

URGENT ACTION

PALESTINIAN HUNGER STRIKERS' LIVES IN DANGER

Two Palestinian hunger strikers' lives are in danger, as the Israeli Supreme Court has delayed ruling on the appeal against their detention without charge or trial. Other administrative detainees on hunger strike are still denied access to independent doctors.

Bilal Diab and **Tha'er Halahleh's** petition to the Israeli Supreme Court against their administrative detention was heard on 3 May, but the judges have yet to issue a decision. Both have been on hunger strike since around 29 February, and both have told their lawyers that they have been ill-treated by Israel Prison Service (IPS) staff and physicians. Bilal Diab fainted at the hearing, and was taken back to Assaf HaRofeh hospital, where he was transferred on 1 May. The IPS had previously refused to move him from Ramleh prison medical facility. His lawyer reported that he is shackled to his hospital bed at all times. Restraining a seriously ill prisoner to his bed for non-medical reasons amounts to cruel, inhuman and degrading treatment. The Israeli NGO Physicians for Human Rights-Israel (PHR) visited Tha'er Halahleh and Bilal Diab at Ramleh prison on 30 April. Their doctor reported that Bilal Diab could suffer life-threatening heart arrhythmia at any time and may also have peripheral nerve damage and internal bleeding. Tha'er Halahleh's life is also at risk due to inflammation around his lungs, and the doctor recommended that he be transferred to hospital for a scan. He remains at Ramleh prison clinic, which PHR has said is inadequate for detainees on prolonged hunger strike as it lacks specialized equipment and properly trained staff. PHR has appealed for his transfer to an appropriate hospital, but the district court has yet to hear the petition.

Hassan Safadi, Omar Abu Shalal, Ja'afar Izz al-Din, and Mahmoud al-Sarsak, remain at Ramleh prison clinic and have not been allowed to see independent doctors. All have been on hunger strike since March in protest at their detention without charge or trial. The Military Court of Appeals will hear Ja'afar Izz al-Din's appeal on 6 May.

Please write immediately in Hebrew or your own language:

- Calling on the Israeli authorities to release these six detainees (naming them), as well as all other Palestinians in administrative detention, unless they are promptly charged with internationally recognizable criminal offences and brought to trial in proceedings that meet international fair trial standards;
- Urging the Israeli authorities to immediately transfer Tha'er Halahleh and other detainees on prolonged hunger strikes to a fully-equipped hospital so they can receive specialized medical care;
- Urging them to ensure that all detainees on hunger strike are allowed regular, private access to independent doctors, families and lawyers, treated humanely, and not punished in any way for their hunger strike;
- Urging them to end the cruel, inhuman and degrading treatment of administrative detainees, such as shackling detainees on prolonged hunger strike.

PLEASE SEND APPEALS BEFORE 15 JUNE 2012 TO:

Deputy Prime Minister and Minister of

Defence

Ehud Barak

Ministry of Defence

37 Kaplan Street, Hakiryia

Tel Aviv 61909, Israel

Fax: +972 3 69 16940 / 62757

Salutation: Dear Minister

Israel Prison Service Commissioner

Lieutenant-General Aharon Franco

Israel Prison Service

P.O. Box 81

Ramleh 72100, Israel

Fax: +972 8 919 3800

Salutation: Dear Lieutenant-General

And copies to:

Military 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

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 first update of UA 119/12. Further information: <http://www.amnesty.org/en/library/info/MDE15/023/2012/en>

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ADDITIONAL INFORMATION

Tha'er Halahleh was arrested at his home in the village of Kharas in Hebron district on 26 June 2010 and placed in administrative detention. His detention order was most recently renewed on 5 March 2012. Bilal Diab was arrested at his home in Kufr Ra'i in Jenin on 17 August 2011, and given an administrative detention order which was renewed on 14 February 2012. Both were moved to the Ramleh prison clinic on 21 March after their health deteriorated. Despite repeated PHR requests to the IPS and court petitions, both have been denied access to independent doctors except for two PHR doctor visits on 9 and 30 April 2012.

Hassan Safadi was arrested at his home in Beit Ain al-Ma' refugee camp in Nablus on 29 June 2011. His detention order was renewed on 29 January 2012; he went on hunger strike on or around 2 March. He is reportedly in a grave condition but has yet to see an independent doctor, despite a court order ruling this. A petition to the Israeli Supreme Court against his administrative detention was rejected on 24 April. Omar Abu Shalal was arrested while crossing to Jordan on 15 August 2011. His detention order was last renewed on 15 February 2012; he went on hunger strike around 4 March. Ja'afar Izz al-Din was arrested at his home in Arrabeh, Jenin on 21 March 2012 and placed in administrative detention. He went on hunger strike to protest his administrative detention around 27 March. A district court will hear the PHR petitions for access to Omar Abu Shalal and Ja'afar Izz al-Din on 7 May. A member of the Palestinian national football team from the Gaza Strip, Mahmoud al-Sarsak, was arrested on 22 July 2009 at the Erez checkpoint, and has been held without charge or trial under the Unlawful Combatant Law. His detention order was last renewed on 1 March 2012, and he has been on hunger strike since 24 March.

Amnesty International has repeatedly urged Israel to end the practice of administrative detention (including detention under the Unlawful Combatant Law), because it violates the internationally recognized right to a fair trial, which must be upheld for all detainees, including those accused of violence, even under states of emergency. Detainees' rights to a fair trial, as guaranteed by Article 14 of the International Covenant on Civil and Political Rights (ICCPR), to which Israel is a state party, are consistently abused under administrative detention and the Unlawful Combatants Law. The evidence against the detainee is heard in secret, without either the defendant or his or her lawyer being allowed to examine the evidence or challenge it. According to the Israel Prison Service, 320 Palestinians were held in administrative detention as of 31 March 2012. Mahmoud al-Sarsak is currently the only person held under the Unlawful Combatant Law.

The IPS medical centre in Ramleh is not a hospital and is inadequate for detainees on prolonged hunger strike, or detainees with serious medical conditions. It is not staffed with professional nurses or doctors and lacks the equipment for dealing with long-term hunger strikers.

A mass hunger strike began on 17 April 2012; an estimated 2,000 Palestinian prisoners and detainees are on hunger strike in protest against prison conditions, isolation, and denial of family visits. Many are being punished in different ways for their hunger strikes, and none are known to have been given access to independent doctors. Human rights organizations and lawyers warn that the IPS is taking systematic measures to punish hunger-striking prisoners and detainees and pressure them to end their strikes, which are putting their lives at risk. These measures include preventing the detainees from contact with their family members and lawyers; refusing to transfer hunger strikers in need to hospitals suitable for their condition; and preventing detainees from seeing independent physicians so that they can receive accurate medical information from doctors they trust.

Names: Tha'er Halahleh, Bilal Diab, Hassan Safadi, Omar Abu Shalal, Ja'afar Izz al-Din, Mahmoud al-Sarsak

Gender: all male

Further information on UA: 119/12 MDE 15/025/2012 Issue date: 4 May 2012

