreme Court has recently deliberated the legality of the amendment and upheld these extended periods, despite the fact that they effectively deny the right to access to the courts.<sup>56</sup> Subsequently, another temporary order stipulated that all hearings in the matter of Palestinian

<sup>52</sup> CrimA 6659/06 A. v. State of Israel, 62(4) 329 (2008), translation from Versa Website, Benjamin N. Cardozo School of Law of Yeshiva University, [see here](#).

<sup>53</sup> On 13 October 2023, the government enacted the Emergency Regulations (Time Frames for Processing Unlawful Combatants during War or Military Operations) 5784-2023. The regulations were enacted pursuant to Section 39(f) of Basic Law: The Government. They were initially valid for three months, up to January 2024, and have since been extended several times, most recently up to 31 July 2024. See on this matter, Response on behalf of the State, HCJ 1414/24 Public Committee Against Torture in Israel et al. v. Knesset et al. (pending), [available here](#).

<sup>54</sup> The Incarceration of Unlawful Combatants Law (Amendment No. 4 and Swords of Iron Temporary Order) 5764-2023, dated 18 December 2023, stipulated the longest time frames, allowing 75 days before detainee is brought before a judge (compared to 14 days prior); temporary confinement order may be extended for up to 45 days (instead of 96 hours, as prescribed by law, Sec. 10(a)(a)(3)); meeting with legal counsel can be withheld for up to 45 days, or 180 with a supervisor's approval (compared to 10 and 21 days respectively). The Temporary Order has recently been amended again, providing a maximum period of 90 days for denying meeting with legal counsel (Incarceration of Unlawful Combatants Law (Amendment No. 4 and Swords of Iron Temporary Order) (Amendment) 5764-2024 (published on 7 April 2024, Book of Laws 3203, p. 780)).

<sup>55</sup> See supra note 39.

<sup>56</sup> The High Court of Justice instructed the State to respond to the proposal to institute a system for examining complaints made by Palestinian detainees about prison conditions within a week. In the hearing of the petition brought against the law, which currently allows holding detainees for 45 days without judicial review, Justice Kasher said: "I am looking for someone in whose ear one can scream, 'They're doing awful and terrible things to me.'" [See here](#) (Hebrew).



detainees and prisoners would be held via Zoom video conferencing, and they would not be physically brought before the judge hearing their case.<sup>57</sup>

The obligation to bring every detainee before a judge for judicial review without delay is derived from the right not to be subjected to arbitrary arrest, a cornerstone of international humanitarian law and international human rights law. Article 9 of the ICCPR (1966) enshrines the right not to be arbitrarily deprived of liberty through arrest or incarceration. This provision includes both a duty to promptly inform the detainee of the reason for the arrest and the duty to bring them before a judge for judicial review at the first opportunity.<sup>58</sup> It is important to note that the ICCPR does allow limiting the application of Article 9 and suspending some of the rights it prescribes in times of national emergencies and crises.<sup>59</sup>

Similar provisions are enshrined in a number of additional conventions and documents,<sup>60</sup> including the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the Fourth Geneva Convention,<sup>61</sup> which enshrines the obligation to conduct judicial review as soon as possible. This treaty also includes a provision allowing a "suspension" of this right during national emergency or war.<sup>62</sup>

The vast majority of the witnesses whose testimonies are presented here went days, weeks, and in some cases, months before being brought before a judge for the first time. In keeping with the temporary order, and barring exceptional cases,

57 See, Law regarding Video Conference Hearings for Prisoners and Detainees (Temporary Order – Swords of Iron) 5764-2023, extended until 19 August 2024.

58 See ICCPR, Arts. 9(2) and 9(3).

59 Art. 4 of the ICCPR states as follows: "In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, color, sex, language, religion or social origin. 2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision."

60 See also Art. 5(3) and 5(2) of the ECHR which stipulate the rights to access and to information regarding the arrest. The European Court of Human Rights had ruled that although Article 6 of the ECHR does not explicitly state as much, access to the courts is included in prisoners' right to due process; see *Golder v. UK* (21 February 1975), European Court of Human Rights.

61 Section 11(1) of the Body of Principles stipulates a ban on keeping individuals in detention without giving them "an effective opportunity to be heard promptly by a judicial or other authority."

62 Art. 43 of the Fourth Geneva Convention establishes the obligation to conduct a judicial review as early as possible, and at the same time, Art. 5 of the Convention states that in times of war and emergencies, it is possible to suspend certain rights, including this right.

the hearings themselves took place remotely via Zoom, and in at least two cases, the detainee attended the hearing using nothing more than the prison guard's cell phone. In these circumstances, judges are unlikely to observe whether detainees are injured, hurt or physically deteriorated, and the menacing presence of the prison guards inhibits prisoners from complaining to the judges or reporting the torture they underwent. In the few cases in which prisoners dared to complain about their treatment, the guards made sure to take revenge on them for it.

**They took me and another detainee to a room where they sat us in front of a computer to participate in a live court hearing. Before the hearing began, we were attacked and beaten hard with metal batons all over our bodies for more than 30 minutes. At the court hearing there were judges, prosecutors, a translator and a lawyer. When the lawyer saw me on the computer with my face red, swollen and bruised, he asked what happened to me. I told him what happened before the hearing and he asked me to tell the judge. I did get the chance to speak at the hearing and I told the judge what happened. He asked me if I had been taken in for a medical check and if a doctor had treated me. I said no. He recommended taking me to a doctor.**

**IPS people took revenge on me for complaining about their behavior. They hit and kicked me brutally the whole way.**

[...] During the hearing, I also spoke about how we were brutally attacked and abused by the guards during transfers, but the judge didn't pay attention to that. After the hearing, on the way to the cell, the IPS people took revenge on me for complaining about their behavior. They hit and kicked me brutally the whole way.

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

**Three days after I reached Ofer Prison, I had a court hearing. The prison guard took me out of the cell, and I watched the hearing over Zoom on his phone. The lawyer told me I was issued an administrative detention order for six months. I asked the judge why I was given administrative detention, and he said that it was**

because I was a former prisoner and we were in a state of war. That's how the hearing ended. Then they took me back to the cell.

**From the testimony of Z.T.**, a resident of Bethlehem District | [Full testimony](#)

From there, they took us one by one to a room where we attended our hearings via Zoom. On the way there, IRF members punched me very hard in the chest. An Arabic-speaking guard was in the room, and he listened to the entire conversation between me, the judge and the lawyer. He threatened that if I complained to the judge, I would pay. The lawyer told me before the hearing that the judges already knew about everything that was going on in the prison, so there was no point talking about it. Still, in the hearing he asked me, "Have you been exposed to violence in prison?" I didn't dare answer, because I was afraid the guards would retaliate and beat me even more brutally. [...] Every time they took me to the room where we attended our court hearings on Zoom, I endured the same path of torture, beating and humiliation. All the inmates in the prison went through that.

**The judge asked me, "Have you been exposed to violence in prison?" I didn't dare answer, because I was afraid the guards would retaliate and beat me even more brutally.**

**From the testimony of Firas Hassan**

50, a father of four and resident of Hindaza in Bethlehem District, who was held in the Negev Prison (Ketziot) | [Full testimony](#)

A guard came and told me I had a court hearing to approve the detention. He asked if I wanted to go and I said yes. During the hearing, I told the judge that we were being beaten and attacked, and that our privacy and rights were violated. The judge claimed that the beatings had stopped. I told him: "They beat us today, Your Honor." He put his hands on his head and said nothing.

The officer was there, and he looked at me menacingly. Then, he handcuffed me from behind, even though the other prisoners who

had hearings were handcuffed in front. As soon as I went back into the wing, escorted by two guards I know, one of them kicked my leg and the other took the slippers I was wearing and hit me on the head. When I advanced a little, the guards attacked me again. One of them kicked me from behind and knocked me to the floor and then he beat me badly. He took a metal hammer and hit me on my lower back and right thigh and then he hit my testicles again and I started screaming.

**The judge claimed that the beatings had stopped. I told him: "They beat us today, Your Honor."**

**From the testimony of 'A.A., a resident of Hebron District | [Full testimony](#)**

## Withholding meetings with legal counsel and visits

A prisoner's classification as a "security" or "criminal" inmate has a crucial impact on their incarceration conditions.<sup>63</sup> According to the Prison Ordinance, "security" prisoners are subject to broad restrictions on contact with the outside world, including prison leave, visits, conjugal and otherwise, and telephone calls.<sup>64</sup> After 7 October, the limited avenues available to prisoners for maintaining some sort of contact with the outside world were swiftly denied as well. Family visits were canceled altogether and meetings with legal counsel were denied for increasingly long durations, reaching as much as 180 days, on the pretext of "dynamic needs on the ground."<sup>65</sup> Most of the witnesses interviewed for this report did not see their lawyers once during their entire incarceration.

The right to legal representation is enshrined in Article 14 of the ICCPR and derives from Article 27 of the Fourth Geneva Convention, which also stipulates detainees'

63 Commission Ordinance No. 04.05.00 "Definition of Security Prisoner"; For the distinction between incarceration conditions for security and criminal prisoners, see, inter alia, Oriana Almasi, Security Prisoners' Incarceration Conditions in IPS Facilities, Knesset Research and Information Center (2015) (Hebrew); see also, Leslie Sebba and Rachela Erel, "Freestyle Imprisonment: On the Implementation of International Human-Rights Norms in the Israeli Prison System", Hukim (Laws) 10 (2017): 9, supra note 37 (Hebrew).

64 See, Commission Ordinance 03.02.00, "Rules for Security Prisoners"; Alon Harel, "Who Is a Security Prisoner and Why? An Examination of the Legality of Prison Regulations Governing Security Prisoners," in Threat – Palestinian Political Prisoners in Israel, eds. Abeer Baker & Anat Matar, (2011), p. 37.

65 See HCJ 2254/24 Abu Musa v. IDF et al. (dated 2 May 2024), para. 2: "Given the Incarceration of Unlawful Combatants Law... according to which, the maximum period of time in which denying meeting with legal counsel is permitted is 90 days, the first and third remedies in this petition have become moot in light of the option to arrange a meeting with legal counsel."

right to receive visitors, especially close relatives, at "regular intervals and as frequently as possible" (Article 116). Alongside these, Principle 18(1) of the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment enshrines detainees and prisoners' right to communicate with legal counsel. The Body of Principles also stipulates prisoners have a right to receive visits and communicate, particularly with their relatives. The UN Commission on Human Rights stated, as far back as 2003, that it "reminds all States that prolonged incommunicado detention may facilitate the perpetration of torture and can in itself constitute a form of cruel, inhuman or degrading treatment or even torture [...]."<sup>66</sup>

Similarly, the European Court of Human Rights ruled that holding detainees in conditions of isolation and depriving them of communication for an extended period of time, which can be detrimental to their psychological integrity, amounts to cruel and inhuman treatment and constitutes a violation of Article 3 of the European Convention on Human Rights. The prohibition this article places on torture and abuse is complete. It applies during war and emergencies and cannot be suspended.<sup>67</sup>

Figures presented to government-level officials and corroborated by the testimonies presented here,<sup>68</sup> indicate that in line with the new official policy,<sup>69</sup> most of the Palestinians arrested after 7 October received no legal counsel or representation. They have also been prevented from seeing their family members or meeting with representatives of the ICRC, aid and human rights organizations, the Public Defender's Office,<sup>70</sup> or any other official oversight bodies such as the Bar Association. These bans, coupled with the confiscation of TVs and radios from prisoners' cells, have left them completely cut off from the outside world throughout their incarceration.<sup>71</sup>

66 Commission on Human Rights, E/CN.4/RES/2003/32, para 14.

67 *Ilascu and Others v. Russia and Moldova*, Application 48787/99, paras. 432, 442.

68 In the transcripts of a hearing held by the Foreign Affairs and Defense Committee (p. 15), a representative of the Southern District Attorney's Office notes: "They aren't represented. No one has been represented to this day. They haven't had lawyers. They're under a meeting ban, and the bill seeks to extend the time frames for denying meetings in this context too."

69 See Respondent's response in HCJ 7753/23 *Association for Civil Rights et al. v. Minister of National Security et al.*, [available here](#), as well as the response of the Minister of National Security in HCJ 2858/24 *Association for Civil Rights in Israel v. Minister of National Security*, served to the Petitioners separately from the State's response, [available here](#).

70 The first Public Defender's report on prisoners and prison conditions came out only four months into the war, on 6 February 2024, and is available (in Hebrew) on the Public Defender's Office website [here](#).

71 According to media reports, it was the office of Itamar Ben Gvir, Minister of National Security, on whose

I was in Ofer for about 12 days and during that whole time I wasn't interrogated, didn't receive a visit from a lawyer or from family, and didn't see a judge. None of the detainees knew what they were suspected of, and everyone was in a state of tension and uncertainty. There were no family visits and there was no contact with anyone on the outside, not even the Red Cross. We were cut off from the news and the outside world

**There was no contact with anyone on the outside, not even the Red Cross.**

**From the testimony of Musa 'Aasi**

58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons

**[Full testimony](#)**

Throughout the entire period of detention, I didn't meet with a lawyer. I also didn't see my parents or other family members, because they canceled visits altogether. We were in complete isolation, cut off from the world and unaware of what was happening outside. We couldn't follow the news because they took away the TVs and radios. Our only source of information was new detainees.

**We were in complete isolation, cut off from the world.**

**From the testimony of Muhammad Salah**

27, a resident of Burqah in Nablus District, who was held in Megiddo Prison

**[Full testimony](#)**

We were completely isolated. We didn't know what was going on outside, and our families didn't know what was happening to us because there were no means of communication.

**From the testimony of 'A.A., a resident of Hebron District | [Full testimony](#)**

behalf it was stated as an act of public policy, that visits to security detainees by the Red Cross and/or human rights organizations should not be permitted, [see here](#) (Hebrew).

## E. Restrictions on religious worship

Article 93 of the Fourth Geneva Convention stipulates an obligation to allow detainees to worship and hold religious services in accordance with their faith. The picture that emerges from various testimonies indicates severe violations of this right and insults to the religious sentiments of prisoners as a matter of stated policy.<sup>72</sup> In some facilities, group prayer has been prohibited, while other witnesses described prison guards mocking them and insulting their faith and religion. Witnesses also described other bans and barriers affecting worship, such as withholding access to water, which impedes ablution, bans on praying out loud and the confiscation of Qurans.

**Calling for prayers was forbidden. Of course, they confiscated the Qurans. Even group prayer in the cells was forbidden. If the guards heard the Quran being read out in a cell, they would punish all the inmates in it.**

**From the testimony of 'Atef 'Awawdeh**  
53, a father of seven and resident of Deir Samit, Hebron District

**After 7 October, they also confiscated all the Qurans, and when the guards found a Quran during a search, they would throw it on the floor and stomp on it. The prayer mats and prayer beads were also confiscated, and prayer was prohibited in general – both group and individual. It was forbidden to pray out loud, and there were prisoners who were beaten for praying alone out loud. They allowed detainees to resume praying individually a month before Ramadan, but silently. Prayer with a silencer! [...] We would do the prayer ablutions without water, because we just didn't have any.**

**When the guards found a Quran during a search, they would throw it on the floor and stomp on it.**

**From the testimony of Z.H., a resident of East Jerusalem | [Full testimony](#)**

<sup>72</sup> The media reported that IRF personnel raided the cells in the wing upon hearing the sound of prayer before Ramadan, [see here](#) (Hebrew).

They also prohibited haircuts and communal prayer. We weren't even allowed to hold the 'Eid al-Fitr prayer on 10 April 2024. [...] Running water was only available 15 minutes a day — not at a fixed time, but when the guard on duty felt like it. I cleaned a plastic garbage bag and filled it with water so we could drink and wash for prayers at other times.

**From the testimony of Thaer Halahleh**

45, a father of four and resident of Kharas in Hebron District, who was held in the Ofer and Nafha prisons | [Full testimony](#)

It was during evening prayers, and the guards heard someone calling out for prayers. They threw a stun grenade in the cell they put us in, and quickly went to cell 1. They attacked everyone in the cell and we heard the inmates screaming. They beat them relentlessly for half an hour.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron who was held in the Etzion detention facility and in the Ofer and Negev (Ketziot) prisons | [Full testimony](#)

On Friday, 10 November 2023, I led the prisoners in the cell in public prayer. Some of the prisoners cried. We heard one of the guards looking at us through the window in the door. We knew, then and there, that we would be attacked. In the evening, the guards counted us as usual.

Right after roll call, 14 IRF members attacked us with the butts of their rifles. They beat us for a long time, especially one prisoner. They broke his left shoulder, and his left eye swelled up. He passed out. They had a medic with them, and he even yelled at them to stop hitting him, but they didn't listen. Then, one of the guards pointed at me and said: "That's him." The IRF people dragged me, threw me on the floor and kicked me in the head. I tried to shield my head with my hands, but the guards pushed them away and kept beating me. I screamed in pain after about ten minutes of being beaten. I couldn't move. Then one of them told me that if I prayed again, he'd kill me. When they left the cell, I was semi-

**Then one of them told me that if I prayed again, he'd kill me.**



| **conscious and bleeding from the nose and ears.**

**From the testimony of A.H., Hebron District | [Full testimony](#)**

## F. Confiscation of personal possessions

The right to keep personal property in a cell derives from the obligation to ensure adequate life in detention, and is expressed in both international and domestic law.<sup>73</sup> One of the very first steps taken by prison authorities as soon as the war began was to confiscate all shared and personal property that Palestinian prisoners kept in their cells. As prisoners faced shrinking living spaces and downgraded living conditions, they were also left without a change of clothes and shoes, kettles, radios, TVs, soap, cleaning materials and even food they had purchased in the canteen. Everything was removed from the cells, including books and personal documents.

**The day they put us in isolation, they also confiscated everything we had in the cells: fans, kettles, food and such, and cut off the power to all the cells in the prison. When we came back, the cell was completely empty. They put our belongings in the library. Because the power was cut off, we couldn't follow the news. They also turned off the hot water in the showers.**

**On 19 October 2023, guards came barging into the cells again. These invasions of our cells by men were a serious violation of our privacy. They entered unannounced, when some of the inmates didn't have their headscarves on and weren't dressed modestly. This time, they confiscated the tables and chairs and even the shoes, and beat us with batons.**

**From the testimony of N.H., a resident of East Jerusalem | [Full testimony](#)**

<sup>73</sup> The Mandela Rules list prison conditions and rules for protecting personal property and prisoners' rights to keep clothing, bedding etc.; Art. 97 of the Fourth Geneva Convention stipulates that inmates should, generally, be permitted to retain personal effects during their incarcerations and any items taken from them are to be returned upon their release; the Tel Aviv District Court has ruled that Regulation 5 of the Criminal Procedure Regulations (Enforcement Powers – Arrests) (Detention Conditions), 5757-1997 prescribes detainees' rights to keep personal possessions in their cells (stationery, books, religious objects, board games, radios, shoes, wedding ring or watch, electric kettle, etc.) (Case (Prisoner Petition) Tel Aviv District Court 62518-05-17 Gali v. Israel Prison Service (4 July 2017)). In this ruling, the court gave a dual interpretation to the purpose of the regulation – both with respect to the conditions meeting the obligation to enable an adequate life in detention, and to recognize the prisoner's connection to the outside world and their previous surroundings.

We had no clothes other than what we had on, so we couldn't change or really wash them. We wore the same clothes all the time. They held a search every day, and if they found another piece of clothing, they confiscated it. They also carried out random searches at night and took anything they found. One prisoner stayed in the same clothes for 51 days.

**We had no clothes other than what we had on, so we couldn't change or really wash them.**

**From the testimony of Sami Khalili**

41, a resident of Nablus who was serving a prison sentence from 2003 and was held in the Negev Prison (Ketziot) | [Full testimony](#)

## G. Living in darkness

The Fourth Geneva Convention explicitly states that holding detainees in facilities without daylight is prohibited and constitutes a form of cruelty.<sup>74</sup> The blanket policy applied in prisons after 7 October, on alleged security grounds, included keeping inmates in cells without lighting in all prisons.<sup>75</sup> Inmates were kept in darkness through the entire day, except during roll call. In wings where almost no daylight penetrates, they had difficulty navigating spaces due to the complete lack of lighting. As they were also denied a fresh air break in the yard, they remained in darkness for days and weeks.

**The light would only turn on from 6:00 to 10:00 P.M. The first floor was very dark, and even during the day it felt like night. The second floor was slightly better. I was on the second floor in November and December, and then moved to the first floor during January and February.**

**From the testimony of Muhammad Salah**

27, a resident of Burqah in Nablus District, who was held in Megiddo Prison  
[Full testimony](#)

<sup>74</sup> Art. 118(2) of the Fourth Geneva Convention.

<sup>75</sup> See State's response to HCJ 7753/23 Association for Civil Rights v. Minister of Public Security, regarding the living conditions of the security prisoners, including the decision to cut off electricity and lighting (hereinafter: the living conditions case).

In the first month and a half at Ketziot, there was lighting in the room only after 8:00 P.M. Then they started cutting off the electricity day and night. They'd turn on the light only during roll call, so the guard could count the detainees.

**From the testimony of Z.H., a resident of East Jerusalem | [Full testimony](#)**

**4.**

**Physical and psychological abuse**

## 4.

# Physical and psychological abuse

## The prohibition on torture in international law

The prohibition on torture is one of the cornerstones of international law. Unlike other accepted norms in this legal field, the prohibition on torture is absolute,<sup>76</sup> and no state may derogate from it or suspend it in times of peace, war or emergency.<sup>77</sup> Over the years, this prohibition has been established as a customary rule incumbent on all countries, organizations and persons in the world, irrespective of the applicability of any particular international treaty.<sup>78</sup>

Various instruments, including ones signed by Israel, contain an explicit and absolute prohibition on any type of torture.<sup>79</sup> The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Israel signed in 1986 and ratified in 1991,<sup>80</sup> requires States parties to take steps to prosecute and punish perpetrators.<sup>81</sup> The ICCPR also contains an explicit provision to this effect.<sup>82</sup>

76 According to Art. 16.2 of the CAT; Art. 7 of the ICCPR stipulates: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The full text of the ICCPR is [available here](#).

77 See Judgement of the International Criminal Tribunal for the former Yugoslavia Trial Chamber decision regarding the impossibility of derogating from this provision, para. 144 of the decision, [available here](#).

78 For a discussion of the formation of this legal status see Nigel Rodley, *The Treatment of Prisoners under International Law*, 2<sup>nd</sup> edition (Oxford: Oxford University Press, 1999), ch. 2.

79 Art. 32 of the Fourth Geneva Convention stipulates a blanket prohibition on the use of torture against protected persons or any other intentional infliction of suffering. Art. 37 of the Convention states: "Protected persons who are confined pending proceedings or serving a sentence involving loss of liberty, shall during their confinement be humanely treated." Another source on the rights of prisoners that prohibits torture and inhumane treatment is the UN [Universal Declaration on Human Rights](#). Another normative source is the Commission on Responsibilities – which was established as part of the Paris Peace Conference in 1919. See also: The Commission on the Responsibility of the Authors of the War and on Enforcement of Penalties (1919), S.C. Res. 955, annex, art. 4, UN Doc. S/RES/955 (Nov. 8, 1994), [see here](#).

80 The [CAT](#) defines torture in Art. 1 as follows: "[A]ny act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind [...]. "See on this, HCJ 5100/94 Public Committee against Torture in Israel v. Government of Israel and Shin Bet, (hereinafter: the torture case) (English translation available on Israeli Supreme Court website [here](#)).

81 Ibid., Art. 2 of the Convention.

82 Arts. 7 and 10 of the ICCPR respectively concern punishment in general and punishment particular to individuals deprived of their liberty.

Torture has been defined as both a crime against humanity<sup>83</sup> and a war crime<sup>84</sup> in the Rome Statute, the constitution of the International Criminal Court in The Hague.<sup>85</sup> The UN Security Council resolutions that established the international criminal tribunals for the former Yugoslavia and Rwanda<sup>86</sup> included torture as one of the Geneva Convention violations under the tribunals' jurisdiction.<sup>87</sup>

To supplement this, common Article 3 of the Geneva Conventions, which reflect humanitarian law in relation to armed conflicts, and Additional Protocol II to these conventions, prohibit torture and cruel treatment.<sup>88</sup> Article 119 of the Fourth Geneva Convention prescribes: "In no case shall disciplinary penalties be inhuman, brutal or dangerous for the health of internees. Account shall be taken of the internee's age, sex and state of health."

Thousands of Palestinians classified by Israel's prison system as "security prisoners" are incarcerated in Israeli prisons at any given moment.<sup>89</sup> This classification brings with it a slew of restrictions and stringent conditions concerning how and where the prison sentence is served, incarceration conditions and security arrangements.<sup>90</sup>

**We were taken to Megiddo. When we got off the bus, a soldier said to us: "Welcome to hell."**

**From the testimony of Fouad Hassan 45, a father of five and resident of Qusra in Nablus District, who was held in Megiddo Prison | [Full testimony](#)**

83 Art. 7(1)(f) of the Rome Statute. Art. 7(2)(e) defines torture as, "[T]he intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused [...]."

84 Art. 8(2) of the Rome Statute.

85 According to the Rome Statute, the ICC has jurisdiction to consider four categories of international crimes: the crime of genocide, crimes against humanity, war crimes, and the crime of aggression.

86 S.C. Res. 955, annex, art. 4, UN Doc. S/RES/955 (Nov. 8, 1994).

87 S.C. Res. 827, U.N. Doc. S/RES/827 (May 25, 1993); see William A. Schabas, "The Crime of Torture and the International Criminal Tribunals," *Case Western Reserve J. Int'l L.*, 37(2), (2006): 349.

88 Nigel Rodley, Matt Pollard, *The Treatment of Prisoners Under International Law*, 186 (3rd. ed., 2009): 59-62.

89 According to the IPS Ordinance, a security prisoner is a prisoner who committed an offense for nationally motivated reasons and/or belongs to a declared terrorist organization and/or is the subject of a Shin Bet security threat report (Commission Order 04.05.00).

90 See IPS Commission Ordinance No. 03.02.00 "Rules for Security Prisoners" (15 March 2002).

Institutional violence against Palestinian prisoners by prison authorities has increased significantly since 7 October. Testimonies attest to physical, sexual, psychological and verbal violence, directed at all Palestinian prisoners and perpetrated in an arbitrary, menacing fashion, usually under a shroud of anonymity. Acts of violence against prisoners are carried out by soldiers, IPS guards and IPS special forces.

The scope of violence emerging from the testimonies clarifies that these are not isolated, random incidents, but rather an institutional policy integral to the treatment of prisoners. This conduct, its various elements and the many officials directing and practicing it, raises genuine concern that serious criminal offenses are being committed under Israeli law, as well as grave breaches of Israel's international law obligations that may amount to war crimes and even crimes against humanity.

## A. Physical violence and intimidation

Prisoners are brutally attacked at every stage of detention and incarceration: when initially taken into custody, during transfers between interrogation facilities, military detention centers and IPS facilities, at admission to prison, and during roll call and cell searches. Violence is an ever-present part of daily life: every time a prisoner enters or exits the cell, on rare visits to the infirmary, before and after court hearings, and even before being released.

**On Sunday 5 November 2023 [...] they took us out to an outer courtyard between the wings. They put some of the prisoners in the shower room, closed the doors and beat them in there for about two minutes. When it was my turn, they took me to the mess hall, but this time in wing 6. There were a few guards I knew there. They weren't masked. One of them told me: "Remember my face so you don't forget me."**

**They held me and then beat me. One of them kicked me hard in the chest. I was pushed back and crashed into one of the others, who started screaming and cursing. He grabbed a mirror with a thick wooden frame and tried to hit me in the head with it, but**

the others stopped him. They forcibly undressed me, took off my pants and underwear, and tied my shirt over my head like a mask. Then they hit my testicles with force. After that, the guards picked me up and sat me on the metal frame of a sink. They brought two more prisoners and told them to watch while they beat me. I was still naked, and I saw them through the thin shirt that was covering my head. The guards pulled their hair to lift their heads and forced them to open their eyes to watch me.

I took several punches in the waist area, until blood came out of my mouth. One of them came up to me, spat in my face, took me down from the frame and lifted my pants a little.

From there, they led me to cell 5 in wing 6, with my head bent and my hands tied. There were two female guards standing at the door of the cell, and I passed between them naked, meaning, with my pants not covering my genitals.

**They forcibly undressed me, took off my pants and underwear, and tied my shirt over my head like a mask.**

**From the testimony of A.H., a resident of Hebron District | [Full testimony](#)**

Pepper spray, stun grenades, sticks, wooden clubs and metal batons, gun butts and barrels, brass knuckles and tasers are just some of the instruments used to torture and abuse prisoners according to the testimonies, in addition to setting dogs on prisoners, beating, punching and kicking. These assaults often led to severe injuries, loss of consciousness, broken bones, and in extreme cases even death, as described further below.

I leaned against a wall. I had broken ribs and was injured in my right shoulder, my right thumb, and a finger on my left hand. I couldn't move or breathe for half an hour. Everyone around me was screaming in pain, and some inmates were crying. Most were bleeding. It was a nightmare beyond words.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron District, who was held in the Etzion detention facility and the Ofer and Negev (Ketziot) prisons | [Full testimony](#)



At admission, we were strip-searched again, fully naked. The most humiliating thing was that it was three female soldiers who did the search [...] Of course, during the search, there was swearing, beating and kicking of the legs, on the pretext that we had to spread our legs wider. These kicks knocked people down on the floor. Then, they took us to the doctor, where they asked us the usual questions, i.e. if we had any medical conditions or take any medication. Then they took pictures of us and then they took us into the Shin Bet [Israel Security Service] one by one. There was a huge Israeli flag on the wall. The first question the Shin Bet officer asked was: "Which organization do you belong to?" Then he ordered me to kiss the flag while I was being filmed. There were about 20 soldiers in the room. I told the officer I wouldn't do it, and he said, "You have to kiss the flag." I told him "No, I don't want to." Suddenly, the 20 soldiers in the room started beating me. They hit me all over my body with whatever they could find. One of them kicked me in the head, and I passed out. They were still beating me when I came to. Then they made me stand and took pictures of me with the flag behind me. I was taken out of the room and beaten again until I passed out again.

I woke up when someone said: "He's dead, he's dead," in Hebrew, "Get away from him." He told me to get up and wash my face in the bathroom. I saw that my whole body was covered in blood. I was bleeding from the nose, mouth and head too. He told me in Arabic not to talk about what happened. It was one of the prison guards.

**From the testimony of Fouad Hassan**

45, a father of five and resident of Qusrah in Nablus District, who was held in Megiddo Prison | [Full testimony](#)

During the torture in the interrogation, they would ask me: "Where's Sinwar?" I would answer that I didn't know. The soldier said: "Confess, so you can go home." The female soldier standing behind me put an electric device on my neck and I got an electric shock that pushed me two meters away.

**From the testimony of Rushdi Zaza**

30, a father of two and resident of the a-Zeitun neighborhood in Gaza City who was held in the Negev (Ketzio) Prison and in another facility he did not recognize

Once, after roll call, a week before my release, a guard asked if we were Hamas guys and we told him we were prisoners. The guard told his friends to attack us. They kicked us and hit us with metal batons. Every time I tried to cover my head with my hands, they hit me on the hands as well as the rest of my body. It hurt a lot. The assault went on for a long time.

**From the testimony of Muhammad Nazzal**

18, a resident of Qabatiyah in Jenin District, who was held in the Megiddo and Negev (Ketziot) prisons | [full testimon](#)

On 7 October 2023, we heard on the news that Hamas attacked Israeli communities near the Gaza border. That day, about 20 guards burst with batons into the cell I shared with five other inmates and beat us for about half an hour. The guards came into the cell, hit us on the head from behind and sprayed large amounts of pepper spray in the cell. We all started suffocating. They handcuffed us with metal handcuffs, which they opened by hitting them on our hands. The pepper spray burned our faces and stung our eyes. We asked for cream to soothe the pain, but they refused. Later, we were taken to isolation cells on the second floor. I was put in an isolation cell with a prisoner from Nablus. It's a tiny cell, with no bed or mattress. There's a toilet right there in the room, with no partition or privacy. It was very cold.

**About 20 guards burst with batons into the cell I shared with five other inmates and beat us for about half an hour.**

**From the testimony of N.H., a resident of East Jerusalem | [Full testimony](#)**

Assault dogs were one of the means used to terrorize and physically harm prisoners. Testimonies reveal that setting dogs on inmates has become part of the new prison routine. These attacks were carried out inside or outside the cells, usually using muzzled dogs – but in at least one case without a muzzle, in defiance of IPS protocols.<sup>91</sup>

<sup>91</sup> [See in this context](#), Freedom of Information Request 310/22: Receiving Instructions and Figures on the Use of Dogs for Enforcement (4 April 2022) (Hebrew), as well as the Operations Division Procedure 220.013.52, "Handling an Aggressive Dog," provided in response. [Available here](#) (Hebrew).

IRF people came into our cell together with some other security personnel, some of them armed, and three police dogs. After roll call, the IRF people attacked us with wooden clubs and iron batons, beat us all over our bodies, kicked us and set the dogs on us. One of the dogs bit a prisoner in the arm until he bled. Another dog bit me while I was being beaten. [...] He hit me hard for about 10 minutes. Then, they left the cell. The prisoner who was bitten was seriously injured, but we had nothing to treat him with.

**One of the dogs bit a prisoner in the arm until he bled. Another dog bit me while I was being beaten.**

**From the testimony of A.H., Hebron District | [Full testimony](#)**

They gathered all the detainees they wanted to transfer and took us to buses. What happened next was very traumatic. As soon as they took us out of the cell, they lined us up, and the prison staff and the Nachshon unit members beat us brutally with rifles and clubs and punched and kicked us. The worst was when they let their dogs attack us. The dogs were muzzled, but it was very frightening, and they scratched our faces and hands with their claws.

**From the testimony of Musa 'Aasi**

58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons

**[Full testimony](#)**

Facing the continual and unrelenting threat of severe, unyielding violence, prisoners remained alert at all times and unable to protect themselves.

There were 10 soldiers there. They played loud music in the yard and brutally beat the detainees, who were handcuffed and blindfolded. They punched them, hit them with rifle butts and kicked them. One of the young guys was beaten so badly that his face and mouth bled. It was frightening. I thought they were going to kill them right there in the yard. It lasted half an hour. I've never seen anything like that in prison. You can't begin to imagine the beating those guys took. [...] We stayed on that wing for 10 days. The scariest part of that period was at night. Unit members would suddenly come into the cell, explicitly threaten

to kill us and beat us badly. They also played loud music at night. We still had no blankets or mattresses. We barely survived those 10 days. We felt that death was hovering over us every minute.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron, who was held in the Etzion detention facility and in the Ofer and Negev (Ketziot) prisons | [Full testimony](#)

We lived in fear and panic. The only expressions we saw on the faces of the guards and the special forces were anger and vengefulness. Even during roll call, they would taunt the prisoners, aiming laser beams at them. They just wanted the prisoner to open his mouth so they could pounce on him, beat him and crush him.

**They just wanted the prisoner to open his mouth so they could pounce on him, beat him and crush him.**

I served 12 months in prison that felt like 12 years of terror, arbitrary measures against prisoners and daily torture, especially after 7 October.

During the war, their treatment of us was driven by a desire for revenge over what happened near the Gaza border. They would look at the prisoners, pick one as a victim, and then torture and humiliate him to break the spirit of the other prisoners.

**From the testimony of Khaled Abu 'Ara**

24, a resident of 'Akabah in Tubas District, who was held in the Negev Prison (Ketziot)

They ordered us to sing and repeat the phrase "Am Yisrael Chai" (the People of Israel live). They demanded each of us, in turn, to say it. Anyone who refused was beaten. I refused, and then one of the soldiers pushed my head down between the two seats and hit me on the back and head. After that, he told me to say the sentence after him and continued to press on my head. He moved on to someone else each time, and then came back to me. They told us they were taking us to Gaza to kill us there.

[...] On the way, the "party" started: "Am Yisrael Chai," shouting, "you'll die in Gaza." They beat us and swore at us. We were filmed,

which I realized when one of them raised my head and pointed it in the direction of his cell phone in order to take a video with me. He lifted my blindfold and demanded that I say that sentence. I refused, and he started hitting me like before.

[...] They also made me stand up, and from under the blindfold I saw they were wrapping an Israeli flag around me and filming me. Then one of them put his arm around my neck, pushed my head down and ran with me in the yard. Another soldier filmed it. They pretended they were shooting a kidnapping scene in a movie. I heard the soldiers laughing and asking each other to take a video.

**They also made me stand up, and from under the blindfold I saw they were wrapping an Israeli flag around me and filming me.**

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

## B. Sleep deprivation

According to the testimonies, sleep deprivation was another practice employed by prison authorities as an integral part of the daily abuses meted on inmates. In some cases, lights were kept on in the cell all night. In others, guards played loud music or unpleasant sounds to keep prisoners from sleeping. These are acts that sometimes amount to actual torture. Sleep deprivation for extended periods of time has long been recognized by various international bodies and conventions as abuse that may amount to torture.<sup>92</sup> The testimonies indicate that deliberate use of sleep deprivation continued for days or weeks on end, resulting in a severe violation of the detainees' rights to bodily and mental integrity, as well as their right to health.<sup>93</sup>

<sup>92</sup> For example, the UN Committee against Torture, which has the competency to interpret human rights conventions, criticized Israel's Supreme Court, noting that in order to meet its obligations with respect to CAT, it should have prohibited the use of measures amounting to torture, such as sleep deprivation, in its ruling in the torture case (supra note 5). Committee against Torture, Summary record of the 496<sup>th</sup> meeting: Israel, U.N. Doc. CAT/C/SR.496, para. 80.

<sup>93</sup> See torture case, supra note 80, at 839-840.

They didn't let us sleep, either, only three hours a night. In the last three days, they didn't let me sleep at all, in the day or in the night. The soldiers would sing in Arabic and put on music in Arabic to keep us from falling asleep. Then I really felt I was going crazy.

**From the testimony of Shaimaa Abu Jiab Abu Ful**

32, a resident of Jabalya R.C., who was held in the Anatot and Damun prisons.

[Full testimony](#)

To stop us from sleeping, they played things on loudspeakers for hours: shouting, cursing, all kinds of whistles and other disturbing noises, and the Israeli national anthem. It went on like that until December, and then they stopped. The lights in the cell were on all night until January 2024, and that made it very difficult for us to sleep, too. In January they cut off power to the cells altogether, and it was pretty dark during the day and pitch dark at night.

**From the testimony of Sami Khalili**

41, a resident of Nablus who had been serving a prison sentence since 2003 and was held in the Negev Prison (Ketziot) | [Full testimony](#)

In this wing, they played loud music all night. Rap songs, and most of the time the song "Am Yisrael Chai" ("the People of Israel Live"). They cursed our mothers on the loudspeakers. [...] the prison administration left the lights on all night. I turned off the light in the cell because we couldn't sleep. During morning roll call, the officer asked who turned off the light, and then he and other guards beat me and the other prisoners on the head and then they left.

**From the testimony of A.H., Hebron District | [Full testimony](#)**

The next day, two guards came and took me to a cell the size of 1.5 square meters with no toilet. I was in that cell alone formore than three months. [...] The light was on 24/7 and I lost track of time. I didn't know what time it was or what day it was. I had no one to talk to. I almost went crazy in there.

**I didn't know what time it was or what day it was. I had no one to talk to. I almost went crazy in there.**

**From the testimony of M.A., Hebron District | [Full testimony](#)**

## C. Violence during transfers and travel

Given the high risk of harm to prisoners and the violation of their rights during transitions, international law has enshrined provisions designed to ensure prisoners' safety during transport. The Fourth Geneva Convention contains specific provisions for detainee transports, focusing on the duty to uphold their human dignity and prescribing an express duty to avoid physically harming detainees in these situations.<sup>94</sup>

The testimonies attest to severe violence used against prisoners during transfers: whether between prison facilities, in prison waiting areas (also known as "transitions") used as way stations prior to admission into prison or travel out of it, and sometimes during transitions between wings and other areas inside the prison itself.<sup>95</sup> In some cases, prisoners are escorted by soldiers, and in others by members of the IPS Nachshon unit, the official prisoner transport unit in Israel and the West Bank.

Transitions act as somewhat of a "no man's land," usually outside prison walls, away from watchful eyes and surveillance cameras. Prisoners are transported blindfolded, in handcuffs, and in most cases in legcuffs, too. They often do not know where they are being taken or how long the journey will take.

**I stayed in that cell until 1 November, and then they took me and 49 other detainees to a waiting cell for transfer. It was a tough transfer. Our hands and feet were tied (without blindfolds), and the Nachshon people who escorted us set their dogs on us, beat us with batons, mainly on the back and legs, and kept cursing Hamas leaders. We received humiliating treatment in the waiting cell too. From there, they took us to the bus. The whole business, from the moment they took us out of the cells until they put us on the bus, took from 6:00 A.M. to 11:00 A.M., meaning five hours in a row of humiliation, abuse and unbearable beatings. [...] After about three hours of a tough, tiring journey, we arrived at Nafha**

<sup>94</sup> See Art. 127 of the Fourth Geneva Convention which states, inter alia, that: "The transfer of internees shall always be effected humanely."

<sup>95</sup> See for example [here](#).

Prison. We were taken out of the bus and on the way to the cell, were treated the same way we were treated at Ofer Prison. They set dogs on us, beat us badly and hurled insults at us.

[...] That day, at 4:00 P.M., my name was suddenly called. I wasn't told I was being released, so all kinds of thoughts ran through my head, for example that they were going to take me to isolation.

Two of the guards lunged at me for no reason and beat me for 30 minutes, until I couldn't move anymore. Then they took me to a transport vehicle and put me in a cage inside it. I was shackled like this: iron cuffs on my legs, on my hands, and tying in my hands and legs. Being shackled like that bent my back and it hurt. But the worst was the fear. I didn't know where they were taking me. The ride took a long time. I don't know how long, because I lost my sense of time. We reached

**They forced me to walk in front of them, pointing their weapons at me. I thought maybe they were going to kill me.**

a dark area. I was taken out of the vehicle and the shackles were removed. They forced me to walk in front of them, pointing their weapons at me. I thought maybe they were going to kill me, because no one knew what was going on with me and it would be very easy to claim that I'd been shot trying to escape. They led me left and right. We walked about 500 meters. They led me to a checkpoint, which I later found was a-Dhahiriyah Checkpoint.

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

We got to wing C. It was a catastrophe. They made us get out of the posta the same way we went in, through a narrow opening, and then the beating started again, with large wooden clubs. There were a lot of guards there beating us, and they deliberately knocked some prisoners to the ground. Later, on the wing, I met two of the prisoners who were knocked down. There wasn't a single part of their body that wasn't bleeding. They were literally bleeding everywhere. There was also one prisoner from Tubas who got his right arm broken. I was last to get out of the posta



along with two others. Until then, every time I tried to get out, they picked someone else. When one of the guards signaled me to move forward, I had trouble getting through the opening because I bent over so low according to their instructions. I heard someone say in Hebrew (which I understand very well), "Kill him." Then they put me back in the posta and all of them beat me with clubs. I tried to protect myself with my hands, and then one of the guards said several times that I was raising my hands because I was going to attack him. I understood that they wanted me to try to hit someone so they could hit me even more, but I was careful not to react in any way.

**From the testimony of Sami Khalili**

41, a resident of Nablus who had been serving a prison sentence since 2003 and was held in the Negev Prison (Ketziot) | [Full testimony](#)

They drove us to the Ohaley Kedar detention facility near Be'er Sheva. Members of the Nachshon unit accompanied us with dogs that tried to attack us, and they mocked and cursed us, calling us "ISIS" and "dogs." They also kicked me. At Ohaley Keidar, we were taken out of the vehicle and then attacked in a spot that was not visible to the security cameras. They punched me all over my body and then sat me on the ground. One of the guards stomped hard on my iron handcuffs with his shoes – I screamed in pain.

**One of the guards stomped hard on my iron handcuffs with his shoes – I screamed in pain.**

**From the testimony of Firas Hassan**

50, a father of four and resident of Hindaza in Bethlehem District, who was held in the Negev Prison (Ketziot) | [Full testimony](#)

Several cases of Palestinian detainee deaths during transport from Gaza to Israel, including transport for interrogation, have been reported since the start of the war. The deaths were apparently the result of constant beatings by the soldiers put in charge of transporting the detainees.<sup>96</sup>

<sup>96</sup> See for example [here](#); and [here](#).

## D. Sexual violence

The prohibition on sexual violence is derived from the prohibition on torture and the duty to protect the human dignity of the prisoners. The International Criminal Tribunal for the former Yugoslavia interpreted Article 27 of the Fourth Geneva Convention, which establishes the duty to protect – at all times – the human dignity of the prisoners, as including a duty to refrain from sexual violence, in its ruling in *Delalic*.<sup>97</sup>

The concept of "sexual violence" has been broadly interpreted in international law. So, for instance, in *Akayesu*, the International Criminal Tribunal for Rwanda ruled that sexual violence could take the form of humiliation or degradation of a sexual nature. The tribunal also ruled that such acts could amount to torture, in its meaning under international law.<sup>98</sup> This definition has been adopted in other cases as well.<sup>99</sup>

A similar prohibition is found in the Rome Statute, which states that when systematically committed against the civilian population, sexual violence amounts to a crime against humanity.<sup>100</sup> Article 54 of the Statute<sup>101</sup> prescribes that the ICC Prosecutor should pay special attention to crimes and offenses of this kind.

Various testimonies revealed repeated use of sexual violence, in varying degrees of severity, by soldiers or prison guards against Palestinian detainees as an additional punitive measure. The witnesses described blows to the genitals and other body parts of naked prisoners; the use of metal tools and batons to cause genital pain;

<sup>97</sup> Prosecutor v Zdravko Mucic aka 'Pavo', Hazim Delic, Esad Landzo aka 'Zenga', Zejnil Delalic (Trial Judgment) [1998] Int Crim Trib Former Yugosl ICTY IT-96-21-T Para 476).

<sup>98</sup> The Prosecutor v Jean-Paul Akayesu (Trial Judgment) [1998] International Criminal Tribunal for Rwanda, Trial Chamber I ICTR-96-4-T, Int Crim Trib Rwanda ICTR96-4-T para 688.

<sup>99</sup> This definition has been adopted elsewhere. See, The Akayesu Trial Chamber's definition of sexual violence was affirmed by the Trial Chamber in *Musema: The Prosecutor v Alfred Musema* (Trial Judgment) [2000] International Criminal Tribunal for Rwanda, Trial Chamber I ICTR-96-13-A, Int Crim Trib Rwanda ICTR-96-13-A para 965; See also Catharine A. MacKinnon, "ICTR's Legacy on Sexual Violence: The Recognition of Rape as an Act of Genocide: Prosecutor v Akayesu," *New England Journal of International and Comparative Law* 211, (2007): 14.

<sup>100</sup> Article 7(1)(g) of the Rome Statute.

<sup>101</sup> Article 54(1)(b) of the Rome Statute; see also: Office of The Prosecutor Policy On Gender-Based Crimes, "Crimes involving sexual, reproductive and other gender-based violence" (2023).

the photographing of naked prisoners; penises being grabbed; and strip-searches for the sake of humiliation and degradation. The testimonies also reveal cases of gang sexual violence and assault committed by a group of prison guards or soldiers. One particularly grave testimony, quoted at length below, reports the attempted anal rape of a Palestinian detainee by several prison guards. Similar incidents were mentioned in other testimonies.

**On Sunday, 29 October 2023, around 6:00 P.M., we poured some water on the floor of the cell to clean it and asked one of the guards for a mop. It turned out that the IRF was raiding the wing just then. They reached cell 10 and severely beat the prisoners there and then one of them, who was masked, peaked through the window in our cell door and saw the water on the floor. He said, "You poured water to make us slip."**

**He yelled at us to go over to him one by one, and they tied our hands behind our backs with zip ties and then forcibly dragged each one of us into the corridor. From the cell, I heard the crying and screaming of detainees who were taken before me and beaten. I was the last one left in the cell and I was shaking with fear.**

**Then they took me. Two of the IRF people dragged me forcefully from the cell to the corridor and from there to the room that was used as a mess hall until 7 October. On the way, they cursed my mother and my sisters. When I got to the mess hall, I saw the other prisoners from my cell there. Everyone was stark naked and bleeding. They threw them one on top of the other. People were crying and shouting, and the guards were yelling at them and cursing them and their mothers. They forced us to curse our mothers, as well as Hamas and Sinwar. They also forced us to kiss the Israeli flag and sing the Israeli national anthem.**

**I was shaking with fear, and then they pounced on me. One of them slapped me, and the other spat in my face and said to me in Arabic: "Yihya Sinwar will die." They ordered me to repeat what he**

**Two of them stripped me like the other prisoners, and then threw me on top of the other prisoners. One of them brought a carrot and tried to shove it in my anus.**

said. Two of them stripped me like the other prisoners, and then threw me on top of the other prisoners. One of them brought a carrot and tried to shove it in my anus. While he was trying to shove the carrot in, some of the others filmed me on their cell phones. I screamed in pain and terror. It went on like that for about three minutes.

Then they shouted at us that we had two minutes to get dressed, and left. I felt broken inside. Tears rolled down my face while I was getting dressed (the witness choked up and burst into tears). Terrible thoughts went through my head. Then they took us back to the room. When we got back to the cell, we were still in shock, crying silently. No one spoke. We couldn't look at each other. I asked myself: "What happened? Why is this happening to us?"

**From the testimony of A.H., a resident of Hebron | [Full testimony](#)**

We were taken to a room which had a lot of clothes, shoes, rings and watches scattered in it. We were stripped naked and even had to take off our underwear. We were searched with a hand-held metal detector. They forced us to spread our legs and then sit half crouching. Then they started hitting us on our private parts with the detector. They rained blows down on us. Then they ordered us to salute an Israeli flag that was hanging on the wall.

When one of them ordered me to salute the flag, I refused. Then two members of the IRF (Initial Response Force) unit beat me all over my body. One kneed me in the stomach. I fell down and threw up, and then the other kicked me in a private part of my body. I was in terrible pain. [...] When they stopped the beating, I started getting dressed, but one of the guards hit me every time I put on another piece of clothing. When I put the jacket on, he asked if I'd had enough beating.

**From the testimony of Sami Khalili**

41, from Nablus, who had been serving a prison sentence since 2003 and was held in the Negev Prison (Ketziot) | [Full testimony](#)

Then one of the guards grabbed me roughly by the neck and led me 500 meters to a waiting room. On the way I was hit again and again on the back, cursed and humiliated, and I felt I might pass out. [...] They threw me in a filthy waiting room with two other detainees. From there, they later took me to get strip-searched. They stripped me while my eyes were still covered, beating me in the process. They said, "You're Hamas" and hit different parts of my body while I was completely naked.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron, who was held in the Etzion detention facility and in the Ofer and Negev (Ketziot) prisons | [Full testimony](#)

They put us in a very small, empty waiting room. There were 13 of us, and we sat crammed in there for many hours. Then the guards started taking us out one by one to the deputy warden's office. They conducted a humiliating strip search on all of us, and then the Nachshon unit people, who specialize in prison transfers, arrived. [...] they took us to a bus. On the way, one of the guards pushed me hard and I crashed into a prisoner in front of me. I couldn't say anything to him, because we were forbidden from talking to each other. Each Nachshon member held a detainee, and another held a dog and let it attack us. The dog had a metal muzzle, and the guard kept loosening the leash and then pulling it back.

**Every time I tried to move away from the dog, the guard would kick me hard in the legs, and another guard would grab me by the testicles.**

It was very frightening. Every time I tried to move away from the dog, the guard would kick me hard in the legs, and another guard would grab me by the testicles and push me forward hard while swearing at me. I was very angry and felt extremely humiliated in front of the other detainees.

**From the testimony of Thaer Halahleh**

45, a father of four and resident of Kharas in Hebron District, who was held in the Ofer and Nafha prisons | [Full testimony](#)

**5.**

**Deprivation of adequate  
living conditions**

## 5. Deprivation of adequate living conditions

### The duty to provide adequate living conditions in international law

The obligation to provide adequate living conditions during detention or imprisonment is enshrined in several international conventions, all of which explicitly prohibit torture and cruel or inhuman punishment. The ICCPR enshrines a general prohibition on torture and cruel and inhuman punishment, and imposes an obligation on states to treat people deprived of their liberty "with humanity and with respect for the inherent dignity of the human person."<sup>102</sup>

The Mandela Rules, which govern all issues concerning the prison population and imposes a general duty to ensure punishment is not cruel or degrading. The document details what rights prisoners have and what duties states carry with respect to basic standards to ensure minimal prison conditions. The Rules were adopted by the UN in the late 1950s.<sup>103</sup> In 2015, the title was changed to the Nelson Mandela Rules. The duties imposed in the Mandela Rules include providing adequate means to maintain hygiene and cleanliness; prepared, quality food of nutritional value, in sufficient quantities and at set intervals; drinking water at all times; access to a bed and clean bedding; appropriate clothing and the required amount of clean clothes. The Rules also stipulate a duty to give prisoners an hour for physical exercise and fresh air outside the cell and to maintain prisoners' health.

Alongside these provisions, Palestinian prisoners and detainees also come under the provisions of international law as protected persons living under occupation, as noted above. The Fourth Geneva Convention establishes several obligations and rules concerning the living conditions the state must provide to protected persons in its custody.<sup>104</sup>

<sup>102</sup> Art. 10 (1) of the ICCPR.

<sup>103</sup> The Rules were adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1955 and **approved in July 1957**.

<sup>104</sup> See, Art. 49 of the Fourth Geneva Convention, which stipulates an absolute prohibition on transferring protected persons from the occupied territory to the territory of the occupying power. Domestic law also contains provisions regarding living and incarceration conditions for persons in its custody. Sec. 9 of the Arrest Law and the Regulations enacted pursuant to it, stipulate, among other things, a right to an "excursion hour," and a daily walk in the open air; clean bed, mattress and blankets; a change of clothes; a towel and basic hygiene

Israel's obligations with respect to providing adequate living conditions apply to Palestinians held in administrative detention, detainees facing criminal proceedings and convicted inmates.<sup>105</sup> In this context, alongside Article 32 of the Fourth Geneva Convention, which places a full ban on torture and any other intentional infliction of suffering on protected persons, Article 37 of the Convention stipulates that protected persons facing criminal proceedings should be treated humanely and held in humane conditions.<sup>106</sup>

As shown below, the testimonies reveal Israel is systematically and brazenly violating its obligations under international law and employing prohibited measures: sleep deprivation, exposure to extreme cold, withholding of food, showers and drinking water, starvation, and hygiene conditions that are unfit for humans and result in the spread of diseases. All of these amount to cruel and inhuman treatment, which is prohibited under all the aforesaid instruments.<sup>107</sup>

items; adequate medical care if necessary; a shower that is separated from the toilet and sink; reasonable lighting and ventilation in the cell; adequate living space, and more. Sec. 11 of the Prisons Ordinance stipulates that prisoners shall be held in appropriate conditions that do not harm their health and dignity. The Court ruled this is a self-evident fundamental right (HCJ 221/80 Darwish v. IPS, 1980). A 2012 amendment to the Ordinance defined adequate conditions as: proper sanitary conditions; conditions that allow maintaining personal hygiene; bed, mattress and blankets; reasonable lighting and ventilation. The Ordinance also addresses personal effects, food and medical care (all of which are discussed in detail in the following sections). The Prison Regulations (Incarceration Conditions) define specifics: a window in the prison cell or alternative ventilation in windowless cells; a toilet and a sink in the cell, with the toilet separated from the living quarters to maintain privacy; shower separate from the toilet; a shower that provides hot water daily; lighting that allows reading; table, shelves and seats in each cell; a supply of soap and toilet paper in reasonable quantities; washing of bedding at a frequency that ensures their cleanliness (discussed in the overcrowding case, supra note 43).

<sup>105</sup> See, Arts. 76 and 37 of the Fourth Geneva Convention.

<sup>106</sup> "Protected persons who are confined pending proceedings or serving a sentence involving loss of liberty, shall during their confinement be humanely treated."

<sup>107</sup> After the media reported in December 2023 that detainees at the Sde Teiman facility were being kept in fenced enclosures, blindfolded and handcuffed for most of the day, the IDF released an update that a competent committee would examine incarceration conditions, the treatment of detainees, the proper management of prison facilities and their compliance with the provisions of the law and the rules of international law: Yaniv Kubovich and Bar Peleg, The Chief of the General Staff Appointed a Committee to Examine the Conditions of Confinement of Gazan Detainees in the Sde Teiman and Other Facilities, [See Haaretz](#), 28 May 2024 (Hebrew). For an English language report, [see here](#).



## A. Absence and denial of medical treatment

Several provisions of international law, including the Fourth Geneva Convention,<sup>108</sup> stipulate the state's obligation to provide prisoners with adequate medical care, routine medical examinations and the medicines they need. Article 24 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment<sup>109</sup> establishes the right to receive medical treatment in prison as needed, along with an obligation to perform medical examinations upon admission into a new prison facility. The Mandela Rules also address the issue of health, stipulating an obligation to meet medical standards and maintain prisoners' health.

Israel has an obligation and a responsibility to care for the health of all persons in its custody. Nevertheless, many witnesses said that prison guards and medical staff at the detention facilities and prisons refrained from providing essential medical care or refused to do so, even in life-threatening situations. Various witnesses stated medical staff told them they were following the instructions they were given.

### Criminal neglect and indifference

The reckless, cruel attitude that prison authorities, guards, and to no lesser extent, medical crews, showed for the lives and health of inmates came fully across in the prisoners' testimonies. With the exception of a handful of cases, prison guards as well as medics and medical teams chose to turn a blind eye at best, and lend a hand and cooperate with denying medical treatment, at worst.

**All medical treatments we used to get in prison also stopped. They even tried to extort information about plans to protest the punishment policy from prisoners, in exchange for medical treatment.**

**From the testimony of N.H., a resident of East Jerusalem | [Full testimony](#)**

<sup>108</sup> Thus, Art. 91 of the Fourth Geneva Convention requires the provision of access to medical examinations and treatment. Additionally, Art. 92 of the Convention states routine medical inspections are to be held monthly and include an examination by a physician of inmates' health, including their state of nutrition, whether they suffer from any diseases and whether they are receiving proper medical care. Art. 76 mandates that the duty to provide medical care applies to detainees, prisoners, administrative detainees and protected persons serving sentences for criminal offenses.

<sup>109</sup> Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, supra note 25.

Because of the beating, I couldn't speak normally and had to whisper in the ears of the other detainees. I got out of bed only to go to the bathroom, and needed another detainee to help me get there. I didn't leave the cell or smoke. That whole week at Etzion, they refused to let me see a doctor or give me any medical treatment.

From the testimony of A.A., Hebron District | [Full testimony](#)

From our cell, I could hear the screams of another prisoner – according to the prisoners he was from the town of Birqin – who was in the cell next to ours. He was screaming in pain, and no one was treating him [...]. I would bring sick prisoners to the door of the cell, some of them unconscious, so they could be treated. [The guards] would say to me, "He's still breathing," and I would take the prisoner back inside without treatment. I tried to use the fact that I speak English to ask them for things for the prisoners, but they don't know what humanity is.

**The guards would say to me, "He's still breathing," and I would take the prisoner back inside without treatment.**

From the testimony of Khaled Abu 'Ara

24, a resident of 'Akabah in Tubas District, who was held in the Negev Prison (Ketziot)

When someone got sick, they didn't get treatment. Every now and then, a medic would come and ask the prisoners about pain or illnesses, but he didn't really check us. He just talked to us through a small opening in the cell door and asked the prisoner, "What's wrong?" and then he would suggest a drink of water or give him paracetamol. In the last week or 10 days of my detention, the medic didn't come at all.

From the testimony of Muhammad Srur

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

In another testimony, a detainee with diabetes described being denied medical treatment, while the medical staff were aware of his condition and the threat to his life as a result of poor treatment and delayed or denied administration of medicine.

While I was in Negev, I attended an appeal filed on my behalf on Zoom. The lawyer managed to get two months off my detention. I used the opportunity and complained to the judge about the policy of leaving us hungry and thirsty and holding back on medication and treatments. I told him I had hypoglycemia and was forced to eat toothpaste. He was surprised when he heard that. **I really did use toothpaste to raise my blood sugar level a bit.** I really did use toothpaste to raise my blood sugar level a bit. I didn't actually eat it, but I put it in my mouth to absorb some sugar. The court decided I should be taken to a clinic and after three days, they really did take me. When the doctor saw my yellowish face, exhaustion and severe weight loss, he called the officer responsible for the prison in front of me and said that if I stayed in that condition, my life would be in danger. But the prison administration didn't care. After the visit to the clinic, they beat me again. The doctor gave me medication for my stomach, and about diabetes he said it wasn't under his purview.

**From the testimony of Musa 'Aasi**

58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons

**Full testimony**

In another case, medications were confiscated from a prisoner who somehow managed to bring them with him when he was arrested.

I sat on the gravel with the other detainees until evening, while the soldiers beat them on and off. They didn't give us any food. I asked to go to the restroom and they allowed me, but they didn't allow the young guys. They hit anyone for making the slightest move. I felt familiar symptoms of my blood sugar and heart rate rising. I asked the soldiers to let me take medication I brought with me, but they refused.

I was afraid the soldiers would take revenge on us for what happened in the communities by the Gaza border, and that I'd never go home. The soldiers even refused to give us water, which really scared me because of my medical condition. Towards evening, it grew cold and I felt my limbs going numb, as if the blood was freezing in my veins. In the evening, we were transferred to the Etzion detention facility in a military vehicle. They let us out in a yard with coarse gravel and forced us to kneel on it.

We weren't allowed to move for two hours. My knees hurt a lot. The soldiers walked between us and violently shoved us. My throat was dry, and I felt generally weak with thirst and because they didn't let me take my medication. I was really scared. During those two hours, I asked the soldiers for the inhaler I had in my bag, but they refused. They wouldn't give me my diabetes medication, either. [...] they came and told me they were taking me to the infirmary. Four Israeli Prison Service (IPS) people escorted me, but instead of reaching an infirmary, they suddenly put me in a room, pushed me down to the floor and started beating me and kicking my legs. Then they took me back to the cell, without even seeing a doctor. That whole time, I was given one diabetes pill once a day and didn't get the other medication I need.

**I was really scared. During those two hours, I asked the soldiers for the inhaler I had in my bag, but they refused. They wouldn't give me my diabetes medication, either.**

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron who was held in the Etzion detention facility and in the Ofer and Negev (Ketziot) prisons | [Full testimony](#)

In some cases, medics and other medical staff admitted to prisoners that they received instructions not to provide medical treatment and medication to inmates, even when the treatment in question was life-saving. The most prisoners received by way of medical treatment was, in the majority of cases, a tablet of acetaminophen (paracetamol) and nothing more.

**That's how it was until the war broke out on 7 October 2023. Then**

the prison administration came and told us it was forbidden to give medical treatment to "security" prisoners, except ones who had diabetes or high blood pressure.

**From the testimony of 'Atef 'Awawdeh**

a resident of Deir Samit, Hebron District, who was held in the Ofer, Negev (Ketziot) and Nafha prisons

The medic came and tried to check the pulse of the unconscious prisoner through the window in the door. He apologized to us and said there was no medicine, hospital or clinic. He gave me a paracetamol pill and left.

**From the testimony of A.H., Hebron District | [Full testimony](#)**

The nurse told us the new guidelines were that we only get medical treatment in life-threatening situations. That's why they gave Tylenol for everything. In our cell, for example, there were seven prisoners who suffered from rashes and pimples. They were itchy all the time and suffered a lot, but they got no ointment or treatment. Some prisoners had scabies.

**From the testimony of S.B., East Jerusalem | [Full testimony](#)**

Since 7 October, the infirmaries have stopped operating. They reopened the infirmary in the last month of my detention, but they didn't let more than two prisoners a day in, out of 1,300 prisoners in Wing C, where I was. These are people who hadn't gotten medical treatment for five months. A medic would come with the guards during roll call and bring one Tylenol for all ten prisoners in the cell. In other words, the treatment for everyone's ailments was one Tylenol pill.

**A medic would come with the guards during roll call and bring one Tylenol for all ten prisoners in the cell.**

**From the testimony of Z.A., East Jerusalem | [Full testimony](#)**

Because my medication was taken away at Etzion, I didn't have any during my first two days at Ofer. I started feeling dizzy and

unbalanced, and had trouble walking. I asked a guard to get my medication, and he answered in Arabic: "Die." I banged on the cell door in protest, and an officer and a nurse came and told me they would bring me medicine, which they did later. They said only heart, hypertension and diabetes patients would get medication.

**From the testimony of F.J., Hebron District | [Full testimony](#)**

### **Amputation due to torture and inadequate medical treatment**

The denial of medical care and improper treatment of patients often led to horrific outcomes, causing long-term injuries. One example can be found in the testimony of a prisoner held in the Sde Teiman military detention facility, whose leg had to be amputated as a result of injuries caused by soldier violence, harsh incarceration conditions, inadequate treatment, and indifference and negligence on the part of the facility's personnel.

[They] led us to what I think were warehouses that they converted into detention facilities. They forced us to kneel in a prostrate position on the ground until the evening. Then we were taken to an interrogation center. [...] During the interrogation, they beat us with a stick and kicked us, especially in the back and neck area. There were about 80 of us there. They kept us naked, in the same position until midnight. It was very cold. [...] [then they] put us all on a truck – about 80 people piled one on top of the other. We weren't allowed to move or talk. If the soldiers sensed any movement, they beat us. I felt that they'd injured my left leg.

[...] Then they transferred us to another truck, tied our hands behind our backs and took us to an interrogation center that I understood was inside Israel. I felt weak and lost sensation in my legs, but I didn't move so they wouldn't beat me. [...] On the first day in detention, we were kept on gravel all day long, with our hands and feet tied. I only slept two hours at night. [...] Two days later, I felt pain in my leg and slight swelling. I asked the prison guard to get someone to check my leg. A soldier came and took a picture of my leg, twice, to show the doctor, but she never

got back to me. I was in pain for a week and had a high fever. The soldiers took me in a minibus to a hospital in the interrogation center, and on the way, they hit my injured leg with batons and with their guns and stepped on my legs. I screamed in pain. A soldier asked me: 'Which of your legs is hurt?' and started hitting me hard on that leg, brutally. Even when they took me off the minibus, they kept hitting me on the leg and head. Pus started oozing out of the wound [...] When we arrived, I waited about two hours for the doctor, on the ground, blindfolded with my hands and feet tied. Then they put me on the bed and took off my clothes, still blindfolded and with my hands and feet tied. They put me in a diaper. I passed out. I didn't even feel them examining me. When I woke up, someone told me: "You've had surgery." I was still blindfolded. I didn't know if the person talking to me was a doctor or a soldier. I wasn't given any information about the surgery. I asked them how my leg was doing, and they said it was fine. They gave me intravenous painkillers and did a glucose test. Three days later, I had another operation. They said it was to clean and disinfect the leg. I was in a lot of pain and very hungry, but I couldn't say anything. I stayed there for about 10 days, and they just changed my bandage. I looked underneath the blindfold and saw bones and a bandage. Then they took me in an ambulance, blindfolded and handcuffed. Some soldiers got into the ambulance with me and they hit my injured leg the whole way. I was in a lot of pain. I didn't shout because they beat those who shout more.

**"You have to choose: Your leg or your life. It's your choice."**

When I arrived at the hospital, I heard them saying 'Shiba in Tel Hashomer.' A vascular doctor came and told me: "Your leg needs to be amputated. We need to consult an orthopedist." The soldiers laughed and made fun of me: "Cut off his leg." [...] When the orthopedist came and examined me, he told me: "You have to choose: Your leg or your life. It's your choice." It was the hardest decision of my life, deciding to have my leg amputated. I was shocked, especially since I was alone and there was no one from the family with me to consult.

I understood from the soldiers that the operation would take five hours. I was taken into surgery handcuffed and blindfolded.

It was on 19 or 20 March. I don't remember anything after that until I woke up and asked for a drink of water. They brought me water and then immediately took me in an ambulance, with oxygen and blood transfusions, to the military hospital. I think it was in Sde Teiman, a detention facility in the Negev. When I got to the military hospital, they hooked me up to an IV and changed my diaper. I had the same bandage on my leg for five days, and it was changed only after that. Then they took me back to the detention facility. I kept hearing dogs barking there. It was meant to harass us. No one checked me at the facility. The soldiers punished me twice for asking to sleep. They said it wasn't allowed, and the punishment was standing on one leg for half an hour.

**I lost a leg for no reason. I didn't have any medical condition. This only happened because of the medical negligence in the detention facility.**

After the operation, they didn't beat me anymore, but I was in severe pain and even though I asked for painkillers, they didn't give me any. There was very little food. Three small slices of bread, a cucumber and an apple. The soldiers would take me to the shower. They would pick me up and sometimes I would slip out of their hands onto the ground. I think they dropped me on purpose.

It went on like that until I was released on 15 April 2024. [...] It was about 2:00 A.M. They handcuffed me, blindfolded me and ordered me to walk, on my own, without crutches or a wheelchair. I started hopping. I hopped four times and fell to the ground, and then I started screaming. Then the soldiers put me in an ambulance and sometime later, I found myself at Kerem Shalom Crossing. [...] Now I'm living in a tent with my children and my wife near the European Hospital in Khan Yunis. Conditions here are very difficult, with no electricity or water. I'm emotionally very unwell, a broken man. I cry for myself and over what happened to me. I lost a leg for no reason. I didn't have any medical condition. This only happened because of the medical negligence in the detention facility. Now I can't work, either, and I'm stuck inside the tent all day.

**From the testimony of Sufian Abu Saleh**

43, a resident of 'Abasan al-Kabirah in Khan Yunis District, the Gaza Strip, who was held in the Sde Teiman detention facility | [Full testimony](#)



## B. Food deprivation and starvation

The state has a duty to provide individuals in its custody with food in reasonable quantities, both as part of its general obligation to ensure their health and pursuant to specific provisions of international law.<sup>110</sup> In that regard, the Fourth Geneva Convention establishes the obligation to provide food of a quantity, quality and variety sufficient to maintain prisoners' health and to ensure their condition does not deteriorate due to nutritional deficiencies. The Convention also stipulates that prisoners should be allowed to purchase food in a canteen and keep cookware to prepare food independently, in addition to the food supplied by prison authorities.<sup>111</sup>

The reduced amounts of food provided to Palestinian prisoners and limited calorie intake are part of the new policy declared by the Minister of National Security when he first took office. The events of 7 October provided the necessary excuse for the minister to execute his well-laid plan.<sup>112</sup> As the minister himself proudly stated, he was the person who instructed the IPS to refrain from providing Palestinian prisoners with the minimum amount of food required, and to give them less food and of poorer quality than what criminal prisoners receive. The minister even made sure to publicize the fact that he issued orders to reduce the amount of food further, once he found out that the daily calories provided to the prisoners were slightly above the "minimum required threshold," though in practice, and as emerges from the testimonies, the IPS is far from supplying even the meager menu it put in place.<sup>113</sup>

<sup>110</sup> On the duty to provide healthy, quality food in sufficient quantities, see also Rule 22 of the Mandela Rules.

<sup>111</sup> See Arts. 87 and 89 of the Fourth Geneva Convention.

<sup>112</sup> Upon taking office, Minister Ben Gvir declared his number one priority for the IPS was downgrading prison conditions for Palestinian prisoners (see: [Meir Turgeman, "Acting IPS Commissioner Presents: 'A Revolution per Minister Ben Gvir's Policy: 'Downgrading Terrorists' Prison Conditions: No. 1 Priority,"](#) Ynet, 24 January 2024 (Hebrew). On 9 November 2023, Minister Ben Gvir held a meeting to discuss the budgetary implications of the Gaza war for the IPS, including the cost of food for Palestinian prisoners: "At the conclusion of the discussion, the minister ordered to consider changes to security prisoners' menu". Accordingly, the logistics division chief made changes to the menu which entered into effect on 1 December 2023, per the Commissioner's orders of 16 October 2023. The minister's order to deny Palestinian prisoners meat products was explained as follows: 'Our hostages in Gaza are suffering from hunger... As far as I'm concerned, they [Palestinian prisoners] will get the minimum we are obligated to give them.' (see, [Meir Turgeman, "Ben Gvir v. IPS: Change Nukhba Terrorists' Menu,"](#) Ynet, 31 December 2023, and a similar English language report available [here](#); see also, posts on the Minister's Twitter account [here](#) and [here](#) (Hebrew). See also, [Josh Breiner, "Israel Reduces Food for Palestinian Security Prisoners, Conceals Data, Sources Say,"](#) Haaretz, 26 June 2024.

<sup>113</sup> On 26 June 2024, as aforementioned, in an unusual break from protocol, the Minister of National Security sent the Association for Civil Rights in Israel a separate response entitled "Withholding Information from Petitioners", as part of HCJ 2858/24 Civil Rights Association et al. v. the Minister of National Security et al. (hereinafter: the food deprivation case). The letter notes that the minister's response to the petition had not been submitted due to differences between his office and the High Court department of the State Attorney's Office,

The state's response to the pending petition regarding food deprivation<sup>114</sup> does not specifically cite legal provisions pertaining to Palestinian prisoners or any other legal source for determining what food will be provided to prisoners or the average required caloric intake per person.<sup>115</sup> Instead, the state's response relied on an opinion submitted by the IPS South District dietitian and another administrative official (the head of the Food Branch) concerning the existing menu, which was released just three days before the scheduled hearing in the petition and prepared retroactively.<sup>116</sup> Furthermore, as there is no law in place permitting the minister to deal with the issue, he has no authority to interfere in the menus provided by the IPS or to influence them, especially when his actions target a single group with the intention of harming and starving them.

The witnesses spoke about the extreme hunger they were forced to endure throughout their incarceration in various facilities and the poor quality of the food, which was often undercooked or past its expiry date.

**There was also a clear policy of starvation. Most of the day we were hungry and thirsty. We were given very little food. They would**

and therefore, the minister had found it appropriate to provide his response separately to make the following clarifications: "5. To avoid hiding information, I wish to apprise that, indeed, no starvation is taking place and all claims made in the petition are false. At the same time, my policy is indeed to downgrade conditions provided to security prisoners to the minimum required by law, including in terms of food and calories. There is nothing wrong with that – on the contrary, security prisoners receive and should receive less than criminal prisoners. 6. I will also note that I have been informed that the current menu provides 200 calories above the average required by some of the male population, and accordingly, I instructed the IPS to present to me within 15 days an updated menu with the exact amount of calories and no extra calories" (supra note 69).

114 Para. 4 of the state's response to the food deprivation case states: "On 8 October 2023, the IPS Commissioner led a discussion regarding the incarceration conditions of security prisoners, at the conclusion of which she ordered a downgrading of conditions [...] It is noted that this order was issued in accordance with the policy of the Minister of National Security. In terms of food, a decision was made to strip security prisoners of the privilege of accessing canteens; and cookware and appliances were removed from security wings. Following on this, a decision was made for the IPS to provide food to the prisoners following the pattern of three meals a day, rather than independent cooking. It should be noted that the issue of the operation of security wings and the incarceration conditions of security prisoners, including the matter of the food provided to them, has also been brought before the Minister of National Security at the outbreak of the war" (see, below, also para. 9 of the state's response to the food deprivation case).

115 The Statement of Response to the food deprivation petition refers to sections 80 and 80a of the Prisons Ordinance [new version] 5732-1971, which enshrine the general powers granted to the IPS Commissioner.

116 The report relies on an Australian study done among "high-risk" prisoners who were deemed not to require the same amount of calories as active people due to their sedentary life in prison. In the current case of Palestinian prisoners, this adds insult to injury, since not only are prisoners denied food, but they are also denied movement almost entirely, as outdoor, open-air time outside cells has been eliminated. For the report appended to the state's response, [see here](#).

bring 12 inmates an amount that was barely enough for two. We were given only two meals a day. For example, each detainee would get six slices of bread for the entire day. The first meal was between 12:00 and 1:00 P.M.: about one kilo of rice for 12 detainees, which is roughly 3 spoonfuls each. The rice was only half-cooked. Some days, every detainee would get two small sausages or one regular one along with the rice. One time they brought us chicken schnitzel, but that didn't happen again. They told us they didn't want to waste protein on us. Twice, we were given a slice of turkey breast. The second meal was between 3:00 and 5:00 P.M.: 50 grams of yogurt for every detainee and one pepper for every eight people, or sometimes a cucumber for every two detainees instead. We didn't get anything sweet except carrots, sometimes, which I saved and ate at night. It was a treat, like eating knafeh. Sometimes they gave us one tomato for every two detainees. We got sausages or other kinds of meat only three times a week, and on the other four days, there was no meat at all. Sometimes we were given an egg. We wanted meat so badly that when there wasn't any, we'd put the rice between two slices of bread and imagine we were eating meat.

**From the testimony of Musa 'Aasi**

58, a resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons | [Full testimony](#)

The food was terrible, both in quantity and quality. We were given portions that wouldn't satisfy anybody. Most of the time the food was rotten – for instance, the eggs and yogurt. Once, when a detainee in the cell next to ours asked to swap his yogurt because the expiration date had passed, they punished all the inmates in the cell: they set dogs on them, beat them with clubs, dragged them to the bathroom and beat them up. The next day, I could still see their blood on the floor.

**From the testimony of Hisham Saleh**

a resident of a-Sawiyah in Nablus District, who was held in Ofer Prison | [Full testimony](#)

Imagine, eight prisoners sitting around a small plate of rice. There isn't enough food, there's no attention, no medical treatment, and there are raids almost every day.

**From the testimony of Khaled Abu' Ara**

24, a resident of 'Akabah in Tubas District, who was held in the Negev Prison (Ketziot)

### Canteen ban and confiscation of cookware

Until 7 October, prisoners would purchase supplies in the canteen and cook in their cells to supplement and improve upon the food they were provided by prison authorities. After 7 October, this right was denied and cookware and previously purchased food products were confiscated, leaving prisoners entirely dependent on the small amount of poor food provided by the prison kitchen.

The prison administration closed the canteen where the detainees purchase products. It was a punitive measure. The administration also forbade the prisoners to prepare their own food, and started providing our meals. Breakfast was two teaspoons of labneh and slices of standard bread, which weren't enough for a prisoner. I was hungry all the time. Breakfast wasn't enough. Dinner was also a small amount of cooked legumes and a small plate of rice with a piece of sausage.

**From the testimony of Muhammad Kara'wi**

31, a father of two and resident of Nur Shams Refugee Camp in Tulkarm District, who was held in Ofer Prison

After 7 October 2023, we were banned from cooking as part of the punishment policy. Instead, the prison administration provided spoiled food, like moldy bread. We were banned from baking pita bread, and we only got sliced bread. When we got chicken breast, it was white and undercooked. The rice was sticky and inedible. The eggs were blue and smelly. I was so hungry I tried to scrape mold off bread and eat it. I also had to eat the eggs.

**I was so hungry I tried to scrape mold off bread and eat it. I also had to eat the eggs.**

**From the testimony of N.H., a resident of East Jerusalem | [Full testimony](#)**

## Extreme weight loss

The policy of starvation affected prisoners' health and physical shape. The profound lack of food resulted in significant weight loss, sometimes amounting to tens of kilograms.

**When I was arrested on 1 March 2022, I weighed 91 kg. When I was released, on 15 March 2024, I weighed myself and was surprised to find out I weighed only 55 kg! I lost tens of kilos because of the poor quality and small quantities of food we were given after 7 October.**

**From the testimony of 'Imad a-Din Abu al-Heija**

36, a father of four and resident of a-Sawiyah in Nablus District, who was held in the Negev Prison (Ketziot), and before the war in Megiddo Prison | [Full testimony](#)

**When they weighed me at Ofer Prison at the beginning of the detention, I weighed 89 kg. When they released me, I immediately went to the hospital in Ramallah, and there they found my weight had dropped to 62 kg – 27 kg less. My blood iron dropped from 15.3 to 11.8, and my bowel problems were worse. After the tests at the hospital, I went home to complete the treatment.**

**From the testimony of Musa 'Aasi**

58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons | [Full testimony](#)

**During my detention I lost 10 kg; others lost 40. Before prison, I weighed 70 kg, and now I weigh 60.**

**From the testimony of Muhammad Salah**

27, a resident of Burqah in Nablus District, who was held in Megiddo Prison | [Full testimony](#)

## C. Hygiene, cutting off the water supply and cold

The duty to provide appropriate hygienic conditions applies to all prisoners and detainees held in state custody. Art. 85 of the Fourth Geneva Convention, for instance, stipulates, among other things, a duty to provide inmates with enough cleaning supplies to keep their persons and cells clean. The Convention specifies that inmates are entitled to a supply of water and soap for bathing and washing clothes.

The Mandela Rules also impose a duty to provide adequate means to maintain hygiene and cleanliness, including clean clothes, in proper condition and enough to allow changing and washing clothes as frequently as necessary to maintain hygiene and health.<sup>117</sup>

Witnesses spoke of being forced to live in filth during their incarceration, as a result of the blanket confiscation of bathing, cleaning and washing supplies, the water supply cut off in cells, and the limited access to shower facilities that were not meant for such a large number of prisoners in the first place. Some of the witnesses said that since running water in the cells was cut off and access to the yard was denied, they were unable to wash and dry the only set of clothes they had. This meant that even when prisoners did manage to wash their clothes, they were forced to put them back on wet. Some witnesses said they did not change clothes for many weeks. Witnesses also spoke about hot water being cut off in the showers, despite the cold weather. Testimonies indicate prisoners went for weeks without being able to shower. All of these turned the cells into a sanitary hazard and made them unfit for human habitation. These conditions led to the development and spread of diseases and various health problems: lesions, pimples, fungal infections, scabies, hemorrhoids and more.

**The cell stayed dirty and smelly. There were a lot of bed bugs and insects. After three days, we were given a mop just once, and we could wash the cell. [...] We felt our bodies were rotting with dirt. Some of us had rashes. There was no hygiene. There was no soap,**

<sup>117</sup> See on this, Mandela Rules, Rules 15-16, which prescribe the duty to supply adequate means for maintaining hygiene and cleanliness; Rule 18(1) on the obligation to provide toilet paper and water for personal hygiene; Rule 18(2), which refers specifically to the obligation to allow men to shave; Rule 19 on the right to bedding and clean sheets; Rule 17(1) on the obligation to supply climate-appropriate clothing; Rule 17(2) on the obligation to provide clothes, in clean and proper condition and enough to allow changing and washing clothes as frequently as necessary to maintain hygiene.

shampoo, hair brushes or nail clippers. After a month and a half, we got shampoo for the first time. There were no cleaning supplies either, and it was impossible to clean the cell or the toilet, or to wash clothes.

**We felt our bodies were rotting with dirt. Some of us had rashes.**

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

Two months after I got there, the hot water wasn't always on. Until the 60th day, I unfortunately showered once every two weeks outside the rooms. There were ten showers, and each prisoner was given five minutes to shower. We showered without soap and there were no towels either.

**From the testimony of Z.A., East Jerusalem | [Full testimony](#)**

We were only allowed to shower once in 20 days, and even then there were no soap or cleaning supplies. We couldn't wash our clothes either, and they stank unbearably. We couldn't clean or wash the cell. After we asked again and again for 20 days, they finally gave us the end of a squeegee mop, without the stick, to clean the cell.

**From the testimony of Musa 'Aasi**

58, a father of five and resident of Beit Liqya in Ramallah District, who was held in the Etzion detention facility and in the Nafha and Negev (Ketziot) prisons  
[Full testimony](#)

About the showers, until the war, I was in a cell that didn't have a shower, but the shared showers had hot water, and there was enough time to shower. The cell I was transferred to at the beginning of the war had a shower, but by then, the hot water had been cut off the cells. The prison administration provided hot water only in the shared showers, where all of us were allowed to go together for an hour once every three days – so each prisoner had a maximum of three minutes to shower. They also reduced the number of stalls in the shared showers from 12 to six and

removed the partitions between them. Inmates from 20 cells shared these six showers, and without the partitions, there was no privacy at all, and some people refused to shower because of it.

**From the testimony of S.B., East Jerusalem | [Full testimony](#)**

Toilet tanks had running water for only one hour a day, forcing prisoners to wait and hold off on toilet use for hours and sometimes days. This also led to various medical conditions. When prisoners had to use the toilet while the water was cut off, all the inmates in the cell were forced to suffer for hours from the stench and filth.

The toilet in the cell was clogged. The first time we used it, the water overflowed from the toilet bowl to where we were sitting. We asked the guard to do something about it, but he just said, "Great," and left. We had no cleaning supplies, either. [...] we could only access them during the yard break.

**From the testimony of Muhammad Salah**  
27, a resident of Burqah, Nablus District, held in Megiddo Prison | [Full testimony](#)

Because of the terrible hygiene conditions, the restricted access to water, the withholding of hot water, and the fact that we were forbidden to wash or change clothes, some of the detainees developed skin conditions. Some also suffered from hemorrhoids caused by the lack of water and the fact that we could only use the toilet when there was running water. The poor diet, in terms of quality and quantity, also exacerbated the constipation and caused detainees to develop intestinal diseases.

**The poor diet, in terms of quality and quantity, also exacerbated the constipation and caused detainees to develop intestinal diseases.**

[...] The cold water taps in the rooms ran only one hour a day, from 2:30 P.M. to 3:30 P.M. You could only use the toilet – which is inside the cell – during that hour, because otherwise, it was impossible to flush. But sometimes people couldn't hold it in and it was disgusting, causing a stench and bad hygiene conditions.

**From the testimony of Z.A., East Jerusalem | [Full testimony](#)**



## Not enough drinking water

Article 89 of the Geneva Convention requires that prisoners be provided with drinking water in sufficient quantity. Rule 20(2) of the Mandela Rules stipulates an identical duty to provide prisoners with access to drinking water at all times. Cutting off running water to cells limited the amount of drinking water available to prisoners and impeded them from maintaining personal hygiene.

**They also cut off the water supply to the rooms and only turned it on for one hour a day. We had one water bottle for all seven of us, which we filled up so we could drink when there was no water in the tap. The bottle wasn't enough for all of us, so we also cleaned out garbage bags and filled them with water. We drank from them and also used them to clean the toilets. Because of the water shortage, we went to the toilet as little as possible, which gave some people stomach aches.**

**From the testimony of Firas Hassan**

50, a father of four and resident of Hindaza, Bethlehem District, who was held in the Negev Prison (Ketziot) | [Full testimony](#)

**We only had running water in the cell for one hour a day. We had to fill garbage bags with water so we'd have something to drink the rest of the day. Of course, when they found the bags, they made holes in them.**

**From the testimony of Sami Khalili**

41, a resident of Nablus who had been serving a prison sentence since 2003 and was held in Negev Prison (Ketziot) | [Full testimony](#)

## Exposure to the cold and open windows

The spirit of Minister Ben Gvir's directives to the IPS seems to have been translated, at times, into "creative" ways to abuse prisoners. For instance, guards in various prison facilities took the windowpanes out of the cells, letting the cold air in. As warm clothing was confiscated and fewer blankets were provided, prisoners were left without protection from the intense cold inside the cells in winter, in clear violation of the Mandela Rules, which explicitly address heating

and climate-appropriate temperature in cells.<sup>118</sup>

On the first day, all we got was a mattress, even though the nights are very cold because of the desert climate. We were shivering with cold and tried to stick to each other as much as possible to warm up a little. It took three days until they brought us blankets. Each prisoner got one blanket. I was very cold, because I only had a short-sleeved shirt after they confiscated my clothes.

**from the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

About 15 guards came into our cell, handcuffed us, and took us to the shower room. I looked out the window there and saw them remove the glass panes from the windows of our cell and leave. Our cell had three windows: two in the cell itself and one in the toilet. They removed the glass panes to let the cold air in. It was winter and it was insanely cold. They put only three coats in the room – to make us fight among ourselves. But we simply gave the coats to the eldest detainees and started covering the windows with plastic bags left over from the bread, to keep some of the cold air from coming in. Whenever a guard came and saw the bags on the windows, he would swear and shout at us to take them off us. We would remove them in front of him, and put them back up after he left. That went on for 20 days, until the guards put the glass panes back in all the windows and gave us all coats.

**We started covering the windows with plastic bags left over from the bread, to keep some of the cold air from coming in.**

**From the testimony of Z.T., Bethlehem District | [Full testimony](#)**

<sup>118</sup> See Rule 13 of the Mandela Rules.

**6.**

**Keter**

**the Israel Prison Service  
Initial Reaction Force (IRF)**

## 6. Keter

### the Israel Prison Service Initial Reaction Force (IRF)

Among the IPS's special units,<sup>119</sup> the Initial Reaction Force (IRF), known in Hebrew as Keter, featured prominently in the testimonies given to B'Tselem. Two witnesses referred to it as the "death squad." The IRF was established in 2010 to handle emergencies and provide an immediate response until other forces arrive,<sup>120</sup> in instances such as prison riots or escape attempts. Mentions of the IRF in the media and in testimonies suggest the unit operates at the Negev (Ketziot) Prison and Ofer Camp, two of the major facilities in which Palestinian prisoners and detainees are held.<sup>121</sup> In the past, the unit faced criticism for alleged use of excessive force and torture.<sup>122</sup> Since the beginning of the war, its name has been linked to serious allegations concerning the use of extreme and unlawful measures.<sup>123</sup>

The collection of testimonies in B'Tselem's possession shows the IRF has been heavily involved in the torture and physical, sexual and mental abuse of prisoners since 7 October. Witnesses incarcerated in various prison facilities gave similar descriptions of unit personnel: masked, wearing black uniforms with no identification tags, armed with batons and firearms, and often accompanied by

<sup>119</sup> Other units include, for example, Metzada (the IPS commando unit) and Dror.

<sup>120</sup> See IPS Report for 2008, available [here](#).

<sup>121</sup> See the September issue of IPS magazine, Roim Shabas ('Seeing the IPS'), 2010. The commander of Ketziot Prison at the time, Brigadier General Shlomi Cohen, was the one who established the special unit in practice ([see here](#) (Hebrew)). Cohen currently serves as the IPS representative at the Security Secretariat of the Ministry of Public Security ([here](#) (Hebrew)). For mentions of the IRF's presence at Ofer Prison see April 2012 issue of the IPS Magazine [here](#) (Hebrew). It is not clear when exactly the IRF was established at that facility, but a 2015 figure notes that the unit operating at Ofer Prison has 30 combatants out of a total of 300 prison guards ([see here](#) (Hebrew)). In 2019, members of the unit operating at Ofer Prison were described as a "unit of combatants responsible for the initial response during a riot in the facility and other emergencies," [available here](#) (Hebrew) and [here](#) (Hebrew).

<sup>122</sup> See story in Haaretz newspaper concerning a 2019 incident at the Negev (Ketziot) Prison, in which, in response to an attack on guards, IRF personnel assaulted handcuffed Palestinian prisoners using severe violence, including with batons, sending 15 inmates to the hospital. The incident was caught on security cameras. The national unit for investigating corrections officers launched an investigation, but ultimately closed it on the grounds of "offender unknown." [See this link](#).

<sup>123</sup> [See here](#), for example, and [another report](#).

dogs. In one case, the unit reportedly used a stun grenade. Impossible to identify,<sup>124</sup> and safe in the knowledge they would face no consequences for their actions, members of the unit employed brazen, unbridled violence that amounts to abuse and torture:

**On the morning of 15 October 2023, after roll call, members of the District Unit and IRF arrived. They were masked and had firearms, batons and dogs that attacked us.**

**They ordered us to back out out of the cell one by one, and walk the length of the corridor like that, hunched over. They stood by the door, hitting each inmate who came out of the cell with batons and kicking him. When it was my turn, one of them kicked me in the face while I was hunched over, and then a muzzled dog jumped me and attacked me with its front legs and head. Two members of the forces led me, one pushing my head down and the other kicking me the entire way.**

**They left us there for about seven hours, and the whole time we were groaning in pain.**

**They put me in a room with other inmates in it. There were about 20 of us in total, and we'd all been beaten up with kicking, punching and batons. Some were bleeding. They left us there for about seven hours, and the whole time we were groaning in pain. Then they took us back to our cells the same way we came.**

**From the testimony of Firas Hassan**

50, a father of four and resident of Hindaza in Bethlehem District, who was held in the Negev Prison (Ketziot) | [Full testimony](#)

**When we got the Negev Prison [...] the IRF was in charge there. There was no light in the room and no water. I felt as if I was in a small grave. After half an hour, I had trouble breathing and**

<sup>124</sup> [Operational Security Directive No. 19/2024](#) (dated 8 April 2024) concerning Operational Protocol for Correctional Combatants in Contact with Prisoners with Face Coverings and ID Badge Only, was recently published. According to the state, the Directive was designed to better protect guards and reduce prisoners' ability to "mark" them in a manner that could put their safety at risk at work or outside it. See, on this, mutatis mutandis, Case 61533-05-24 (Prisoner Petition) 'Odeh v. Israel Prison Service, para. 27 (hereinafter: the 'Odeh case). [See also here](#) (Hebrew).

felt exhausted. My blood sugar was high and my heart was racing. I really felt I was about to die. Later on, a female soldier came and opened a small window. Then they opened the door and started calling out our names, to take us to cells one by one. When it was my turn, a guard ordered me to lower my head and then one of them grabbed my hands and twisted them behind my back. They led me along for about 500 meters, hitting me hard on the way until I fell down, and then they kicked me in different parts of my body.

During the attack, they pulled all my clothes off, including my underwear. I heard them say to each other, "This one is sick," but they kept on hitting me anyway. I felt I was going to pass out. Finally, they ordered me to get dressed. I could hardly pull my clothes on, and the whole time they kept kicking me. My waist really hurt and I could hardly breathe. I couldn't move, let alone walk. I stayed lying on the floor, until three of them pulled and dragged me by my arms. It was terrible, indescribable. I felt near death. While they were dragging me, I saw the blood of other detainees on the floor. I was bleeding, too, from my right arm. I hadn't even noticed.

They took me to wing 27 and threw me on the ground in the yard. Again, they kicked me a few times all over my body. Then they ordered me to stand up, but I couldn't. Then they dragged me by the arms, again, to cell 3, and threw me down next to the door. They opened the door and one of them brought a big bottle of shampoo and poured it on the floor, just inside the door. Then they put me on the shampoo and kicked me across the cell. I slid until my right shoulder hit a bed frame and was injured. I'm still suffering from that injury.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron, who was held in the Etzion detention facility and in the Ofer and Negev (Ketziot) prisons | [Full testimony](#)

**During the attack, they pulled all my clothes off, including my underwear. I heard them say to each other, "This one is sick," but they kept on hitting me anyway.**

The criminal conduct of IRF personnel and their extreme, unpredictable and irrational violence terrorized prisoners who encountered them.<sup>125</sup> This terror continued throughout their incarceration, and likely deepened the trauma that continues to affect those released.<sup>126</sup>

**On the morning of 26 October 2023, 25 members of the IRF stormed the wing with a police dog. They opened our cell door, ordered us, screaming, to kneel like I described before, and then pounced on us and beat us. The dog, which had a muzzle on, attacked us too. They kicked us and beat us with clubs all over our bodies, cursed us and called us "sons of whores" and "whores." It lasted about half an hour. Our screams filled the prison. Some of us cried in pain. They forced us to curse God and our mothers.**

**When the force left the cell, we were lying on the floor, unable to move. My chest hurt a lot because I got kicked there, and I had bruises all over my body. We couldn't recover that day. We were completely broken and very scared. It was a black day for me and the other prisoners.**

**That night, we were afraid to even talk. We just whispered to each other. There was silence in the cells. No one dared to even ask for a doctor. The rooms were dark, and every now and then, a guard passed by, shone a flashlight through the window in the door, and asked in Arabic, "Which one of you is Hamas, girls?" None of us dared to even look at him because we were afraid they would come in and attack us again.**

**[...] After one of the interrogations I underwent, the interrogator] told me to leave the room, I saw the IRF people in the corridor. I held**

**Our screams filled the prison. Some of us cried in pain. They forced us to curse God and our mothers.**

125 The UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment from 1993 to 2001, Mr. Nigel Rodley, held that: "[C]redible threats, including death threats, to the physical integrity of the victim or a third person can amount to cruel, inhuman or degrading treatment or even to torture, especially when the victim remains in the hands of law enforcement officials." See Report of the Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment, U.N. Doc A/56/156.

126 See Physicians for Human Rights, "Break them Down: Systemic Use of Psychological Torture by US Forces," pp. 54-55 (2005); see also: Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, U.N. Doc E/CN.4/2002/76, Annex III.

on to the door and refused to go out. I said to the interrogator: "I beg you, don't send me out. They'll kill me," and then he shouted: "Take this dog." They bent my back until my head almost reached the floor, and made me run like that to the cell. On the way, one of them grabbed my hands, which were still handcuffed from behind, and pulled them back forcefully until we reached the cell.

**From the testimony of A.H., Hebron District | [Full testimony](#)**

In some cases, witnesses described other IPS personnel being present during attacks by the IRF. They stood idly by and did nothing to protect the victims, their presence essentially lending legitimacy to the actions. The presence of IPS officers and the participation of dozens of IPS guards in the assaults indicates that these were not isolated incidents or the work of a rogue guard.

On 9 November 2023, at around 2:00 P.M., a force of 20 masked officers from the IRF and DU arrived with a dog. They opened the cell door and attacked us with batons. Two of them grabbed me and hit me in the back with batons. One of them grabbed my head while I was on the floor and hit me in the face with a baton. My face and right eye started bleeding. I told them in Hebrew, "I'm going to die," and one of them said that he wanted me to die. Others told me to shut up.

After they beat us up for about 10 minutes, they tied our hands behind our backs with zip ties. They fastened them so tight that I felt them cutting into my hands. The beating continued, and members of the forces stepped on my chest and head. There were also two officers in the cell, and one of them ordered them to beat us. The members of the forces laughed among themselves. They took some clothes away from inmates. They dragged some of us on the floor and forced others to kiss one of the officer's shoes.

I saw them grab some inmates by the testicles, and the inmates screamed and cried. The officers also pressed their batons against

**Some of the forces filmed us with cell phones and cameras. I heard the officer tell the others in Hebrew: "We're livestreaming for Ben Gvir."**



the genitals of some inmates. The stream of insults didn't stop: "motherfuckers," "sons of bitches," "dogs," "ISIS." Some of the forces filmed us with cell phones and cameras. I heard the officer tell the others in Hebrew: "We're livestreaming for Ben Gvir."

The attack lasted a long time, more than half an hour of nonstop beating. It looked like they wanted to cause as much damage as possible. When it was over, I felt I was going to pass out. Afterwards, we lay on the floor for hours. None of us could move, not even to go to the bathroom. We were all dizzy and lost balance. My right eye swelled up, and I was afraid I'd lose my sight. We were in a very bad state. One prisoner said in tears that they'd raped him with a stick.

After that incident, we lived in constant fear. Also, we were shocked by the screams of inmates being beaten in other cells. We were afraid all the time, day and night, that the forces would attack us again.

**From the testimony of Firas Hassan**

50, a father of four and resident of Hindaza in Bethlehem District, who was held in the Negev Prison (Ketziot) | [Full testimony](#)

**None of us could move, not even to go to the bathroom. We were all dizzy and lost balance. My right eye swelled up, and I was afraid I'd lose my sight. We were in a very bad state. One prisoner said in tears that they'd raped him with a stick.**

**7.**

**Deaths behind bars**

## 7. Deaths behind bars

At least 60 people died in Israeli custody. Forty-eight of them were detainees from Gaza, some of whom died in detention camps set up by the military and others before they even got there, apparently due to extreme violence by soldiers during their transfer from Gaza to Israel.<sup>127</sup> B'Tselem knows of another 12 Palestinians from the West Bank or from Israel who died in IPS custody, some in circumstances that raise grave suspicion of deliberate abuse and denial of medical care. The police opened at least one criminal investigation against prison guards who were involved in the death of an IPS inmate. However, as far as we are aware, no one has been prosecuted for these actions.

Witnesses referred to three deaths in testimonies given to B'Tselem. The information and details we have regarding each of these cases is presented below.

### The death of Thaer Abu 'Asab

On 19 November 2023, the media reported an official announcement regarding the death of a 38-year-old prisoner at the Negev (Ketziot) prison named Thaer Abu 'Asab, who had been sentenced to a long prison term several years before the 7 October attack.<sup>128</sup> Abu 'Asab's autopsy revealed signs of severe violence, and yet the report said no direct correlation could be drawn between these signs and his death.<sup>129</sup> Despite this, media reports revealed that 19 Ketziot prison guards

<sup>127</sup> See Haaretz: Israeli Army Conducting Criminal Investigation into 48 Deaths of Gazans During War, Mostly Detainees; See also a 28 May 2024 report on a probe into the death of two detainees from Gaza indicating they had been beaten by soldiers on route to Sdeh Teiman. The Military Police reportedly dismissed the claims made by the soldiers who escorted the two that they were injured as a result of the rough ride and sought to interrogate some of the soldiers involved under warning. None of the suspects were arrested. The deaths of 35 Gazans in custody are under investigation. At least two died due to neglect or poor care. See on this also: Haaretz story about six Palestinians who have died in IPS facilities since 7 October 2023, [here](#); see also Haaretz story about the death of 27 Palestinians in military prison facilities, [here](#); see also about Megiddo Prison in the north, [here](#); and see a report about death at Shin Bet interrogation facility, [here](#).

<sup>128</sup> See letter (Hebrew) from the Association for Civil Rights and other organizations to the Attorney General; a Ynet report dated 21 December 2023, [here](#) (Hebrew); See documentation of deaths in custody in PHRI, "Systematic Violation of Human Rights: The Incarceration Conditions of Palestinians in Israel Since October 7," p.32.

<sup>129</sup> [See here](#).

suspected of involvement in the affair were investigated for the alleged offenses of causing injury, causing harm in aggravated circumstances and obstructing an investigation.<sup>130</sup> To the best of our knowledge, at the time of publication, none of them have been prosecuted. Reports also indicate that five of the suspects were members of the IRF and were transferred out of the unit following the incident. Their appeal to reverse the decision was dismissed in court.<sup>131</sup>

One of Abu 'Asab's cellmates spoke about his death after suffering severe violence at the hands of IRF personnel:

**Later, they moved me to another cell where we were also eight inmates, including Thaer Abu 'Asab. In that cell, too, I slept on a mattress on the floor. The older inmates, such as Abu 'Asab, slept on the beds. We were together in the cell for about ten days. It had three windows, and the prison administration took the glass panes out of all of them to make the cold worse, in the day and at night.**

**On 18 November 2023, the guards came for roll call along with special forces who were masked and holding batons with bits of iron sticking out of them. The guards counted us. The method was that the guard called out an inmate's first name and he replied with his last name, while we squatted.**

**That day, when roll call was over, one of the guards called Thaer's name again and Thaer**

**they hit Thaer the hardest. He tried to protect his head with his hand, but pretty soon he had to let go because of the blows. They kept on hitting him on the head and the rest of his body until he fell down on the floor.**

<sup>130</sup> See Haaretz publication, [here](#).

<sup>131</sup> The five guards petitioned the Court for Administrative Affairs to have the decision reversed and reinstate them in the unit (AP 45090-02-24). They appealed to the Labor Court as well. Both petitions were dismissed by the judicial instances, but it is not clear what happened to the five guards and where they were ultimately placed; see, AP 45090-02-24 Pashaev et al. v. State of Israel.

answered, "Abu 'Asab." Then the guard said again, "Thaer," and Thaer again said, "Abu 'Asab." Then the special forces came in with the batons and guns and started hitting us. Each one grabbed one inmate and beat him. They hit us in every part of our body. We didn't move, we just screamed and screamed while they hit us non-stop. My head started bleeding and I saw that the inmates next to me were also bleeding from the head. That lasted about seven minutes, and then they moved away to the door of the cell.

Then about eight of them came back in and hit all of us, but they hit Thaer the hardest. He tried to protect his head with his hand, but pretty soon he had to let go because of the blows. They kept on hitting him on the head and the rest of his body until he fell down on the floor. After that, they left and closed the cell door.

We called Thaer's name over and over, but he didn't respond. There was blood trickling from his head and his skin went dark. I think he had internal bleeding. We called out to the guard and shouted for an hour, but he didn't respond. Eventually, a guard came who also served as a medic. He asked me to lift up Thaer's shirt. When I lifted it, I saw his stomach was swollen and looked dark. The guard-medic called an officer. A lot of officers arrived and forced the remaining seven of us to squeeze into the corner with the toilet — a space of one square meter. After they crammed us in there, they took Thaer and left. Five minutes later, a guard came, opened the toilet door and told us that Thaer was dead.

The next day, the Shin Bet came and took us one by one for interrogation. My interrogation lasted about fifteen minutes. In it, they claimed we'd caused trouble and killed Thaer, which was why we were all injured. They said it was us who attacked each other, not the guards. The interrogator asked me how we killed Thaer. I told him what happened—that the guards beat us and killed him, and I explained how it happened.

After we all went back to the cell, the prison commander, who was known as "Abu Yusef", came and opened the door. He laughed and said we'd killed Thaer and wanted to frame the prison for it.

**From the testimony of M.A., Hebron District | [Full testimony](#)**

On 18 November 2023, during roll call, five IRF members and a lot of guards led by an officer came into the cell and attacked us, claiming they were looking for a radio. They beat us with batons, punched us and kicked us all over our bodies. They brought a dog into the cell, which attacked a young detainee and scratched his back badly.

We were all badly injured in that attack. When it was over, we lay on the floor. I leaned against a wall. I had broken ribs and was injured in my right shoulder, my right thumb, and a finger on my left hand. I couldn't move or breathe for half an hour. Everyone around me was screaming in pain, and some inmates were crying. Most were bleeding. It was a nightmare beyond words. The officer told us he'd be back in the evening.

We lay there and waited, scared to death, but we weren't attacked again that night. IRF people attacked inmates in other cells that night. It was so violent that their screams filled the prison. The next day we learned that IRF people had killed a detainee named Thaer Abu 'Asab. That night, the guards held a party on wing 21. They played loud music, danced with female soldiers and cursed Hamas and Sinwar.

**From the testimony of Ashraf al-Muhtaseb**

53, a father of five and resident of Hebron, who was held in the Etzion detention facility and in the Ofer and Negev (Ketziot) prisons | [Full testimony](#)

**I couldn't move or breathe for half an hour. Everyone around me was screaming in pain, and some inmates were crying. Most were bleeding. It was a nightmare beyond words.**

## The death of 'Arafat Hamdan

'Arafat Hamdan, a 25-year-old insulin-treated diabetes patient from Beit Sira, was arrested on 22 October 2023 and taken to Ofer Prison. He was found dead in his cell just two days later, on 24 October. In their testimonies to B'Tselem, two of his cellmates provided many details about the circumstances of his death, including violence, starvation, withholding of treatment and medication, and poor, negligent care. What stands out is the guards' criminal indifference. They knew about Hamdan's deteriorating condition and did nothing to help him as he lay dying in the cell, until he finally passed away.

They brought two new detainees into our cell. They were both from Beit Sira, and I didn't know them. One of them was called 'Arafat Yasser Hamdan. He was 24 years old. 'Arafat didn't seem in good shape. It was obvious he was exhausted, and he couldn't speak. I asked the other detainee what was wrong with him. He said: "He's sick and tired." I noticed 'Arafat kept putting his hands over his belly and that he was limping on his right leg. I understood he was beaten at Etzion. We gave him a mattress and let him sleep. After half an hour, he got up and went quickly to the toilet holding his belly, and started vomiting. Then he came back and lay on the mattress and it was clear that he was in pain. In two hours, he threw up again and again, more than five times. Each time, after he came back to the mattress, he would say, "Help me, help me," and bang his hand on the floor. When we asked him what happened to him, he said: "They hit me, they tortured me." Then he told us: "I have a blood sugar problem. If I don't eat something to raise my blood sugar, I'll go into a convulsion fit and might pass out. It makes my condition worse. They also hit me in the stomach."

For two hours, between 6:30 and 8:30 P.M., I asked again and again through the opening in the door for a doctor to come see him. In the end, only a medic arrived, who looked at 'Arafat through the opening in the door. 'Arafat explained his health problem and told him he was in bad shape and needed hospital care because of his diabetes. I understood that he needed a special injection, but the medic told him: "There's no hospital" and left without giving him any treatment.

'Arafat's condition got worse. He had trouble breathing and was panting. He threw up again and again. We couldn't help him at all. I took turns with another detainee, staying up to watch over him at night. I tried to help him, and mostly lifted him every time he had to throw up, so he wouldn't suffocate. He started vomiting a black liquid that looked like coffee grounds. In the morning, he

**In two hours, he threw up again and again, more than five times. Each time, after he came back to the mattress, he would say, "Help me, help me", and bang his hand on the floor.**

passed out. For four or five hours, I begged more than 30 times to send the medic again. When he finally came, he saw 'Arafat unconscious through the opening in the door and told me he had to go to the infirmary. I asked how he was supposed to get to the infirmary if he was unconscious, so the medic asked us to drag him to the door of the cell. After we dragged 'Arafat on a blanket to the door, the medic asked us to get him on his feet. I asked how he was supposed to stand on his feet when he was unconscious. In the end, he gave me a blood sugar test device, with sticks. We checked, and it was very low. After two minutes, the medic came back and asked the guard to open the cell door to get 'Arafat out. We put him on a mattress and dragged him about 15 meters to the administration office. They brought him back 40 minutes later. He was walking and it looked like they'd given him fluids. Then a nurse came and brought a glass of sugar water. He gave me the glass and told me to let 'Arafat drink from it every time he started to get tired. He also asked us to feed him. We tried to get him to eat bread with labneh, but he couldn't eat. He would take a bite and it would stay in his mouth for 15 minutes, because he couldn't swallow.

I tried to give him the sugar water, but he couldn't swallow that either. After an hour, he started getting worse again, and he passed out. I asked the guard again and again to call the medic, but he refused. At midday roll call, 'Arafat couldn't stand up. The officer asked me why he wasn't getting up and I told him about 'Arafat's condition. He said he'd asked the medic about him and he'd told him that 'Arafat didn't have anything and there was nothing that could be done for him. After roll call, they left the cell, and 'Arafat stayed like that until 3:00 P.M. At one point, I fell asleep because I'd stayed up at night to watch over him. Then the other prisoners woke me up and told me 'Arafat had stopped breathing. I saw he was foaming at the mouth. I checked

**I checked for a pulse, but there was no pulse and he wasn't breathing. For five to 10 minutes we gave him CPR, with mouth-to-mouth resuscitation, but he didn't respond.**



for a pulse, but there was no pulse and he wasn't breathing. For five to 10 minutes we gave him CPR, with mouth-to-mouth resuscitation, but he didn't respond. I know a bit about first aid, and because he showed no signs of life, I thought he was dead. We started calling the guards. A guard would pass by every now and then. I told them more than five times that 'Arafat was dead, and they only said they weren't allowed to open the door and that the medic would come soon.

It went on like that for an hour or an hour and a half and only then, suddenly, everyone came, management people, guards, doctors and medics. They opened the door. I dragged 'Arafat out to the yard on a mattress along with two other detainees. From there, they took him on a stretcher towards the administration office. We don't know what happened to him after that. Half an hour later, a guard came back and told us 'Arafat was okay and had no health problem. He said he'd been taken to the hospital and was doing well. I said, "Are you kidding us?!" I didn't believe what he said. 'Arafat was dead when he left the cell, without a pulse and not breathing. I asked: "How can you say he doesn't have any health problem?" but he didn't respond.

**From the testimony of Muhammad Srur**

34, a father of two and resident of Ni'lin in Ramallah District, who was held in the Etzion detention facility and in the Ofer and Nafha prisons | [Full testimony](#)

On 23 October 2023, in the evening, the guards brought into our cell two young men from the village of Beit Sira in Ramallah District. One of them was 'Arafat Hamdan, 24, and the other was his neighbor. Hamdan looked sick and tired, and was breathing heavily. He lay on a mattress on the floor and could hardly speak. He tried to get up to pray the first evening prayer with us, but he couldn't do it, and went back to sitting on the floor. He leaned against the wall and told us he was hungry. We gave him some rice and cooked lentils we'd saved, but he only ate two spoonfuls and couldn't swallow the third. We also gave him some water to drink. We saw he was getting worse. He started vomiting and gasping for air. His neighbor said he had type 1 diabetes, and was suffering from a diabetes attack and needed to be taken to a

hospital immediately. We called the guards and asked them to get a doctor, but they ignored us.

At around 5:00 A.M., during roll call, we told the officer that 'Arafat was very ill, that his health was getting worse and that he was unconscious. The officer told us he would call the medics and left. After about 20 minutes, two medics came to the cell door with an officer and guards and told us to bring 'Arafat to the door so they could check him through it. We told them he was unconscious and couldn't reach the door. One of the medics threatened that if we didn't bring 'Arafat to the door they would leave. We had to drag him unconscious to the cell door and lift him up so they could check him through it. The medic was unable to check him like that, so one of the detainees took the blood glucose meter from the medic and tested 'Arafat. It turned out that his blood sugar was very low. I told the paramedics this was a dangerous situation and that 'Arafat was dying, but they ignored me and left after 10 minutes with the officer and the guards that escorted them. Then they came back and took 'Arafat to the prison infirmary. They brought him back after about an hour. He couldn't stand, and was leaning on one of the guards who put him in the cell. The guard said Arafat needed food and drink, and I told him we had nothing to feed him. He said to wait for breakfast.

'Arafat sat on the floor and leaned against the wall until breakfast, which was at around 9:00 A.M. He only had two bites, drank some water, and went back to leaning against the wall. He was breathing very heavily. We called the medic again to check him, and he said to call him when 'Arafat passed away. 'Arafat stayed like that and then went calm and stopped panting. He was still sitting with his back to the wall, and we thought he had fallen asleep. I told the detainees to let him rest for a while, but 'Arafat didn't wake up. After an hour and a half, we saw fluid coming out of his mouth. One of the detainees

**We called the medic again to check him, and he said to call him when 'Arafat passed away.**

**I told the detainees to let him rest for a while, but 'Arafat didn't wake up. After an hour and a half, we saw fluid coming out of his mouth.**

checked his pulse and shouted that ‘Arafat was dead. We started calling out to the guards and banging hard on the door. An officer and 10 guards came to the cell, and we told them that ‘Arafat was dead. They took ‘Arafat out of the room, and later I asked one of the guards about him, and he said they’d taken him to a hospital.

Four days later, the guards brought in a new detainee, who told us ‘Arafat died the day they took him out of the room. ‘Arafat needed medication and special food for his diabetes, and he had to eat often, but the prison administration didn’t care, and he died as a result of neglect and lack of food.

**From the testimony of F.J., Hebron District | [Full testimony](#)**

## The death of Muhammad a-Sabbar

Muhammad a-Sabbar, a 20-year-old from the town of a-Dhahiriyah in the South Hebron Hills, also died in IPS custody at Ofer Prison. A-Sabbar, who was arrested in May 2022, suffered from an intestinal disease requiring a special diet, which he received in prison until the war broke out. The small amount of food provided to prisoners after 7 October and the lack of variety directly impacted a-Sabbar’s health, which deteriorated rapidly once conditions were downgraded. The lack of proper nutrition, poor medical care and brazen disregard for his condition ultimately led to his death on 8 February 2024.

**That was the situation until the war in Gaza broke out on 7 October 2023. The prison administration announced a prohibition on providing medical treatment to "security" prisoners, except for those with diabetes and high blood pressure. [...] It was already forbidden to cook anything, and buying from the canteen was not allowed. Besides prohibiting purchases from the canteen, they limited the amount of food, so much that it dropped to 20% of the usual amount before the war.**

**[...] All that started the suffering of the prisoner Muhammad a-Sabbar. The food they gave us was all dry, with nothing to soften it. Most of what they did bring was grains, which he wasn’t allowed to eat because they caused him intestinal bloating. Every day I would talk to the officer, explaining that Muhammad needed to**

be taken to the hospital. The first stage was severe constipation; he didn't pass stool for 12 days. I spoke with the prison administration and asked them to bring an enema to help him eliminate the waste. After many requests, they brought him an enema. After we solved that problem, we started dealing with his diet, as much as we could with the little food we had. Every quarter of an hour, I gave him a small piece of bread and yogurt. We tried to control his health so that it wouldn't deteriorate too much because of the food.

[...] At that stage, Muhammad had memory loss and vision problems. He didn't even know how long he'd been in prison. What he needed was a professional nurse and hospital care, because what he needed wasn't available in the prison. His stomach was always bloated [...] After I was released, I found out that Muhammad a-Sabbar died in prison.

**From the testimony of 'Atef 'Awawdeh**

53, a father of seven and resident of Deir Samit in Hebron District, who was held in the Ofer, Nafha and Negev (Ketziot) prisons.

In my cell, there was a prisoner from a-Dhahiriyah named Muhammad Ahmad a-Sabbar, who was born with an intestinal defect. His intestines were swollen and he needed medication to soften his stools, and fluids to help him digest food and get rid of waste. During the time we were in the cell together he became very badly bloated, because from the beginning of the war they gave us only carbohydrates to eat. We kept asking the guards to get him a doctor, take him to an infirmary or bring him medicine, but they refused. In the end, he reached a point where he couldn't even go to the toilet. They transferred him to another cell, and a week later we learned he'd died.

**From the testimony of 'A.A., Hebron District | [Full testimony](#)**

**What he needed was a professional nurse and hospital care, because what he needed wasn't available in the prison.**

**He reached a point where he couldn't even go to the toilet. They transferred him to another cell, and a week later we learned he'd died.**

**8.**

**Palestinian prisoners  
with Israeli citizenship**

## 8.

### Palestinian prisoners with Israeli citizenship

Among the Palestinians who gave testimonies to B'Tselem about prison abuses since 7 October were Israeli citizens. Even though as citizens of the state, they have a different status and come under different laws than Palestinian residents of the West Bank, East Jerusalem and Gaza Strip, these prisoners were subjected to the same conditions as their West Bank counterparts and suffered similar abuses.

Since October 7, hundreds of Palestinian citizens of Israel have been arrested for suspected incitement and support of terrorist organizations, sometimes over minor acts such as expressing solidarity with the Palestinian people or criticizing Israel, the war and so on.<sup>132</sup> Arrests of Palestinian citizens, especially on the mass scale seen since the war began, is another way the Israeli regime uses its systems against Palestinians everywhere between the Jordan River and the Mediterranean Sea.<sup>133</sup>

While the political persecution of Palestinians, and particularly Palestinian citizens of Israel, and the rampant incitement against them by public officeholders have grown steadily worse since 7 October and as the war continues, these lie beyond the scope of this report. Information and figures exposed in recent months by civil society organizations and the media show that, beyond blatantly selective enforcement, these prisoners' most basic rights have been suspended and the protections afforded to them have been stripped away, simply because of their ethnic-national identity and regardless of whether they were detained before or after 7 October. Accordingly, we see fit to include several of their testimonies.

This marshaling of criminal procedure as a tool for silencing political expression

<sup>132</sup> [See story](#) in Shomrim.

<sup>133</sup> According to "Interrogations, Arrests and Indictments of Palestinian Citizens of Israel Since 7 October," [an Adalah report](#) that provides figures for 7 October 2023 to 13 November 2023 (hereinafter: Adalah Report), in the first month of the war alone, between 7 October and 13 November, about 250 citizens were interrogated, over a hundred of them over social media posts. Indictments were served in dozens of cases under Sec. 24(a) and/or 24(b) of the Counter-Terrorism Law. In comparison, from 2018 to 2022, 88 indictments were brought against Israeli citizens for incitement or sympathizing with terrorist organizations. Forty-six indictments were served against Palestinian citizens of Israel over social media posts in the [first month](#) (Hebrew) of the war alone; [see also here](#).

and discouraging participation in Israel's political discourse is carried out under the guidance of Minister of National Security Itamar Ben Gvir, with the unqualified support of State Attorney Amit Eisman.<sup>134</sup> It has been made possible thanks to directives State Attorney Eisman issued, which allow police officers to arrest and investigate suspected incitement offenses without receiving prior approval from the State Attorney as protocol demands.<sup>135</sup>

### **Testimony of I.A., a student at an Israeli university in her 20<sup>s</sup>, who was arrested following an Instagram post:**

**On 9 October 2023, I received a letter from my university that I was suspended from studies, with no prior warning. Eight other Palestinian-Israeli students were also suspended following social media posts [...] On 12 November 2023, my father called and told me representatives of the authorities had come to our house and handed over a summons for interrogation for me. My father refused to give them my address, and managed to persuade them that they didn't need to go get me and he'd bring me to the police station.**

**That same day at 6:00 P.M. I went to the police station with my father. He waited for me outside, but as soon as I went in they handed me an arrest warrant. The moment I entered, the police officers started humiliating me, shouting at me that I was a terrorist supporter and mocking my appearance. They took away all my belongings, including my phone and shoelaces. Then my hands were tied in front of me with metal handcuffs.**

**I gathered from the arrest warrant that I was suspected of identifying with terrorist organizations and supporting terror. I demanded to speak with my lawyer, and they let me. The lawyer calmed me down and explained that I was allowed to maintain my right to remain silent and refuse to answer questions.**

<sup>134</sup> See, e.g., [here](#) (Hebrew), [here](#) (Hebrew) and [here](#).

<sup>135</sup> See for example [this report](#) in Haaretz (Hebrew). See also [here](#) (Hebrew).

Then they put me, handcuffed, in a room where a lot of officers, male and female, were sitting and smoking. One of them put his phone close to my face and took a photo of me. When I told him, "You have no right to photograph me," he answered: "I'll go outside and tell your father you're impolite." They all made fun of me, whispering and giggling.

[...] Then they took me to a vehicle that drove off. They didn't tell me where we were going, but when we got there I saw a sign saying Hasharon Prison. I asked what time it was and they said it was about 11:00 P.M. I was frightened and anxious. I was received by a male and female prison guard, and the female police officer who escorted me from the police station was also there. They kept mocking me and making fun of me because of a photo of me in a hijab that they had on their computer. I walked slowly, because they'd taken my shoelaces and I was afraid that if my shoes fell off, they wouldn't let me put them back on. So they pushed me the whole way. The worst was the strip search. I didn't expect them to do such a thing to me – to search me entirely naked. They made me kneel, naked, so they could see I wasn't hiding anything. It was so humiliating. I asked the female guard and the female police officer to let me sit half crouching, so I could cover my body a bit.

The female guard made fun of my clothes, the shape of my body, and my body hair. She made it clear that I disgusted her.

I thought of my father. I wondered whether he was still waiting for me outside the police station or already knew I'd been arrested and wasn't even in Haifa but in prison outside the city. Everything was disturbing, insulting and degrading. They did everything in the most offensive way possible.

[...] When I got to the cell, the other female inmates were already asleep. There were four beds and another three inmates sleeping on the floor. [...] Early in the morning, the other inmates woke up and we introduced ourselves. They were from the West Bank.

**The worst was the strip search. I didn't expect them to do such a thing to me – to search me entirely naked. They made me kneel, naked, so they could see I wasn't hiding anything.**



They explained the prison routine – a naked strip search every day, in the shower inside the cell. They said I had to be careful not to upset the female guards, so they wouldn't beat me. They said, for example, that the guards would beat me if they asked questions and didn't like my answers, or if I stayed silent and didn't answer at all, since they considered that a provocation. I couldn't believe it – how could such a thing happen? Where were we? Something inside me just didn't want to believe it was possible. [...] A bit later, three female guards came into the cell, and a male guard stood at the doorway and watched. Just then, I spoke to one of the inmates and smiled at her. One of the female guards didn't

like that and shouted at me, in Hebrew, "Why are you laughing?" I answered that was just the shape of my face, and got angry. She led me to the shower and ordered me to undress. She asked where I was from, and why I was there. She told me several times "You're Hamas," and when she didn't like my answers, she pulled my hair, grabbed me by the jaw, said I had a big mouth and twisted my head and neck, yelled at me and shoved me several times.

[...] On my second night there, one of the inmates had itchy arms and a rash appeared on her body. She was scratching so hard that none of us could sleep. We banged on the door and asked that they let her see the medic, whose room was close to our cell, but no one answered.

That night, we also banged the door to ask for pads for another inmate who was menstruating. A female guard came and threw our roll of toilet paper at us. She said, "You're not in a hotel." In the morning, during roll call and the search, the female guards asked, "Who banged on the door at night?" We all kept quiet. The male guard pointed to the inmate who had demanded pads, and then they took her to the shower and strip searched her naked. We heard her shouting and understood they were hitting her.

[...] While I was there, I attended a legal hearing on Zoom. There

**They said, for example, that the guards would beat me if they asked questions and didn't like my answers, or if I stayed silent and didn't answer at all, since they considered that a provocation.**

were two male guards in the room talking to each other, and I couldn't hear a thing. I asked them to speak quietly but they didn't listen to me, and one of them even turned the volume of my speaker down. I gestured to the lawyer that I couldn't hear anything and he came closer to the camera, spoke slowly and gestured until I understood they had extended my detention by another three days, and that I would be transferred to Damun Prison. [...] The conditions were awful there, too. There were a lot of female inmates there. I gathered from them that at the start of the war in Gaza, the prison administration had confiscated all their belongings. They left them nothing. They took away their clothes and electrical appliances, including radios, and the kitchen utensils they used to cook and to prepare coffee and tea. The canteen was also closed. Before that, the inmates prepared their own food, but under the new order they brought us prepared food, which was really terrible and the amounts were too small.

[...] In early 2024, I resumed my studies. I was really scared Jewish students would attack me, especially since there was a group of right-wing students who had campaigned and demanded we be expelled from the university, persecuted and punished. Many students now attend classes armed with rifles and guns, and enter lecture halls like that. I often sit next to someone armed like that during a lecture. It's a really scary situation, especially in a reality of ongoing incitement against Arab students.

[Full testimony](#)

### **Testimony of Adv. Ahmad Khalifah, 42, from Um al-Fahem, arrested during a local protest.**

Suddenly, several police units raided the protest. I saw officers wearing three different types of uniforms. They threw stun grenades. [...] They led me to a jeep, where there were 10 other detained demonstrators. On the way to the jeep they hit me, tore my shirt and kicked me. They threw me to the ground, and one of them kneed me in the chest several times. It was very painful. He also hit me hard in the face, and other police officers beat me, too.

[...] the beating continued at the station. They hit me with their hands and sometimes with wooden clubs, and kicked me. They replaced the metal handcuffs with zip ties, which they tightened around my wrists and put on my feet, too. They covered my eyes with the shirt I was wearing. I couldn't walk with my feet tied and had to hop. The police officers took several pictures of me, mocking me and laughing. From what they said to each other, I understood they were sending the photos to their friends. [...] I had chest pain, probably from the beating earlier, and I asked to be taken to a hospital. They waited until the next day to take me. At the hospital, a doctor ordered a chest X-ray. While I was waiting for it, a hearing regarding our detention started, so I had to miss the X-ray and attend on Zoom, otherwise, the hearing would have been postponed.

[...] That same day, they transferred us to Megiddo Prison, where they strip-searched us naked. They didn't beat me, maybe because they saw I was finished from the previous beatings. I sat there from about midnight to 5:00 A.M. and heard them beat, curse and humiliate other detainees, who screamed and cried. It was very difficult. You sit there not knowing if you'll be next, unable to do anything. Sometimes, hearing other people getting beaten is harder than being beaten yourself.

They put me in wing 10, where I stayed until 4 January 2024. The conditions in Megiddo were catastrophic. We had no rights, no clean mattresses, pillows, blankets or clothes. We barely got food and water. The cells were dark all day, but in the evening – between 7:00 and 11:00 P.M. – just when we wanted to go to sleep, they'd turn on the lights. It was cold in the cells. Wind came in and sometimes even rain. We barely managed to sleep. They would play loud music at night, the Israeli anthem and sometimes Druze songs. For the first four or five days, we were without shoes and had only the clothes on our backs. We got some clothes from detainees who were released and left them behind for us, but we had to wear them over our clothes, otherwise they were confiscated every time the guards broke into the room. The guards stole items we had already paid for from the canteen and

smoked cigarettes next to us, saying they were our cigarettes. [...] They did roll call three times a day, during which we had to kneel by the wall, far from the door, with our hands on our heads. We were supposed to look at the guards once so they could identify us, but besides that, we were forbidden to look them in the eye.

The drinking water came from the bathroom sink. It was murky and tasted bad, but we had to drink it. The food was terrible and there wasn't enough of it. We saved what we were given throughout the day and ate it before bed, so we wouldn't go to sleep hungry. Still, we were never full because it was only enough to survive on.

[...] Every time they took us to the court, they beat the other detainees on the bus along the way. They didn't hit me, perhaps because I'm a lawyer, but the other detainees were constantly beaten in front of me. It was a real journey of suffering.

[...] At Gilboa, 30 of us were taken together to the yard to shower, and were given an hour or less. That wasn't enough time for everyone, so we had to take turns showering. Each one showered once every two or three days. They gave us a very small amount of shampoo, and only rarely, so we diluted it to make it last for everyone. We didn't get towels either, so we had to dress while still wet. Most of the time, there wasn't even toilet paper because we received only two rolls a week for a cell of 10 to 12 detainees. The guards would come to our cells and film us, narrating the video and bragging about the harsh conditions in the prison. [...] Occasionally, guards would come into the cell for no reason, pick a detainee, and start beating him. Or they would come in to conduct a search, force us to lie face down, handcuff us and leave only one person unrestrained, and then make him crawl and kiss their shoes. If he refused, he was of course beaten.

[Full testimony](#)

## Testimony of Adv. Sari Huriyyah, 53, from Shfaram, who was arrested over a Facebook post:

Three people in civilian clothes came into my office and sat down. Up until that moment, I didn't realize what was going on. They presented an arrest warrant. Because I'm a lawyer, they need a special permit from the State Attorney's Office and the Israel Bar Association to arrest me, which they had already received. They tied my hands with zip ties and led me outside. They transferred me to my home in Shfaram, and that's where the hard part began.

They led me into my home with my hands tied. My wife asked them to untie them so my young kids wouldn't see me like that, but they refused. They asked if I had cash, and I replied that I had 10,000 shekels (~2,700 USD). They took documents and books from the house. After the raid on my home, they took me to the police station in Shfaram, where they put metal cuffs on my hands and feet. It was hard to walk. They put me in an interrogation room, where I found that the reason for my arrest was a Facebook post.

[...] Then they took me to Megiddo Prison, which I've called Abu Ghraib ever since, because of the severe torture I underwent there. They cursed me all the way to the prison. When we arrived, my world turned upside down. I felt like I was in a jungle. First, the guard demanded that I undress. I did and stayed in my underwear. He ordered me to take off my underwear as well. I tried to convince him that there was no need, and said I was 53 years old and an Israeli citizen. I thought that might help, but the guard threatened to beat me. I gave in, feeling I had no choice.

**The guard demanded that I undress. I did and stayed in my underwear. He ordered me to take off my underwear as well. I tried to convince him that there was no need, and said I was 53 years old and an Israeli citizen. I thought that might help, but the guard threatened to beat me. I gave in, feeling I had no choice.**

They put me, entirely naked, in a small cell without a door, like a fitting room in a clothes store. They brought in a hand-held metal detector and put it between my legs, claiming I was hiding something. In the room the cell was in, five young Palestinians were searched, and the guards beat them, swore at them and humiliated them. The guards called me an ass. They knew I was a lawyer and wanted to humiliate me. But when I saw what they did to the young guys, I felt better off compared to them.[...] When we reached the room, they forced the young guys to kiss an Israeli flag on the wall. Whoever refused was abused. One of the female guards even took a picture with one of the detainees as he kissed the flag. There was constant beating, cursing and humiliation. When it was my turn, the officer excused me and told the guards to skip me. I don't know why, maybe because I'm a lawyer and an Israeli citizen.

[...] For the first three days I was very frustrated. I hardly talked to anyone and didn't eat at all. The food was truly awful and they gave us tiny amounts. We got one plate of rice a day for the whole cell. Just rice, some white cheese, and slices of bread and cucumber. We weren't given any cutlery, so we had to eat with our hands. I felt disgusted, helpless, frustrated and humiliated. I didn't understand how this was happening to me at my age, and it was very difficult to see the degradation of those around me. I couldn't grasp it. We didn't sleep at all the first night. There was a window in the cell, through which we heard detainees crying and shouting while guards beat them. The guards yelled out demands that they bark like dogs. We heard some of the detainees actually bark after they were hit. The guards laughed, of course. It was really hard to hear and see.

**They forced the young guys to kiss an Israeli flag on the wall. Whoever refused was abused. One of the female guards even took a picture with one of the detainees as he kissed the flag.**

[...] They cut us off from the outside world. They confiscated everything. There was nothing, no radio and no means of communication. Each time a new detainee arrived, everyone

would ask him what happened. There was a special unit whose role was to beat detainees. People who were beaten sat for hours afterward, unable to speak. All this also generated considerable psychological stress, of course. There was constant yelling. At night they would bang on doors, several times each night, and turn on flashlights. And that was in addition to the beatings we heard.

They'd count us three to four times a day. They would raid the cell, 16 people armed with batons, and beat each of us without us having done anything. I constantly heard detainees shouting and the beatings and cursing from cells nearby. I felt that I was done for, fearing that I wouldn't leave the prison alive, which lacked any humane values. I heard horror stories from the other detainees in my cell about what they went through. One had a broken leg that was bandaged in a plastic bag. His condition required daily care but he was only given a paracetamol pill from time to time. The other had an open wound on his forehead from a hard blow to his head. When I asked the guards to give them proper treatment, they'd yell at me that I don't understand and that it's none of my business.

[...] That same day, I had a hearing at the court in Acre and they took me there. The judge's nails were painted with the pattern of the Israeli flag. She immediately extended my detention. I got angry and gave her the finger. When the guards saw that, they slapped me, kicked me and swore at me. They took me out of there with my hands and feet cuffed, pressing down on my head and back so I was hunched over like a dog. They returned me to Megiddo Prison and put me in a wing called Tora Bora. On the way, I saw guards beating detainees. There were three or four guards beating a detainee. I heard shouting and pleading, unbelievable things. They put me in a solitary confinement cell that was black and disgusting, full of cockroaches and other insects. It had no

**I felt disgusted, helpless, frustrated and humiliated. I didn't understand how this was happening to me at my age, and it was very difficult to see the degradation of those around me. I couldn't grasp it.**

window or source of light, aside from a small opening in the door.

The next day, around 11:00 A.M., they put a young man in the isolation cell next to mine. He kept screaming in pain. I tried to speak to him through the door, asked him what his story was and told him to calm down. He said he was in pain and was going to die.

He kept asking them to give him medical care and calling out to the medic and the guard. [...]

Every time a guard came I asked them to help him, but each time they just cursed at me, told me it was none of my business and ordered me to shut up. He continued to shout and beg for help until early morning, and then fell silent.

During the count I heard them call out several times: "Mar'i, Mar'i." He didn't reply. I heard them open his door, and I peeked through the opening in my door. They went into the cell and started beating him, I heard the kicks landing on his body. Then I heard one of them asking to call for the doctor and get a first aid kit. The doctor arrived a few minutes later. They stayed in the cell for over an hour. Later,

I heard one of them say in Arabic: "As long as you're all healthy." Everyone laughed and closed the door. I realized he was dead.

After about an hour, they returned with a wheeled stretcher. They took the young man out, wrapped in a black bag, and left.

Later on, I learned that his name was 'Abd a-Rahman Mar'i, 23, and that he was a resident of Qarawat Bani Hassan and a father of four children. I still I can't forget his voice and his pleas.

[...] The whole story was like a horror movie. I'm a lawyer and was living my life as usual. Suddenly, I found myself in the worst place in the world. It was a very difficult experience. Now, giving this testimony and recalling what happened there, I had trouble breathing several times. Throughout my detention, I lost seven to eight kilos in just 10 days. When I came home, my wife cried when she saw me and my children were afraid of me, because I hadn't shaved the whole time and my hair was wild. I looked like a different person.

**The whole story was like a horror movie. I'm a lawyer and was living my life as usual. Suddenly, I found myself in the worst place in the world. It was a very difficult experience.**

**Full testimony**



## 9. **Conclusion**

## Conclusion

Thousands of Palestinians have been arrested and imprisoned in Israeli prisons since 7 October 2023, most of them without trial. Testimonies B'Tselem collected from 55 released male and female inmates, expose what is going on inside Israeli prison facilities and tell the story of ongoing torture, abuse, inhuman conditions and denial of basic needs such as food, water and medical care. The information consistently repeated across these testimonies reveals an institutionalized, efficient, systematic mechanism that has made violence, humiliation and degradation integral to the routine imposed upon all Palestinians classified as "security prisoners", in 17 different civilian and military prison facilities, since the war began.

The testimonies reveal the policy implemented in these facilities since the declaration of a "prison state of emergency" and the pursuant enactment of a Temporary Order,<sup>136</sup> in keeping with the stated agenda of Minister of National Security Itamar Ben Gvir. They indicate that this policy, which entails violation of the most basic human rights, is targeted at members of a specific ethnic-national group – Palestinians. As part of this new policy, Palestinians held in Israeli prisons are stripped of the basic package of rights to which they are entitled under Israeli and international law, as well as other universal rights. Even if a small number of these prisoners was, in fact, involved in committing the horrific crimes of 7 October, that does not justify torture, let alone the creation of a network of torture camps for all Palestinian prisoners.

The Convention Against Torture defines torture as "an act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity".<sup>137</sup>

<sup>136</sup> Temporary Order dated 16 and 26 October 2023, issued by the power vested in the IPS Commissioner under Sections 80 and 80a(b) of the Prisons Ordinance [new version] 5732-1971.

<sup>137</sup> See supra note 24.

Various methods and actions that, in themselves, do not inflict pain or suffering amounting to torture, may reach that level when carried out in combination.<sup>138</sup> Torture is prohibited in any and all circumstances, no matter how exceptional, both under international law and basic moral principles.

The State of Israel signed the Convention Against Torture and ratified it, but the prohibition on torture was never incorporated into Israeli law. It was validated in the 1999 High Court ruling in the torture case,<sup>139</sup> but walked back in a later decision, allowing for the use of torture in exceptional cases under the Shin Bet's "necessity interrogation" protocol.<sup>140</sup>

Several petitions concerning prison conditions for Palestinian inmates have been submitted to the High Court of Justice since the start of the war. In its response to a petition filed by the Association for Civil Rights in Israel and others, the state rejected allegations of inhuman treatment, abuse, starvation, denial of medical treatment and denial of other basic living conditions, such as access to running water or hygiene products.<sup>141</sup> However, it did admit that, in keeping with the minister's new policy, cell occupancy was pushed beyond capacity, forcing some prisoners to sleep on the floor; power was cut off and lighting was available only at night; all personal belongings were confiscated; prisoners were cut off from the outside world; and time outside was reduced to one hour a day.<sup>142</sup> Relying on the state's admission, and the denial that came with it, the court ruled it unnecessary to instruct the state "to do what it declares it is already doing" or "refrain from doing what it has never done,"<sup>143</sup> and dismissed the petition in limine. Other cases

<sup>138</sup> See also, e.g.: Ann Maria Garcia Lanza de Netto v. Uruguay, Communication No. 8/1977, U.N. Doc. CCPR/C/OP/1 at 45 (1985); Aydin v. Turkey, European Court of Human Rights (Application No. 23178/94), Judgment 25.9.1997; Maritza Urrutia v. Guatemala, IACHR, Judgment of November 27, 2003.

<sup>139</sup> See the torture case, supra note 80. The prohibition on torture was incorporated into guidelines issued by then Attorney General Elyakim Rubinstein, which stated that other methods of interrogation could be employed in "necessity" cases, so long as they do not amount to torture. For more on this, [see here](#).

<sup>140</sup> See HCJ 9018/17 Feras Tabish v. Attorney General; see also, HCJ 5722/12 As'ad Abu Gosh et al. v. Attorney General.

<sup>141</sup> See the state's response in the living conditions case, supra note 75.

<sup>142</sup> See para. 8 of the state's response in the living conditions case, supra note 75.

<sup>143</sup> Ibid., para. 31.

relating to living or prison conditions are still pending, with the court having made no ruling or issued orders nisi.<sup>144</sup> The High Court of Justice has thereby greenlighted the denial of Palestinian prisoners' basic rights.

Meanwhile, judicial or administrative review of the arrests themselves has been suspended *de facto* for weeks or even months.<sup>145</sup> The court's abstention from intervening in this matter too, and the fact that it has knowingly allowed prisoners to be almost completely isolated, underscores the court's role in lending the gross violation of prisoners' human rights a façade of legality.

Minister Ben Gvir's influence remains evident, but his policy could not have been implemented without the cooperation of the entire system – from the prime minister and the minister of defense to "gatekeepers" such as the attorney general, the State Attorney's Office and the Supreme Court, and finally, the media, which showcases the cruel treatment of prisoners without a hint of criticism.<sup>146</sup> All these have helped Minister Ben Gvir fulfill his vision, whether actively or by tacit consent.

Given the severity of the acts, the extent to which the provisions of international law are being violated, and the fact that these violations are directed at the entire population of Palestinian prisoners daily and over time – the only possible conclusion is that in carrying out these acts, Israel is committing torture that amounts to a war crime and even a crime against humanity.

Since the prohibition on torture is absolute, Israel is obligated under international law to investigate and prosecute everyone directly involved in the implementation of these injurious, violent practices against Palestinian prisoners. Nevertheless, since all state systems, including the judiciary, have been mobilized in support of these torture camps – whether by turning a blind eye, by lending support, or by flaunting these acts – Israeli investigative bodies cannot be expected to fulfill these duties and hold those involved to account, certainly not actively or effectively. Therefore, under the principle of complementarity established in the

<sup>144</sup> HCJ 4268/24 Association for Civil Rights v. Minister of Defense et al. (regarding the closure of the Sde Teiman military prison facility); HCJ 1357/24 Association for Civil Rights et al. v. The Government (regarding the denial of ICRC visits); food deprivation case, *supra* note 69; judicial review petition, *supra* note 18.

<sup>145</sup> See pp. 28-31 of this report and *supra* notes 53 and 54.

<sup>146</sup> See *supra* notes 4, 8 and 10.

Rome Statute,<sup>147</sup> the ICC and the international community must investigate and promote criminal proceedings against individuals suspected of planning, directing and committing these crimes.

At the time of writing, more than 9,000 people – Palestinians classified as "security prisoners" – are being held by Israel in a network of torture camps, subjected to the conditions and abuse described in this report. This reality is unacceptable and fills us, Israelis and Palestinians who believe in justice, freedom and human rights, with shame, anxiety and rage.

We appeal to all nations and to all international institutions and bodies to do everything in their power to put an immediate end to the cruelties meted out on Palestinians by Israel's prison system, and to recognize the Israeli regime operating this system as an apartheid regime that must come to an end.

<sup>147</sup> Art. 17 of the Rome Statute.

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