

**Immediate action needed:
Independent doctor confirms current hunger strikers face imminent threats to their lives**

6 June 2012
Joint Urgent Appeal

As organisations dedicated to the promotion and protection of human rights, the Palestinian Council of Human Rights Organizations (PCHRO) and Physicians for Human Rights-Israel (PHR-Israel) are gravely concerned for the lives of three Palestinian prisoners that remain on hunger strike in Israeli prison. Today, Mahmoud Sarsak and Akram Rikhawi were visited by PHR-Israel's independent doctor for the first time since they launched their hunger strikes.

Mahmoud Sarsak is currently on his 80th day of hunger strike, resulting in an imminent threat to his life. Despite the urgency of his condition, the Israeli Prison Service (IPS) has denied Mahmoud access to independent doctors from PHR-Israel until today. The IPS also refuses to transfer him to a civilian hospital for proper treatment. Following today's visit, the PHR-Israel doctor reported that Mahmoud has experienced extreme loss of muscle tissue and drastic weight loss. He has lost 33 percent of his body weight, from an original weight of 76 kilos down to his present weight of 51 kilos. He also suffers from frequent incidents of fainting and loss of consciousness, in addition to lapses in memory. The doctor further reported that Mahmoud is in danger of pulse disruptions (arrhythmias) that are endangering his life.

Mahmoud, 25 years old and a member of the Palestinian national football team, has been detained for nearly three years under Israel's "Unlawful Combatants Law," which allows for Palestinians from the Gaza Strip to be detained for an unlimited amount of time without charge or trial. Those detained under the Statute have little or no legal protections, even less than those detained under administrative detention orders in the West Bank.

Also of utmost concern is the condition of Akram Rikhawi, currently on his 56th day of hunger strike. PHR-Israel has made numerous requests to gain access to Akram but all have been denied until today. Following today's visit, the PHR-Israel doctor reported that Akram also already suffers from extreme loss of muscle tissue and drastic weight loss. His weight has decreased from 68 kilos to 50 kilos, which is a total loss of 26.5 percent. The PHR-Israel doctor determined that a combination of inflammation of prior chronic illnesses and the complications of hunger strike render hospitalization immediately necessary.

Akram has been held in the Ramleh prison medical center since his arrest in 2004, as he suffers from many different chronic conditions, including diabetes and asthma. Akram began his hunger strike on 12 April in protest against his request for early release not being granted despite his medical condition. Yesterday, 5 June, his appeal for an early release on medical grounds was rejected. The IPS doctors' threats to force-feed and force-treat him, in addition to their determination not to recommend his medical condition as worthy of earlier release from prison, has led Akram to regard them with deep distrust. Thus, he often refuses to receive treatment for his chronic illnesses, or the complications they generate.

PHR-Israel's independent doctor strongly recommended that both Mahmoud and Akram be immediately transferred to a hospital, as they are at immediate risk of death. These recommendations were given directly to the IPS doctor present with him during the visit. It should be emphasized that contrary to medical ethic and professional standards, the IPS refused the request of the independent doctor to go over the full medical files of both Mahmoud and Akram. He stated that according to the limited information accessible to him, the medical follow-up they have been receiving is insufficient both in frequency and scope.

A third Palestinian prisoner also remains on hunger strike. Samer Al-Barq, 38 years old, has been held in administrative detention, without charge or trial, since 11 July 2010. Samer is currently held in Ramleh prison medical center. Samer participated in the Palestinian prisoners' mass hunger strike from 17 April until 14 May. He re-launched his hunger strike on 21 May in protest against the renewal of his administrative detention order in spite of an understanding in the agreement that ended the mass hunger strike, which implied that current administrative detainees would not have their orders renewed.

While administrative detention is allowed under international humanitarian law, it must be used only under exceptional circumstances as it infringes upon basic human rights, including the right to a fair trial. Indeed, the denial of a fair trial constitutes a 'grave breach' of the Fourth Geneva Convention, one of the most serious forms of war crimes. This form of arbitrary arrest also contravenes Articles 9 and 14 of the International Covenant on Civil and Political Rights. Furthermore, the European Parliament called on Israel in a September 2008 resolution to "*guarantee that minimum standards on detention be respected, to bring to trial all detainees, [and] to put an end to the use of 'administrative detention orders'.*" The United Nations Human Rights Committee has stated several times that prolonged administrative detention is likely to result in the exposure of detainees to "torture, ill-treatment and other violations of human rights."

Given the critical health condition of the hunger strikers and the fact that Mahmoud Sarsak and Akram Rikhawi face imminent death, the PCHRO and PHR-Israel:

- demand that all hunger strikers in advanced stages are moved immediately to civilian hospitals where they can receive the standard of care necessary;
- call for immediate intervention for the IPS to provide all hunger strikers with unrestricted access to independent doctors;
- demand that all hunger strikers are allowed family visits;
- urge the Member States of the United Nations to urgently put pressure on Israel to end its policy of arbitrary detention and to abide by the standard rules for the treatment of prisoners adopted in 1955, which set out what is generally accepted as being decent principle and practice in the treatment of prisoners;
- call on the European Parliament to activate the parliamentary fact-finding mission that includes members of its Subcommittee on Human Rights to investigate the conditions of detention of Palestinians held in Israeli prisons;
- emphasise that the parliamentary fact-finding mission must include an investigation into Israel's illegal practice of administrative detention and the use of the "Unlawful Combatant Law";
- urge Members of the European Parliament to bring the case of all three hunger strikers to the attention of relevant Israeli authorities without delay.

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