

# Our Decision is Freedom

## Administrative Detainees Carry Forward the Palestinian Prisoners' Movement, Upholding Its Legacy of Resistance

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*On 1 January 2022, 500 Palestinians held in administrative detention inside Israel began a [boycott](#) of Israeli military courts. This ongoing act of non-violent resistance seeks to end administrative detention in its current form, whereby Palestinian detainees are [systematically denied all legal and procedural safeguards](#), including the rights to be informed of the reason for their arrest and detention, to access legal counsel, and to be brought promptly before a judge. In an [open letter](#) explaining their decision, the detainees describe the [ever-expanding](#) use of administrative detention as 'an arbitrary and oppressive medium to humiliate and torture Palestinian detainees and their families, undermine their morale, break their will, and disrupt legitimate Palestinian social and political activities.' Citing multiple rounds of unsuccessful dialogue with officers of the Shin Bet Israel's internal security force and the Israeli Prison Service (IPS), the detainees also called upon local and international human rights institutions to pressure Israeli authorities to release all Palestinian administrative detainees and end the policy of administrative detention.*

*At the [forefront](#) of this campaign is [Addameer Prisoner Support and Human Rights Association](#), a Palestinian organization that works to advance the rights of prisoners through documentation, legal assistance, local and international advocacy, and training and awareness-raising. In recognition of [Palestinian Prisoners' Day](#) observed each year on [April 17](#) the MENA Prison Forum spoke with Addameer's director, Ms. Sahar Francis, and international advocacy officer, Ms. Milena Ansari regarding the boycott and the events that precipitated it; the historical trajectory and current condition of the Palestinian prisoners' movement; and the tools and tactics that are being implemented at present by the Israeli carceral system, including Pegasus spyware and baseless terrorist designations.*

*In order to best represent Ms. Francis and Ms. Ansari's comments, the full, unabridged interview is presented below. The conversation was conducted in English, and subsequently transcribed and edited for clarity.*

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## **MENA Prison Forum: To begin, could you please provide a brief overview of administrative detention? How does Israel's military judicial system function to perpetuate and expand its application?**

Ms. Milena Ansari: To begin with, the procedure of administrative detention is based on having a detainee held without charge or trial. This procedure first emerged with the British mandate; [it follows] the British mandate defense regulations of 1945, and, since the establishment of the Israeli occupation, they have reappropriated these British mandate regulations into their own Israeli military laws or Israeli civil laws. The procedure of administrative detention whereby Palestinian detainees are held without charge or trial is based on three main laws under the Israeli occupation, and this is important to differentiate because it shows the different legal systems that apply to Palestinians. The administrative detention of Palestinians from Gaza is based on the internment of unlawful combatants law. The administrative detention of Palestinians in the West Bank is based on Military Order 1651. And the administrative detention of Palestinians holding Israeli citizenship or an Israeli ID is based on emergency powers like detention laws that are Israeli civil laws. Administrative detention in the occupied Palestinian territories is first issued by the Israeli military commander for an indefinite time based on secret information. Neither the detainee nor their lawyers have any information as to what these secret materials are. In other words, the charges or the secret information brought against the detainees are not disclosed, neither for the lawyer or the detainee themselves. What becomes more arbitrary is that administrative detention can be renewed for an indefinite time without providing any new allegations against the detainee, or providing any new information to the lawyer. So it could be renewed indefinitely without any additional information. [These are] the powers of the Israeli military commander who issues the order.

Following the issuance of the order since administrative detention is without trial there is something called 'confirmation of the administrative detention order,' and this is where we see the integral role of Israeli military courts in strengthening the use of administrative detention. Military courts are in charge of confirming the order, and this is based on their ability to view the secret information or the summary of the secret information provided by the Israeli intelligence. Based on their discretion, they decide to either confirm the order, reduce the detention, or completely decline the order. But in the majority of the cases in fact, in not even one case has the military judge decided to decline the military order. The military judge either confirms the order for the whole duration or reduces it for a shorter period. But the judge never completely denies it. In the past, it was a rule that the military judge must invite to the confirmation hearing the Israeli intelligence officer who wrote the secret information so that the military judge might ask additional questions regarding the secret information and the gravity of the situation. But recently since 2002, after the Second Intifada basically the Israeli military judge is not obligated to invite the intelligence officer. It's left to the judge's discretion whether to invite the officer or not. So basically, military judges only familiarize themselves with the summary of evidence without reading the entire contents of the secret information and without even examining this secret information. So the information is taken as something certain, without any questioning or examination. Not even the legal counsel of the detainee can look at this secret information and understand its nature. This is why we say the military court plays a role. It is also important to note that the judicial review takes place behind closed doors, in closed hearings. No one else no public can be part of this hearing.

Finally, it's really important to note that under international law, administrative detention is not illegal. But in order for the practice to comply with international law, certain requirements

must be met. Our issue with administrative detention is the way in which the Israeli occupation uses the practice as an arbitrary tool to maintain control over the Palestinians. Under international law, administrative detention is a precautionary measure implemented to avoid possible serious threats to the security of the region. And it is taken on a case-by-case basis and for a certain period of time. But the Israeli occupation uses administrative detention as a tool of collective punishment and for an indefinite period of time not for six months only. It could be renewed for an additional six months, and renewed again. We have the case of [Amal Nakhleh](#), who was a [child](#) at the time of his arrest in January 2021. Until now, he is being held in administrative detention on the basis of secret information. So it is not used as a precautionary measure to avoid serious threats to the security of the region. It is basically a collective and criminal punishment that puts the detainees in this social or psychological state of mind, thinking that they are under constant surveillance and that the Israeli occupation has the upper hand and the control over their liberty. This is why we say that the systematic reliance and widespread use of administrative detention is illegal and should be stopped.

**MPF: What prompted these 500 administrative detainees to launch this boycott now? Has such a boycott (of Israeli military courts) been undertaken in the past?**

MA: I think it's important to look at the whole context and the whole situation in general from a broader perspective. To begin with, Addameer launched its campaign against Israeli military courts last year. And we really thought about a way to highlight the seriousness of Israeli military courts, and one thought was to call for a collective boycott. But as an organization that works to serve Palestinian detainees, we were not sure if this is our call to make, or if it is the prisoners and detainees that must reach the decision that there is no way in which they can find justice in Israeli military courts. So it wasn't our decision to take on. We realized that the administrative detainees had reached this point where they really are unable to find any hope or any slight occurrence of justice in Israeli military courts. It only emphasizes the illegality of the Israeli occupation and the apartheid regime that it imposes. So the boycott was really initiated by the administrative detainees themselves. They submitted a letter to the Palestinian organizations [working on prisoners' rights issues] in order to highlight their reasons for boycotting the military courts. Palestinians have realized that human rights defenders, children, women, civil society workers, journalists, and Palestinian Legislative Council members all those who are advocating for Palestinian rights and opposing the Israeli occupation have been at the forefront of administrative detention. Which means they have realized that administrative detention is being used as a tool to silence Palestinians and to end any opposition to the Israeli occupation. In the past, this was difficult to realize and difficult to highlight. But recently, administrative detention has been increasingly used against students, as well. And I think that with more of the international community nowadays looking at Israel as an apartheid regime and having many international human rights organizations highlight fair trial standards in Israeli military courts and highlight the apartheid regime the detainees felt hopeful that this boycott would have the support of the international community. And we believe this might be the case now.

Administrative detainees have boycotted Israeli military courts in the past, including in 2014. This boycott lasted 62 days and ended when the Israeli occupation began reducing the number of administrative detention orders. So the way to really end the boycott is for Israel to commit to ending the use of administrative detention as a tool to maintain control. And this is the main demand.

**MPF: The boycott has continued now for three months. What has been the response of Israel's military judicial system?**

MA: It's been difficult, let me tell you this. The Israeli military courts are now confirming all of the administrative detention orders *in absentia*. Meaning that they are confirming the orders without the detainees being present, which constitutes an additional fair trial violation. So for lawyers, boycotting is even riskier than taking part in the mockery trials that happen. In the confirmation orders, the military judges are literally stating that, 'We acknowledge that the detainee is boycotting the court. However, due to the secret information and the threat that the detainee might pose to the security of Israel, we will confirm the administrative detention order.' So if you talk to a sensible person, the boycott has only added to the risk of administrative detention.

But the reason the detainees reached the decision to boycott is because they have launched hunger strikes against administrative detention for a long, long time. And hunger strikes are not an easy way to protest. The detainees are literally using their own bodies, denying themselves food and water to change the power dynamics between themselves and Israel. Inside prison, there's no way to ask for justice, there is no way for someone to hear your calls. And they understood that. In the court itself, there is no way to access some kind of remedy or justice. So even hunger strikes which have been the primary means of protesting against administrative detention have not led to any positive outcome, such as the reduction of administrative detention orders. The case of [Hisham Abu Hawash](#) illustrates that the military courts really do not provide any assistance to prisoners on hunger strike. Instead, they freeze the administrative detention order so that the detainee becomes the responsibility of the hospital and not the Israeli Prison Service. So the military and civil courts have found loopholes that make the hunger strikes less effective. Boycotting the military courts has therefore been adopted as an alternative approach through which detainees are able to exercise their agency and refuse to acknowledge the legitimacy of these courts.

**MPF: If the military courts are confirming all administrative detention orders in absentia, and the boycott includes appeals courts, this means that detainees have no other recourse but to remain in administrative detention for the period determined in the original order, correct?**

MA: The detainees have the right to appeal. However, the boycott includes the appeals courts as well as the first instance courts. Yet even though they have the right to appeal, this is really farcical, because in order to appeal and be able to defend yourself, you need to have access to the secret information or to know the nature of the allegations against you. But even in the appeal process, the information remains secret and is not disclosed to the lawyer or the detainee. So practically speaking, there is really no way to effectively appeal an administrative detention order.

**MPF: Has the courts' decision [to confirm all administrative detention orders in absentia] prompted any discussion among the detainees of ending the boycott, or perhaps of re-strategizing and adopting an alternative approach**

MA: The boycott began on the first of January 2022, but it followed really intense conversations among the 500 administrative detainees. They decided that all of the detainees who already had scheduled hearings as well as appeals decisions and appeals hearings prior to January 20

would, effectively, not participate in the boycott, in the sense that their lawyers would attend the hearings. So this in a way helped those who already wanted to appeal, as their right was not taken from them [by means of the boycott]. Additionally, the administrative detainees also agreed that the terms of the boycott would permit ill prisoners being held in administrative detention and facing deteriorating health conditions to take part in the military courts in order to find any kind of justice. For example, [Nasser Abu Hamid](#) is a cancer patient being held in administrative detention. His health had seriously deteriorated in detention and during the boycott, which prompted the administrative detainees' representative group to exempt him from participating in the boycott. So there is really an organized nature to the boycott, and the administrative detainees have really thought it through.

In order to fight this occupation, there needs to be some kind of sacrifice from the people who are willing to sacrifice. And in most cases, prisoners are the ones who sacrifice the most against this occupation. So they are already in this situation of sacrificing their liberty, sacrificing their right to live in dignity. So with respect to the boycott, they haven't changed their minds so far. We are in close contact with the prisoners themselves and their representatives. The boycott is still ongoing, and the prisoners still believe that this is the way for them to highlight administrative detention and the role of the military courts.

**MPF: On multiple occasions in the past, Israeli authorities have responded to Palestinian prisoners' peaceful acts of resistance by rolling back rights and 'privileges,' and implementing punitive and abusive counter-measures such as isolation, solitary confinement, and the restriction of family and legal counsel visits. Do you have concerns that the ongoing boycott could potentially 'backfire,' and if so what might the unintended, adverse impacts look like? In other words, if Israeli authorities refuse to negotiate, what is the probability that a further rollback of rights will be implemented in order to punish and deter prisoners?**

Ms. Sahar Francis: If the boycott continues without any improvement, the policy of administrative detention will continue and increase. And this is what we expect unfortunately because of the political circumstances. Unfortunately, the detainees are now in a period in which their campaign, their boycott is not receiving much attention. They're not getting coverage from the media, neither on the local nor international level. So we are worried about how long they can actually sustain such a campaign. Because internally, between the detainees themselves, it will cause tension. Some of the detainees will begin to think, 'I don't have a serious case. If I go to the court, maybe they will release me. And if I participate now in this collective boycott, maybe in a few months this will be detrimental to my situation.' So honestly we don't know exactly how things will develop. But it's not easy, in light of the political tension internally, as well as all the attacks being conducted by the Israeli forces in East Jerusalem on the youth, and in the other villages inside the occupied territories and also inside Israel. There is an expectation that administrative detention will increase.

**MPF: Many Palestinians characterized as 'security prisoners' have argued that this classification is inherently discriminatory and constitutes collective punishment, and have therefore pressed to be identified instead as 'political prisoners.' Can you please explain the rationale and significance behind this alternative term? Addameer also uses the latter term, specifically describing its work as being in support of 'Palestinian political prisoners held in Israeli and Palestinian prisons.' How does Addameer define or conceptualize a 'political prisoner?' How does this definition interact with (i.e., problematize or echo) the**

## international human rights community's conventional differentiation between 'prisoners of conscience' and 'criminal prisoners?'

MA: Addameer does not use its own definition of political prisoners, but rather adopts that which is put forward in international human rights conventions and treaties, whereby political prisoners are defined as those who are detained for political reasons. Palestine is under an ongoing occupation an ongoing Israeli occupation that is now being widely characterized as an apartheid regime. So politics is deeply embedded in the situation of Palestinian political prisoners. The majority of Palestinians are detained for political reasons. The whole administrative detention idea is for political reasons. So it is Israel's use and definition of the term 'security prisoners' that should cause us to ask ourselves: 'Where is this coming from? Is it coming from an international treaty or convention? Or is it Israel's own definition?' Because the Israeli occupation really defines things as it sees appropriate.

One clear example of this is 'terrorism.' 'Terrorism' under international law is not defined. There is no one definition of 'terrorism.' However, Israel in its own studies and its own work has defined 'terrorism' in a very broad way that incorporates many acts that constitute legitimate human rights work. This is not only a perspective that Addameer takes; this is what the United Nations has been saying repeatedly since the designation of Addameer and the other five Palestinian organizations as 'terrorist organizations.' The Special Rapporteur on the promotion and protection of human rights while countering terrorism has noted that counter-terrorism laws have been used to restrict legitimate human rights work. And this is what the Israeli occupation is doing.

It is important to understand how Israel defines 'security prisoners.' There are currently 4,500 Palestinians being detained whom Addameer [in accordance with international human rights conventions and frameworks] identifies as political prisoners. Amongst them are Palestinian Legislative Council members. Five of these parliamentarians do not have a list of charges against them nor is a trial taking place, so they are being held in administrative detention. They are merely in detention for being political leaders inside Palestine. This is why we identify them as political prisoners. They are members of the Palestinian Legislative Council and their political role has made them a focus of the Israeli occupation. Because the occupation aims to maintain control. There are currently 160 [Palestinian] children being detained by Israel. In the majority of cases, the charges against them involve throwing stones or participating in a demonstration. There's no way that they pose a security threat. Their detention is for political reasons, to maintain control over Palestinians.

It is also necessary to highlight the mandate or the jurisdiction of Israeli military courts. For an individual to be deemed a 'security prisoner,' the charges or allegations against him must be related to security offenses or major offenses that affect the security of the region. But Israeli military courts prosecute Palestinian civilians who do not partake in any military organization and do not meet the definition of military personnel according to the Geneva Conventions. They are civilians. And hence the charges they are facing are not security-related offenses, and so they cannot be lawfully identified as security prisoners. Students are another example of this. The majority of students being detained in prison face allegations or charges that involve participation in a student council organization deemed illegal under Israeli military orders. Israel has criminalized all aspects of daily life for Palestinians, so it has become very difficult to say, 'This is not a crime' because it *is* a crime based on Israeli laws and definitions. So it's all linked together. In one particular [case](#) that Addameer worked on, a student was arrested for

selling falafel at Birzeit University, because this was an initiative undertaken by a student group that the Israeli authorities deem unlawful. In other words, she was arrested and sentenced to prison due to her affiliation with this student group. As such, it is important that we look at those whom Israel classifies as security prisoners. They are merely Palestinian civilians who have been prosecuted based on Israeli laws, which criminalize everything.

**MPF: The Palestinian prisoners' movement is arguably the strongest in the Middle East and North Africa, both historically and at present. The prisoners' struggle has remained a salient issue within Palestinian society, eliciting widespread solidarity and activism among local communities. Even in periods of relatively limited popular mobilization or political factionalism such as that witnessed in the years immediately following the signing of the Oslo Accords the prisoners' movement remained a persistent force. What factors account for such strong, sustained grassroots engagement? What lessons and advocacy strategies might organizations working on prisoners' rights and carceral issues in other countries and contexts learn from Palestine?**

SF: The Palestinian prisoners' movement is affected by the Palestinian political context. And there are peaks and low points in the ability and chances, and the success and failure of this movement. But of course, we cannot ignore the strength of the movement thus far, after all these decades, and the experience that the prisoners gained as a collective in order to resist, even whilst inside the prison under harsh conditions. But definitely the Palestinian prisoners play a very powerful role in the Palestinian context with respect to strategies of resistance. For example, in their resistance against policies and strategies of oppression, such as administrative detention and torture, as well as all the punishments that they were facing, for instance, after the [escape from Gilboa prison](#) over the summer. The whole Palestinian prisoners' movement faced collective punishment, and the prisoners were actually planning a collective hunger strike that was supposed to begin on the 25th of March this year. But after the Prison Authority agreed to accept some of the prisoners' demands, they decided to delay the hunger strike in order to give the Prison Authority a chance to improve conditions.

I think that as organizations, we must first learn from the prisoners' style of organizing the way in which they debate, negotiate, and strategize the steps they will take inside the prison, while doing so in a manner that also takes into consideration what is going on outside and the general circumstances. As organizations, I think we have a much greater responsibility to support them. At the end of the day, the prisoners have limited opportunities and resources. We cannot expect that they alone are able to defeat the oppressors and succeed in protecting their basic rights. And this is why when they plan any collective action, they ask for the support of the organizations, as well as that of the local and international media. They likewise ask for the support of the [Palestinian] political parties and the international community, and this means that we have a responsibility to keep in touch with them in order to know how we can provide support in the most effective way. Speaking specifically about the administrative detention campaign the boycott campaign I do not think that we are exerting enough effort, especially international organizations. More pressure needs to be applied, and more support should be expressed, at the international level in order to make this campaign effective and to force the Israeli occupation to end the use of administrative detention, or at least to abide by the international standards that restrict the use of this horrible and harsh tool of detention.

**MPF: The Palestinian prisoners' movement is inextricably linked and, in fact, central to**

**the broader Palestinian struggle for self-determination and sovereignty. In her 2021 book The Palestinian Prisoners Movement: Resistance and Disobedience, Julie M. Norman suggests that the strength and coherence of the Palestinian prisoners' movement emulate that of the national struggle, and therefore proved most organized in the decades preceding the Oslo Accords (specifically from the late 1960s until the early 1990s). In the post-Oslo 1990s, Norman argues that the Palestinian Authority (PA) largely replaced popular grassroots civil resistance, which in turn fostered the gradual weakening of both the national struggle and the prisoners' movement.**

**Would you agree with this analysis? Has Addameer witnessed any renewal or resurgence of interest in and/or attention to the prisoners' struggle among the broader Palestinian community since the Unity Intifada that began in May 2021? What about since the September 6, 2021 Gilboa prison break? Has the 'revival of grassroots connections' both within and outside Israel's 1948 borders facilitated any increase in coordination or mobilization between Palestinian prisoners on the one hand, and political parties, civil society organizations, and solidarity networks on the other?**

SF: The political prisoners are part of the wider society. They are affected by and are affecting society. The Oslo Accords impacted the Palestinian prisoners' movement at the internal level the way in which the prisoners organized themselves and the demands that they put forward. The Oslo discourse also affected relations between the prisoners and the [Palestinian] political parties and organizations, and between the prisoners and the Palestinian Authority. It was at this time that the Prison Authority also began to change their policies, rules, and regulations, and to impose more and more restrictions on the movement. The prisoners' movement was likewise affected by the division between Hamas and Fatah. All of these developments influenced the prisoners' joint struggle. For example, I would point to specific collective hunger strikes that failed as a result of such developments, and the changes that they in turn prompted within the movement inside the prisons. But we should keep in mind that the prisoners were more successful than the political parties outside in terms of their capacity to remain cohesive, and to discuss and reflect upon the areas in which they were failing and the areas in which they were succeeding, and how they could improve. This is why the collective hunger strike that they launched in 2012 was a success because it stemmed from a discussion between all of the political parties present inside the prisons. The prisoners elected a joint committee that was composed of all of the different political parties, and it was this committee that was responsible for leading and managing the hunger strike. And its success had a significant impact on the prisoners' movement and the strategies and approaches that it adopted in order to address subsequent abuses and restrictions.

I think that the Unity Intifada last May, and other collective actions that have taken place, send a powerful message to the prisoners that they should stay united and challenge all forms of oppression and all violations collectively. And we have seen this. The majority of the prisoners who escaped from Gilboa prison last September are members of Islamic Jihad. So following their successful escape, the Prison Authority initially responded by implementing punitive measures against other prisoners affiliated with Islamic Jihad, though such measures were quickly expanded to affect all prisoners. So the prisoners resolved to face these punitive measures collectively. All of the prisoners in all of the prisons decided that they would begin a collective hunger strike if the prison authorities did not lift these measures. And this decision sent a very powerful message to the movement and the Palestinian people outside, as well: Unity is the most powerful tool with which to confront any violation and any strategy of the



occupation.

**MPF: How has the prisoners' movement evolved throughout the last five decades? How have shifts in Palestinian politics and the broader Israeli occupation influenced prisoners' demands and tactics of resistance? In turn, how have Israeli authorities altered and adapted their approach toward Palestinian prisoners throughout the last five decades? What strategies has the Israeli security sector employed in order to respond to and challenge the Palestinian prisoners' movement? What laws and policies have been implemented to curtail prisoner mobilization and resistance, particularly since the establishment of the special operations Masada (also: Metzada) unit in 2003 and the Israeli Prison Service (IPS) in 2004?**

SF: It's very important to highlight that the changes that took place after the Oslo Accords were not due solely to the fact that Palestinian prisoners were resisting. The Israeli ideology at that time was to punish anyone who was opposing Oslo as a process. And this period marked a significant increase in the use of administrative detention, which was being imposed upon members of any political party that expressed opposition to the Oslo agreement. It was also at this time that Israel began to change the policies regarding canteen procedures, and to force the prisoners to rely more and more on their own resources instead of the Prison Authority. This occurred because the Prison Authority discovered that the Palestinian Authority had money, and that the latter could afford to pay for the prisoners, for their needs, while they were being detained in Israeli prisons. So the Prison Authority started to prohibit families from bringing food items, for example. They began to introduce more restrictions on books which books, which newspapers, which things are permitted to enter the prisons from outside. They implemented a total ban on registration to the Israeli Open University until 2010, thereby denying prisoners the opportunity to continue their studies. They began to impose additional forms of collective punishment on the prisoners' movement, as well as more restrictions on family visits. Here, it is important to note that prior to the Oslo Accords, some prisons were located inside the occupied territories. But after Oslo and all of these rearrangements on the local level, Israeli authorities transferred all prisoners to prisons inside Israel, and subsequently introduced special security permits, which prisoners' family members are now required to apply for and obtain in order to enter Israel to visit their loved ones in detention. So the whole system has changed, and is now characterized by more restrictions, more obstacles, and more violations against the basic rights of the Palestinian prisoners being held inside Israeli prisons.

**MPF: While the issue of Palestinian prisoners has often lacked attention at the international level, the hunger strike as a tactic has proven instrumental in leveraging attention and media coverage. Why do you think this is?**

MA: I think this is because hunger strikes are still controversial among the international community. I say it's still controversial because, in most of the media interviews that we do to highlight these hunger strikes, the first question is always: 'Why are the detainees doing this? We can't understand why they are putting their bodies and their health in such danger and at such great threat.' And really, this is a question that people ask if they don't understand the Palestinian context or the Palestinian identity. Really, the Israeli occupation has not left any method through which Palestinians are able to fight for their rights or to hold Israel accountable neither peaceful resistance nor legitimate armed resistance. So what remains for those detained in prison is their own bodies. There is no way for them to gain justice or remedy, or their release, except perhaps to use their bodies to change the power dynamic.

When the detainees are on a hunger strike, they are refusing food, they are refusing water. Thus, the power is in their hands. This has been the idea or the principle of Palestinians for a long, long time. Hunger strikes have not only been used in protest of administrative detention; in the past, they were also used as an act of resistance against terrible prison conditions, as well as the lack of family visits and medical neglect. So the prisoners have realized that the power of their bodies is way greater than the power of a lawyer in a military court, for example. This is the only peaceful way to protest arbitrary detention.

So I think it is because people are really shocked and amazed that Palestinians do these things to themselves. And this is exactly *why* they do this. Because the international community only ever really wakes up and opens its eyes to the situation when Palestinians are at their lowest moment. We have seen this with the war on Gaza, as well. We have been saying that Gaza is under siege a water, land, and air siege for years now, but no one speaks about the Gaza situation. It is only when there is a war happening or attacks taking place against Gaza, and we see children dying, that the international community begins to open its eyes. This is the same mentality when it comes to hunger strikes. When a Palestinian's health is seriously deteriorating and they are at imminent risk, only then does the international community say, 'Oh, yes, maybe there is something wrong. Let's try to focus on this.' But not all Palestinian detainees can go on hunger strike. Not all of them can refuse food and water, and use their bodies as a tool to change power dynamics. This is why boycotting the military courts has become a collective and mass action undertaken by the administrative detainees. It's a form of protest that is more reasonable for all administrative detainees as a collective rather than being limited to singular individuals.

**MPF: The Israeli state has resorted to force-feeding, which resulted in the death of five Palestinian prisoners between 1970 and 1992. Following these deaths, the Israeli High Court ordered the cessation of this practice. The World Medical Association (WMA) unequivocally states in both the Tokyo and Malta Declarations that force-feeding is ethically unacceptable and constitutes inhuman and degrading treatment. This conclusion is reiterated by both the International Committee of the Red Cross (ICRC) and Physicians for Human Rights. Nonetheless, in July 2015 the Israeli Knesset passed a law re-authorizing the force-feeding of prisoners and detainees on hunger strike inside Israeli prisons. Responding to this legislation, former United Nations Special Rapporteur on torture Juan E. Méndez stated: 'Even if it is intended for the benefit of the detainees, feeding induced by threats, coercion, force or use of physical restraints are tantamount to cruel, inhuman and degrading treatment.' Likewise, former UN Special Rapporteur on the right to health Dainius P ras asserted: 'Under no circumstance will force-feeding of prisoners and detainees on hunger strike comply with human rights standards.'**

**Could you please outline the events that preceded then-Minister of Public Security Gilad Erdan's initial proposal for such legislation and its subsequent passage namely the two mass hunger strikes that were undertaken by Palestinian prisoners in April May 2012 and April June 2014, respectively?**

SF: Force-feeding was practiced in the 1970s and early '80s, and led to the death of three detainees in a major, very well known hunger strike in 1980 in Nafha prison. These deaths ultimately led to an Israeli High Court ruling that prohibited the use of force-feeding. And this ban continued unchallenged until about 2012, when individual Palestinian detainees began to intensify their use of the hunger strike. Actually, the individual hunger strike cases started in

2011, beginning with [Khader Adnan](#), who was protesting his administrative detention. This strike was followed by that of [Hana al-Shalabi](#), who was also resisting the policy of administrative detention. Then several administrative detainees initiated their own individual hunger strike. Some of them continued for more than 70 days, 90 days, which caused a serious problem for the prison system and the security service due to the pressure that these cases elicited.

This is what led to the idea of the force-feeding bill, which Israeli authorities conceived as a means to end this particular form of resistance, given its growing prevalence within the Palestinian prisoners' movement. However, it should be highlighted that, technically, the authorities didn't need this law because the Patient Law within the Israeli legal system enables force-feeding. This law essentially permits forced treatment in cases in which the patient's life is under serious threat. Which means that the Israeli authorities could forcibly treat or forcibly feed a prisoner on hunger strike in order to save his life. But instead of using the existing law because I think it's more complicated for them, as prison system officials, to invoke the Patient Law they proposed the force-feeding bill that, unfortunately, was confirmed by the Israeli Knesset in 2015. But immediately following the passage of this legislation, the Israeli Medical Association (IMA) issued a statement expressing its [categorical opposition](#) to the law, and warning that any physician involved in a case of force-feeding would lose his license as a member of the IMA. The problem, however, is that the doctors who work inside the Israeli prison system are under the authority of the prison system, not the health ministry. Which means that a physician could, in fact, participate in the force-feeding of a prisoner without any fear of losing his license.

Nonetheless, the law has never been invoked, and the prison administration, thus far, has not resorted to force-feeding individual hunger strikers. This is why the Israeli High Court [rejected](#) the [petition](#) that was submitted by Physicians for Human Rights and the IMA. The court [stated](#) that, in order to be able to issue a ruling on the constitutionality or lawfulness of the force-feeding legislation, it needed to be presented with a specific case.

### **MPF: What practical and purported objectives do Israeli authorities seek to achieve through the legalization of force-feeding?**

SF: It's a kind of tool that they will always wave and use to threaten any prisoner who chooses to undertake a collective or individual hunger strike. [The Israeli authorities] believe that they can invoke this law should they face a serious collective hunger strike, in which case doctors working inside the different prisons would likely be directed to perform force-feeding. But let's hope that the pressure of public opinion from inside Israel will prevent the Prison Authority from using force-feeding. But, legally, they have the law. So if they do engage in force-feeding, it will be considered legal from their point of view.

**MPF: Although Israel ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) in 1991, the Israeli state has long argued that the CAT does not apply in all of the occupied Palestinian territory (oPt). This position is contrary to that maintained by the CAT's monitoring body the Committee Against Torture which, in its [2009 Concluding Observations](#) asserted: '[A]s stated by the International Court of Justice , international human rights treaties ratified by [Israel], including the [CAT], are applicable in the occupied Palestinian territories.' Nonetheless, Israel did not include detailed information on the implementation of the CAT in the oPt in**

**its Fifth Periodic Report, submitted to the Committee in 2013. In its Sixth Periodic Report to the Committee submitted in December 2020 Israel attributed this lack of reporting to 'several reasons, ranging from legal considerations to the practical reality.' Israel also affirmed that its 'position on the inapplicability of CAT beyond its territory remains unchanged.'**

**What are the implications of this position and the consequent lack of reporting vis-à-vis international advocacy and accountability efforts? Are the potential consequences of this position muted or rendered less relevant in light of the fact that Israel transfers most Palestinian prisoners from the oPt and detains them in Israel (in violation of the Fourth Geneva Convention)?**

MA: This question specifically highlights something that has been really difficult for our advocacy work, because Addameer really aims to end the torture and ill-treatment of all Palestinian prisoners and detainees. And Israel's refusal to report on torture and ill-treatment in the occupied Palestinian territory has been a huge barrier for our advocacy work. We constantly report to the Committee Against Torture regarding torture complaints filed by Palestinian prisoners and detainees. Recently, the Committee sent us an email stating that Israel has not signed off on the Additional Protocols [of the Convention Against Torture], and that, as a consequence, it cannot look into the torture complaints that Addameer submits against Israel. Because the Committee's ability to review torture complaints is contingent upon Israel's recognition and approval of the body's competence, which Israel has not granted.

[Receiving this email] was really a slap in the face because Addameer reports on severe torture complaints filed against the Israeli occupation and we really abide by the law. On a local level meaning on a national, procedural level we also file complaints to the national investigative body that looks into Israeli interrogators' actions during interrogations. Not a single case has been opened. They have all been closed due to 'insufficient evidence' of torture. Illustrating this point is the case of [Samer al-A'rbeed](#). Samer was arrested in 2019 on allegations of taking part in a military operation. Within 48 hours of his arrest, he had been subjected to [severe torture](#), severe physical assault, stress positions for long hours, and sleep deprivation. Within 48 hours of his arrest, Samer was transferred to a hospital with broken ribs and other broken bones. He was in a coma for one week and put on life-saving equipment. We filed a complaint before the Israeli investigative body and they said: 'We will close the complaint due to insufficient evidence of torture.' This is despite the fact that, within 48 hours of his arrest, Samer had to be put on life-sustaining equipment in order to survive. Yet they say that there is no torture. We also filed this complaint before the UN Committee Against Torture, and their response was that they were unable to review the complaint because Israel has not recognized the Committee's competence to do so. But the positive thing about the Committee Against Torture and many human rights committees is the fact that they regularly state in their concluding observations that Israel is at fault when it does not report on the situation in the occupied territory. There have been many concluding observations that clearly state that Israel must report on the occupied territory.

We understand that under an occupation, we have to apply international humanitarian law (IHL). However, this is an ongoing and prolonged occupation, which means that we cannot focus solely on IHL to the exclusion of international human rights law. The latter must also be taken into consideration. Therefore, Israel must also report to the various committees on the human rights violations in the occupied territory, as well. This is what our organizations also try

to do in the alternative shadow reports that we submit to the different human rights committees. These reports address omissions and inaccuracies in Israel's official state report, and it is in these reports that Palestinian organizations highlight where Israel hasn't implemented the relevant human rights convention within the occupied territory. So in a way, these submissions serve as secondary reporting, presented by non-governmental organizations. The Human Rights Committee recently submitted its concluding observations and it again reiterated that Israel must also report on the occupied territory. So the UN really understands this issue. But, again, it goes back to the power of the Israeli occupation and the silence of the international community. There is no real or genuine political intent to hold Israel accountable, and this is why we see a lot of laws, a lot of UN resolutions, a lot of International Court of Justice advisory opinions, but we don't see any implementation. At the end of the day, there's no genuine political intent. And this has always been the barrier to our advocacy work.

**MPF: Israel differentiates between its use of solitary confinement and isolation, which the state refers to as 'separation.' Could you please outline how these practices differ from one another in their implementation (i.e., purpose of usage; ordering authority and maximum permissible duration per the Israeli Prisons Ordinance; extension criteria; review mechanisms; conditions)?**

SF: There are several levels of isolation. First, Palestinian prisoners are totally separated from the other prisoner communities. In other words, they are detained in the same prisons as Israeli prisoners, but held in their own separate sections. These sections are classified as 'security sections,' and are also organized in a way that ensures that each individual section is separate from all the others and communication is impossible. So let's say that in one prison, there are five sections allocated for Palestinian security prisoners. It is very likely that these sections have absolutely no contact with, or communication between, one another. So the prisoners detained in Section A, for example, are totally isolated from all the other sections. [The prison administration] also uses isolation on an individual basis. Let's say you were sentenced to life in prison. On top of the life sentence, the authorities could decide that you should be held in isolation for three years, four years, ten years, or whatever. In this case, you would be held in total solitary confinement, in your own cell, under a totally different set of conditions, including increased restrictions on family and lawyer visits. You would go for the recreation period once a day for one hour while you are handcuffed and shackled. Individual solitary confinement is the worst form and it's the most difficult. But there are other types of solitary confinement as well, such as that in which you are detained in isolation with one other prisoner. Sometimes an entire section is considered to pose a 'security threat,' and, as such, all of the prisoners therein are subjected to some kind of isolation. For example, if there are 80 prisoners being held in this section, the prison administration might decide that they are not allowed to go out for the recreation period together. So they will be divided into two groups, and will take their recreation time in two separate shifts so to speak.

So actually there are different ways in which solitary confinement is imposed. And, of course, solitary confinement is also used as a method of punishment, to penalize any prisoner found to have violated any of the prison rules and conditions. So if they claim that you violated prison rules by shouting, let's say, you could be punished with fourteen days or one month of solitary confinement. The period of solitary confinement can vary from a couple of months, to one year, sometimes up to ten years. [Mahmoud Issa](#) was isolated for more than 10 years. And in these 10 years, he was permitted to see his mother just three times.

**MPF: Addameer also works to support prisoners held in Palestinian prisons. What are the most pressing human rights issues vis-à-vis arrests, interrogations, and detentions as conducted under the jurisdiction of the Palestinian Authority (PA)?**

MA: Last year was perhaps the worst year in terms of the Palestinian Authority violating Palestinian rights. [Nizar Banat](#), for example who was critical of the PA and a candidate in the 2021 elections was killed by the Palestinian security forces after being arrested and taken from his home. It was similar to the case of Samer al-A'rbeed but, thankfully, Samer was taken to a hospital and put on equipment that would help sustain his life. But due to the torture to which Nizar Banat was subjected, he unfortunately passed away within hours of his arrest. And the violations perpetrated by the PA continued following Nizar's death. Such violations centered on the right to the freedoms of expression, assembly, and association. For example, in the demonstrations that followed the death of Nizar Banat, the Palestinian security forces used similar techniques as those employed by the Israeli occupation in [Sheikh Jarrah](#) and [Bab al-Amud](#) tear gas grenades, sound bombs, and the physical assault of civilians who were peacefully protesting the killing of Nizar Banat and asking that those responsible for his death be held accountable.

Prison conditions are also harsh and do not meet the adequate standards of living for any human being. Torture and ill-treatment also exist. There is no way of denying this to be honest. But it's not widespread and systematic; it's used in certain cases. Of course, torture is illegal and prohibited. There is an absolute prohibition [against it], so there is no way to say, 'You can use torture here, but here, you can't.' But what I am saying is that it's not systematic and it's not widespread in the way that it is perpetrated by the Israeli occupation. However, interrogations [conducted by the PA security forces] do involve ill-treatment against those whose cases are related to political freedoms such as freedom of expression, or those who express opposition to the policies of the PA.

**MPF: Many have noted a gradual change in the language and narrative being used particularly in mainstream, western media to describe and address the Israeli occupation. Has this shift in discourse and perception extended to Palestinian prisoners and the rights abuses perpetrated by Israel's carceral regime?**

MA: Yes, it has definitely also affected the language and narrative employed when addressing Palestinian prisoners, because most of the recent reports that analyze the apartheid regime imposed on the Palestinians like those published by [Human Rights Watch](#) and [Amnesty International](#) include sections on the inadequacy of fair trial standards and on the persecution of Palestinians. So this really linked the apartheid regime to the judicial system, which is based on a dual legal system that is implemented on the basis of nationality. Really, the recent reports demonstrating why and how the status quo constitutes apartheid these reports have really helped the people that we advocate for, and our partners and allies. For the past 30 years, Addameer has been advocating for prisoners' rights. We've been saying that there is no justice for Palestinians in the Israeli judicial system. But it is difficult for the international community to understand that we want them to move and not merely ask that the prisoners use the judicial system that they already have.

So [the shift in narrative that these reports have prompted] has assisted us in broadening our demands. For example, now we no longer call for the freedom of individual administrative detainees. Now we are able to say, 'Free all administrative detainees.' Because administrative

detention has been proven to be an inseparable part of the apartheid regime that is being enforced. Amnesty International really highlighted administrative detention, and Human Rights Watch really highlighted the absence of fair trial guarantees. In this way, these organizations have assisted us in broadening our demands and really finding justice for the Palestinians, because we never sought better fair trial standards for Palestinian civilians in Israeli military courts. That has never been our goal or our aim. Our aim is that Palestinian civilians are not prosecuted in Israeli military courts. So these reports and the understanding of the apartheid regime that they have helped to spread and strengthen really help to contextualize our demands, so that no one can say, 'Oh, Palestinians are just wanting so much.' No, this is an apartheid regime. You cannot improve military court trials; you cannot improve detention conditions inside Israel after being forcibly transferred. So in a way, this shift in language has helped.

But we definitely understand that it takes time. These reports demonstrating that apartheid exists we have been using the word 'apartheid' for five years at the UN Human Rights Council, and we've been held accountable for saying 'apartheid.' But now international NGOs are saying it, and the international community is beginning to be somewhat brave in calling it as it is. And, of course, international law takes time. So it will take time to implement this shift in relation to the prisoners' cause and the prisoners' movement. But it definitely helps in widening and broadening our demands and in seeking to really reach genuine justice and not just some hints of justice and accountability.

**MPF: Many have documented and reported on the fact that the Israeli government and private companies have long used Palestinians as a captive population on which to test new weapons and digital intelligence and surveillance technologies, which are subsequently marketed as 'battle-tested' and sold to other countries around the world. Does a similar model exist for what we might call the 'prison industry,' or the security/carceral sector? Do you have any information on the extent to which Israel exports carceral technologies and practices to other governments? Can you provide any insights on Israel's level of bilateral and/or multilateral cooperation vis-à-vis policing, prison administration, surveillance, etc.? Are these questions, to your knowledge, the subject of ongoing investigation? If so, which organizations and institutions are engaged in this research?**

SF: There is cooperation and experience exchange taking place between the Israeli authorities and the United States prison system. For example, we are aware that Israel provides training courses to police units in the US. We can also look to the export of surveillance technologies, as well as the use of weapons in order to attack demonstrations and activists. So it is no secret that there is an exchange of experience and an active weapons trade. Some prisons within the Israeli prison system, for instance, were afforded technologies by G4S, a British-Danish security company. But this company has also been involved in the United States, providing technologies of surveillance along the wall between the US and Mexico. This is just one example of the sharing of facilities, the sharing of knowledge, the sharing of experience. And after a two-year campaign organized by Palestinian organizations, including Addameer the company ended its contracts with the Israeli Prison Service. But [the Israeli authorities] don't need external experience to assist them in these technologies, nor in controlling Palestinian prisoners inside Israeli prisons, because they are experts.

I think we must also acknowledge the sharing of torture techniques. This exchange is evident

in the images that came out of Abu Ghraib prison in Iraq, while under the control of the US military during the [George W. Bush] administration. There is one photo in particular, of a detainee with a closed sack on his head. This is a method that was used for decades against Palestinian prisoners in Israeli interrogation centers. They would put this sack over the prisoner's head and this sack smells awful, and makes it very difficult for the prisoner to breathe because it is very thick and not only covers the head, but reaches down to the chest. So Israeli interrogators would place this sack over the head of a detainee, then tie him to a chair in a very painful position and play very loud music around the clock. This is how they used sleep deprivation. And detainees have told me that, after being forced to wear this sack for some time, you begin to lose your sense of where you are, what's around you and this adds to the feeling that you have lost control over your body and your soul. So of course, this exchanging of torture techniques of how to torture without leaving marks, without leaving evidence in order to avoid accountability this is not new. The stories that have emerged from [the Guantanamo Bay detention facility] demonstrate that there are similarities in the use of torture and solitary confinement between the [Israeli and American] systems.

**MPF: It was discovered late last year that human rights attorney Salah Hammouri of Addameer, and five other Palestinian human rights defenders, had been targeted by Pegasus spyware a hacking software sold to government agencies by Israeli surveillance firm NSO Group. The firm has stated that it does not identify its customers, though organizations investigating the multiple hacks widely suspect Israel. Yet Israeli courts have denied all lawsuits filed against NSO Group and the Ministry of Defense, citing national security and counter-terrorism considerations. As such, yourself and others have called for an international investigation. Can you explain how Addameer was targeted in the weeks and months prior to the spyware infection of Salah's phone in April 2021? Where do things now stand with respect to investigative and/or legal measures? Are you able to provide any updates on recent developments?**

SF: Actually, we don't have very exact information about when and why and how it started because the current information is limited to the phone that Salah was using at the time he discovered that the phone had been hacked. But who is to say that [Pegasus or any other spyware program] was not used to infect Salah's previous phone, or the old phones of other people who subsequently got new ones for any number of reasons? We cannot rule out the possibility that activists' older phones had been infected as well, and that these individuals got new phones without ever discovering that the previous phone had been targeted. I say this because, honestly, it was totally by accident that human rights organizations discovered that Salah had been hacked by this program. I cannot speak in great detail, but I can tell you that Salah's cell phone was, indeed, infected with the Pegasus spyware. This was confirmed by Citizen Lab and Front Line Defenders, which supported the Palestinian organizations including Addameer, Al-Haq, [Bisan Center for Research and Development], and the others in investigating these spyware attacks.

Salah is a French citizen, so he is able to file a lawsuit in France against NSO as a company because the infiltration of his phone constitutes a violation of the right to privacy under French law. So Salah, along with the International Federation for Human Rights and the Human Rights League, filed a joint criminal complaint. Unfortunately, he was arrested on the 7th of March and is currently being held in administrative detention. We believe that the reason for his current detention is wholly related to the fact that he was planning to pursue this legal case against NSO in the French courts. Salah was likewise working to take his case to the



international level to the International Criminal Court in light of the prolonged persecution to which he has been subjected, including the revocation of his residence. The [Human Rights Committee](#) also discussed Salah's case in March, in the context of its concluding observations on Israel's [Fifth Periodic Report](#) concerning the fulfillment of its obligations under the International Covenant on Civil and Political Rights (ICCPR). Addameer and other organizations [presented](#) Salah's case before the Committee to demonstrate the persecution that Palestinian human rights defenders experience. In response, the Committee asked many questions regarding the multiple instances in which he was held in administrative detention, the revocation of his residency, and so on. We believe that all this led to Salah's arrest in March.

**MPF: [Days after the Pegasus hack was made public, the Israeli Defense Ministry designated Addameer and five other Palestinian civil society organizations as 'terrorist organizations' a move widely perceived as an attempt to overshadow and/or 'justify' the Pegasus spyware campaign. How has this designation impacted Addameer's capacity to carry out its work?](#)**

MA: The designation aimed at a few things: basically, to silence any opposition to the Israeli occupation; to isolate Palestinian civil society organizations; and to dry them of any financial funds from the international community. And I can tell you that maybe only the last goal has materialized to a degree. Because we were not silenced. We continued our work, and we are committed to continuing our work, despite the fact that this has serious implications for, and poses serious threats to, the employees and our offices. This designation enables the Israeli occupation to enter the West Bank and forcibly close our offices. And this has happened with several Palestinian organizations so it's not a threat that is just in our brains. It's a serious threat. And there is the threat that the employees, such as myself, could be arbitrarily arrested and detained. My list of charges would be so simple: I hold a position in an organization that is deemed illegal under Israeli military orders. So I could be detained at any moment. There is this risk, but nonetheless, the silencing of opposition to the Israeli occupation has not happened. And we will not allow it to happen. We continue to take part in the UN Human Rights Council and in the mechanisms that they provide.

But this designation has forced us to use our capacities and resources to fight this baseless allegation. So now most of our work is focused not only on Palestinian prisoners, but also on protecting our organization and its credibility. We're still doing advocacy work for the [#StandWithThe6](#) organizations and this has taken a lot of our time and effort. So instead of focusing on the torture to which prisoners are subjected, we are focusing on denying accusations against our legitimate work. The designation, as I said, also sought to isolate Palestinian civil society organizations, and honestly, we haven't experienced this isolation. The partners and allies that we work with have stood with us and have even asked how they can help, even though the designation also affects the people we serve and the people that we sit with. Any interview that we conduct, any collaboration with any organization this organization or this person could also be held accountable based on Israeli military orders and the counter-terrorism law. But yet we've seen that our partners and allies have, thankfully, stood strong with us and they have continued to highlight the apartheid regime.

But the last aim and goal, which is the drying of funds, has been the major threat and we've seen its consequences greatly. Addameer hasn't experienced any defunding, thank God, but one of the organizations [the Union of Agricultural Work Committees \(UAWC\)](#) [lost their funding](#) from the Dutch government. And this occurred even *after* by the way the Dutch

government did their own internal investigation and concluded that UAWC has no ties financial or otherwise to any military operation, and that the employees of UAWC have no ties to any military operation. Regardless of these findings, the Dutch government announced that it would defund the organization based on Israel's terrorist designation. So [some of the] states that previously funded the affected organizations have bowed down to the political pressure of the Israeli occupation, and this has really affected our capacity to carry out our work. This happened with [Al-Haq](#), as well. The European Commission decided to [freeze its funding](#) in order to evaluate Al-Haq's work. At present, I'm not sure whether the donor reached a decision to withdraw its funding entirely, but there has been this suspension of funds. And really, it's not like we want money. Even immediately following the designation, we were not thinking, 'Let's rely on crowd-funding. Let's gain more money to make up for the money lost.' It has never been about money. It has been about legitimate work. But the defunding [implemented by some] states has been very limiting to our capacity.

### **MPF: Are you optimistic that Israel might revoke the terrorist designation?**

MA: I'm not sure how to answer this question whether I should be realistic, or hopeful as a Palestinian. Because if I am realistic, my answer is no I don't see Israel revoking the decision in any way. The Palestinian Liberation Organization (PLO), which is Fatah basically, is designated as an unlawful organization by Israel. Until now, we haven't seen any revocation of this designation. Israel does whatever it wants, as long as it doesn't see any slight hint of accountability. So if I am a realistic Palestinian, I would say definitely not. And even our first demand which was to ask organizations and states to call upon Israel to revoke the designation was very difficult to present as a demand. Why are we asking organizations and states to pressure Israel to revoke this baseless designation, instead of requesting that they not even take this designation into account? This designation is based on Israeli laws, it came from an Israeli defense commander, and there's no way to ask an occupying power to revoke what it has done. So it's difficult.

We hope, I really hope, that the international community puts pressure on Israel to revoke this designation, only because it has serious implications for us. At any moment, I could be arrested, and this has a psychological impact on all of the employees of the six designated organizations. So the best way and the only way for us to have our sanity and our closure, is to have the designation revoked. But if we are realistic, we know that Israel will not do this on its own. So if states are not willing to really hold Israel accountable, and to tell Israel, 'We will cut political relations if you don't revoke this designation,' then we do not expect any revocation. International organizations have been a tremendous help following the designation. But states have been really into their politics too much. Many state representatives have told us, 'We haven't seen any concrete evidence in support of the designation. So far, there is no substantial evidence that links your organization to any military operation or to the [Popular Front for the Liberation of Palestine], so don't worry. You're okay. Our country won't take this designation into account.' But this response really is impunity is silence. It is telling Israel: 'We give you a green light to arrest the employees, put them in harsh conditions, interrogate them, in order to obtain any plea bargain or any information from them that might link them or their organization to a terrorist organization or a military organization.' So this approach needs to be completely cut if there is to be any positive outcome for the six [designated] organizations. Israel decided to invoke this designation, so it is *their* responsibility to tell the international community why it is warranted. It's not on us to assume what secret information they have against us and to argue against it. And this is what the international

community has been requesting of us we are being asked to appeal this designation in Israeli courts, as if we will find any kind of justice or any resolution that would be legal and based on actual law. The entity to which we would submit an appeal is the same entity that made the designation. So any review or examination will not be conducted impartially. And this silence and impunity [from various states] is enabling the very measures that constantly pull us down and constantly demolish the work and the advancement that we seek to achieve for Palestinians.

**MPF: Many have condemned this designation, and the UN High Commissioner for Human Rights has called it 'an attack on human rights defenders, on freedoms of association, opinion and expression and on the right to public participation.' Yet, more efforts are needed to urge the Israeli government to revoke the designation. What steps ought the international community and specifically states, transnational institutions, and donors take to press Israel to rescind its designation and cease its criminalization of Palestinian civil society?**

SF: The position adopted by states at the beginning, and so far, has been very helpful. I think the solidarity that the six organizations received at the international level whether from organizations such as Amnesty International and Human Rights Watch, or from states affected Israel in the sense that it delayed any further action against us. [The Israeli authorities] could have raided our offices, arrested us, and so on. But they didn't because of the solidarity that states and the broader international community extended to us.

But now, after the passage of a couple of months, such statements are not enough and there is a need for real action to pressure Israel to revoke this designation entirely. The Israeli authorities are now buying time, relying on the possibility that as the weeks and months pass banks and donors will become increasingly hesitant to take the risk of working with us. This is what [the Ministry of Defense] wanted to achieve through this designation. [The Israeli authorities] know that there is no evidence against us as organizations; they know how weak their legal case is, and this explains as well why states couldn't take any steps to support the Israelis in their decision against us. Most states said clearly that the dossier that Israel presented is not sufficient and is not a solid basis that warrants going so far as to claim that six civil society organizations are terrorist organizations. But we're afraid that this is the Israeli authorities' strategy. They announced this designation, they saw the reaction, they minimized any further acts against us now, and they will wait. And time, perhaps, will have an affect, because, with time, who says that the banks and donors will continue to be willing to take the risk of dealing with 'illegal entities'? This is why we are saying that it is now very crucial that states adopt a clear position telling Israel: 'You should revoke this designation because we are going to continue to support, to act, and to cooperate with these organizations.' Otherwise, this step poses a serious threat to the whole of civil society in Palestine not only the six designated organizations. If Israel manages to get away with this terrorist designation, then sooner or later, it will become very easy for the occupation forces to claim that any Palestinian civil society organization is illegal, is a terrorist entity. And this will impact Palestinian civil society in its entirety, and this is the aim. They want to silence us. They want to prevent us from continuing our important work they want to prevent us from supporting the Palestinian people and from challenging the war crimes and crimes against humanity that they are committing. And this is the only way for them: to use counter-terrorism laws to pretend that these civil society organizations are terrorist groups.

**MPF: You have stated elsewhere that the Israeli authorities targeted Addameer precisely because the organization has succeeded in exposing Israel's flagrant international law violations and in 'changing the paradigm' by speaking of apartheid. This points to a persistent and unfortunate pattern whereby effective advocacy seems to have unintended adverse consequences vis-à-vis Israeli policy. Rather than responding to international pressure in a rights-affirming manner, Israeli authorities instead consistently react by implementing additional, increasingly more regressive and abusive measures. We've witnessed this pattern on several recent occasions: with the introduction of legislation authorizing force-feeding and the more expansive practice of isolation; the use of Pegasus spyware; and the criminalization of Palestinian human rights and civil society organizations. What might this tactic of 'doubling down' or 'digging in' mean for future prisoners' rights advocacy?**

SF: We have been facing such harassment for a long time, and [Addameer's] office has been raided several times. During these raids, [Israeli security forces] stole our computers; our cameras; our files, which is very ridiculous because they are files that we copied from their military courts. So it became very clear to us that they are trying to terrify us so that we stop our work whether that be the legal support that we offer to Palestinian prisoners, or and *especially* our advocacy against the Israeli military court system and the abuses and violations committed in the process of interrogation, imprisonment, and trial.

As long as we are physically able to be present as long as we are still here we will continue our work. Our friends whether donors, organizations, or individuals believe in our work and know that we are professional. However, I cannot ignore the fact that it is possible that they could come and arrest us as individuals. This is perhaps the only remaining measure they could take to physically affect our presence. But I believe that the Palestinian people, those who founded Addameer in order to provide services to Palestinian prisoners and to advocate on their behalf, will be able to continue. As long as the occupation continues, the resistance to the occupation the work of civil society, the legal and advocacy work of human rights organizations will continue. We will disappear when the colonization and the apartheid system disappear. In the time that they are present, we will be present.