

12 June 2014

Urgent Appeal / Day 50 of the Palestinian mass hunger-strike: Israeli fast-track legislation to permit force-feeding may be completed next week

Since 24 April 2014, over 100 Palestinian detainees and prisoners have been on hunger strike in protest at Israel's policy of Administrative Detention (see box).

On 9 June, an Israeli government-initiated law proposal to **permit force-feeding of hunger strikers** passed first reading in the Israeli parliament, the Knesset. **The second and third readings are scheduled to take place in a fast-track procedure next week.** This can only be prevented by public responses locally and abroad.

Israel's secret police, the Shin Bet or *Shabak* (known also as GSS, ISA), has encouraged the Israeli Prime Minister, Binyamin Netanyahu, to push through this legislation as fast as possible, with the explicit purpose of breaking the hunger strike, rather than out of concern for the welfare of the strikers.

Force feeding is defined as torture by the World Medical Association's [Declaration of Malta](#) and has been [condemned](#) by the UN Special Rapporteur on Torture and other UN organs.

The Israel Medical Association (IMA) has objected publicly to the proposed legislation and announced that its members will not comply with it. However, doctors working for the Israel Prisons Service (IPS) are not members of the IMA. The body in charge of supervising and disciplining doctors in Israel is the Ministry of Health, which, unfortunately, is a main supporter and promoter of the legislation.

In line with the approach taken by the Shin Bet and PM Netanyahu, the Ministry of Health is now also introducing new, more stringent restrictions on the access of external independent doctors to the hunger-strikers, despite the fact that the right of prisoners to see an independent doctor is anchored both in Israeli law and in international norms.

What is Administrative Detention?

A form of internment without trial, administrative detention can be ordered by an Israeli military commander in the occupied Palestinian territory (oPt) based on 'security reasons', which are broad enough to include peaceful political activity and virtually any act of opposition to the Israeli occupation. As of 1 May 2014, 192 Palestinians were held in administrative detention in Israel. Detainees are held without trial and neither they nor their lawyers are allowed to see the 'secret evidence' used against them. While detainees may appeal the detention in a military court, such a right is rendered meaningless without access to the information on which the detention order is based. Administrative Detention orders are valid for up to six months at a time and can be renewed indefinitely. According to testimonies collected by human rights organizations, detainees have been held in administrative detention for periods ranging from one month to as

much as six years. The frequency of the use of administrative detention has fluctuated throughout Israel's occupation. It has specifically been used as a means of collective punishment against Palestinians opposing the occupation. UN CERD has recently expressed its opinion that Israel's current practice of Administrative Detention is 'discriminatory and constitutes arbitrary detention under international human rights law.' The European Union has also condemned Israel's use of this measure.

What you can do:

- Contact **your national medical association and the World Medical Association** and ask them to publicly urge the Israeli government to withdraw the law: doh@wma.net; wma@wma.net
- Contact the **UN Special Rapporteur on Torture**, Prof. Juan Mendez and ask him to condemn the law and publicly urge the Israeli government to withdraw it: urgent-action@ohchr.org
- Contact the **EU High Representative** Baroness Catherine Ashton and ask her to condemn the law and publicly urge the Israeli government to withdraw it: Catherine.ashton@ec.europa.eu
- Contact **your local MP** and ask her to condemn the law and publicly urge the Israeli government to withdraw it.

The IMA's position: <http://www.ima.org.il/ENG/ViewCategory.aspx?CategoryId=4497>

Recent press articles:

Guardian: <http://www.theguardian.com/world/2014/jun/09/israel-force-feeding-law-palestinian-hunger-strikers>

Haaretz

<http://www.haaretz.com/news/national/.premium-1.598313>

<http://www.haaretz.com/news/diplomacy-defense/.premium-1.597672>

<http://www.haaretz.com/news/middle-east/.premium-1.598098>

Related websites:

<http://www.phr.org.il/default.asp?PageID=4>

www.Addameer.org

www.Adalah.org

www.stoptorture.org.il

<http://www.mezan.org/en/>

Israel's attempt to break the hunger-strikes: Background

In 2012, Palestinian detainees and prisoners embarked on multiple hunger strikes, aiming to end the policy of Administrative Detention as well as seeking to improve prison conditions and renew family visits from the Gaza Strip and the West Bank, which had been interrupted. Despite punitive measures against the strikers, the hunger strikes were largely successful, leading to the release of several administrative detainees as well as to an Egyptian-brokered agreement between the prisoners' leadership and the Israel Prisons Service, which included an undertaking to respect most of the strikers' demands. This year, as the number of administrative detainees crept up again and conditions in the prisons did not improve, a new mass hunger strike was declared on 24 April. As the hunger strike gathers speed and support, the response of the Israel Prisons Service has increased in hostility. Prison staff has exerted pressure on hunger-strikers to break their protest in various ways including isolation from the outside world by denial of access to lawyers, independent doctors and family; separation from other prisoners through solitary

confinement and frequent transfers from one prison to another; and punitive measures such as raids on striking prisoners' quarters, confiscation of personal belongings and fines. IPS medical staff has been implicated in this process by preferring the interests of the prison to their obligations to their patients, in breach of medical professional-ethical standards. Hunger-strikers have been shuttled between medical facilities in the public health system.

Access to trustworthy legal advice and independent doctors is crucial to the hunger-strikers' ability to make conscious and informed decisions regarding their actions, but PHR-Israel doctors and the detainees' lawyers have only gained access to some of the hunger-striking prisoners after repeatedly appealing to the courts.

For information and updates on this issue please contact Physicians for Human Rights-Israel: Amany Dayif at amanydayif@phr.org.il, or Hadas Ziv at hadas@phr.org.il

This appeal is by:

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