

Gheed Kassem, Human Rights Lawyer, “Dr. Hussam Abu Safiya and the conditions of imprisonment”, 2/9/2025

Introduction

Hello everyone. Welcome to Eyes on Gaza, our daily gathering that combines protest and learning. Today on Eyes on Gaza we will speak with attorney Gheed Kassem, a lawyer specializing in representing detainees, prisoners, illegal Palestinians residents [in Israel], and unlawful combatants, and in the conditions of their imprisonment. She will address all of these and explain them to us, focusing on the case of Dr. Hussam Abu Safiya, director of Kamal Adwan Hospital in northern Gaza, who has been held in Israel under harsh conditions for many months. Gheed saw him most recently, just two days ago, on Thursday. She will speak for eight minutes, and then we will leave time for a short discussion. I remind you that anyone who would like to ask a question is welcome to write it in the chat. Thank you very much for joining us, Gheed, we are with you.

Talk

Hello everyone. I am attorney Gheed Kassem. I will try as much as possible to be brief and hope to stay within the time. First of all, I will speak in general about the prisoners and detainees since the war. Since the war, on October 7, more than 15,000 prisoners have been held in detention facilities in Israel, including prisons, military detention centers, and army camps. More than 5,000 prisoners from Gaza were classified as unlawful combatants, half of whom were released in the last deal that took place in February 2025. As for the remaining prisoners, these are residents of the West Bank, East Jerusalem, as well as Arab citizens within the Green Line. Unfortunately, most of the cases of detainees were classified as “administrative detentions,” with orders of up to six months’ imprisonment, and most of them were renewed. At present there are almost 12,500–13,000 currently in prison, including Gazans. Most of the detainees from Gaza are doctors, nurses, medical staff, journalists, teachers, lecturers, students. Sadly, indictments have not been filed against most of them. They are classified as unlawful combatants.

The first stop for the prisoners is the Sde Teiman military camp. From there they are dispersed to other detention facilities: Ketziot Prison, Nafha Prison, Ramon Prison, Ofer Prison, Nitzan Prison, Ramla Prison, Hadarim Prison, Megiddo Prison, Petah Tikva Detention Center. And there are military bases such as Ofer Military Base, Anatot Military Base, and Naftali Military Base. Unfortunately, until the beginning of 2025, most of the prisoners did not even know where they were being held. Likewise, we, the lawyers, were told several times that we are forbidden to tell the prisoner where he is, not even in which area, north or south. This is war, genocide, detention, and prisoners who do not know the fate of their families. We as lawyers are also forbidden to give them the location of their families, and it is forbidden to transmit any data, any information related to what happens outside, outside the prison walls. Their hearings are not conducted by video conference. They only speak on the phone. They speak with the interpreter, who tells them that their detention has been extended for an unknown period. They do not even know what the maximum validity of the order is, on the grounds that the prisoner belongs to a terrorist organization and that there is intelligence information about him. I clarify that the lawyer does not even participate in the hearing.

What is an ‘unlawful combatant’? An unlawful combatant is a term that is not official in international law, referring to a combatant who is not entitled to prisoner-of-war status under the Third Geneva Convention, because he does not belong to a regular army or to a militia that has accepted the laws of war. The term entered Israeli legislation in 2002 with the Law of Incarceration of Unlawful Combatants. The law defines an unlawful combatant as a person who took part in hostilities against the State of Israel, directly or indirectly, or is a member of a force carrying out hostilities against the State of Israel, who does not meet the conditions granting prisoner-of-war status under international humanitarian law, as detailed in Article Four of the Third Geneva Convention of 1949.

Regarding the situation of Dr. Hussam Abu Safiya, he was arrested on December 27, 2024. He was the director of Kamal Adwan Hospital. His son Ibrahim was killed on October 26, 2024. He was 20 years old. In addition, he himself was seriously injured on November 23, 2024, nearly a month before his arrest. Hussam Abu Safiya was born in 1973. He is 52 years old, a Palestinian pediatrician, and was director of Kamal Adwan Hospital in Gaza. He is a prominent figure in the Gaza Strip, and the main leader of all the medical staff there providing services to Gaza's residents. Dr. Hussam was arrested on December 27, 2024, and was denied access to a lawyer for two and a half months. He remained in Sde Teiman base for two weeks. Afterwards he was transferred to Ofer Military Prison, where he was kept in isolation for 25 days and interrogated more than ten times. Only after nearly a month and a half was he placed with the other detainees. There are 450 prisoners held in that prison. On March 13, 2025, he was classified as an unlawful combatant. The hearing on his case was held on March 25. I personally was not at his hearing. It was under the jurisdiction of the Be'er Sheva District Court. I do clarify that on that very day of the hearing, he was interrogated afterward with severe violence. The charges against Dr. Hussam Abu Safiya are those of unlawful combatant. The order is for three months. There is no indictment, no specific charge. There is a secret intelligence file on him that even I, as his lawyer, am forbidden to review. So his case belongs to those of unlawful combatant. I visited and met him eight times. My first visit was in March 2025, and the last visit was a few days ago, on August 28, 2025.

What is his condition now? He has lost one-third of his body weight. At the time of arrest he weighed 100 kilos, and now his weight is under 70. He is currently in Room 2 of Wing 24. Unfortunately, on June 24, the last day of the war between Iran and Israel, when the hospital in Be'er Sheva was attacked, he was beaten severely and brutally assaulted. Today he also suffers from scabies. He is exposed to the sun only once a month, for 30 minutes. He is still wearing the same clothes from the day of his arrest. He suffers from an irregular heartbeat. He also has vision problems, suffers from high blood pressure, irregular heart rate, eye problems. He has lost much weight. Four of his ribs were broken during interrogations, and he still has not received the necessary treatment.

His detention conditions are extremely harsh: hunger, abuse, searches, raids under the policy of strip searches, lack of adequate medical care, extreme cold or heat or humidity. Mattresses are confiscated, there are no pillows, lack of clothing, no soap, nothing elementary inside the prison. He still asks about the hospitals, about the medical staff, inquiring about them. And he still insists and claims that he committed no crime. He only wanted to defend conscience, humanity, the sick, the wounded, and fulfilled his role as hospital director, as a doctor. His only crime was that he refused to evacuate Kamal Adwan Hospital. The result was that in the end he paid the price of his freedom and his security, and also lost his son. And all this only because he wanted to preserve his role as a doctor and hospital director. The last sentence he gave me a few days ago was: "I entered in the name of humanity, and I will leave here in the name of humanity. I was kidnapped from the hospital, and I will remain on our land, in our country, even if we are forced to provide our services as doctors from a tent." That was his last sentence. His overall condition is not good, like the rest of the Gazan prisoners and detainees. I particularly stress that when we speak of unlawful combatants, or of Gazan prisoners, we are speaking of their first experience inside detention facilities. Their situation is very different from that of the other Palestinian prisoners held in prisons. For most of them, this is the first time they have entered the State of Israel and been exposed to all of this.