

**Public Statement on the State of
Palestinian Prisoners and Detainees in
Israeli Detention Camps**

07 May 2020

In these pandemic days of coronavirus (COVID-19) where the world community has not as yet developed any medication except preventive measures, we, a group of concerned lawyers, human rights activists, and academics, are very much distressed with the fate and well-being of approximately five thousand (5,000) Palestinian prisoners and detainees that are being incarcerated in Israeli detention centers.

We are fully aware of the legal duty of Israel towards these detainees where Israel has been the belligerent occupant for the last fifty-two (52) years. Israel has been consistently negligent in shoring up its legal responsibilities under international law. In fact, it has utilized its formal organs, such as the courts, to justify its evasive practices of non-compliance with the law. Such failure has been manifestly evident during this pandemic. It has not taken any meaningful step to protect the Palestinian detainees against infection. They are still incarcerated in overcrowded cells and compounds, where the only preventative measures prescribed for dealing with the pandemic are social distancing and provision of hygiene products and materials.

The detainees include 194 children, 43 women (17 of whom are mothers), 430 administrative detainees (held indefinitely on suspicion without charge or trial), 750 convicted indefinitely, 50 who have been in jail for more than 20 years, 700 are very ill and in need of special medical care and treatment, and six (6) members of the Palestinian Legislative Council who were freely elected in the 2006 elections. They are all being held in three centers in the Occupied Palestinian Territory and in 20 detention centers inside Israel in contravention of the Geneva Conventions.

The State of Israel is a state party to the main instruments dealing with human rights, which all provide for the human right to health and protection against contagious diseases. In December 2015, the UN General Assembly voted unanimously to adopt the Nelson Mandela Rules which set out the Standard Minimum Rules for the treatment of prisoners. Those rules provide, *inter alia*, that “In cases where prisoners are suspected of having contagious diseases, the physician in charge shall call for ‘clinical isolation and elaborate treatment’ of the infected prisoners. In addition to the legal obligations imposed on Israel by virtue of the Geneva Convention, the Rome Treaty (to which Israel is not a party) provides that any persecution against any group “on political, racial, national, ethnic ... or other grounds that are universally recognized as impermissible under international law...” is a crime against humanity. In the current situation of global pandemic crisis, Israel’s behavior towards the Palestinian detainees leaves them exposed to the risk of being infected by the disease, which could be categorized as a crime against humanity.

Furthermore, Israel’s continued incarceration of those detainees and prisoners deprives them of access to means of protection against the pandemic infection and creates imminent danger to their lives. Lack of

testing kits, instruments and appropriate treatment of the sick, including denial of the entry of personal protective equipment, medication and sanitation equipment among others, are measures that are not allowed under international law. Reliable reports from inside prisons confirm that Israeli authorities have withdrawn 140 items from the Palestinian prisoners' canteen or prison store, including ordinary disinfectants and cleaning products. Since the outbreak of the pandemic, Israel has banned lawyers and family visits to the prisoners. Yet, Israel has released hundreds of Israeli criminal prisoners to reduce the threat of the virus to them but, at the same time, refuses to release any Palestinian prisoner. Israel must realise that the infection does not discriminate between human beings. Their continued systemic and discriminatory policy towards Palestinian prisoners amount to "medical apartheid".

We, the undersigned, call on Israel, the belligerent occupant, to:

1. release all Palestinian prisoners and detainees especially in these pandemic times; or in the alternative
2. release the children, women and sick and elderly prisoners; and, in any event
3. provide those prisoners with all necessary equipment and hygienic material and to observe their internationally recognized right to health.

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65.	Yiannis Rachiotis	Hellenic Union of Progressive Lawyers
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104.	Mohamed Bargouthi	Former Minister of Justice, Palestine
105.	Dr. Maryam Saleh	Former Minister of Women's Affairs in the Government
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111.	Anwar Zaboun	Palestine
112.	A Khaled Tafesh Dhouib	Palestine
113.	A Muhammad al-Tal	Palestine
114.	Khaled Saeed Yahya	Poet, Palestine
115.	Mohamed Maher Badr	Palestine

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117.	Ahmed Al-Haj Ali	Palestine
118.	Yasser Mansour	Palestine
119.	Dr. Hatem Qafisheh	Palestine
120.	Dr. Nasser Abdel-Jawad	Palestine
121.	Imad Nofal	Palestine
122.	Fathi Qaraawi	Palestine
123.	Ahmed Mubarak	Palestine
124.	Dr. Omar Abdel Razek,	Former Minister of Finance, Palestine
125.	Basim Al Zaeairir	Palestine
126.	Father Manuel Musallam	Head of the Christian World Department in the PLO, Palestine
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128.	Dr. Ayman Daraghmeh	Palestine
129.	Hosni Al-Burini	Palestine
130.	Mona Mansour	Palestine
131.	Samir Alqadi	Palestine
132.	Dr. Ibrahim Abu Salem	Palestine
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175.	Kathem Husien Ayesh	chairman of jordan society of return and refugees
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