

Correction and Rehabilitation Centres ('Prisons') Law No. 6 of 1998

**The Chairman of the Executive Committee of the Palestine Liberation Organisation,
The President of the Palestinian National Authority,**

Having reviewed the Prisons Law No. 3 of 1946 in force in the Governorates of the Gaza Strip,

Having reviewed the Prisons Law No. 23 of 1952 in force in the Governorates of the West Bank,

Having reviewed the draft law submitted by the Council of Ministers, and

Based upon approval of the Legislative Council,

I hereby promulgate the following law:

Chapter I.

Article 1

In applying the provisions of this law, the following terms and expressions shall have the meanings specified below, unless the context determines otherwise:

Ministry:	The Ministry of Interior.
Minister:	The Minister of Interior.
Centre:	Any place designated as a Correction and Rehabilitation Centre pursuant to the law.
Inmate:	Any person who is imprisoned pursuant to a decision issued by a criminal or special court or under legal detention, or any person who is referred to a Centre pursuant to a legal measure.
Director-General:	The Director-General of the Correction and Rehabilitation Centres.
Director:	The Director of a Correction and Rehabilitation Centre entrusted with the supervision of the Centre or such other person who was appointed to carry out the duties entrusted to the Director fully or partly.
Warden:	The officer entrusted to supervise the Centre.
Directorate-General:	The Administration of the Correction and Rehabilitation Centres in Palestine established pursuant to this law.
Banned Items:	Any item which an inmate of a Centre is prohibited from possessing or from being provided. This shall include money, clothes, alcoholic drinks, narcotics, poisons, machines, tools, sticks, blades, knives, weapons of various types, food before testing, any article harmful to the body or life, and all other articles that an inmate is prohibited from possessing pursuant to the provisions of this law or any regulation or instructions issued pursuant thereto.

Chapter II. Centres and the Supervision Thereof

Article 2

The Centres shall be established and their locations shall be determined by decision of the Minister. The Minister may cancel the decision and stop its implementation as occasion may require.

Article 3

The Centres shall be attached to the Ministry, and the Directorate-General shall manage and supervise them. The Director-General shall be appointed by the Minister. The Wardens of the Centres shall be appointed by the Director-General.

Article 4

The Director of the Centre shall manage and supervise the Centre's activities, as well as enforce the provisions of this law and every other regulation or instruction issued under the supervision of the Director-General or any other official he delegates thereof.

Article 5

A numbered general register of the inmates shall be kept, as well as a daily register of incidents at each Centre. For every inmate, a special file shall be established. Such records and files shall be subject to the supervision and control of the Director, who shall be responsible for their organisation and deposition.

Chapter III. Admission of Inmates

Article 6

1. The admission of an inmate into a Centre shall be by a legal order. It shall be prohibited to keep an inmate in a Centre after the expiration of the period determined in the legal order.
2. The Warden of the Centre shall verify the identity of an inmate and the legality of the order of admission.
3. A special file shall be established to document all details pertaining to an inmate.

Article 7

Any individual who is detained, arrested, held in custody or deprived of his liberty pursuant to the law shall be admitted to one of the Centres as determined by decision of the Minister pursuant to Article 2 of this law. Inmates of any Centre shall be under legal detention in the custody of the Director of the Centre and subject to the discipline of the Centre and the regulations of the Directorate- General.

Article 8

1. An inmate shall be searched upon his entry into the Centre. Every banned item shall be confiscated. Female inmates shall be searched by a female.
2. The Warden of the Centre shall keep the money of an inmate and the luggage which he may bring with him or which is sent to him. A receipt shall be handed over to him. Money and luggage shall be returned to the inmate immediately upon his release.
3. The money and luggage of an inmate shall be handed over to his heirs in the event of his death.

4. The right of a released inmate or, in the event of his death, his heirs to claim money or luggage shall expire three (3) years from the date of the release or death. Ownership thereof shall devolve to the State in the absence of any claim during that period.

Article 9

1. An inmate shall wear the uniform of the Centre.
2. Clothes of an inmate shall be destroyed if they are discovered to be harmful to the public health and the term of imprisonment does not exceed one (1) year. However, if the term of imprisonment exceeds this period, they shall be handed over to whoever the inmate selects.

Chapter IV. Inspection and Searching of Centres

Article 10

1. The Minister of Interior and the Minister of Justice, or whomever either of them delegates, shall have the right to access any Centre for the purpose of inspecting it and expressing the comments or suggestions they deem necessary, provided that they are recorded in a special register.
2. The Minister, in coordination with the Minister of Social Affairs, may appoint qualified social inspectors and specialists to review the psychological and social condition of the inmates.

Article 11

The Attorney-General or his Deputies, Governors and judges of the higher courts and the High Court may, each one within its sphere of jurisdiction, enter into any place of a Centre at any time to inspect it for the purpose of reviewing the following:

1. The correctness of records, papers, and entries relating to the management, discipline and regulations of a Centre.
2. To inspect the food of the inmates in relation to its quantity and quality.
3. To enforce the provisions of the laws and bylaws and take whatever measure they deem necessary regarding committed violations.
4. To verify that no inmate is detained in an illegal manner.
5. To verify the lawful implementation of court decisions and orders of the Public Prosecution and investigation judges. They may accept complaints of inmates and express their comments thereupon. The Director shall provide them with all information that they may request regarding the assignment entrusted to them.

Article 12

The Director-General shall make periodic inspection visits to all Centres to verify the implementation of all regulations, instructions, and decisions and shall submit a report in this regard to the Minister.

Chapter V. Health Care and Medical Services

Article 13

A clinic shall be established in every Center. The Medical Services shall provide it with a physician, a number of nurses, and the necessary equipment and medication. The physician shall perform the following:

1. Examine every inmate upon his admission to the Centre and prior to his release. The physician shall prepare a report on each inmate's health condition, showing therein the date and hour of the examination.
2. Permanent health supervision of inmates in the event of a hunger strike.
3. Take care of the health of the inmates and submit a periodical report thereupon with recommendations to the Director.

Article 14

1. The physician shall inspect the sleeping places of inmates, inspect inmates in solitary confinement, verify the health conditions of inmates, treat sick persons, and transfer those whose health condition requires so to the clinic or to a specialised hospital. He shall also isolate those who are suspected of infection with contagious or epidemic diseases until they are cured and disinfect their clothes, beds, and food.
2. The period spent by an inmate in hospital shall be counted for the period of his sentence.

Article 15

1. A sick inmate shall be referred immediately to a hospital if his condition requires so. The management of the Centre shall promptly notify the authorities of the area where the kin of the inmate live and permit them to visit him. If the inmate passes away, the physician shall prepare a report, which shall include the following:
 - a) The date of the complaint by the inmate of the sickness or the date on which his sickness was first observed.
 - b) The type of activity which the inmate was performing on that date.
 - c) The date of his admission to the hospital for treatment.
 - d) The date and time of the notification by the physician of the condition of the inmate.
 - e) The type of sickness and the last time the sick inmate was examined before his death.
 - f) The date and the cause of death, as well as all other observations which the physician makes after an autopsy.
2. For the duration of the period of his stay in hospital or in any other place of medical treatment, the inmate shall be considered under legal custody. It shall be the responsibility of the Warden to take the necessary measures for guarding an inmate while he is under treatment in a manner which does not infringe upon the inmate.

Article 16

The Director, or whoever is delegated on his behalf, must immediately notify the Public Prosecution or any competent authority of the death of an inmate, whether he suddenly passed away or died as a result of an accident or of a serious injury, as well as of all crime perpetrated by inmates or against them or all serious incidents whatsoever.

Chapter VI. Notification of Inmates and Providing them with Judicial Records

Article 17

The Warden of the Centre, or whoever is delegated on his behalf, shall notify an inmate of all judicial records or matters relating to him immediately upon their official receipt by the management of the Centre.

Article 18

An inmate shall have the right to file a complaint or submit a request, which shall be done pursuant to the following:

1. Submitting his request or filing his complaint on the form provided for this purpose.
2. Recording his request or complaint in a special register before forwarding it to the competent authority, which shall notify the inmate of its answer immediately upon its receipt.

Chapter VII. Use of Firearms

Article 19

It shall be prohibited for the Director, or whoever is delegated on his behalf, or any member of the Centre to enter the cell of an inmate without an escort while the inmate is present.

Article 20

The members of the Directorate-General shall be prohibited from carrying firearms inside the Centre, except under the following circumstances and for the following purposes:

1. For self-defense, after having exhausted all other means, such as tear gas, water hoses, or clubs.
2. To prevent the escape of an inmate if he crosses the boundaries of the premises of a Center and cannot be prevented from doing so by any other means.
3. To put an end to a mutiny, riot, or acts of violence that result in the climbing of walls or that are likely to result in breaking the gates of the Centre or in a serious breach of security and discipline.
4. To prevent harm against an inmate or other individuals present in the Centre, if they are exposed to immediate danger or harm and after having exhausted all other reasonable means.

Article 21

If a firearm is used to warn, scare, or deter an inmate, three warning shots shall be fired. If the inmate does not comply, shots shall be fired at his legs with due care to avoid serious injuries. Necessary first aid and treatment shall be provided to the injured.

Article 22

Firearms may not be used in cases where the lives of others are exposed to danger.

Article 23

The Director shall notify the concerned authorities of the use of firearms and conduct an administrative investigation to establish the circumstances and motives of the incident.

Chapter VIII. Classification of Inmates

Article 24

Male inmates shall be placed in a separate section from females. It shall thereby not be possible for them to talk, contact, or see each other. Juveniles shall be placed in special Centres.

Article 25

Inmates of each sex shall be classified and distributed in separate sections, in as much as it is permitted under the circumstances of any Center, as follows:

1. Detained inmates against whom no judgements have yet been issued by the competent courts.

2. Inmates convicted in civil actions, such as lawsuits of debt and maintenance.
3. Inmates with no previous conviction
4. Inmates with previous conviction.

Article 26

Detained inmates against whom no judgements have yet been issued and inmates in civil actions shall have the right to bring in special food, clothes, or covers from outside of the Centre.

Article 27

A pregnant inmate shall be given, from the time of the appearance of the pregnancy symptoms and until sixty (60) days after delivery, special treatment in terms of nutrition, time of sleeping and work and shall be provided with medical care in accordance with the recommendations of the physician. Measures shall be taken that she may deliver at a hospital.

Article 28

It shall not be mentioned in the official records or in the birth certificate if an inmate delivers her baby in the Centre. A hospital shall be considered the place of birth, and the child shall remain in the custody of the mother until the age of two (2) years. The Director shall provide a place separate from other inmates for the breast-feeding mother.

Article 29

1. If an inmate does not wish to keep the child with her after delivery or if the child reaches the age of two (2) years, it shall be delivered to the person who is legally entitled after the mother, unless the physician decides that the health condition of the child does not so allow.
2. If there is no one who has the legal right of the child's custody, the child shall be placed in a children care institution, provided that the mother is notified of such place, and the mother shall be permitted to see the child periodically.

Chapter IX. Education and Cultural Activities of Inmates

Article 30

The Directorate-General shall, in coordination with the competent education authorities, organise educational courses for illiterate inmates. It shall provide educational opportunities for other inmates so that they may continue their education through the various educational stages, whether in schools attached to the Centre or in public or vocational schools, in accordance with the facilities available, the safety requirements of the inmates, and the security procedures of the Centre.

Article 31

The Directorate-General shall, in coordination with the competent education authorities, provide inmates with the necessary means to enable them to study, memorise, and continue their university studies without daily attendance. The Directorate-General shall enable inmates to sit for exams under the direct supervision of the competent education authorities, whether inside or outside of the Centre.

Article 32

Academic or vocational certificates awarded to an inmate shall not contain any reference which would indicate that it was awarded to him while in the Centre or from a school attached to the Centre.

Article 33

The Directorate-General shall grant suitable incentives to inmates who obtain general or university certificates during their period in the Centre.

Article 34

The Directorate-General shall, in coordination with the management of the Centre, hold cultural seminars, deliver moral guidance and religious, educational and cultural lectures, and shall provide the opportunity for all inmates to take part therein.

Article 35

A public library shall be established in every Centre for educating and refining the inmates, provided that it contains useful publications whose circulation is legally permitted. The inmates shall be encouraged to read and make use of such books and printed publications in their leisure time. They shall be given the opportunity for doing so.

Article 36

The inmates may bring in, at their expense, books, magazines and newspapers whose circulation is legally permitted pursuant to the regulations of the management of the Centre and the bylaws and instructions issued by the Directorate-General.

Chapter X. Rights of Inmates

Article 37

1. It shall be prohibited to force an inmate to work in private houses or in other private matters.
2. It shall be prohibited to torture an inmate or to use force against him, except as provided in Articles 20 and 21 above.
3. It shall be prohibited to insult an inmate or address him in a degrading manner.
4. It shall be prohibited for the employees of the Centre to eat with inmates and their visitors or to joke with them.
5. It shall be prohibited to enter the cell of an inmate at night unless occasion may require this, in which event such entry shall be in the presence of the Director or whoever is delegated on his behalf.
6. An inmate shall be given full freedom to perform his religious rites and duties.
7. An inmate shall take a bath at least twice a week during the summer and at least once a week during the winter.
8. An inmate shall wash his face and extremities twice a day, once in the morning and again in the evening.
9. An inmate shall wash his clothes at least once a week.
10. The hair of an inmate shall be cut once a month.
11. The hair of an inmate convicted to a sentence of imprisonment for three (3) months or more shall be removed.
12. An inmate shall shave his beard at least twice a week.
13. The management of the Centre shall provide the cell of an inmate with heating during cold days.

14. The bed of an inmate shall consist of a sponge mattress and five woolen blankets.
15. Meals shall be distributed to an inmate in the place provided in his cell at specified times.
16. The dinner meal shall be distributed at sunset.

Chapter XI. Transportation of Inmates

Article 38

The Director shall be responsible for implementing judicial orders relating to the transportation of an inmate from or to the Centre at the specified time.

Article 39

Documents, effects, and deposits of the inmate shall be transferred to the Centre to which he is transferred.

Article 40

1. During the transport of an inmate, the following shall be prohibited:
 - a) Exposing him to the eyes of the public, as well as all forms of publicity. Measures shall be taken to protect him from insults and the curiosity of the public.
 - b) Transporting him under bad conditions regarding ventilation, lighting or other means which would expose him to unnecessary physical hardship.

Chapter XII. Training and Employment of Inmates

Article 41

The Centre shall seek to give an inmate professional training and develop his skills, as well as make him learn professions during his period of conviction, which may help him earn a living upon his release. Theoretical and practical vocational training shall be performed in training and employment workshops inside or outside of the Centre, pursuant to the regulations and instructions issued by the Directorate-General in this regard.

Article 42

1. Convicted inmates may be put to work inside or outside of the Centre in any suitable job. It shall be prohibited to put detained inmates to work unless they wish to do so, provided that the daily working hours do not exceed eight (8) hours and that they are not put to work during their holidays.
2. Sick inmates and those who reach sixty (60) years of age shall be excluded from the enforcement of the provisions of paragraph 1 above, unless they wish to work and the physician testifies to their ability to do so.

Article 43

1. Inmates convicted in civil actions may be put to work in light duty if they wish to do so. Female inmates may not be put to work outside of the Centre.
2. Except for those who are sentenced to hard labor, the work inside or outside of the Center may not be cruel or painful.

Article 44

In consideration of his work inside or outside of the Centre, an inmate shall be granted a remuneration to be determined by the regulations and instructions.

Chapter XIII. Commuting Periods of a Sentence

Article 45

1. An inmate shall be released if he has spent two-thirds (2/3) of the period of the sentence issued against him, he has shown during such a period good conduct and behavior, and his release will not constitute a danger to public security.
2. If the sentence is a life sentence, the inmate shall be released if he has spent a period of twenty (20) years in the Centre and his conduct during this period was good.

Article 46

1. The release pursuant to the preceding Article shall be made by decision of the Minister upon the recommendation of the Director-General. The decision shall specify the reasons for the release.
2. If the release is on probation, the released may be returned to the Centre to complete the remaining period of his sentence if any misconduct is substantiated or if the released violates the conditions of the probation, upon a decision of the Attorney-General stating the reasons for the return of the released.

Article 47

The Director shall forward to the Director-General a report on every inmate whose sentence exceeds the period of ten (10) years from the lapse of the first six (6) years, including all information pertaining to the inmate and followed by a periodic report for every year of the remaining period.

Article 48

The President of the National Authority may release inmates on national or religious occasions. The release shall be made at the time determined in the decision of pardon.

Chapter XIV. Banned Items

Article 49

No banned items may be brought to the inmate in the Centre. The inmate may not possess or take banned items, except to the extent permitted by the law.

Article 50

The Warden of the Centre, or whoever is delegated on his behalf, may inspect all items brought in or taken out of the Centre. The Warden may stop or order to stop any person or inmate who is suspected of bringing in or taking out any banned item or who possesses any such item. The Warden may instruct that such a person or inmate be searched pursuant to the law. If a banned item is discovered, the Warden shall confiscate it and refer the person from whom it was confiscated to the competent authorities.

Article 51

If a banned item was not put to use in a crime, the Director may:

1. Use it in a manner that benefits the inmates.
2. Destroy it, if it is of no use or value.
3. Sell it and pay the revenue therefrom to the General Treasury of the Authority, if it is of value.

Chapter XV. Visits

Article 52

Visits to an inmate shall be permitted in regular intervals and shall be determined pursuant to the regulations and instructions. The first visit shall be permitted upon the completion of the investigation or after a period of one (1) month from the date of the detention, whichever occurs first.

Article 53

The inmate shall have the right to correspond with his family and friends, as well as to receive letters from them. The management of the Centre may review the incoming and outgoing letters, provided that their confidentiality is guaranteed.

Article 54

The attorney-at-law of the detained or convicted inmate shall be permitted to meet with him in private, whether the meeting occurs upon invitation of the inmate or upon the request of the attorney.

Article 55

The Director may allow visits to a sick inmate upon the order of the physician and may also allow religious people to visit an inmate for preaching and guidance or for holding the religious rites at the times and places set forth in the regulations and instructions.

Article 56

1. The Director shall establish a special visitors register wherein the name and address of every visitor of the Centre shall be recorded.
2. The Director may search any visitor, who is suspected of possessing a banned item. If the visitor refuses to be subjected to the search, he may be banned from the visit. The reasons for the ban shall be recorded in the register.

Article 57

1. The Director may grant an inmate a leave of three (3) contingent days in the event of the death or the confinement to hospital in a serious condition of relatives up to the second degree, provided that the inmate produces a guarantor to vouch for him during the period of his leave and for his return to the Centre upon its expiration.
2. The Director may grant an inmate of good conduct a twenty-four (24) hours leave every four (4) months, provided that the inmate has spent one-fourth (1/4) of the period of his sentence and produces a guarantor to vouch for him during this leave.

Article 58

If an inmate does not return to the Centre within twelve (12) hours from the expiration of his leave, he shall be considered a fugitive and be brought before the competent court to try him for this crime.

Chapter XVI. Inmates Sentenced to Capital Punishment

Article 59

1. An inmate who is sentenced to death shall be isolated from the remaining inmates and placed under constant supervision. He shall be barred from receiving visits, except after obtaining written permission of the Director-General.

2. The Attorney-General, his Deputy, clergymen or the physician of the Centre may visit at any time an inmate sentenced to capital punishment.
3. The Director shall, upon receiving the execution order of the sentence of capital punishment, notify the inmate and his family or one of his relatives in order to visit him on the day prior to the day set forth for the execution of the judgement.
4. The Director shall read out the charge and the pronouncement of the judgement at hearing distance from the attendees and in the presence of the Attorney-General or his Deputy, the physician of the Centre, a representative of the Police, and two other persons selected by the Attorney-General, a clergymen to whom the convicted is religiously affiliated, and, if he wishes so, his attorney-at-law.
5. The sentence of capital punishment shall be executed inside the Centre upon the request of the Attorney-General to the Director-General. The corpse shall be handed over for burial to the local authority where the Centre is located.

Article 60

1. The execution of the sentence of capital punishment against pregnant inmates shall be suspended until after the delivery and after the child completes two (2) years of age.
2. The judgement shall not be executed during official holidays and religious and national feasts.
3. The execution of the sentence of capital punishment may not be postponed after having received the execution order and the notification of the convicted person and his family of the matter.

Chapter XVII. Disciplinary Regulations

Article 61

1. The Minister shall issue a bylaw, which shall regulate the duties and activities of the inmates, as well as all prohibitions relating to them.
2. Inmates shall be informed of the bylaw issued under the preceding paragraph.
3. Without prejudice to any criminal liability, an inmate shall be disciplined if he violates the laws or regulations and instructions in force in the Centre.
4. Articles relating to crimes and punishments shall be written on a sign and published in a clearly visible place on the outside door of the Centre and in the dining hall of the inmates.

Article 62

The following disciplinary penalties shall be imposed upon an inmate if he violates the regulations or instructions of the Centre:

1. Warning.
2. Solitary confinement for a period not to exceed one (1) week.
3. Deprivation of the advantages granted to an inmate pursuant to his classification for a period not to exceed thirty (30) days.

Article 63

It shall be prohibited to impose any of the penalties set forth under the preceding Article without conducting an investigation that includes an official charge against the inmate and the hearing of his statement and his defense. The decision for the imposition of a penalty shall be justified and the investigation shall be conducted with the knowledge of the investigator in writing. The penalties imposed upon an inmate shall be recorded in the Penalties Register.

Chapter XVIII. Release of Inmates

Article 64

1. The Director shall release an inmate in the afternoon of the day in which his sentence expires or on the day preceding it. The inmate may not be kept in the Centre thereafter.
2. An inmate shall be released immediately if a general or special amnesty is issued in his favour.
3. If an inmate is under detention and a release order in his favour is issued, he must be immediately released, unless he is detained for another reason.

Chapter XIX. General Provisions

Article 65

The Minister shall issue the bylaws and instructions necessary for the enforcement of this law.

Article 66

The Prisons Law No. 3 of 1946 in force in the Governorates of the Gaza Strip and the Prisons Law No. 23 of 1952 in force in the Governorates of the West Bank, as well as all other provisions contradicting the provisions of this law are hereby repealed.

Article 67

All competent authorities, each one within its sphere of jurisdiction, shall implement the provisions of this law, which shall enter into force as of the date of its publication in the Official Gazette.

Issued in the city of Gaza on 28 May, 1998 AD, corresponding to 2 February [sic!] 1419 AH.

Yasser Arafat

**Chairman of the Executive Committee of the Palestine Liberation Organisation
President of the Palestinian National Authority**