

URGENT ACTION

PALESTINIAN DETAINEE RESUMES HUNGER STRIKE

Administrative detainee Samer al-Barq was denied a family visit on 12 March, apparently to punish him for resuming his hunger strike on 27 February in protest at the renewal of his administrative order despite previous assurances by the Israeli authorities. He is currently held in Hadarim prison in Israel, reportedly in solitary confinement.

Samer al-Barq's brother told Amnesty International that officers at Hadarim prison did not allow him and his sister to visit their brother on 12 March "because he does not want to eat". His siblings were later told by a relative of a fellow inmate at Hadarim that Samer al-Barq is being held in solitary confinement.

Samer al-Barq's administrative detention order was renewed for a further three months on 24 February 2013. The order was confirmed in a judicial review on 27 February, despite previous promises by the Israeli authorities to his lawyer who works for the Palestinian Prisoners' Club (PPC), a Palestinian non-governmental organization that provides legal and other assistance to Palestinian prisoners regardless of their political affiliation, that he would be transferred to Egypt and then onto Pakistan where his wife, a Pakistani national, lives. However, Samer al-Barq's lawyer has learned that the Israel Security Agency (ISA – Israel's internal intelligence service) objects to his transfer to Egypt, despite previous assurances that they would facilitate his transfer if another country agreed to accept him. The PPC has told Amnesty International that Samer al-Barq was interrogated in Hadarim prison by the US Federal Bureau of Investigation (FBI) on 21 February.

His family have only been allowed about three visits since he was detained by the Israeli authorities in July 2010. Throughout his three hunger strikes in 2012, he was consistently denied access to independent doctors and specialist medical care appropriate for his condition. He was also subjected to ill-treatment by the Israel Prison Service, particularly during his second hunger strike from 22 May to 23 September 2012.

Please write immediately in English, Hebrew or your own language:

- Calling for Samer al-Barq and all other detainees on hunger strike in Israeli custody to be given regular access to appropriate medical care, including in civilian hospitals with specialized facilities and by independent doctors of their choice; regular visits from family members; and for them not to be subjected to torture or other forms of ill-treatment;
- Calling on the Israeli authorities to immediately release Samer al-Barq and other Palestinians held in administrative detention, unless they are promptly charged with internationally recognizable criminal offences and brought to trial in full conformity with international fair trial standards.

PLEASE SEND APPEALS BEFORE 3 MAY 2013 TO:

Israel Prison Service Commissioner

Lieutenant-General Aharon Franco
Israel Prison Service, PO Box 81
Ramleh 72100, Israel
Fax: +972 8 919 3800

Salutation: Dear Lieutenant-General

Military Judge Advocate General

Brigadier General Danny Efroni
6 David Elazar Street
Hakiryia, Tel Aviv, Israel
Fax: +972 3 569 4526
Email: avimn@idf.gov.il

**Salutation: Dear Judge Advocate
General**

And copies to:

The Honorable John F. Kerry
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington DC 20520, USA
Fax: + 1 202 647 2283

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the twelfth update of UA 119/12. Further information: www.amnesty.org/en/library/info/MDE15/060/2012/en

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ADDITIONAL INFORMATION

Samer al-Barq, 38, has been held in administrative detention without charge or trial by Israel since 11 July 2010, when he was transferred to Israeli military custody by the Jordanian authorities, who had rearrested him after previously detaining him without charge or trial for over four years. He was first arrested in Pakistan, where he was studying, on 15 July 2003, and was subsequently handed to the US authorities and kept for three months in a secret prison outside Pakistan, before being transferred to detention in Jordan on 26 October 2003. He alleged that he was tortured and ill-treated in both US and Jordanian custody.

During 2012, he engaged in three hunger strikes to protest his detention without charge or trial. He ended his first hunger strike after 30 days on 14 May 2012, but resumed it on 22 May 2012 after his detention order was renewed for three months. His detention order was subsequently renewed on 22 August 2012. During his second hunger strike he was shackled to a hospital bed at times, and reported to lawyers that he was beaten and verbally abused by prison guards. He suspended his second hunger strike on 23 September 2012 after he was given promises that he would be transferred to Egypt, but when the Israeli authorities did not fulfil their promise he resumed his hunger strike on 14 October. Samer al-Barq suspended his third hunger strike on 24 October 2012 after lawyers from the Palestinian Prisoners' Club (PPC) delivered promises that he would soon be transferred to Pakistan through Egypt. In October 2012, PPC Director Qaddoura Fares told Amnesty International that the Palestinian Authority received an official letter from the Pakistani Ministry of Foreign Affairs stating that they are willing to receive Samer al-Barq, who previously studied in Pakistan and is married to a Pakistani national. He said that the process of transferring Samer al-Barq to Egypt was the first step towards sending him to Pakistan and would begin after the Muslim holiday of Eid al-Adha on 30 October 2012. However, Samer al-Barq was not transferred, and remains in Hadarim prison. His administrative order was renewed for three months on 21 November 2012, and renewed again on 24 February 2013.

Amnesty International understands from Samer al-Barq's lawyers who were involved in the negotiations for his release and potential transfer outside of the Occupied Palestinian Territories to Egypt in September 2012, that he freely consented to these negotiations, though the organization has not been able to confirm this with Samer al-Barq himself. After being denied visits for a year, his family were permitted to visit him in October 2012. After the visit in October his family stated that he was brought to them in a wheelchair and was unable to stand; that he appeared extremely weak and depressed, and was suffering internal bleeding and had severe stomach pains. Samer al-Barq also complained of severe pain in his right leg, which appears to stem from a metal surgical insert which remains inside his leg.

Administrative detention is detention without charge or trial for renewable terms. Orders are based on evidence withheld from the detainees and their lawyers. A mass hunger strike of around 2,000 Palestinian prisoners and detainees protesting poor prison conditions, solitary confinement, denial of family visits and detention without charge ended on 14 May 2012 following an Egyptian-brokered deal with the Israeli authorities. As of 31 January 2013, there were 159 administrative detainees held by Israel, over 160 fewer than during March 2012. There are several other administrative detainees on hunger strike. Some administrative detainees have been released if they have agreed to leave the Occupied Palestinian Territories and go into exile abroad. The Fourth Geneva Convention prohibits an occupying power from forcibly transferring or deporting people from an occupied territory. Read more in Amnesty International's June 2012 report *Starved of justice: Palestinians detained without trial by Israel*, Index: MDE 15/026/2012, at <http://www.amnesty.org/en/library/info/MDE15/026/2012/en>.

Name: Samer al-Barq

Gender m/f: m

Further information on UA: 119/12 Index: MDE 15/007/2013 Issue Date: 22 March 2013