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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2021]

* Issued as received, in the language(s) of submission only.



Stop the unfair administrative detention

The Israeli occupation authorities are holding approximately 4800 Palestinians in their prisons for various reasons and excuses. This number is changing consistently. Among those prisoners are about (540) male and female prisoners under administrative detention without charge or trial. These detainees or their lawyers are unable to know the reasons for their arrest or to access confidential files on which the Israeli security services base their arrest and continuation of such arrests. The renewal of their detention could be repeated over and over, which results in those prisoners' spending many years in prison without knowing the reason for that.

The occupation authorities inherited the administrative detention from the British Mandate, which had left the State of Palestine since 1948. After 1967, the occupation authorities issued a series of resolutions to facilitate the procedures for administrative detention use and application and to expand its translation into an easy tool for the intelligence services to use against all Palestinians, young and old, male and female.

The Geneva Convention allows for administrative detention, in case of emergency or exceptional circumstances, for the shortest possible period, and sets out a set of controls and procedures for its use as a very harsh measure and an unusual and exceptional procedure. However, the occupying Power has taken advantage of that license and has flouted all controls and procedures, using the administrative detention routinely and widely and it has become a means of collective punishment in contravention of all international conventions.

Since 1967 and their occupation of the remainder of the State of Palestine and parts of the Arab States, the occupation authorities have issued more than (54000) administrative detention decisions, including a new or renewed administrative detention period, which has made administrative detention an arbitrary one and a collective punishment. This Israeli practice has become a crime that requires action by the international community and its various institutions to take effective measures to stop and prevent it.

The occupation authorities do not distinguish between administrative detainees and other detainees. Everyone is held in difficult conditions and treated harshly. Prisoners are kept in solitary confinement. They are not provided with the required medical treatment. They are subjected to punitive measures by denying them family visits or books for distant learning. The occupation authorities also create obstacles for prisoners to communication with their lawyers, assault them with batons, tear gas, confiscate their belongings, etc. They were brought before unjust courts that lacked fair trial procedures and standards. The case of Muhammad Al-Halabi, who was arrested five years ago, was brought before the Israeli military court (165) times, every time the trial was adjourned, they gave no convincing reasons other than to want to justify his continued detention without charge and to try to force him to confess in accordance with Israeli jurisprudence. Such a case among many others assert that Israeli trials are unjust and unfair.

The occupying Power has continued its campaigns of mass detention and has detained thousands of Palestinians since the Corona pandemic outbreak in the region, without taking any preventive or safety measures during detention or in prisons. Such irresponsible practices led to (370) prisoners getting the infection of Corona virus, according to Israeli prisons administration. That is why we renew the demand that the World Health Organization (WHO) and the International Committee of the Red Cross (ICRC) establish an international and impartial medical delegation to examine the health conditions of detainees and provide health care and treatment for sick prisoners.

In the face of continued administrative detention, the suffering of administrative detainees and their prolonged imprisonment, and in the event of the failure of other less-suffering options, detainees' resort to hunger strikes as a form of peaceful resistance, despite its cruelty and bitterness, to express their rejection of such arbitrary detention and to protest their continued detention without charge, trial and for indefinite periods.

These days (17/8/2021) there are nine prisoners on hunger strike in various prisons. They send a message to the international community, to the international media, to human rights institutions, to civil society and to all the free people of the world demanding solidarity,

support and advocating in the face of this form of arbitrary detention, called "administrative detention."

We, Khiam Rehabilitation Center For Victims of Torture call on the Human Rights Council to work with international institutions to release administrative detainees, to criminalize administrative detention and to close this file once and for good, and to require the Israeli occupation authorities to respect the Geneva Conventions and all other conventions and agreements when dealing with Palestinian detainees.

European Alliance in Defense of Palestinian Detainees Tadamon, NGO(s) without consultative status, also share the views expressed in this statement.