

URGENT ACTION

FREE FORCIBLY DISAPPEARED PALESTINIAN SURGEON

On 24 March 2024, Palestinian Khaled Al Serr was detained by the Israeli military from Nasser hospital in Khan Yunis in the southern Gaza Strip. Since then, he has been held in conditions that amount to enforced disappearance. More than two months on, Israeli authorities continue to conceal his fate and whereabouts; the scraps of information that his family have been able to receive only came from his colleagues and from released detainees. Israeli authorities must immediately release Dr. Khaled Al Serr. They must immediately disclose the whereabouts and legal status of all Palestinian health workers from Gaza who have been forcibly disappeared and release them unless they are charged with an internationally recognizable criminal offence and prosecuted in proceedings that respect international fair trial standards. Pending Dr. Khaled Al Serr's release, authorities must disclose to Dr. Khaled Al Serr's family his fate and whereabouts and grounds of detention and ensure his access to a lawyer, medical care and family members.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Brig. Gen. Yifat Tomer-Yerushalmi
Military Advocate General
Israel Defence Forces
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Email: pazar@idf.il

Dear Brig. Gen. Yifat Tomer-Yerushalmi,

I am writing to urge you to order the immediate release of Palestinian surgeon Khaled Al Serr from the occupied Gaza Strip, who has been held by Israeli authorities in conditions that amount to enforced disappearance since 24 March 2024.

According to his colleagues, Dr. Khaled Al Serr, 32, was detained from Nasser hospital in Khan Yunis in the southern Gaza Strip as the Israeli military, having fully encircled the hospital, raided its premises. As far as Amnesty is aware Dr. Khaled Al Serr was acting in accordance with his duties as a medical professional and he should have been respected and protected as such. A released detainee, who was held along with Dr. Khaled Al Serr, reported to the media that he witnessed the torture of Dr. Khaled Al Serr which included plucking his beard with pliers. Testimonies collected by Amnesty International and other independent human rights organizations from Palestinian health workers detained and recently released indicate that Israeli authorities – both the military and the Israeli prison service – are routinely subjecting detained health workers to torture and other ill-treatment.

A dedicated and talented young surgeon, Dr. Khaled Al Serr was one of the health workers who decided to remain at Nasser hospital to tend to the patients even while it was being encircled by the Israeli military. According to the World Health Organization, at least 214 health workers have been detained by Israeli forces while on duty since November 2023. According to the Palestinian Health ministry, at least 106 health workers are either detained or missing, many in conditions that amount to enforce disappearance.

Enforced disappearance is a gross human rights violation and crime under international law. When perpetrated as part of a widespread or systematic attack on the civilian population, they may constitute crimes against humanity under the Rome Statute of the International Criminal Court. Torture and other ill-treatment are absolutely prohibited under international law and can constitute war crimes and crimes against humanity. Arbitrary detention also violates Israel's obligations under international human rights law and humanitarian law.

Additionally, in a situation of armed conflict, health workers and healthcare facilities carrying out their humanitarian duties must be respected and protected and must never be deliberately targeted.

Therefore, I urge you to secure the release of Dr. Khaled Al Serr and to disclose the fate, whereabouts and legal status of all other Palestinian health workers who have been forcibly disappeared in Israeli custody. All those who are arbitrarily detained must be released immediately. Pending his release, I call on you to ensure that the prison authorities immediately inform Dr. Khaled Al Serr's family of his whereabouts, fate and grounds of arrest, if any.

Yours sincerely,

ADDITIONAL INFORMATION

On 24 March 2024, Dr. Khaled Al Serr, a 32-year-old Palestinian surgeon from the occupied Gaza Strip, was detained by the Israeli military from Nasser hospital in Khan Yunis in the southern Gaza Strip, along with other health workers. His family learned about his detention from his colleagues but since then, they have not received any information from Israeli authorities about his condition, whereabouts or grounds for his arrest. They only received scraps of information from released detainees who were held along with Dr. Khaled Al Serr, including one detainee who reported that Dr. Khaled Al Serr was subjected to torture and other ill-treatment.

As reported by Israeli human rights organisations, since 7 October 2023, and particularly since the beginning of the ground operations in the occupied Gaza Strip at the end of October, Israeli authorities have resorted to the Unlawful Combatants Law and other unspecified provisions to detain thousands of Palestinians from the occupied Gaza strip without charges or trial, preventing them from having any contact with the outside world, and holding most of them, including Dr. Khaled Al Serr, outside the protection of the law, in conditions that amount to enforced disappearance. The use of the Unlawful Combatants Law and its amendments, the denial of access to lawyers, the refusal to disclose the fate and whereabouts of those detained, the denial of the right to a fair trial and the well-documented use of torture and other ill-treatment against detained Palestinians, particularly those from the occupied Gaza Strip, are all blatant violations of Israel's obligations under international humanitarian and human rights law. Torture and other ill-treatment and enforced disappearance are crimes under international law; and arbitrary detention during armed conflict and occupation is a war crime. Such acts may amount to crimes against humanity under the Rome Statute of the International Criminal Court when committed as part of a widespread or systematic attack on the civilian population.

The detention while on duty and the enforced disappearance of health workers is part and parcels of the ongoing Israel's attacks on the healthcare system and infrastructure in Gaza. Healthcare workers continue to endure increasingly horrific and inhumane conditions whilst caring for their patients due to military operations and the blocking of adequate medical supplies and fuel. Over-stretched beyond imagination, they are working long shifts without access to food and clean water, and often with communications blackouts. According to the United Nations Office for the Coordination of Humanitarian Affairs, as of 5 June, of the 36 main hospitals that used to serve over 2 million Palestinians in Gaza, only 16 are partially functional, with severe limitations on the types of services they can deliver.

The enforced disappearance of Dr. Khaled Al Serr is part of the ongoing Israel's attacks against healthcare workers and the healthcare system in Gaza. Join our campaign, take action and send your letter to the Israeli authorities for the immediate release of Dr. Khaled Al Serr and an end to the enforced disappearance of other Palestinian health workers from Gaza.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Hebrew and Arabic.
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 2 August 2024.
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Khaled Al Serr (he/him).