



Urgent Appeal

Al Mezan, Physicians for Human Rights – Israel, and Adalah: Special Rapporteur Must Intervene to Protect Fundamental Rights of Palestinian Detainees and Prisoners on Hunger Strike

In the face of escalated Israeli violations of the rights of Palestinian and Arab detainees held in Israeli prisons, which amount to systematic violations of the relevant international criteria, hundreds of Arab detainees declared an open-ended hunger strike on Tuesday 27 September 2011. The strike seeks an end to the systematic violations committed by the Israel Prison Service (IPS) and the achievement of conditions of detention in line with international standards.

By the numbers, there are at present about 6,000 Palestinian detainees held in Israeli prisons and detention centers. Of these, 735 are from the Gaza Strip, of whom 245 are children, 37 women, and 180 administrative detainees. Three are held as “unlawful combatants.”

On 23 May 2010 the Israeli cabinet approved a draft bill of the “Shalit Law,” which would impose harsher conditions of detention on Palestinian detainees in Israeli prisons. The new law would deprive Palestinian detainees of visits from their families and lawyers and limit access by Red Cross representatives to one visit every three months. It would also deprive detainees of their right to continue their education in prison and prohibit them from watching TV, reading books and magazines, and using canteen services. Under the proposed law, Palestinian detainees would be subject to unlimited periods of solitary confinement as a means of punishment, a legalized escalation of a measure already in practice.

Furthermore, various prohibited measures meeting the definition of “torture and ill-treatment” continue to be practiced in an atmosphere of impunity. Israeli law grants protection and immunity to Israel Security Agency (ISA, also known as the Shin Bet or Shabak) investigators who are involved in the practice of torture and/or abuse of Palestinian detainees. Israeli law exempts the police from recording of interrogation sessions with persons charged with security offenses, including almost all Palestinian detainees. Israeli law also allows for prolonged prevention of Palestinian detainees from meeting with their lawyers. Palestinian detainees also frequently denied sleep and rest during interrogation sessions, which are usually long. They are also subject to interrogation with their hand and legs are cuffed. Moreover, Israeli law restricts judicial oversight of interrogation of Palestinian detainees.

The Palestinian detainees have declared the aims of the hunger strike in a collection of demands, including an end to: the use of solitary confinement as a form of punishment; collective punishment measures, the foremost of which is the denial of rights to visitation by family and lawyers; imposition of fines on detainees; cuffing of

prisoners' hands and legs during meetings with family or lawyers; and the frequent, arbitrary cell raids and strip searches by prison authorities. The detainees are also demanding new books, magazines, and clothes from their families; full rights to pursue their education; improvements in the medical services provided to them; longer family visits, as families suffer substantial hardship at Israeli checkpoints in order to reach their relatives; and access to TV channels that are currently banned by the IPS.

Fifteen days have passed and the detainees are still on open-ended hunger strike. The Al Mezan Center for Human Rights, Physicians for Human Rights-Israel, and Adalah: The Legal Center for Arab Minority Rights in Israel call on you, in your capacity as Special Rapporteur, to promptly intervene and exert pressure on Israeli authorities to end their gross and systematic violations of Palestinian detainees' rights. We also call on your office to work towards repeal of existing legislation, and prevention of the approval of further legislative proposals, which are in violation of international human rights standards.

The three petitioning organizations call upon your office to:

- Promptly intervene to end punishment of the strikers by solitary confinement, arbitrary and ongoing transfer from one prison to another, denial of visits from family and lawyers, and imposition of fines;
- Exert pressure on Israeli authorities to meet the legitimate aforementioned demands of detainees; and
- Exert pressure on Israeli authorities to allow independent physicians, authorized by Physicians for Human Rights, detainees, and their families, to visit the detainees and conduct independent medical examinations of the strikers under World Medical Association guidelines.