



Mr. David Quesne  
Head of Mission  
International Committee of the Red Cross (ICRC)  
East Jerusalem, Occupied Palestinian Territory

**Date: 25 March 2019**

**Re: Urgent Action Needed to Determine Health Condition of Palestinian Prisoners and Circumvent Further Attacks against Palestinian Prisoners in Israeli Prisons**

Dear Mr. David Quesne,

I address this urgent letter to you in relation to the recent escalations against Palestinian prisoners in Israeli prisons, particularly those taking place in Al-Naqab Prison since yesterday, Sunday, 24 March 2019, and requesting your immediate intervention to: halt further attacks against Palestinian prisoners; ensure the protection of their rights to life and health, including access to adequate healthcare, medical services, and treatment; and to determine the health condition of injured Palestinian prisoners, and to inform their families accordingly.

While access to information and updates from Al-Naqab Prison has been obstructed by the Israeli occupying authorities and by Al-Naqab Prison Administration, the Palestinian Prisoner Support and Human Rights Association, Addameer has reported that Israeli forces raided Unit 4 in Al-Naqab Prison, resulting in the injury of several Palestinian prisoners, some of whom were transferred to hospitals.<sup>1</sup> Confrontations erupted between the prisoners and Israeli forces, with the latter claiming that two prisoners have allegedly stabbed two members of its forces. Furthermore, the Palestinian Prisoners Club stated that about 240 prisoners from Units 4 and 7 of Al-Naqab Prison have been restrained in the prison's outdoor yard since last night. Similarly, the Prisoners Club reported that Israeli forces raided other prisons, including Nafha, Ofer, Eshel and Majido.

The attacks against Palestinian prisoners in Al-Naqab Prison must be seen within the context of Israel's escalating and systemic crackdown against Palestinian prisoners over the past few months, exemplified in the raids on Ofer and Rimon prisons in January and March 2019, during which Palestinian prisoners were subjected to beatings, pepper spray, and tear gas, while others were placed in solitary confinement. It should also be noted

<sup>1</sup> Addameer, "Occupation forces raid the Naqab prison, several injuries", 25 March 2019, available at: [http://www.addameer.org/news/occupation-forces-raid-naqab-prison-several-injuries?fbclid=IwAR1gXaT6wygSpdT4XoiENI3mOdSlv\\_f-nWM6s69PaOPgo7GMCQZJuTkcrs8](http://www.addameer.org/news/occupation-forces-raid-naqab-prison-several-injuries?fbclid=IwAR1gXaT6wygSpdT4XoiENI3mOdSlv_f-nWM6s69PaOPgo7GMCQZJuTkcrs8).



that Israel has recently installed jammers in various prisons, including in Al-Naqab and Rimon. The escalations against Palestinian prisoners in Israeli prisons come following the Israeli Public Security Minister's announcement, in January 2019, of the authorities' intention to "worsen" the conditions for Palestinian prisoners, including by rationing their water supply and cutting associated funds.<sup>2</sup>

As Occupying Power, Israel and its prison authorities remain responsible for the life, safety, and well-being of Palestinian prisoners detained in Israeli prisons. Nonetheless, and considering the mandate of the International Committee of the Red Cross (ICRC), including in relation to Palestinian prisoners in Israeli prisons and detention centres, the ICRC must immediately intervene to stop the attacks, the use of force, and further escalations against Palestinian prisoners in Israeli prisons. In addition, Al-Haq calls on the ICRC to acquire relevant details from the Israeli authorities, such as the names of the prisoners injured and their health conditions, including those transferred to hospitals. Such information and names must be immediately shared with the prisoners' family members and concerned human rights organisations.

Al-Haq further calls on the ICRC to ensure that injured prisoners are provided with the highest attainable standard of physical and mental health, including access to medical treatment and services, without any discrimination, as enshrined under international law.<sup>3</sup> In addition, Israel must refrain from denying or limiting access to health services for Palestinian prisoners and detainees.<sup>4</sup> Over the years, Israel's prison regulations and measures have neglected the health of Palestinian prisoners and their access to proper medical care, contrary to the United Nations Standard Minimum Rules for the Treatment of Prisoners and relevant provisions under international humanitarian law.<sup>5</sup>

Lastly, Al-Haq recalls that Palestinian prisoners continue to be illegally transferred into Israeli prisons outside the Occupied Palestinian Territory, which is prohibited under international humanitarian law, namely under Articles 49, 76, and 147 of the Fourth Geneva Convention (1949), and amounts to a war crime of unlawful deportation or

<sup>2</sup> Josh Breiner, "The Party Is Over': Israeli Minister Announces Harsher Conditions for Palestinian Security Prisoners", Haaretz, 2 January 2019, available at: <https://www.haaretz.com/israel-news/.premium-the-party-is-over-erdan-announces-sanctions-on-palestinian-security-prisoners-1.6804903>.

<sup>3</sup> Article 12(2)(d), ICESCR.

<sup>4</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12 of the Covenant), 11 August 2000, UN Doc. E/C.12/2000/4, para. 34.

<sup>5</sup> Addameer, "Policy of Deliberate Medical Negligence", January 2016, available at: [http://www.addameer.org/key\\_issues/medical\\_negligence](http://www.addameer.org/key_issues/medical_negligence).



transfer.<sup>6</sup> In addition, such policy of transfer has created “significant barriers to the families of prisoners who wish to visit them, due to the difficulty of obtaining permits to enter Israel”,<sup>7</sup> and must immediately be brought to an end.

Yours sincerely,

**Shawan Jabarin**

**General Director**

**Al-Haq**

<sup>6</sup> Article 8(2)(a)(vii), Rome Statute of the International Criminal Court (1998).

<sup>7</sup> Al-Haq, UN Special Rapporteur on OPT Calls on Israel to Comply with International Law on Detention, 24 May 2017, available at: <http://www.alhaq.org/advocacy/topics/right-to-life-and-body-integrity/1118-un-special-rapporteur-on-opt-calls-on-israel-to-comply-with-international-law-on-detention>