

Israel and the Occupied Palestinian Territories

Punitive restrictions

Families of Palestinian detainees denied visits

Sabreen is just 12 years old and knows virtually all of Israel's prisons. She has been visiting her imprisoned brothers since she was six – travelling in International Committee of the Red Cross (ICRC) buses from prison to prison. Two of her brothers have been released. Two remain in jail. Because her parents and her five siblings are not allowed to visit these two sons and brothers, it is Sabreen who maintains the contact – a big responsibility and burden for such a young child.

Although the visits are short, 45 minutes at the most, the journeys to and from the prisons take up to 20 hours. On visiting day, Sabreen gets up just after 4am to get to the ICRC bus, which leaves before dawn. The bus takes her and other relatives of prisoners to the Israeli army checkpoint, where all the visitors and their belongings are searched. The process can take hours. Sabreen carries food and water to see her through the long day, as visitors are not allowed to leave the bus on the journeys.

At the prison Sabreen again faces a long wait before and after the visit, depending on when it is her turn. The visits are emotionally difficult as no direct contact is allowed between the detainees and their families. They are separated by a glass partition and speak through telephones, which sometimes do not work.

By the time she gets back home it is late, sometimes after midnight, and the following morning she has to go to school. Though exhausted, she needs to tell her family about the visit. Because brothers are almost never kept in the same prison, she can only visit one brother on each visit.

Only children aged under 16 can visit their imprisoned relatives in Israel without a permit. As soon as they turn 16 they are considered as adults under Israeli military law and may be barred from prison visits – like thousands of other Palestinians. That is why Sabreen's case is not uncommon and why so many Palestinian children are forced to travel on their own to and from prisons to visit their detained relatives.



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Samar has never been allowed to visit her husband since he was detained more than four years ago. In 2007, an Israeli human rights organization petitioned the Israeli Supreme Court seeking a permit for Samar to visit her husband, but the Court dismissed the request and advised that Samar should try again after another four years. Samar's husband is serving nine life sentences for attacks against Israelis. Samar told Amnesty International:

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"I have never done anything wrong, I work to provide for my little boy, and I don't know why the Israeli authorities do not allow me to visit my husband. I have never been arrested... and the Israeli authorities have never given any reasons for refusing to allow me to visit my husband in prison, so how can I defend my rights? When my husband was arrested in 2003 we had only been married for 3 months and 19 days and when our son was born my husband had already been in detention for months... The letters my husband sends me take several months to arrive and I have only received pictures of my husband three times in more than four years."

Some 8,500 Palestinians from the Occupied Palestinian Territories (OPT) are detained in Israeli prisons. Thousands of their spouses, parents, children and siblings are not allowed to visit them because the Israeli authorities refuse to grant them permits to travel to the prisons inside Israel.

All but one of the Israeli prisons where Palestinians are held are located inside Israel. The detention of Palestinians inside Israel violates international law. Articles 49 and 76 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) stipulate that detainees from occupied territories must be detained in the occupied territory, not in the territory of the occupying power. If all Palestinian detainees were held in the OPT, their families would not need to enter Israel to visit them and the problem would not arise.

The Israeli authorities' refusal to grant permits to thousands of relatives of Palestinian detainees is a punitive policy that penalizes both Palestinian detainees, by denying them regular visits or any visits at all, and their relatives. No such prohibition exists for relatives of Israeli prisoners.

The Israeli authorities claim that the relatives of detainees who are refused visiting permits are a "security threat" and as such cannot be allowed to enter Israel.

Between October 2000 and March 2003 the Israeli authorities banned all visits to Palestinian detainees. The prohibition remained in place until the end of 2004 for Palestinian detainees' relatives living in certain areas of the OPT. Since then, thousands of Palestinians have continued to be denied permits to visit their detained relatives.

According to the rules governing the Israeli prison regime, family visits for detainees are a privilege and not a right. The Prisons Service Regulations stipulates that after three months' detention prisoners "may" receive visits from close family members.

Although under international human rights standards Israel is responsible for ensuring that Palestinian detainees receive family visits, the international community, via the ICRC, has been shouldering the cost of the family visit programme for decades. The ICRC not only arranges family visits for Palestinian detainees but also lays on the transport.

"My husband has been serving a 30-year sentence since 1986. Until 2000 I used to get permits to visit him and my son and my two daughters did not need permits because they were younger than 16. And his mother also used to get permits. However, in 2000 we stopped getting permits... When he was arrested two of our children were babies and one was a toddler. They have had to grow up knowing their father only through prison visits but for the past seven years they have not even had that. It is a punishment for him and for the children and the family."

Um Wisam, who has not been allowed to visit her husband since 2000, speaking to Amnesty International



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"For about four years I could only visit my husband every 45 days or more, whereas other families visited every two weeks. Then since September 2006 I have not been able to get a permit and have not seen my husband; I heard that they introduced a new age limit for people from Gaza. If I could visit every six or eight weeks why not every two weeks like other families? I went to Israel for five years and have never caused any problem. If I had done something the Israeli army would have arrested me. My husband has never been tried and we have no idea when he will be released. Why can't they at least allow me to visit him? And now, since last summer there are no visits any more for anyone from Gaza. My son was born when his father was already in prison and now he has not even seen his father for many months."

Amna, whose husband has been detained without charge or trial since the beginning of 2002, speaking to Amnesty International

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The Israeli authorities do not provide any reasons for their refusal to grant visiting permits to relatives of Palestinian detainees – except the vague claim that these relatives are considered a “security threat”. It is therefore impossible for those who are refused or their lawyers to challenge the decision effectively.

Some of the relatives considered a “security threat” are allowed to visit from time to time. Some are given permits valid for one visit in a specific 45-day period, after which they must reapply – a process that can take months.

In addition to the refusal to grant visiting permits to thousands of individuals, since 6 June 2007, when Hamas took control of Palestinian Authority institutions in Gaza, the Israeli authorities have imposed a blanket prohibition on visits for all the relatives of some 900 prisoners from the Gaza Strip.

International law

The Israeli authorities' failure to ensure that Palestinian detainees receive family visits breaches international standards, including:

- Article 116 of the Fourth Geneva Convention
- Basic Principles for the Treatment of Prisoners (Principle 5)
- Standard Minimum Rules for the Treatment of Prisoners (Rules 37 and 92)
- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (Principle 19)
- UN Rules for the Protection of Juveniles Deprived of their Liberty (Rules 60 and 67)



"My son Mohannad was arrested when he was 16, in 2003. I was allowed to visit him only once in July 2007. It was so painful when I visited him because when he was arrested he was a child and when I visited him after four years he looked like a young man. My son Mo'taz was also 16 when he was arrested in 2003 and I have been allowed to visit him three times since then. My son Mo'tasem, also 16, was arrested in April 2007 and we have not been allowed to visit him; not even once. It is very painful; why put a mother through so much pain? They can search me and listen to the conversation and do anything they want to, but why not let me see my children?"

Maisa', who lives in the OPT and whose three sons are detained in Israeli prisons, speaking to Amnesty International

Urgent action needed

Please urge the Israeli authorities to:

- ▶ Ensure that all Palestinian detainees are held in the OPT, not Israel, in conformity with international humanitarian law.
- ▶ Take immediate steps to allow all Palestinian detainees family visits, including from close relatives who have been barred on "security" grounds. If necessary, such cases can be addressed through the introduction of appropriate security procedures.

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