

PUBLIC

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Health Concern/Legal Concern

19 June 1998

**PALESTINIAN AUTHORITY' Attiya Abu Nuqayreh, aged 28
'Ala' 'Akel, aged 25**

There are serious concerns for the health of 'Attiya Abu Nuqayreh and Ala' 'Akel, who have been on hunger strike for 58 days. Both are now hospitalised.

The two men started a hunger strike on 22 April 1998, in protest against the unfairness of their trial before a military court and demanding their release.

They initially accepted both water and milk, but later stopped taking milk. Both have been transferred from Gaza Central Prison to the Shifa' Hospital in Gaza several times over the past 26 days and are now drinking fluids and being fed saline solution and proteins intravenously. Both suffer from stomach problems.

Amnesty International delegates were able to visit them in intensive care, where they were guarded by armed police who remained in the room during the conversation. Both men seemed weak and had difficulty speaking.

BACKGROUND INFORMATION

'Attiya Abu Nuqayreh and Ala' 'Akel, both from Rafah in the Gaza Strip, were arrested by Palestinian Military Intelligence (*istikhbarat*) in 1995. Despite the fact that both men were civilians and should therefore have been tried in a normal criminal court under Palestinian law, their case was tried before the Special Military Court, which uses the Palestine Liberation Organization (PLO) Penal Code of 1979.

In the trial, which took place on 10 March 1996, they were convicted of killing a member of the civil defence following an attack on the house of the head of the civil defence in Gaza and sentenced to death by firing squad. However, on 21 March 1996 their sentences were commuted to life imprisonment (see EXTRA 39/96, MDE 15/19/96, 13 March 1996 and follow-up MDE 15/22/96, 21 March 1996).

Amnesty International has consistently raised concerns about the use of military courts to try civilians and has urged the Palestinian Authority to ensure that civilians accused of offences are tried before normal criminal courts according to international fair trial standards.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Arabic or English or in your own language:

- expressing concern about the health of 'Attiya Abu Nuqayreh and Ala' 'Akel after their 58 days on hunger strike;
- asking the Palestinian authorities to ensure that 'Attiya Abu Nuqayreh and Ala' 'Akel continue to have access to any medical care they request;
- asking that they be retried before a normal criminal court according to international fair trial standards and that the decision to order a retrial be communicated to the prisoners as a matter of urgency.

APPEALS TO:

President Yasser Arafat

Palestinian Authority

Al-Muntada

Gaza, Palestinian Authority

Telegrams: President Arafat, Gaza, Palestinian Authority

Faxes: + 972-7-822365 (ask to send a fax)

Salutation: Dear President Arafat

Mr Freih Abu Meddein

Minister of Justice

Ministry of Justice

Abu Khadra Building

Omar al-Mukhtar Street

Gaza, Palestinian Authority

Telegrams: Justice Minister, Gaza, Palestinian Authority

Faxes: + 972-7-867109

Salutation: Dear Minister

COPIES TO:

The Palestinian Centre for Human Rights

P.O.Box 1204, Gaza

Palestinian Authority

Fax: +972 7 824776 (ask to send a fax)

Solidarity International for Human Rights

P.O.Box 1188, Gaza

Palestinian Authority

Fax: + 972 7 821 443 (ask to send a fax)

and to representatives of the Palestinian Liberation Organisation accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 August 1998.