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Research Paper on

# Violations Against Palestinian Male and Female Prisoners during Israel's War of Genocide on Gaza

December 2023

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against Palestinian Male and Female Prisoners  
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**cover designed by:** Post Plus.

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(ICHR), Palestine.  
Palestine - 2023

## Preface

Using wars and violent instruments of oppression, colonial regimes target colonised and oppressed peoples. In its wars, the coloniser employs tools of murder and persecution, including imprisonment, arrest, and torture. This is particularly true of settler colonialism, which aims at exterminating, transferring, and replacing a people, using all internationally prohibited techniques of killing and oppression.

With a focus on colonial violence in the Palestinian context, this paper addresses arrest, incarceration, and repressive practices, particularly sexual violence, against Palestinian male and female prisoners during the Israeli war of genocide on the Gaza Strip since 7 October 2023.

In Palestine, the Israeli occupying authorities have used arrest and torture against thousands of Palestinians. Contrary to the International Human Rights Law and International Humanitarian Law (IHL), all these abuses have yet to be held to account, have evaded scrutiny, and are committed with total impunity on an ongoing basis. Published by both Palestinian and international human rights organizations, an extensive set of reports has monitored and diagnosed systematic violations against male and female prisoners. To this avail, the Israeli occupying authorities have exploited the state of war declared on the Gaza Strip. The West Bank, including Jerusalem, has not been spared from these abuses. According to the Ministry of Health (MoH), 272 Palestinians have been extrajudicially killed in the West between 7 October and 8 December 2023, with a significant portion of them falling victim to extrajudicial killings. Night-time raids are carried out throughout West Bank cities, villages, and refugee camps, especially in the Jenin refugee camp; Balata and Askar refugee camps in Nablus; Aqbat Jaber and Ein as-Sultan refugee camps in Jericho; Tulkarem and Nur Shams refugee camp in Tulkarem; Al-Jalazun, Al-Am'ari and Qalandiya refugee camps in Ramallah; and Al-Far'a refugee camp in Tubas. The Israeli occupying forces (IOF) deliberately destroy infrastructure. Checkpoints prevent movement between governorates and villages as well as within individual governorates. In addition to physical and verbal assaults, Israeli soldiers positioned at these checkpoints abuse Palestinian citizens and force them to open their mobile telephones. In large-scale campaigns, the IOF have arrested over 3,700 Palestinians between 7 October and 9 December 2023. Regulating functions of Israeli military courts, military orders on detention have been amended, creating an enabling environment for abuses and physical assaults on Palestinian prisoners. According to the Palestinian Prisoner Club (PPC), a special unit (Keter) has been established to beat detainees. Officers of this unit are heavily armed and escorted by police dogs.

Since 7 October, the Israeli Prison Service (IPS) has put in place new measures across prisons. Most notably, male and female prisoners are deprived of the most basic human rights. While totally isolated from their families and lawyers, prisoners are barred from having a radio set. TVs and personal belongings have all been confiscated, including clothes, blankets, and food supplies. Electric heating plates and hygiene items have also been seized. Cells are overcrowded. With a capacity of six, up to 12 prisoners are being held in a cell. Prisoners are subjected to a policy of starvation, verbal and sexual abuse, threat of rape, obscene language insulting religious and moral sentiments, removal of female prisoners' *hijab*, and strip searches.



Moreover, mass strip searches have been systematically employed as a degrading measure and practice against prisoners. In the Gaza Strip, hundreds of men, women, children, and senior citizens have been arrested and held in places of detention, which are still unknown. Human rights groups do not have adequate access to information about these detainees. Only some information has been leaked by prisoners in wards adjacent to those of Gaza detainees in the Ofer Prison. These reported hearing the screaming voices of detainees while they were beaten. They also heard dogs, which were unleashed on prisoners. Reportedly, these conditions have resulted in the death of six Palestinian prisoners since 7 October.

This paper provides a detailed account of emerging detention conditions and tragic abuses against Palestinian prisoners, particularly since 7 October 2023. It is informed by testimonies of male and female prisoners released in the most recent prisoner exchange deal and reports by lawyers who managed to visit some detainees. The paper places a special emphasis on sexual violence against female prisoners, namely, threats of rape, degrading strip searches, mass strip searches meant for humiliation, and verbal sexual abuses. The menstrual cycle is used a tool of physical and mental pressure against female prisoners, who are effectively deprived of sanitary pads, needed clothes, and access to toilet facilities. In addition to violating their privacy, veiled female prisoners are forcibly photographed without their *hijab*. The footage is shared on soldiers' and interrogators' personal phones. Religious beliefs are impinged on through the removal of *hijab* by force, serious verbal abuse, deprivation of basic needs, lack of hygiene items, and overcrowded cells. Israeli occupying authorities have been implementing these policies since the occupation of Palestinian territory in 1967, but recent actions have seen a significant and more violent escalation.

The paper proposes a set of recommendations, which require serious action as well as new instruments and frameworks for implementation. In particular, Palestinians have lost confidence in the ability of the international human rights system to protect them, setting the stage for a conviction that this system serves the powerful only and never provides redress for the oppressed.

In line with the research methodology, information has been collected in direct interviews with nine female prisoners who were released in the latest prisoner exchange deal, lawyers who managed to meet with 10 female prisoners inside the Damon Prison, and 30 male prisoners in the Ofer, Naqab, Megiddo, and Gilboa prisons. Attention has been paid to gender, age, and geographical areas. A review has also included the most relevant literature and writings produced by prisoners themselves, providing a descriptive account of the current situation.



## **Introduction**

Throughout history, the prison system has served as an oppressive instrument, which is most commonly used by colonial regimes all over the world, and in Palestine in particular. From the British Mandate period until Zionist settler colonialism, the same system exercised by many colonial states against colonised peoples and national liberation movements has been firmly in place. Notably, the prison system continues to function both in thought and practice within the colonial apparatus. It is further developed and entrenched by excessive oppression, coercion, and torture.

Colonial policies have added a touch of beauty and civilisation to violence. Colonial violence has been “rationalised” through military orders and a colonial military court system. Eventually, arrest and detention have been turned into a public phenomenon, which has been normalised over colonial time.

Statistics of the Prisoner Support and Human Rights Association (Addameer) show that approximately one million Palestinians have been arrested, detained, or interrogated. According to the PPC, since 1967, more than 17,000 Palestinian women have been put to jail. In 2022, the Commission of Detainees’ Affairs (CDA) reported that over 50,000 Palestinian children were incarcerated. The bodies of deceased prisoners have not been released, as Israeli forces currently hold the bodies of 17 Palestinian martyrs who died in prison, along with the corpses of 450 other Palestinian martyrs in morgues and in the Cemeteries of Numbers.<sup>1</sup> Before the war, 5,200 prisoners were behind the bars, including 33 women, 170 children, and 1,264 persons held in administrative detention.<sup>2</sup>

Below is a presentation on the most serious abuses associated with the arrest campaign after the war on Gaza was launched on 7 October 2023. The review is based on interviews with male and female prisoners after they were released or on legal counsel visits to others who are still in detention. It highlights key violations experienced at the time of arrest, inside detention centres, and during interrogation, placing a special focus on the situation of and violations against female prisoners.

## **The war of genocide in Gaza**

Since 7 October, the Israeli occupying authorities have been waging a war of genocide on the Palestinian people in the Gaza Strip. According to the MoH in Gaza, as of December 11, 17,700 Palestinians have been killed, over 70 per cent of whom are women and children, and 48,780 are reportedly injured. Another 7,700 are missing.

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1 Addameer, 2022 Annual Report on Prisoner Institutions in 2022: The occupying forces arrested 7,000 Palestinians. Ramallah: Addameer, January 2022, available at: <https://www.addameer.org/ar/media/4966> (in Arabic).

2 Addameer, Statistics, 19 September 2023, available at: <https://www.addameer.org/statistics/2023/09> (last accessed, 9 December 2023).

Throughout the West Bank, including Jerusalem, more than 3,700 Palestinians have been arrested, including 147 women and 245 children.<sup>3</sup> In the Gaza Strip, an unidentified number of Palestinians have also been detained in extremely harsh conditions, starting from the moment of arrest, through to relocation to Israeli army posts, and ending with Israeli prisons. Most often, arrest is conducted violently. After the house door is blown up with explosives, a detainee is pulled out of bed and taken out in their nightclothes. While they are blindfolded, their hands are tied behind the back with plastic handcuffs so tightly and violently. All this is associated with a torrent of insults and foul words as well as obscenities that infringe on religious beliefs and sentiments. In addition to strip searches, house contents are destroyed and family members, including children, are intimidated. Since 7 October, violence, torture, and medical negligence have caused the death of six prisoners, namely, Omar Daraghmeh, Arafat Hamdan, Abdul Rahman Mar'i, Thaer Abu Assab, Majed Zaqqoul, and an unidentified prisoner from Gaza. *Haaretz* reported instances where some Palestinian prisoners were beaten to death or wilfully killed.<sup>4</sup>

### **Violence at the time of arrest**

As mentioned above, the majority of arrests involve severe violence. After they are grabbed out of bed, prisoners have their hands tied behind the back with plastic handcuffs, which are tightened to the maximum limit. In the midst of verbal abuse, prisoners are not allowed to change nightgowns. They are taken violently out of their homes. Even women are led out and have their hands tied up by male soldiers. In some cases, footage is taken of detainees at the time of arrest. To block their vision, detained persons are blindfolded. After they are taken to army posts, detainees are relocated to detention or interrogation centres. They wait inside chilly cells with no bathrooms. Their hands remain in shackles while they wait for long hours to be investigated or interrogated in holding cells. All male and female prisoners are subjected to strip searches, all administered in a humiliating manner. Two female prisoners were threatened of rape and setting their families on fire. Some prisoners were held in substandard cells and places of detention. Others were systematically assaulted and beaten as was the case with Ahed Tamimi in the HaSharon detention centre. As evidenced by Suheir al-Barghouthi, ill female prisoners were also deprived of their daily medication.

Ruba Assi was arrested on 7 November 2023. In an interview after she had been released, Ruba stated: "After they smashed the house door, they pulled me out of bed in my nightclothes. I was not allowed change them. I was forced to stand against the wall inside the house. My hands were immediately and violently tied behind my back with plastic handcuffs by a male soldier. After the house was searched in a violent manner, I was taken out to the military jeep."<sup>5</sup> The same technique was confirmed by Ahed Tamim, a released prisoner. Describing the way she was arrested, Ahed said: "A soldier pulled me out of bed violently. He grabbed my hair in a

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3 PPC, Key data on arrest campaigns between 7 October and 3 December 2023, 3 December 2023, available at: <https://www.ppsmo.ps/home/news/11074?culture=ar-SA> (Last accessed, 9 December 2023) (in Arabic).

4 Cited in Alquds, "Haaretz: Israel executed 6 Palestinian prisoners during the war", available at: <https://www.alquds.com/en/posts/103339> (Last accessed, 3 December 2023).

5 Ruba Assi, interview. Ramallah, 3 December 2023.

heavy-handed way. Then, they took footage of me.<sup>6</sup> A stream of insults were uttered, attacking religious sentiments. Right away, my hands were tied behind my back with plastic handcuffs. These were intentionally tightened up so violently that I could no longer feel my hands. As a result, I had blood clots on my hands.”<sup>7</sup>

Ahed adds that she was subjected to a form of harassment. An interrogation officer came close to her. “During the interrogation, an intelligence officer was so close to me that his face was in touch with mine. I had to turn my face aside and ask him to get away.”<sup>8</sup>

Arrested on 26 October 2023, Lama Khater, a prisoner from Hebron, was threatened of rape and burning of her family while she was held in an interrogation centre in Kiryat Arba, an Israeli settlement around Hebron. In an interview, Lama stated: “In the Kiryat Arba settlement, 20 interrogators and intelligence officers surrounded me. I was handcuffed and blindfolded. The officers started threatening to rape me, using in a demeaning language. I could never talk about details to the media. They were so scoundrel that they even discussed forms of rape. It was a shameful interrogation and threat. All the way through, they stressed that they were at war, that I was a war prisoner, and that they had no controls of how to treat me.”<sup>9</sup>

A number of female prisoners were deprived of their daily medication. Suheir al-Barghouthi, a 64-year-old released prisoner, said: “The intelligence officer prevented me from taking my daily vital medicine, especially for the heart disease. For a whole day, I did not have my medicine, putting my life at risk.”<sup>10</sup> She was also verbally abused. An intelligence officer brought a number of detainees, including her relatives and brothers, while they were all handcuffed and blindfolded. They [the intelligence officers] “used explicit, sexual terms in front of them.”<sup>11</sup> As a researcher, I cannot even write down the permissive sexual language they addressed to her.

A child (15) was detained in the Megiddo Prison despite the fact that he had sustained several bullet wounds. In an interview with the CDA lawyer, the child stated: “At midnight, I was arrested from my home. They blindfolded me, tied my hands behind my back, and forced me to go on foot. On the way, although I was wounded, they beat me on the stomach. I waited for an hour on the road until military jeeps arrived. They forced me into the jeep and took me to the Karmi Shomron settlement. There, I remained for 10 hours on my knees on the ground, handcuffed, blindfolded, and in the severe cold.”<sup>12</sup>

## **Abuses and attacks in detention and interrogation centres**

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6 A photograph of Ahed Tammi was posted on the webpages of Ben Gvir and the Military Commander of the area.

7 Ahed Tammi, interview. Ramallah, 4 December 2023.

8 Ibid.

9 Lama Khater, interview. Ramallah, 3 December 2023.

10 Suheir al-Barghouthi, interview. Ramallah, 6 December 2023.

11 Ibid.

12 Visit report of the CDA lawyer to prisoner A. B. in the Megiddo Prison, 5 December 2023.



The majority of detained persons undergo physical assaults, humiliation, and recurrent strip searches (forced nudity).<sup>13</sup> Arrested in the aftermath of 7 October, several prisoners indicated they were subjected to harsh conditions in detention centres. Despite the fact that prisoners lacked basic needs, including detergents, hygiene items, and blankets, the IPS took away the mattresses on metal beds, forcing them to sit on iron bars from 7:00 am to 7 pm. Additionally, detention centre administrations refused providing sanitary pads to female prisoners during the monthly period. According to Ahed Tamimi, “I was arrested during my period, but they did not give me any sanitary pads. The pad was not changed for three days in a row, causing ulcers and infections. I had to visit a gynaecologist after I was released and needed difficult treatment.”<sup>14</sup>

Particularly painful was the case of a child prisoner, who had her period for the first time in her life. Reporting to Lawyer Hasan Abbadi: “I used to hear about the menstrual cycle, but didn’t know it until I had it for this first time when I was in the Damon Prison. Male and female jailers were whispering and laughing among themselves as if it were an “event”. I felt scared and shy. My mother wasn’t by me to tell me what to do.”<sup>15</sup> During the interview with the lawyer, she added: “During the period, female prisoners stay for two or three days without sanitary pads or clothes to change. They are forced to wash their clothes and wear them again, while they are still wet.”<sup>16</sup>

Many male and female prisoners are frequently beaten. This is coupled with stripping – a part and parcel of sexual violence. In its General Recommendation No. 19 (1992), the UN Committee on the Elimination of Discrimination Against Women (CEDAW) defines discrimination against women as “violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.”<sup>17</sup>

In her statement, Ahed Tamimi went on: “On three occasions, I was beaten on all parts of my body in the HaSharon detention centre. The first time, as soon as I arrived, I was placed in a small room during strip searches. There, two female jailers beat me on all parts of my body. At 7:00 am on the second day, three female jailers came in, forced me into the cell bathroom, and stripped me. While I was naked, they beat and kicked me all over my body. In the afternoon on the same day, three female jailers, including one who had taken part in beating me in the morning, came into the cell, put me in the bathroom, and beat me violently on all parts of my body. With their combat boots, they kicked me forcefully on the stomach. It was the most violent round of beating I was subjected to.”<sup>18</sup>

Not a single female prisoner was spared from strip searches. Lawyer Abbadi visited the Damon Prison on 6 December 2023. He reported that five female prisoners were subjected to mass strip searches, during which disgraceful practices were committed. For instance, these

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13 International Criminal Tribunal for Rwanda, *The Akayesu Case*, 2001, para. 69.

14 Tamimi, interview.

15 Hasan Abbadi, interview. Ramallah, 7 December 2023.

16 Ibid.

17 CEDAW General Recommendation No. 19: Violence against women, para. 6, available at: <https://www.refworld.org/docid/52d920c54.html> (Last accessed, 9 December 2023).

18 Tamimi, interview.

prisoners were required to turn around and sit down with their legs wide open. All these practices undermine human dignity.

Affidavits demonstrate that severe beating was used against prisoners in the Ofer and Naqab prisons. Accounts were made by detainees, whom some lawyers managed to visit. M. A., a prisoner held in Ward 18 of the Ofer Prison, stated to his lawyer: “I was severely beaten and my ribs were broken. During an interview with the Shin Bet on 16 November 2023, I was hit on the stomach, back, and waist. The officer stepped on my head. For four hours, they left me on the bus, which took me back to the detention centre. I passed out.”<sup>19</sup> Prisoners are not only beaten by intelligence (Shin Bet) officers as in this case. According to statements, prisoners' relocation from one prison to another or for interviews with Shin Bet officers was accompanied by torture. In all cases of relocation, prisoners are severely beaten by special forces troops.

In another statement during a visit by a lawyer,<sup>20</sup> Kh. N., a prisoner held in the Naqab Prison, reported that he was beaten despite the fact that he has a heart condition. He was scheduled to undergo an open-heart surgery before he was arrested. “They moved our ward to another. Having put our hands and feet in shackles, they forced us out to the *Bostah* (prisoner transport vehicles). As we were out, jailers stood in two rows all along the way and assaulted all the prisoners who were with me. We were 75 in number. They slapped, punched, and beat us with batons on all parts of our bodies.”<sup>21</sup>

### **Harsh conditions inside prisons**

#### **Assault, beating, isolation, ban of ICRC and lawyer visits, starvation policy, deteriorating living conditions, and revocation of achievements**

*“The policies of slow killing by Zionist colonialists are no longer a metaphor for the constant targeting of us as prisoners, whether in cells, interrogation centers, or in prisons. Rather, the slow killing has become part of a tangible reality, practiced daily and in various ways against all prisoners, including systematic torture and brutal beatings. New prisoners, a considerable number of whom have been liberated and re-imprisoned since October 7, in addition to detainees from the Gaza Strip, particularly those who were working in '48 occupied territory, are the main targets of these attacks. As a result of these practices, six prisoners have been martyred. In addition, serious injuries have been inflicted upon dozens of prisoners, including elderly people, without receiving any treatment. According to testimonies by a number of prisoners, the brutal beating referred to is not only practiced by members of the repression units deployed in Ofer prison but also by members of the Israeli Prison Service. These practices include shooting rubber bullets and forcing new prisoners taken to Shin Bet and police interrogations to bend their backs and heads in an extreme manner. Whoever does not comply with these*

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19 A lawyer visit to M. A., a prisoner held in the Ofer Prison, 29 November 2023.

20 Of note, a number of lawyers withheld their own names of prisoners in fear of a ban on future visits.

21 A lawyer visit to Kh. N., a prisoner held in the Naqab Prison, 22 November 2023.

*instructions is subjected to severe beatings! Add to this a barrage of insults, curses, and provocations during the daily count and inspection of windows and floors. It is clear that killing prisoners through torture and severe beating is now on the agenda of the Israel Prison Service, a translation of the policies promoted by the Minister of the so-called "National Security," Itamar Ben-Gvir."*<sup>22</sup>

Prisoners were also isolated in their rooms, which were turned into solitary confinement cells. A starvation policy has been applied: two meals of malodorous smell and in little quantities. As put by a prisoner, these were "under the hunger line." Forms of barbarism have been practiced. During the count, Israeli troops entered dogs into the ward yard and unleashed them on prisoners. In his meeting with the lawyer, a prison in the Ofer Prison reported: "When I was waiting for the visit, I saw the Nahshon units<sup>23</sup> unleashing dogs on prisons and heard screams and beating."<sup>24</sup> In a subsequent visit two weeks later, the same prisoner said: "After the visit, while we were on our way back to the ward, we saw the jailer dragging a number of new prisoners on the ground in a horrific manner. I tried to shout, but was soon prevented from doing so. The scene was horrible. It reminded of what we had seen in the Abu Ghraib and Guantanamo prisons."<sup>25</sup>

The Abu Ghraib and Guantanamo prisons were repeatedly cited by Lama Khater, who described the conditions of 10 female prisoners brought from the Gaza Strip to the Damon Prison. She described the entry of these prisoners who were later identified as being from Gaza by saying, "Before the pause during the war, they were arrested while they were moving from Northern Gaza through the safe passage, which the IOF declared as a safe corridor. Having been arrested, the children of two female prisoners were taken away from them. They had to leave their children with unknown citizens on the street. The prisoners were placed in cages on the street for three days, without food and in the cold and rain. They brought them to the Damon Prison, tied up by a rope, one with the other, and their hands and feet in shackles. Blindfolded as they were, their *hijabs* were removed and they dressed in clothes of prisoners of war (beige shirts and trousers). In Hebrew, the letter "ע" (*Ayin*) on the shirt refers to the fact that the prisoner is from Gaza."<sup>26</sup>

Information on the situation inside prisons has been reported through lawyer visits, accounts by released male and female prisoners, or footage of stripped detainees in the Gaza Strip, posted in the Israeli media on 7 December 2023. Indeed, these are a reminder of the grave violations committed against prisoners in the Abu Ghraib and Guantanamo prisons. In addition to widespread images of torture and stripping, reported information on practices against prisoners resulted in the shutdown of both facilities.

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22 Institute for Palestine Studie, Testimony from Prison: Unprecedented Brutality Against Palestinian Detainees, 20 November 2023, available at: <https://www.palestine-studies.org/en/node/1654683> (Last accessed, 9 December 2023).

23 Special security units in charge of relocating prisoners between prisons and to courts.

24 A lawyer visit to W. R., a prisoner held in the Ofer Prison.

25 Ibid.

26 Khater, interview.



In this context, several female prisoners, whom lawyers managed to visit, or made statements after they were released, highlighted the harsh measures they underwent in detention after 7 October. The Damon Prison officers said they had the green light to do whatever they wanted to female prisoners. Maysoon al-Jabali, the longest serving female prisoner, reported to *Al Jazeera*: “They gas-sprayed, isolated, and beat female prisoners. The prison officers threatened us not to raise our voice and said they had the green light to whatever they wished to us. They prevented us from going out to the prison yard. There was no food. For 80 female prisoners, they brought in food that was only sufficient for ten. We were held in solitary confinement. There were female prisoners with hypertension and diabetes. When they were transported to clinic, the treatment would just be to drink water.”<sup>27</sup>

A number of female prisoners reported that camera crews got into the Damon Prison without permission and took footage of prisoners inside cells, in the yard, and when they were released.<sup>28</sup> In an interview, Lawyer Abbadi described this as “unlawful photography”, making clear that “footage was taken of some female prisoners after their *hijab* was removed. Jailers and soldiers share the photos on their personal phones among themselves.”<sup>29</sup>

Released from the Naqab Prison, a number of child prisoners indicated that prisons have become mass graveyards, alluding to harsh measures. They witnessed a prisoner, who was severely beaten and died later. Mohammed Nazzal, a 17-year-old released prisoner, reported: “There is an elderly prisoner who I think died as a result of beatings. After he lost consciousness, he was taken from the room and we did not know anything about him.”<sup>30</sup> He referred to martyr Thaer Abu Assab from Qalqiliya.

## Unknown fate

### Enforced disappearance of Gaza detainees

In a statement released on 7 December 2023, prisoner institutions (CDA, PPC and Addameer), raised real concerns about the unknown fate and enforced disappearance of Gazans detained for over two months in Israeli prisons and interrogation centres. Falling under the category of “**unlawful combatants**”, arrest warrants and amendments to military court regulations give rise to well-founded fears with regard to grave violations against detainees, including women, children, and senior citizens. Key facts reported by prisoners, who were recently released from the Ofer Prison, are as follows: “It is estimated that at least 320 prisoners are held in Wards 23 and 25, originally with a capacity of 120 each.” In addition to the crowding, a number of released prisoners stated that jailers perpetrate heinous crimes. Of these, “**detainees are demanded to bark before they are given meals. They are also demanded to repeat songs**

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27 Al Jazeera, “The longest serving Palestinian female prisoner: We were beaten, gas sprayed, and put in solitary confinement, 26 November 2023, available at: <https://bitly.ws/3588x> (Last accessed, 9 December 2023) (in Arabic).

28 Assi, interview.

29 Abbadi, interview.

30 Tanupriya Singh, ““The prison became a graveyard following October 7”: Palestinian women and children share horrors of imprisonment,” Peoples Dispatch (29 November 2023), <https://peoplesdispatch.org/2023/11/29/the-prison-became-a-graveyard-following-october-7-palestinian-women-and-children-share-horrors-of-imprisonment/> (Last accessed, 9 December 2023).

**praising Israel loudly. Prisoners clearly hear screams around the clock as a result of torture and abuse inflicted on them.”<sup>31</sup>**

**Prisoner institutions add some scant information indirectly deduced as the Israeli occupying authorities do not state the real number of detainees, places of detention, or detention conditions, giving rise to greater concerns about grave abuses (torture and perhaps extra-judicial killing), all under a legal cover that is in contravention to international laws.** According to IPS statistics (late November 2023), there were 260 male and female prisoners from the Gaza Strip, categorised as unlawful combatants. Since the war of aggression started, the Israeli government has introduced amendments to the implementing regulations of the Law on Unlawful Combatants, most recently on 5 December. Accordingly, a person can be detained for a period of 45 days before an arrest warrant is issued. The warrant is subject to a judicial review 45 days after it is signed. A detainee is banned from seeing a legal counsel for up to 80 days. This enforced disappearance of detainees is in gross violation of the International Law. According to the said institutions, “Gaza detainees fall under three categories: (1) resistance activists; (2) civilians detained on 7 October as well as thousands of stranded workers arrested in several areas; and (3) civilians recently arrested during the land incursion into Gaza. Among these are children and women. According to limited information in hand, at least 16 Gaza female prisoners are held in the Damon Prison. Other data indicate that Gaza detainees are placed in the Petah Tikva, Ashkelon, Jalama and Ofer detention centres.

The Israeli occupying authorities have also amended the 1996 Law on Detentions, applicable to Gaza prisoners who are interrogated in investigation centres. Thus, detention is extended for 45 days for investigation, renewable for another 45 days. Throughout this period, the detainees are prohibited from meeting with legal counsel. They are held without any real court control over the conditions of their detention, including whether they are subjected to torture or not. So far, an accurate figure for the number of prisoners under interrogation remains unknown.<sup>32</sup>

### **Colonial sexual violation in the Palestinian context**

“Colonial and settler abuses of Palestinian women’s bodies are an integral part of the consistent daily structure of colonialism, grounded in racial domination/genocide. Historically, sexual violence has been used in colonial contexts against the bodies of indigenous women, through rape, control of their reproduction capacity, torture, and killing. These were means to eliminate indigenous communities and continued presence on their land.

Sexual violence is a cornerstone in the Israeli settler colonial regime and genocide against Palestinians. It systematically targets the bodies and gender of Palestinian women as part of the “evacuation logic” and genocide, embraced by the settler colonial regime. The use of women’s bodies is one weapon in colonial and conflict zones, “weaponising the bodies and gender of Palestinian women.” It is a substantial issue, rooted deeply in the colonial structure. Violence against the bodies and gender of Palestinian women was consolidated by the Zionist

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31 Addameer, Press release issued by prisoner institution on the unknown fate (enforced disappearance) of Gaza detainees, 7 December 2023, available at: <https://www.addameer.org/ar/news/5245> (Last accessed, 9 December 2023) (in Arabic).

32 Ibid.

State to strengthen aboriginal patriarchal structures and contribute to expelling Palestinians from their land.”<sup>33</sup>

**Violation of the International Law and IHL in relation to the “private and protection of women”<sup>34</sup> as a systematic policy against Palestinian female detainees**

A plethora of international resolutions have been made to protect women during armed conflicts. Among these are the guiding principles to better address the needs of, and provide necessary protection to, women and girls affected by armed conflict. Arrest and detention are an outcome of the occupation and are not exempt from this reality. Since 1967, over 17,000 Palestinian women and girls have been arrested and subjected to extensive abuse like others. They are further targeted by specific abuses, including deliberate humiliation, impingement on privacy, medical negligence, physical and mental torture, isolation, and a ban of contact with personal or family legal counsels. All the more so, two rape cases were reported by female prisoners A. A. and R. A. female prisoners also experience both direct and verbal sexual harassment.<sup>35</sup>

A female prisoner who was interrogated in the Jalama investigation centre stated: “They searched me while I was stark naked. Meanwhile, the female soldier demanded that I stand up and sit down many times. During the investigation, the interrogator intentionally groped the female soldier’s leg and showed her sexually suggestive movements while she was sitting with us. The interrogator also addressed sensitive questions, which affected my feelings and dignity. He asked how many times I slept with a man other than my husband and whether I enjoyed it with him.”<sup>36</sup>

Arrests, interrogations, and investigations have not been without insults of religious sentiments, including cursing the name of God, removal of *hijab*, or mockery of religious beliefs. Interrogated in the Ashkelon interrogation centre, a female prisoner stated: “They did not allow me to use a pin to fasten my *hijab*, which constantly slipped off my head. When I insisted on having one, the interrogator replied ‘Outside, you hung around with guys in the streets and your father didn’t know how to raise you. Now, you want a pin to pull your headscarf together?’”<sup>37</sup>

Interrogators and the IPS have habitually used the menstrual cycle as a means of exerting pressure on female prisoners by failing to provide sanitary pads. Menstrual pain is also exploited to exert further pressure on these prisoners. As a result of deprivation, female prisoners had to used unsanitary means, such as pieces of blankets and garments, to protect

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33 Suhad Daher-Nashif and Nadera Shalhoub-Kevorkian, “Sexual Desire in the Israeli Colonial Apparatus”, *Journal for Palestine Studies*, 104 (Autumn 2015): 131-147 (in Arabic).

34 Khalida Jarrar and Lina al-Jarbouni, *Female prisoner movement: Research on the reality of female prisoners 2015-2016*. Ramallah: CDA, September 2017.

35 Ayesha Odeh. *Dreams of freedom*. Ramallah: Muwatin Institute for Democracy and Human Rights, 2007.

36 Khalida Jarrar and Al-Jarbouni, “Female prisoner movement”, p. 20.

37 S. Sh., interview, HaSharon



themselves during their period. They used these methods as a form of resistance, even though they were primitive and unhealthy.<sup>38</sup>

Many testimonies and interviews have been made and documented with detained or released female prisoners. In addition, a number of female prisoners have published their accounts in books released by themselves or by other female researchers.

### **Key notes on sexual violence against female prisoners**

In the light of the foregoing review of various violations, with an emphasis on sexual violence against female prisoners in detention centres, sexual abuses in the aftermath of 7 October can be summed up as follows:

- Dealing with the menstrual cycle inside detention and interrogation centres, namely, deprivation of sanitary pads, change of clothes, or use of toilet when needed.
- Threat of rape. Several female prisoners were threatened of rape. Of these, one was threatened to be raped in front of her father.
- Humiliating strip searches. All female prisoners arrested after 7 October were subjected to strip searches, many times in degrading conditions. A number of female prisoners were beaten while they were naked. A new technique has been created: mass strip searches. This was reported by five female prisoners, who were subjected to this practice.<sup>39</sup>
- “Unlawful footage”. Following arrest and inside detention centres, a number of soldiers and jailers remove the *hijab* and take footage of female prisoners on their personal phones. They also share these photographs. Some journalists also take pictures of female prisoners inside cells, in the yard, and during release from the Damon Prison.
- Obscene and sexually suggestive insults and verbal abuse.
- Loss of privacy in prison. Female prisoners have recently been allowed to get out to the prison yard for an hour and take a bath. However, “bathrooms are outside the cells.” Female prisoners lack privacy due to widespread surveillance cameras in the prison yard. They cannot expose their bodies and hair to the sun.

### **Conclusion**

Addressing various abuses in detention, the data presented earlier was collected from both male and female prisoners, as well as from several lawyers who visited prisons after 7 October. It's important to note that the scale of violations is not yet clear due to the restrictions imposed on communication with other detainees. This review highlights the serious and concerning conditions, as well as the systemic violence within prisons and detention and interrogation centers. Of particular concern is the issue of sexual violence against Palestinian female prisoners, which this paper has emphasized.

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38 Malaka Shwaikh, “Prison Periods: Bodily Resistance to Gendered Control,” *Journal of Feminist Scholarship* 20, no. 20 (2022): 33.

39 Abbadi, interview.

These violations run counter to all international human rights conventions, IHL, and United Nations Standard Minimum Rules for the Treatment of Prisoners. Specifically related to women, conventions provide for respecting women's privacy. In addition to the guiding principles to better address the needs of, and provide necessary protection to, women and girls affected by armed conflict, the Geneva Conventions III and IV ensure additional protection, particularly for women. Abuses further include strip searches, mass strip searches, threats of rape, and other forms that fall within the framework of sexual violence against female prisoners, as well as impingements on male prisoners.

Having been aggravated in the aftermath of the war of genocide on Gaza since 7 October 2023, the violations in question reflect a case of reprisal guided by a systematic policy. This policy has plunged the conditions of prisoners to a level worse than what was witnessed in 1967.

These violations encompass a range of harrowing actions, including violence during arrests, brutal beatings, wanton destruction of personal property, and a callous denial of clothing in many instances. Detainees have been systematically denied access to their necessary medications and subjected to deplorable conditions within detention and holding facilities. These conditions include physical abuse, humiliation, and verbal insults.

Life within the prisons has taken a tragic turn, with rooms being converted into collective isolation cells and the ICRC being denied access to prisoners. Shockingly, assaults involving beatings and police dogs have become commonplace during room searches. A policy of starvation and the revocation of canteen privileges have been forced, along with the denial of family visits. Furthermore, lawyers have been hindered from meeting with male and female prisoners. While banned from going out to the prison yard, prisoners are subjected to verbal and physical violence and threat of rape. In particular, female prisoners are deprived of basic hygiene needs. Besides toiletries, sanitary pads are not made available during the menstrual cycle. Strip searches have been a systematic policy that affects all prisoners in various stages of detention. Additionally, there is the distressing issue of enforced disappearance, particularly concerning detainees from Gaza. This situation is accompanied by a palpable fear that serious violations are being perpetrated against them.

## **Recommendations**

- The ICRC is urged to play its role and visit all Palestinian prisoners, including uncovering the fate of Gaza detainees.
- Relevant international mechanisms, including the Committee against Torture, UN Special Representative on Sexual Violence in Conflict, Working Group on Arbitrary Detention, Working Group against Enforced and Involuntary Disappearances, and Special Rapporteur on Violence against Women and Girls, Special Rapporteur on Torture, should take active steps to investigate the conditions of Palestinian male and female prisoners and take a strong stance against any practices that violate their rights.
- International and legal pressure should be mobilized to ensure that the ICRC is granted access to Palestinian male and female prisoners to assess their conditions.

- The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, is urged to conduct a comprehensive investigation into all attacks on male and female prisoners, particularly arbitrary detention, sexual violence, and all forms of cruel, inhuman, degrading treatment, and torture.
- Formal complaints should be lodged to the International Criminal Court, considering that the practices against Palestinian prisoners amount to war crimes and crimes against humanity under Articles 7(1)(f), 7(1)(h), 8(2)(a)(iii), 8(2)(b)(xxi), 8and (2)(c)(iii)(iv). This includes holding both officials and individuals accountable for these violations.
- Detailed accounts of these violations should be published and made accessible internationally to expose those responsible for reported crimes and abuses.
- Serious action should be undertaken to keep this case alive, ensuring that it does not go unnoticed after the war of genocide comes to an end.
- The names and conditions of detention of male and female prisoners from the Gaza Strip should be documented to deter any threats to their well-being and lives.



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