

The Association for Civil Rights in Israel

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Report of Visit to Ketziot Detention Camp on June 1, 1988

The visit was coordinated approximately three days in advance with the legal advisor of the detention camp. The identification numbers of those detainees with whom I wished to meet were conveyed to the authorities one day before the visit. On my arrival at 11:00 I discovered that no one knew of this preceding coordination. The camp commander, Brigadier General Zemach, polite as usual, requested that I again prepare the list. He then sent it to the computer for processing and departed for a meeting. The computer was supposed to output information regarding the place of detention of the prisoners in order for them to be brought to the meeting. Thus began a waiting period which lasted for 3½ hours.

Meetings of Administrative Detainees With the Advocates

I quickly discovered that other advocates who had arrived that same day at Ketziot had suffered a similar fate, and to the best of my knowledge, this is a recurring phenomenon. Around midday, in the tent set aside for meetings with lawyers, I discovered a number of my colleagues - one, an Israeli lawyer from Taibe, and

the others, advocates from the occupied territories. By 13:00 only two of them had been fortunate enough to begin meeting with the first of their clients. They themselves had arrived at Ketzlot around 9:00 A.M. Two tables stood in the tent. Two benches were placed beside one of them. Even after I specifically requested it, no seats were placed beside the second table. Two lawyers sat on one bench at the first table. Opposite them, their clients, about ten in number, sat and stood. About three lawyers wandered about unoccupied, waiting for the detainees to be brought in. Several detainees waited in the adjacent tent to be returned to the enclosures. Two warders, serving as escorts, were stretched out on a sort of bed with nothing to do. The escorts explained to me that they "don't make empty runs" - meaning without detainees. Thus, the arrangement for bringing detainees to the meeting is carried out so that the detainees being held in one of the enclosures and listed by the various waiting lawyers are all brought to the meeting together - they and no one else. A lawyer not having any client in that compound is obliged to wait until the turn comes for "his" compound. But the number of detainees brought from any compound differs, of course, from one lawyer to another. Thus it happens that one advocate receives a large number of clients, perhaps 7 or 10, while his colleague receives very few clients. This results in both a waste of time for the lawyers, on the one hand, and the necessity of conducting conversations with clients under pressure of time, on the other. Everyone's experience alternates between both of these phenomena. And all this happens because the escorts "don't make empty runs".

But even if the escorts had been directed to work in a more rational and energetic manner, it would not have resolved the problem of the detainees meeting with the lawyers. The conditions in the tent allocated for the meetings are intolerable. In addition to there being no possibility to sit down during the conversation with the client (I myself spoke with four detainees with all of us standing beside the table, and under the same conditions, I also wrote down their depositions), the tent was not clean, it had no drinking water, the attitude of the warders was very unpleasant. Requests to try and also bring detainees from other compounds in order to enable more continuous meetings were either met with ill-mannered responses on the part of the warders or else were disregarded by them.

I am certain that if suitable instructions were to be clearly and unequivocally conveyed, it could improve the situation at least somewhat.

Shortly after 15:00 the prison legal advisor, who had just that day been appointed, arrived. Under no circumstances should the change of prison legal advisor be ascribed to the disgraceful conditions and attitudes, but it should be noted that Advocate Batito immediately did his best to impart a slightly more human form to the meeting of lawyers with their clients. I think that despite his good will, he is not able to solve the problem.

The real problem was broached in my conversation with Brigadier General Zemach. From what he said I was given to understand that

he is not able to guarantee that these meetings will be of regular frequency of sufficient scope, and held under reasonable conditions. Brigadier General Zemach protested that considering the large number of administrative detainees (approximately 1700) and the limited manpower at his disposal for escorting the detainees, and in light of the various instructions regarding the removal of detainees outside the compounds, he is able to permit the detainee to see his lawyer only very infrequently.

In light of the above declaration, it is necessary for senior echelons to intervene immediately and act in order to ensure:

- \* allocation of at least three tents for meetings of detainees with lawyers.
- \* equipping each of the tents with 3-4 tables and a suitable number of chairs (or benches).
- \* provision of drinking water for the lawyers and their clients.
- \* provision of more escorts (at least three pairs) to bring the detainees from the enclosures.
- \* processing the identity numbers of the detainees requested by their lawyers early enough to enable them to be brought to the meeting as soon as the lawyers arrive at the detention center. This processing would be done according to a previously prepared list which would include the number of the compound and the tent number of the detainee.
- \* shortening the waiting time of the advocate at the prison entrance (now as much as half an hour).

- \* instructing soldiers who come into contact with the advocates to act in accordance with elementary good manners. And this should also be true for officers.
- \* The advocates from the occupied territories have additional problems unique to them; I will deal with this separately.
- \* It would be in place for all those serving here to be instructed to refrain from directing insulting epithets at the lawyers concerning the detainees such as "arabushim". It should be pointed out to them that the lawyers are not in need of protection by the warders from their clients, and there is no need for them to suggest that an armed soldier be present for this purpose. Unfortunately, the behavior and the defamations of the few would necessitate that unpleasant instructions and orders be given to all, but in my opinion, there is no choice.

#### Detainees Suffering From Serious Illnesses

In the course of my visit on June 1, 1988, I received the affidavit of a doctor who is himself an administrative detainee, Dr. Rantisi from Gaza, concerning the grave state of health of three administrative detainees:

Hassan Hasein Hamdan suffers from a chronic eye disease "Bahajat's Syndrome". As a result, the retina is disintegrating, and he is about to lose his vision. In the opinion of Dr. Rantisi it is not possible to care for this patient in detention.

Faik Eluan is mentally ill. Previously, he was hospitalized in the Psychiatric Ward of the hospital in Bethlehem and in the Psychiatric Hospital in Gaza. Dr. Rantisi believes that the patient suffers from schizophrenia. He constitutes a difficult problem for himself and for his surroundings and is liable to be violent.

Marwan Hijazi suffered in the past from skull fractures caused by truncheons. The fractures have healed, but complications remain which include chronic headaches and psychological disturbances. After his skull was fractured, he was hospitalized, and at the time of his arrest, he was still undergoing treatment. He needs an E.E.G. examination, an x-ray, and meticulous treatment.

The citation of these three sick detainees is completely coincidental. It stems from my acquaintance with Dr. Rantisi who is one of the detainees with whom I spoke. I am afraid that the number of seriously ill among the 1700 administrative detainees is great. There is a pressing need to provide thorough physical examinations for any detainee having a medical complaint and to instruct the doctors to recommend the release of those not receiving suitable treatment or their transfer to Gaza prison, depending on the case. It should be noted that the isolation of the facility and its natural attributes, which are a result of its location in the heart of the desert, greatly limit the possibilities for providing even basic medical treatment for patients suffering from illnesses that demand constant treatment and monitoring.

## Punishment and Humiliation

In an affidavit given to me by Dr. Rantisi and Kassem el Kfarna, a journalist and director of the Information Center from Gaza, it is stated:

"We feel that in many instances and almost every day attempts are made by soldiers to humiliate us. Indeed, some military police, for reasons we do not understand, or for minor disciplinary infractions such as saying hello to a friend in the next compound or for going out of the tent without a shirt even on a very hot day, make a practice of taking some detainee just outside the compound, and there, in front of all of us, forcing him to kneel and bend forward in a position of Moslem prayer. The military police sit on their chairs opposite him laughing, drinking, and apparently enjoying the humiliation undergone by their victim and by all of us observing him in his predicament. From time to time, they push his head further down. This happens almost every day. Frequently, an officer happens to pass by and grabs the humiliated detainee by the ear, yells at him, and leads him in this manner to his tent. In our culture, such treatment is regarded as extremely humiliating, and indeed there are those who would prefer to die rather than undergo such an experience."

From his own personal experience, Kassem El Kfarna made the following affidavit concerning punishment he received:

"I said 'good morning' to a friend in the next compound. A military policeman who saw this yelled to me and ordered me to

kneel. When I refused, saying I was ready to sit on the ground instead, since in my culture, we kneel only before God, they took me outside the compound, and two of them, while yelling at me, tried to force me to kneel in front of all my comrades, but I refused this humiliation. So they took me to the latrine, tied my hands behind my back, covered my eyes, and tried to force me to my knees. They also hit me on the face and left me there for several hours."

Dr. Rantisi and Kassem El Kfarna end their deposition stating:

"From a religious standpoint, we as Moslems are forbidden to kneel down on our knees except before God."

I conveyed the substance of this affidavit to Commander Zemach and added that it is my impression from conversations with other detainees that punishment of the type mentioned above contains potential dynamite. Zemach promised to order his men to refrain from using this punishment.

Rifat Otman Najar relates to a similar issue:

"Generally speaking I can say that I belong to the group of veterans who were arrested when it was still necessary to receive a judicial decision in order to hold an administrative detainee under arrest, and we receive better treatment than the others. But we too are subject to humiliating punishments. An example - one of us said to the commander: 'You have a hat, and we have not, so it is hard for us to be in the sun'. He said this when we were forced to stand in formation in the blazing sun for more than a

half hour as punishment for someone else having told a soldier that he wanted to speak with an officer. For this my friend was brought to the latrine referred to as 'solitary', where he was tied hand and foot, put on the filthy floor, and beaten. He was left there like that for 8 hours. We receive collective punishments. For example - for one person's actions which are considered by the officer to be disrespectful, we are all ordered to kneel down on our knees, to cross our hands in back, and to bend our heads down to the floor. We regard this collective punishment as humiliating and illegal - more than anything I have described in my affidavit". (His statement appears later in this report.)

#### Events During Id-El-Fitr

From the affidavit of Abdul Karim Omar Canaan - field investigator for "Al Haq", the association "Law in the Service of Man" (LSM), in Ramallah:

"On May 15, 1988 the heat was extreme. In our compound we began to call out 'Allah Akhbar' as is the Moslem custom on the holiday of Id-El-Fitr. Thirty-two detainees were either put in solitary confinement or were ordered to sit in the sun. We covered our heads with damp towels. An officer named Itzik arrived and ordered us to remove the towels. We refused. Then the aforementioned officer (apparently a colonel) to throw a teargas grenade in our direction. The soldiers took all the towels, so that we remained exposed in the sun as the gas fumes spread. My

eyes burned. Tanks surrounded the camp outside the barbed wire fence, lowered their gun barrels, and aimed them at us. About 36 detainees were taken to solitary confinement which is a room in a prefabricated building 2 meters square. About 17 people were put in each cubicle with their eyes blindfolded and their hands manacled. They kicked us on the legs. In the cubicle where I was confined, some prisoners were close to fainting. We knocked on the door, and finally they were taken to the doctor. I saw Kamal Me'ani from Jenin lose consciousness. We were put in solitary confinement at midday and were taken out only the next morning at about 9:00 A.M. In solitary, the heat was terrible. They gave us water once but didn't leave us any water. We were not allowed to go out to the latrine. There was a tin pail in solitary for this purpose. Someone asked to urinate outside and was beaten.

#### Conditions in the Lower Camp (Alongside Headquarters)

It would appear that generally speaking conditions here are a little worse than in the old camp on the hillside.

The abovementioned Abdul Karim states:

"Until two days ago, they brought water once each day to serve all our needs. Now they bring it 2-3 times a day. At first, I was here for 25 days without a shower. Now each detainee has his turn for a shower once a week, sometimes more often. We are 220 detainees. In the enclosure are two containers containing 2500 liters each. Now they are filled two to three times a day. There

are no books except for the Koran. Newspapers - today we received the "Jerusalem Post" and "Al Kuds". The last time we received newspapers was before Id-El-Fitr (before 15.5.88). Yesterday we received writing implements from the Red Cross. In my tent, there are 3 pens for 27 detainees. We haven't received writing paper. The latrines are in terrible condition. They were completely full until today. Today they were drained. But filthy, foul-smelling water still splashes up when one defecates. Six cubicles are available for 220 detainees. The stench is terrible, and the tents are very near the latrines. Food - the bread is old and dry. The meat is only from tins. We receive a little fruit and vegetables, beans and rice. The quantities are insufficient."

Rifat Otman Najar compares conditions at Ketziot very unfavorably with those in Gaza prison, where he was held at the beginning of his incarceration. His friends (Mahmud Abu Madkur and Mahmad Yusef Dahman) confirm his testimony. "I am a detainee at Ketziot Detention Camp, located within the boundaries of the Green Line (within the State of Israel). I regard my detention at this location as being illegal. The illegality of the detention stems from the following reasons:

- a) As explained to be by a lawyer, incarceration within the confines of the Green Line is in contradiction with the Geneva Convention.
- b) The decision of the judge before whom I was brought after my administrative detention on January 17, 1968 stipulates that I will be detained in the prison in Gaza. To the best of my knowledge, this decision has not been rescinded by any more

recent judicial ruling.

(Furthermore,) my rights as an administrative detainee are infringed in the following ways:

I do not receive newspapers regularly but rather only once every fortnight. I receive only the "Jerusalem Post" and "Al Kuds". I have no access to the Hebrew press or to any other Arab newspaper whatsoever.

I do not receive any books at all.

Yesterday we received one pen for two detainees from the Red Cross. We have no writing paper.

We do not receive mail.

I know that some detainees were given paper as a one-time gesture in order to send letters. This was about twenty days ago.

To this moment it is not known what happened to those letters.

We have no canteen.

There are no family visits.

There is no transistor or television. We brought these possessions with us from Gaza Prison, and they are being held and are not available for our use.

We are not allowed to keep a wrist watch except for the "shawēesh" (duty prisoner). My watch is being kept in deposit.

I do not have enough civilian changes of clothes.

The shoes are torn, and families are not permitted to bring in shoes.

The quality of the food is very poor.

I do not have enough soap: for one tent with 28 people, we are given one bar of soap a day which is enough for 8 showers at the most. My tent receives 2 bars of laundry soap per week for

laundering. The tent receives two razor blades per week. These razor blades were intended for one-time use. I have "Gillette" razor blades being held for me, but I am denied their use. There is enough water for a daily shower and to do the laundry. The latrines are drained once a week, but even after this, the awful stench remains, and the water remains up to 1/3 the height of the pit without being drained. When I use the latrine, the water splashes up on me. We are given lysol to clean the latrines about once every two weeks. On the night of May 29-30, we discovered a snake in the tent (there are many scorpions). Unless suitable measures are taken to get rid of them, I am afraid we will suffer from snake bites.

Conversation With Brigadier General Zemach, Commander of the Camp

The commander of the camp is aware that the administrative detainee is entitled by law to receive mail, newspapers, writing implements, his personal possessions, books, food portions identical with those served to the warders, suitable medical treatment, and to meet with advocates. But he is not able, for one reason or another, to fulfill all the obligations which the law places upon him. He is not willing to provide newspapers in addition to the "Jerusalem Post" and "Al Kuds", to permit having a radio, to supply letter-writing paper without supervision. He offers various complex solutions which would necessitate an investment of effort and money such as numbered notebooks which would be distributed among the detainees "so that if I find a page

which says 'the camp commander is a son of a bitch', I will know who wrote it".

It is difficult to distinguish between impossibility, unwillingness, disinterest, and conscious intent among the prison staff. A prison is not a five-star hotel - they explain.

Zemach comments about the events of Id-El-Fitr: the tear gas and the tanks. His version is identical with that of Abdul Karim, except that in Brigadier General Zemach's story, stones appear - stones that the detainees threw at the warders - the detainees in compounds nos. 2 and 3.

- Where did they get stones in the prison? I ask.

- What do you mean - where? There are lots there!!

- Did you see them throw stones with your own eyes?

- A major reported it to me. I didn't see it myself. He saw it.

Lieutenant Yisrael interrupts the conversation: A major in the I.D.F. doesn't lie, the lieutenant determines decisively.

End of discussion.

I gave the prison commander packages of personal possessions sent by the families for the detainees, a package of books in English intended for general distribution, and forms to appeal against administrative detention. Brigadier General Zemach promised that they would be distributed among the detainees.

The address for letters to the administrative detainees of Ketziot Prison is A.P.O. 01499, I.D.F. along with the prison number of the detainee or with his I.D. number. It is also possible to send

books and newspapers to this address:

As of now, detainees are able to receive only the "Jerusalem Post" and "Al Kuds". Our demand that access be allowed to all those papers published in Israel still stands.

We have not yet received a response from the authorities to our request that detainees be allowed to receive books according to the criteria accepted in Israeli prisons.

Tamar Pelleg Sryck, Advocate