



# General Assembly

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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 February 2024]

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\* Issued as received, in the language of submission only.



## **Current Issues and Good Practices in Prison Administration**

### **Introduction:**

A number of United Nations Member States continue to engage in arbitrary practices contrary to human rights principles and the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). These practices are: solitary confinement of prisoners in isolation from the outside world and ill-treatment and severe beatings and cruel and degrading practices that amount to torture. Maat for Peace, Development and Human Rights Association noted the prevalence of incommunicado detention practices in the occupied Palestinian territory by Israeli occupying forces and in Azerbaijan and Canada. These practices contravene international human rights law, which restricts the use of such incommunicado detention as a disciplinary measure except as a last resort. On the contrary, Maat for Peace, Development and Human Rights Association noted a series of positive measures and good practices undertaken by other States to promote prisoners' rights and Maat for Peace, Development and Human Rights Association hopes that these good practices will be disseminated among Member States to contribute to the advancement of prisoners' rights.

### **Solitary Confinement in Isolation from the Outside World:**

The use of prolonged solitary confinement against human rights defenders, social activists and other citizens' political opponents and activists are imprisoned in solitary cells in isolation from the outside world for prolonged periods, this may amount to torture and other cruel punishment, contrary to the Convention against Torture.<sup>(1)</sup> Maat for Peace, Development and Human Rights Association noted an increase in such practices in the occupied Palestinian territory by the occupying power. For example, in December 2023, the Israeli occupation forces released a 17-year-old child after he had spent more than thirty days in solitary confinement for the purposes of interrogation and investigation. However, placing him in a detention center for more than 30 days contradicts Israel's obligations under the Nelson Mandela Rules.<sup>(2)</sup>

Other facts documented by Maat for Peace, Development and Human Rights Association also included the extension of the Beer Sheva District Court in Israel on 13 March 2023 of solitary confinement for about six additional months for the Palestinian captive (A.M) who is 21 years old, the prisoner was placed in solitary confinement for about 16 months prior to this extension and Israel did not take into account his mental health besides his need for continuous medical and health care<sup>(3)</sup>. This is an explicit violation of Israel's obligations under international human rights law, particularly the Nelson Mandela Rules. It also contradicts international human rights standards, which make the use of solitary confinement as a disciplinary measure a last resort and prohibits States from expanding this practice. Incommunicado detention practices were not restricted to Palestinian adults, with documented statistics and facts indicating that 3 out of 5 children were subjected to solitary confinement for periods of 24 hours to 48 days. These practices are contrary to the principle of the best interests of the child in the Convention on the Rights of the Child, which Israel ratified on 28 September 1992<sup>(4)</sup>. These practices have been carried out within the jurisdiction of the Israeli occupying forces and are obliged to terminate them as soon as possible<sup>(5)</sup>.

In Azerbaijan, some local organizations reported that prison guards sometimes severely beat prisoners or place them in solitary confinement beyond the permissible period of 15 consecutive days. Between November and December 28, 2023, the Azerbaijani authorities arrested eight journalists and held some of them incommunicado on the pretext of damaging national security and finding large sums in their offices. Independent human rights organizations said that these charges were fabricated.<sup>(6)</sup>

### **Arbitrary Practices of Prison Departments:**

Maat for Peace, Development and Human Rights Association noted a number of arbitrary practices of prison departments and services in some United Nations Member States that contradict international human rights standards and national legislation. Maat for Peace, Development and Human Rights Association reviewed the testimonies of local organizations concerned with the human rights situation in the occupied Palestinian territory. According to these organizations, those in charge of prison administration in Israel have escalated retaliatory practices against Palestinian detainees in retaliation for the attacks that took place on October 7, 2023. Statistics indicate that the number of prisoners who were placed in prisons for security reasons, it increased by 66% after October 7, 2023, most of whom were Palestinians. Among the specific incidents documented by Maat for Peace, Development and Human Rights Association, a 23-year-old Palestinian prisoner died in January 2024. The Israeli Prison Service claimed that it had opened an investigation into 19 of those charged with prison administration, but this investigation did not lead to convicting any of them or arriving at the causes of death. The prisoner had been arrested in June 2022 under the pretext of committing security crimes(7). After October 7, 2023, Israel's Prison Department imposed further restrictions on Palestinian detainees. The restrictions were to prevent prisoners from leaving places of detention and did not allow their families to visit prisons, Maat for Peace, Development and Human Rights Association noted that these practices were never individual practices but were based on institutional guidance, namely, the decisions of the Israeli Minister of Security Palestinian prisoners which in 2023 refused to release more than 1,000 Palestinians on the recommendation to ease overcrowding in Israeli prisons, The Minister also gave orders to prison administrators to place prisoners in solitary confinement(8). In general, Israeli authorities continued to hold Palestinian prisoners incommunicado in isolation from the outside world. According to Maat for Peace, Development and Human Rights Association's reports in this context, The Israeli authorities are currently holding thousands of Palestinian prisoners in solitary cells in isolation from the outside world. In fact, the prolonged solitary confinement policies of the Israeli authorities against Palestinian prisoners have caused serious psychiatric and mental illness, for example, the Palestinian prisoner "A.M" has been detained by the Israeli authorities in solitary confinement for two years of serious mental health problems, including schizophrenia.

### **Good Practices in Training Law Enforcement Personnel:**

Maat for Peace, Development and Human Rights Association noted some positive efforts and good practices that may reduce practices of torture and ill-treatment in prisons and address challenges facing prisoners and detainees that make them vulnerable to forms of torture and ill-treatment including efforts and good practices to implement some human rights and anti-torture education and training programs and courses for all law enforcement officials, prison officials, judges and prosecutors to ensure that they are fully aware of the provisions of the Convention against Torture and its absolute prohibition of all forms of torture and other forms of ill-punishment and dignity. In Egypt, for example, the authorities carried out several training and education programs under the fourth axis of the National Human Rights Strategy aimed at training all law enforcement officials, prison officials, judges and prosecutors in the field of human rights and combating torture. In Greece, the Prison Labor Regulations stipulate that training is required for about four months before prison work begins. However, complaints have remained regarding the lack of practice in dealing with the most difficult experiences(9). In Morocco, the Government conducted training programs for prison staff. In April 2023, the head of the Directorate General of National Security sent a memorandum with directives and guidance to make detention more humane and to ascertain human rights guarantees and principles during preliminary investigations(10).

## Recommendations:

- The Human Rights Council's important role in pressuring Israel and Azerbaijan to hold prison guards and prison administrators accountable for violations against prisoners in both Israel and Azerbaijan;
- Strengthen and adopt more complaints mechanisms in the prison interests of the States listed in the report;
- Limiting and restricting the use of solitary confinement only in serious cases, such as where the prisoner poses a direct threat to others;
- Establish clear time limits for the duration of solitary confinement, not exceeding 15 consecutive days consistent with the Nelson Mandela rules;
- Intensify training programs for law enforcement officials and sensitize them to the need to reduce detainee abuse;
- Encourage Member States to share good practices and good experiences in promoting prisoners' rights and prison management.

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(1) Solitary confinement, Penal Reform International (PRI), <http://tinyurl.com/ym7num29>

(3) Israeli Court Extends Solitary Confinement of Palestinian Prisoner Ahmad Manasra for Six More Months, <https://www.adalah.org/en/content/view/10801>

(4) United Nations Treaty Collection, Convention on the Rights of the Child, [https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&clang=\\_en](https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&clang=_en)

(6) Eighth Journalist Arrested in Azerbaijan Amid Media Crackdown, <http://tinyurl.com/yem8v8e4>

(7) Palestinian, 23, dies in Israeli jail, <http://tinyurl.com/43tkdcwp>

(8) Israel's tormenting of Palestinian prisoners is illegal and morally unjustifiable, <http://tinyurl.com/3ywxhsep>

(9) A global perspective on prison officer training and why it matters, Panel Reform, Available at the following link: <https://www.penalreform.org/blog/a-global-perspective-on-prison-officer-training/>

(10) Morocco's Police Chief Calls for Humanizing Preventive Detention Sites, Available at the following link, <http://tinyurl.com/yyw8trky>