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While the World is Busy in the Aggression on the Gaza Strip The Israeli Authorities are Persisting in Oppression, Torturing, and Killing Palestinian Prisoners

Human Rights and Democracy Media Center- SHAMS, deplors the revenging practices of the Israeli occupation against the Palestinian prisoners in its prisons and jails. While the Israeli occupation is persisting in its aggression against Palestinians in the Gaza Strip and as the world is busy in following up on the developments within the aggression, the Israeli authorities increase the oppression and torture crimes against the Palestinian prisoners. Palestinian prisoners are deprived of basic rights and they are subject to daily torturing, oppression, and killing. In this regard, on the morning of today (Tuesday 7/11/2023), the Ofer Prison Administration, declared the death of prisoner Majed Ahmad Zqoul (32 years old, from the residents of Ramallah but originally from the Gaza Strip). Martyr Zqoul is the third Palestinian prisoner to be killed in Israeli prisons since the beginning of the aggression on the Gaza Strip. The total number of Palestinian prisoners who have been killed in Israeli prisons since the year 1967 is 240. 80 prisoners died as a result of medical negligence while 73 prisoners were killed as a result of torture. 80 prisoners were intentionally killed immediately after they were arrested and 7 prisoners were shot dead by the Israeli army. The bodies of 11 killed prisoners are still held by the Israeli authorities.

SHAMS Center affirms that the escalation in the oppression and torture of the Palestinian prisoners, reveals the criminal behavior of the occupation and reflects the hate among the Israelis against Palestinians. Such behavior of the occupation was interpreted through a series of practices against the Palestinian prisoners that included collective punishment, torture, insulting, and physical assault. Some prisoners are fastened for long durations in tough situations in addition to the crowd in the cells and the applied medical negligence policy. Prisoners are deprived



of the "Canteen"¹ and are provided only two meals daily but not three, as it should be. The clinics in the hospitals are closed and the prisoners are not transferred to the hospitals despite the fact that many of them are in need of hospital treatment. Families' visits are denied and most of the prisoners are forced to sleep on mattresses on the floor due to the crowd in the cells and prison rooms. On a related level, there were amendments in the applied military regulations where the new regulations allow detaining the prisoner for 6 days instead of 72 hours before an administrative order is issued. Additionally, there was another amendment regarding presenting the prisoner to the court to approve the administrative detention, which it become 12 days now and it was only 8 days in the past. The purpose of all these procedures is to oppress the Palestinian prisoners.

SHAMS Center reminds, in this context, that the policies of the Israeli occupation against the Palestinian prisoners are similar to those applied by the totalitarian fascist regimes in Europe during World War II. The applied practices of the Israeli occupation against the Palestinian prisoners are based on pre-determined systematic policy. All the measures to kill and torture the prisoners were applied against the Palestinian prisoners, including women and children.

SHAMS Center affirms that the applied policies of the Israeli occupation against the Palestinian prisoners violate the International Law and the International Humanitarian Law. The Israeli occupation is violating mainly the Geneva Third Convention (12/8/1949) and the optional protocol annexed to it in addition to violating the Geneva Fourth Convention. These Conventions are dedicated to protecting civilians under armed conflicts and war and civilians under occupation. Article 4 of the Geneva Third Convention states that war prisoners are: "Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces. Members of other militias and members of other volunteer corps, including those of organized resistance movements, belong to a Party to the conflict and operate in or outside their own territory, even if this territory is occupied. Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power. Individuals who accompany the armed forces but are not actual members of

¹ Canteen is a kind of shop operated by the Prisons Authority from where prisoners can purchase the needs that the prisons' Authority does not provide. The prices are high but prisoners have no choice.



the armed forces, including civilian members of military aircraft crews, war correspondents, supply contractors, members of labor units, or those responsible for the welfare of the armed forces, must have received authorization from the armed forces they accompany. The armed forces should provide them with an identity card similar to the annexed model for this purpose. Inhabitants of a non-occupied territory, who on the approach of the enemy, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war". Articles 118 and 119 of the Convention draw the mechanisms of dealing with war prisoners and how they should be brought back to their country. It is worth mentioning here that the third and fourth Geneva Conventions are applicable to the Palestinian prisoners although there has never been an international judiciary ruling that draws the legal status of those prisoners.

"Shams" Center calls on the United Nations and its organizations, the International Red Cross, and the Special Rapporteur on Human Rights to urgently take action and fulfil their legal and human rights duties. This includes the formation of an international investigative committee to look into the circumstances of the deaths of prisoners in Israeli occupation prisons. They should also exert pressure on the Israeli occupying state and oblige it to adhere to the United Nations Minimum Standard Rules for the Treatment of Prisoners, commonly known as the "Nelson Mandela Rules," which were adopted by the United Nations General Assembly in 2015. These rules pertain to Palestinian detainees in Israeli prisons, particularly in terms of improving prison conditions, handling sick and injured detainees, children, and women, and providing suitable environments, food, drink, medication, and appropriate housing for all detainees