



National Lawyers Guild International Committee [www.nlginternational.org](http://www.nlginternational.org)

February 8, 2012

Dear Mr. Eloi Fillion, Operations Manager, International Committee of the Red Cross;

We write today on behalf of the Free Palestine Subcommittee of the National Lawyers Guild to follow up on our October 6, 2011 letter, and to express our grave concern over the ongoing hunger strike of Khader Adnan and the continued practice of arbitrary detention of Palestinians by Israeli authorities. Adnan began his hunger strike on December 17, 2011 – the day of his arrest – and as of the date of this letter, Adnan continues to refuse food. His hunger strike is now over 53 days long, and he is reportedly near death. Adnan is protesting his own torture, mistreatment and isolation, including:

- His violent arrest in the early morning, during which Israeli forces blindfolded him and tied his hands behind his back, hit him, kicked him, and beat him on the head in the back of the military vehicle;
- His repeated interrogations, during which his hands were tied behind his back on a chair with a crooked back for hours at a time and an interrogator ripped part of his beard from his face and rubbed dirt in his face;
- Israeli authorities' refusal to permit family visits for three months as punishment for his hunger strike;
- A late-night raid of his cell, which he shared with Israeli criminal prisoners, during which soldiers strip-searched him;
- His isolation in Ramleh hospital, where despite his ill health, he was subjected to cold conditions, cockroaches in his cell, and blocked air circulation in the cell.
- And the unjust and arbitrary system of administrative detention, under which he and at least 280 more Palestinians are being held without charge or trial.

On January 8, 2012, Adnan received a four-month administrative detention order. This order was confirmed on February 6, 2012, by Judge Dalya Kaufman, who described Adnan's medical condition as "acceptable," despite the severe medical threat of over 50 days on hunger strike.

As with other administrative detainees, his detention is based on secret information collected by Israeli authorities and available to the military judge but not to Adnan or his lawyer. This practice violates international humanitarian law, which permits the limited use of administrative detention but nevertheless requires a fair hearing at which the detainee can hear the evidence against him and challenge the bases for his continued detention. This is a fundamental tenet of due process rights that is wholly absent in the widespread practice of administrative detention of Palestinians by Israeli authorities. In a further act of aggression against Adnan, at the hearing in Ofer military court members of the Nahshon, the special intervention unit of the Israeli Prison Services, known for being particularly brutal in their treatment of prisoners, threatened Adnan and told him that his head should explode.

As we stated in our previous letter, the ICRC is responsible "... to take cognizance of any complaints based on alleged breaches of [the Fourth Geneva Convention]," which protects Palestinians detained by Israeli authorities. (Article 5.2c of the Statutes of International Red Cross and Red Crescent Movement). In the case of Khader Adnan and other Palestinian prisoners, it is critical that the ICRC meets this responsibility and takes urgent action to address the escalating abuse, brutality and repression of Palestinian prisoners.

We strongly urge the ICRC to take serious action to investigate and address the ongoing abuse of Khader Adnan and to ensure that he receives the medical attention that he desperately needs. We also call upon the ICRC once again to make a clear public statement regarding the very serious situation of Palestinian hunger strikes in Israeli prisons.

Khader Adnan's is only the longest of a series of recent Palestinian hunger strikes in Israeli prisons, which have been prompted by ongoing restrictions of prisoners' rights, including the use of isolation and solitary confinement against Palestinian prisoners. Twenty Palestinian prisoners remain in long-term isolation. Solitary confinement has also been used as a punishment by Israeli prison officials for prisoners hunger-striking to show their support for Adnan.

Palestinian leader Ahmad Sa'adat has now been held in isolation for nearly three years, since March 18, 2009. His release from isolation – and the return of all isolated prisoners to the general population - was the primary demand of the Palestinian prisoners' hunger strike of October 2011.

On October 18, 2011, United Nations Special Rapporteur on Torture Juan Mendez, speaking before the UN General Assembly, called for all use of isolation longer than 15 days to be banned, saying that isolation can cause "severe mental pain or suffering" and "can amount to torture or cruel, inhuman or degrading treatment or punishment when used as a punishment, during pre-trial detention, indefinitely or for a prolonged period...Segregation, isolation, separation, cellular, lockdown, supermax, the hole, secure housing unit... whatever the name, solitary confinement should be banned by states as a punishment or extortion technique."

It is urgent that the ICRC take action to support the repeated calls of Palestinian prisoners to end isolation and release isolated prisoners, and to immediately demand that the recommendations of the Special Rapporteur on Torture be implemented.

We reiterate the specific measures on which we urge the ICRC to take immediate action:

- Immediately demand the end of the use of isolation and solitary confinement against Palestinian prisoners;
- Take effective action to pressure Israel to meet the critical demands of the Palestinian prisoners on hunger strike; hunger strike;
- Take effective and public action against Israel's widespread use of torture against Palestinian prisoners and detainees;
- Immediately demand that sick and injured prisoners are provided with adequate and appropriate medical treatment;

- Pressure Israel to allow unobstructed family visits by Palestinians from the West Bank and Gaza, without glass, shackles, or other obstructions;
- Pressure Israel to respect prisoners' rights to unrestricted lawyers' visits;
- Urgently increase the frequency of visits by the ICRC to Israeli prisons;
- Insist that Israeli authorities provide Palestinian detainees and prisoners with all urgently required necessities, including clothes, underwear, shoes, sanitary products, and educational materials;
- Coordinate this work with the needs and demands of the Palestinian public, including prisoners' families and human rights organizations.

Palestinians' lives and health are at stake in their courageous efforts to defend their dignity and human rights within a system that is rife with physical and psychological torture, abuse, and deprivation. Hunger strikes are virtually the only way that their voices might be heard outside the brutal military detention system. It is imperative that the ICRC hears their voices, acknowledges these events, and takes action to protect Palestinian prisoners and secure their fundamental rights. Khader Adnan's life depends on it.

Sincerely,

Free Palestine Subcommittee  
International Committee

National Lawyers Guild (United States)