

PUBLIC

AI Index: MDE 15/037/2008
02 September 2008

Further Information on 103/08 (MDE 15/019/2008, 18 April 2008) and follow-up (MDE 15/034/2008, 22 August 2008) - Medical concern

ISRAEL/OCCUPIED PALESTINIAN
TERRITORIES/EGYPT

Nufuz Husni (f), aged 44, Muhammad al-Hurani (m), aged 33, Rami Al-Arouqi (m), aged 29, Rami al-Masri (m), aged 25, Sameer Taleb (m), aged 47, Bassam al-Oehidi (m), aged 28, Nadira Abu Oweimar (f), aged 29, Mahmud Odeh (m), aged 31, Radi abu Rida (m), aged 50, Fathi al-'Ghouf (m; note corrected name), aged 43, Ayman al-Ladawi (m), aged 35, As'ad al-Qarinawi (m), aged 47, Ahmad Abu Shawish (m), aged 46, Naser al-Akhras (m), aged 34

Previously in receipt of treatment:

Karima Abu Dalal (f), aged 34

Now receiving treatment abroad:

Ahmad Abu Shawish (m), aged 46, Rada Khdair (f), aged 22, Walid al-Sawarkhi (m), aged 57, Mustafa Sha'sha (m), aged 51, Jihad al-Shatali (m), aged 50, Muhammad Owdalla (m), aged 56

The six patients named above were able to leave Gaza when the Gaza-Egypt border was opened exceptionally on 30 and 31 August. They are now receiving medical treatment abroad. Among them is Ahmad Abu Shawish, whose situation was critical due to the cancer in his bladder causing profuse bleeding.

The Rafah Crossing to Egypt has only been opened four times in 2008, each time for one to three days only. The Israeli authorities continue to oppose the reopening of the Gaza-Egypt border and only allow Egypt to partially open the border in some exceptional cases. The opening on 30-31 August was one such exception, ahead of the Muslim holy month of Ramadan, which began on 1 September. It is now closed, leaving other critically ill patients unable to reach the medical treatment they need.

The only other exit is via the Erez Crossing to Israel, through which all the patients referred to specialized hospitals in Israel, the West Bank, including East Jerusalem, and Jordan need to travel. However, the Israeli authorities frequently deny permission to Palestinian patients to enter or pass through Israel.

Karima Abu Dalal 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. See UA 103/08 (Index: MDE 15/019/2008), for further details.

The other critically ill patients have still not been able to leave Gaza and are thus still unable to receive the medical treatment they desperately need. Their hospital referrals are for Israel, the West Bank and Jordan. They thus need to travel via the Erez Crossing from Gaza to Israel and not to Egypt. Some are in such poor physical condition that they cannot be moved without special facilities. Therefore they remain in Gaza hospitals, where there is no specialized treatment for their conditions, which are deteriorating. Nufuz Husni, for example, is undergoing chemotherapy and is too weak to travel, though she has been referred to a hospital in Egypt after being refused permission in March to leave Gaza to travel to a specialized Israeli hospital. The trip from Gaza to the hospital in Egypt is physically extremely tiring.

BACKGROUND INFORMATION

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 authorities set up a closed shuttle service with an Israeli security escort to transfer patients to Jordan, but it has only operated four times in eight months, each time carrying two to eight patients. Israel retains effective control of the Gaza Strip and is therefore responsible for the welfare of the population under humanitarian law and international human rights law and must ensure that the Palestinian population under occupation receive the same medical care 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:

- urging that the above named and other patients be allowed to leave Gaza immediately to access hospitals in the West Bank, including East Jerusalem, or in Israel, Jordan or other countries
- calling on them to work urgently to ensure regular passage for patients in and out of Gaza through the Rafah Crossing between Gaza and Egypt.
- 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;

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 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 14 October 2008.