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## Human rights organizations call to safeguard rights of Palestinian in incarceration following dramatic increase of human rights violations

Following Hamas's attacks in Israel on October 7, including atrocities against civilians, the Minister of National Security declared that a State of Emergency applied in Israeli prisons, and Israeli Prison Service (IPS)'s oppressive policies have radically escalated, grievously harming the health and wellbeing of individuals in incarceration. This significantly impacts approximately 5,500 Palestinians who were held in IPS settings even prior to the current escalation and an additional 5,000 Palestinians detained since, from both the West Bank and Gaza. Many of these arbitrary and punitive measures constitute cruel, inhumane or degrading treatment, which cannot be justified under any "security needs" arguments, and have received little media scrutiny.

**Since October 7, the undersigned organizations have received dozens of complaints after the IPS severely limited water, electricity and food supply in all prison cells where Palestinians are held. Prisons were partially closed for visits by lawyer, no family visits have been allowed, and no ICRC visits have taken place. Prisons wings have been put on lockdown and restrictions have been imposed on the exit of individuals to receive medical care, giving rise to concerns that acute and chronically sick individuals are prevented from receiving the necessary medical attention they require. Simultaneously, increasing reports of incidents of violence and humiliation by prison guards against detainees have reached the organizations, raising the concern for the safety and well-being of Palestinians currently detained in Israeli facilities.**

Moreover, an estimated 4,000 Palestinians from Gaza are currently detained by the Israeli authorities in undetermined locations with little information about their condition, with unclear legal status and without any available legal remedy. Palestinians from Gaza who were in Israel with work permits prior to October 7 have had their work permits revoked, and detained in a new detention facility in the West Bank. They have been held without any contact with the outside world or legal representation, without a court order, time limits, or even clear legal status. Human rights organizations have received dozens of requests by their family members, and Israeli authorities have refused to provide any information about where their loved ones are held.

We are also deeply concerned about the temporary statute to further reduce living space for Palestinians, which has passed the third vote on 18 October. The statute permits IPS to act in contradiction to a previous ruling of the Israeli Supreme Court regarding minimum living space in Israeli prison facilities, over-populating Palestinians in IPS prisons including by housing them on mattresses on the floor. In some prisons, it appears that this policy has already been implemented, with individuals in Ketziot reporting that cells which used to hold 5 people now hold more than twice as many. Overcrowding in prisons is linked with an increase in mental and physical health conditions.

As we enter a period of uncertainty, there are clear indications that further grave human rights violations may follow if immediate action is not taken by the international community.

Human rights violations currently committed by the IPS include:

- **Denial of lawyer and family, and a suspected halt to ICRC visits.** In many cases, requests of lawyers attempting to schedule appointments with their clients have been ignored, delayed indefinitely or outright denied and instead, contact is limited to video conferences ahead of arraignments. Meanwhile, all phone contact with families has been prohibited, including for minors. From information received by the organizations, it appears that no ICRC visits have taken place since October 7th in IPS settings, leading to a concern that there has been a prohibition on their visits. This poses a

risk of removing crucial safeguards against torture and ill-treatment and leaves Palestinians in prisons without recourse should they wish to raise concerns.

- **Electricity shortages and restrictions on water supply.** On Wednesday, October 11, Israeli media reported that IPS Commissioner Katy Perry, ordered the disconnection of electric supply in all the designated wards exclusively holding Palestinians. Meanwhile, water supply has been limited to less than an hour a day, waters are not running in toilets and basins placed within the cells, and some detainees were denied access to showers at all, for several days - a degrading and humiliating policy denying minimum sanitary standards from detainees.
- **Increased confinement of Palestinians.** We have learned that all Palestinian prisoners held across IPS prisons are restricted to their cells for 24 hours a day. Even prior to this new policy, the living space for Palestinians in IPS settings was 2-3 meters per person. As a result of the newly passed statute overriding the HCJ ruling on minimum living space in prisons, some detention facilities have reportedly started holding up to 11 people in a cell designed for 5, which creates acute tension and unlivable conditions for inmates. A petition to the HCJ against this statute (7650/23) [has been dismissed by the HCJ](#) on 30 October 2023, citing emergency needs.
- **Increase in reports of threats, abuse and severe violence; two reported death incidents.** This includes reports of beating, kicking and spitting on newly admitted detainees by prison guards [in The Russian Compound](#), Ofer, Kziot and Nafha prisons, as well as the use of pepper spray in Damon prison, where Palestinian women are held. Moreover, human rights organizations have received multiple reports of abusive behavior, including deliberate damage to mattresses and personal belongings. Taken together with [the deaths of two recently detained Palestinians](#), Omar Daraghmeh (58 YO) and Arafat Hamdan (25 YO), within 24 hours, under unclear circumstances - which according to IPS are still investigated – these reports raise serious concerns for the safety of detainees on Israeli prisons.
- **Dramatic spike in detentions, including incommunicado detention, and increasing risk of use of torture in interrogations.** There have been reports of over 1,000 new arrests of Palestinians in the West Bank, with a presumed increase of roughly 300 new and renewed orders of administrative detention. Additionally, Since October 7th, an unknown number of Palestinians from Gaza, defined "illegal combatants" Under Israeli law, are being held incommunicado in ISA interrogation facilities and in Sede Teman ad-hoc detention facility. Most critically, approximately 4,000 Palestinian workers from Gaza are held incommunicado and without judicial oversight or remedy. A prohibition on ICRC visits on places of detention where the General Security Services carried out interrogations — where Palestinians from Gaza are currently held — already exists, and there is grave concern that these individuals are currently being subjected to torture and cruel or inhuman punishment, as part of Israel's controversial "necessity doctrine", which allows for the violent interrogation of detainees suspected of withholding security-related information.
- **Denial of medical treatment.** Following the lockdowns in prisons, restrictions have been imposed on access to medical care in prison clinics and externally, leading to concerns regarding denial of access to essential medical care. The Ministry of Health and several Israeli hospitals have already declared that they will not treat Palestinians from Gaza who have been detained. There have already been cases of individuals released from emergency care despite requiring hospitalization. As such, there are grave concerns that, contrary to local and international law, Palestinian from Gaza will receive inadequate medical care in the under-equipped IPS Medical Facility, instead of in hospitals.

In light of these severe human rights violations, the undersigned organizations reiterate that no state of emergency can serve as cover for inhuman and degrading treatment of people in incarceration or violate their right to dignity and health, as set out under international law. The organization request that the international community urge the Israeli Ministry of National Security, Ministry of Health and Prime Minister's Office to cancel all punitive measures, and in particular:

- 1. Immediately lift the limitations on water, food and electricity supply to all detainees;**
- 2. Ensure necessary medical treatment to all detainees either in IPS medical facilities or in general hospitals;**
- 3. Allow uninterrupted lawyer visitation, phone calls to family members and ICRC oversight;**
- 4. Refrain from the overcrowding of prison facilities, and exhaust all other means to reduce the number of detainees, as per the Supreme Court ruling;**
- 5. Absolutely refrain from torture and cruel, inhuman or degrading treatment of detainees, either through random abuse by prison service personnel or during interrogations;**
- 6. Retract the directive instructing hospitals to refrain from treating Palestinians from Gaza detained by the authorities in hospitals and issue a directive calling on hospitals to treat all individuals according to their medical needs;**
- 7. Provide families and human rights organizations information on the whereabouts of all detainees and prisoners, in accordance with Israel's legal obligations and previous practice.**

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