

PUBLIC

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Further Information on: UA 103/08 (MDE 15/019/2008, 18 April 2008) Medical Concern

**ISRAEL/OCCUPIED PALESTINIAN
TERRITORIES/EGYPT**

**Nufuz Husni (f), aged 44, Muhammad al-Hurani (m), aged 25,
Rami Al-Arouqi (m), aged 29, Rami al-Masri (m), aged 25,
Sameer Taleb (m), aged 47.**

New names:

**Bassam al-Oehidi (m), Nadira Abu Oweimar (f), Mustafa Sha'sha
(m), Rada Khdaïr (f), Walid al-Sawarkhi (m), Mahmud Odeh (f),
Radi abu Rida (f), Ahmad Abu Shawish (m), Fathi al-'Af (m),
Ayman al-Ladawi (m), As'ad al-Qarinawi (m), Ahmad Abu Shawish
(m), Jihad al-Shatali (m), Muhammad Owdalla (m), Naser al-
Akhra's (m) and hundreds of other patients.**

Now receiving treatment abroad:

Karima Abu Dalal (f), aged 34

With the exception of Karima Abu Dalal (who was finally able to leave Gaza through an exceptional arrangement via the border with Egypt after many months' delay to her treatment for Hodgkin's lymphoma) all the critically ill patients named above are still being denied permission to leave Gaza for treatment abroad.

The Israeli authorities are refusing to allow these and hundreds of other patients to leave Gaza to obtain specialized treatment unavailable in Gaza, for undisclosed and unsubstantiated security reasons. Dozens of patients have died in recent months following delays to, or denials of, permits to leave Gaza.

To leave Gaza Palestinians must receive a permit from the Israeli authorities. These are often refused, even in cases of critically ill patients with hospital arrangements in Israel, the West Bank or abroad. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), since the beginning of 2008, only 58 per cent of the applications for permits to leave Gaza submitted by Palestinian patients have been approved.

In several cases patients have been told by the Israeli General Security Service that they will not be allowed to leave Gaza unless they become informants. In December 2007, one of the above-mentioned patients told visiting Amnesty International delegates that even after obtaining a permit from the Israeli authorities to leave Gaza to be treated for medical treatment at a Jerusalem hospital, he was denied passage at the crossing following his refusal to become an informant. Since then he has not been able to leave Gaza for treatment and has now lost his sight in one eye. The Israeli branch of the international non-governmental organization, Physicians for Human Rights, has documented several more such cases over the last year.

The Israeli High Court of Justice has consistently failed to intervene in the Israeli authorities' decisions to deny permits to critically ill Palestinian patients, preferring to accept the Israeli General Security Service's promises to allow patients out in a shuttle service to Jordan or Egypt on a bus guarded by an Israeli security escort. However, the shuttle service has operated only four times in the past eight months for a handful of patients each time and fails to meet Israel's obligations towards Palestinian patients under international law.

There are only two crossings where individuals may leave Gaza: through Erez for Israel, and through Rafah for Egypt. The Erez Crossing is closed for Gazans except those with special permission. The Rafah Crossing has been open for only 23 days since June 2007 for a very limited number of patients and humanitarian cases. In the last three months, the crossing opened for only two days for Palestinians to leave, on 2 and 3 July, during which only 22 patients were able to leave.

Nufuz Husni, who has cancer, was refused permission to leave Gaza via the Erez Crossing in March. The Israeli High Court refused to intervene, and no shuttle buses were running, so she travelled to the Rafah Crossing on 2 July, in a further attempt to seek medical attention elsewhere. However, after waiting 36 hours at the crossing with her husband, she had no choice but to return home.

BACKGROUND INFORMATION

Palestinians have been trapped in Gaza since 9 June 2007, when the Israeli authorities closed the Rafah Crossing. The Israeli authorities justify denying permits to critically ill patients by claiming that they constitute a "security risk". However, they put no evidence forward to support this claim. Denying passage to patients in desperate need of medical care serves no legitimate security purpose. All those leaving Gaza undergo strict security checks at the crossings.

Medical facilities in Gaza lack the specialized staff and equipment to treat a range of conditions. Under international law, Israel, as the occupying power, is prohibited from imposing collective punishment or reprisals on the Palestinian population and must ensure that Palestinians in Gaza and the West Bank receive the same extent of medical attention and hospital treatment as their own nationals.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

To the Israeli authorities:

- expressing grave concern that scores of critically ill patients have been denied passage to access potentially life-saving treatment outside Gaza (include the names listed);
- expressing grave concern that patients are being denied treatment for undisclosed security reasons or unless they agree to become informants;
- pointing out that under international law, Israel, as the occupying power, has the responsibility to ensure that the population of Gaza has access to medical care to the same extent as Israeli nationals;
- calling on them to work urgently to ensure the reopening of the Rafah Crossing between Gaza and Egypt, which is the only gate to the outside world for the population of Gaza.

Ehud Barak

Minister of Defence, Ministry of Defence, 37 Kaplan Street, Hakiryia, Tel Aviv 61909, Israel

Fax: +972 3 691 6940

Email: minister@mod.gov.il

Salutation: Dear Minister

Major General Yoav Galant

GOC Southern Command, Military Post 02392, Beer Sheva, IDF

Fax: +972 8 990 2655

Salutation: Dear Major General

To the Egyptian Authorities:

- calling on them to work urgently to ensure prompt passage for these and other patients out of Gaza via the Rafah Crossing.

Minister Habib Ibrahim El Adly

Ministry of the Interior, 25 Al-Sheikh Rihan Street, Bab al-Louk, Cairo, Egypt

Fax: +20 22 794 5529

Email: moi@idsc.gov.eg and center@iscmi.gov.eg

Salutation: Dear Minister

COPIES TO: Israeli Minister of Health, Yacov Ben Yizri, **Fax: +972 2 678 7662, Email: pnriot@moh.health.gov.il** and to diplomatic representatives of Israel and Egypt accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 October 2008.