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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights situation in Palestine and other occupied Arab territories

Written statement* submitted by Kham Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 January 2021]

* Issued as received, in the language(s) of submission only.



Covid 19 and Palestinian prisoners situation

We address this statement to international bodies responsible of ensuring the provision and protection of human rights for all humanity without discrimination across the whole world.

We call on the Human Rights Council to fulfill its moral, humanitarian and legal responsibilities by compelling Israel in its capacity as an occupying power to meet its obligation of respecting and meeting international charters and agreements, through improving the health conditions of Palestinian captives and detainees.

The number of positive Covid19 cases have been on the rise among the Palestinian captives and detainees due to deliberate medical negligence and failure by the Israeli Prisons Authority to provide necessary personal protection equipment. The number of positive Covid19 cases has exceeded 290 across various prisons, and this number is expected to continue to increase in light of the presence of thousands of Palestinian prisoners among whom hundreds are elders in addition to prisoners with pre-existing medical conditions and due to the continued Israeli recklessness, and deliberate delay in providing necessary medical attention and treatment.

According to reports of local and international institutions specialized in human rights and affairs of prisoners and detainees, treatment of sick prisoners has become subject to bargaining, extortion and pressure exercised on detainees by the Israeli Prison Authority.

These organizations have reported that the medical clinics in Israeli prisons and jails lack the minimum level of health services, medical equipment, necessary medicines, and specialist doctors to examine and treat multiple disease cases, as the only magic medicine available in prisons and for every disease and disease is analgesics.

The prison authority continues to delay transferring problematic cases to hospitals and does not provide adequate healthy meals for sick prisoners, and in many cases of poisoning have been reported.

Israel holds more than 4,400 Palestinian in its prisons including 40 women, 170 children, 380 administrative detainees and around 700 prisoners suffering from pre-existing medical conditions. Of these, 300 prisoners are suffering from chronic and serious diseases which necessitate the receipt of direct treatment and continuous care with ten cases of cancer and tumors of varying degrees. Among these prisoners is Mr. Fuad Al-Shobaki (81), who is the eldest prisoner in Israeli prisons.

The intentional Israeli medical negligence and the approach towards the Palestinian prisoners led to the death of (71) Palestinian prisoners since 1967, in addition to many others who died shortly after their release from prison. It is striking that Israel has refused to provide Covid19 vaccines to Palestinian captives and detainees inside its prisons, in blatant defiance of international regulations, human rights principles, international law and international authorities decisions.

Israeli media reported that, in late December 2020, the Israeli Minister of Internal Security, Mr. Amir Ohana, issued instructions to the Prisons Authority not to give prisoners vaccinations against Covid19, and to link vaccination with obtaining permits from official authorities, while enabling employees is in the prison authority to receive this vaccine.

This decision is considered a "war crime" through which Israel violates the rights of prisoners in prisons and reflects the racist policy it practices towards the prisoners. Whereas Articles (146) and (147) of the Fourth Geneva Convention, which the occupying power has signed, obligates it to provide health care and the necessary treatment for Palestinian prisoners as prisoners of war, and the occupying power bears full responsibility for the lives of thousands of prisoners inside prisons, especially children, women, elderly and the sick.

In recent days, the prison authorities began vaccinating Palestinian prisoners without checking their health conditions and without international medical supervision. In the absence of international control over the nature and effectiveness of the vaccine, and the mechanism for administering it to the prisoners, all possibilities are not excluded, and the

death of the prisoner Mr. Maher Sa`sa from Qalqilya after receiving treatment is clear evidence of that.

That is why we present the following demands:

- We demand international medical supervision to monitor the vaccination of prisoners inside the Israeli prisons, so that the nature of these vaccinations is confirmed, and that they cover all prisoners without prejudice or discrimination, especially after studying their medical files, so that the prisoners do not become a field for experimentation;
- We demand that a neutral international medical delegation be sent from the Red Cross and the World Health Organization to visit prisons, examine the reality of health conditions, examine the files of sick prisoners, and their right to receive diagnosis and treatment from specialized doctors;
- Compelling the Israeli authorities to release the patients, whose lives are in danger;
- Knowledge of hygiene, caution and prevention measures taken inside prisons.

European-Alliance-in-Defense-of-Palestinian-Detainees, an NGO without consultative status, also shares the views expressed in this statement.