

### **Palestinian Political Prisoners: An Example of Israel's Culture of Impunity**

Since Israel's occupation of Palestine in 1967, an estimated **800,000 Palestinians have been detained under Israeli military orders**. This constitutes over 20% of the total Palestinian population located therein, including 40% of the male population in the State of Palestine.

Currently, around **4700 Palestinian political prisoners are being held in Israeli prisons** or detentions camps, including around **200 minors and 15 women**. From the total number of prisoners, 15 are elected Palestinian officials, including members of parliament Marwan Bargouthi and Ahmad Saadat.

The majority of Palestinian political prisoners are charged with offenses under Israeli military orders which employ a very broad and loose definition of "security concerns" that bans even political expression. For example, Military Order 938 considers "supporting a hostile organization by holding a flag or listening to a nationalist song" to be a "hostile action." Because of the breadth of Israel's definition of "security", Palestinians are arrested and imprisoned for practically any form of public activity and placed in administrative detention where they can be held, in effect, indefinitely without charge and without even being informed of their alleged offense.

Article 14 of the International Covenant on Civil and Political rights calls for a "fair and public hearing by a competent, independent and impartial tribunal established by law." This is clearly not respected by the Israeli military court system, which fails to provide Palestinian detainees with minimum guarantees of due process. In fact, the **conviction rate of Palestinian prisoners in Israeli military court is a staggering 99%**. The failures of the system arise from the following:

- Judges, prosecutors and translators are all appointed by an Israeli Military commander, who is the same individual empowered to make changes to Israeli military orders.
- Some judges do not have legal training.

- Lawyers are denied the means necessary to build a proper defense, including delays of 30 to 45 days before a lawyer is able to meet his or her client due to a series of bureaucratic obstacles.
- Palestinian detainees are not informed of the reason for their detention.
- **Palestinian detainees are often tortured or subjected to cruel and degrading treatment during their interrogation or detention.**
- Palestinians can be held in Israeli jails for 90 days without charge. The period can be extended.

**Israel has often used Palestinian political prisoners as bargaining chips for political purposes.** It has detained Palestinian political figures and systematically violated previous agreements. For example, **in 1999 Israel agreed to release all Palestinian political prisoners arrested prior to May 4, 1994** in the Sharm el-Sheikh Memorandum. However, until today, **Israel has failed to free the 108 prisoners that have now spent more than 20 years in Israeli jails.**

The horrific killing of Arafat Jaradat on February 23<sup>rd</sup> 2013, while in Israeli custody, has proven once again that Palestinian prisoners are subjected to severe mistreatment and inhumane conditions in Israeli prisons. Crimes such as this, along with the legitimate and non-violent demonstration of a group of Palestinian prisoners through hunger strike, reflect an overall reality of grave human rights violations against Palestinian prisoners. **Statements from the international community calling upon Israel to “respect Palestinian prisoner rights” are insufficient** when Israel can arrest, incarcerate and even kill Palestinians without rhyme or reason and without any consequences for its appalling actions.

Israel’s impunity regarding its policies against Palestine and the Palestinian people is being sadly strengthened by the international community’s failure to hold Israel accountable for its systematic and severe violations of international humanitarian and human rights law. **Without justice, there will be no peace.**