

# Palestinian Prisoners on Hunger Strike as Trump Visits Israel

By Prof. Marjorie Cohn
Global Research, May 23, 2017
Truthout 20 May 2017

Region: <u>Middle East & North Africa</u> Theme: <u>Law and Justice</u>, <u>Police State & Civil Rights</u>, <u>Poverty & Social Inequality</u>

In-depth Report: PALESTINE

As Donald Trump arrives in Israel, hundreds of Palestinian prisoners are participating in a hunger strike to protest their mistreatment. On April 17, Palestinian Prisoners' Day, approximately 1,500 prisoners began refusing food, ingesting only salt water. That amounts to about a quarter of all Palestinian prisoners being held by Israel. Juan Mendez (Source: un.org) Their demands include increased visitation rights with humane treatment of family visitors; installation of a public telephone to communicate with families; and an end to medical negligence, solitary confinement and administrative detention.

Many of the striking prisoners have been taken to the hospital after their health deteriorated, the Commission of Detainees and Ex-Detainees Affairs reported.

Marwan Barghouti, the imprisoned Palestinian activist who called for the hunger strike, wrote in a New York Times op-ed,



"Hunger striking is the most peaceful form of resistance available. It inflicts pain solely on those who participate and on their loved ones, in the hopes that their empty stomachs and their sacrifice will help the message resonate beyond the confines of their dark cells."

Barghouti added,

"Palestinian prisoners and detainees have suffered from torture, inhumane and degrading treatment and medical negligence."

In a <u>rare public statement</u>, the International Committee of the Red Cross (ICRC) decried the

"systematic suspension" by Israeli authorities of family visits for hunger strikers, and of permits for their families. Citing the Fourth Geneva Convention, the ICRC said Palestinians have a right to these visits, which can only be limited on a case-by-case basis for security reasons, not just for punitive or disciplinary purposes.

Approximately 40 percent of the Palestinian territory's male population has been imprisoned or detained by Israel at some point. Hundreds of the 6,500 Palestinians who are currently incarcerated are women, children, journalists and elected officials.

"There is hardly a single family in Palestine that has not endured the suffering caused by the imprisonment of one or several of its members," Barghouti wrote.

### Solitary Confinement

The Israeli authorities have tried to break the strike by moving leaders into solitary confinement. Solitary confinement can lead to hallucinations, catatonia and even suicide, particularly in prisoners who are already living with mental illness.



Juan Mendez (Source: un.org)

Juan Mendez, the UN Special Rapporteur on Torture, <u>concluded</u> that prolonged solitary confinement may violate the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and the International Covenant on Civil and Political Rights (ICCPR). Israel is party to both treaties.

#### Administrative Detention

Many Palestinians in Israeli prisons are in custody under administrative detention, where they are held without formal charges for months, even years, based on secret evidence.

Administrative detention violates the ICCPR. It forbids arbitrary detention and mandates that prisoners be promptly informed of the charges against them and afforded due process.

### Israel Considers Force-Feeding Striking Prisoners

Israeli officials have reportedly put food in front of striking prisoners, which a lawyer for the Palestinian Authority characterized as "psychological torture."

Israel has threatened to force-feed prisoners participating in the hunger strike, but the Israeli Medical Association stands by the medical opinion that force-feeding is "never

ethically acceptable." As a result, Israel is <u>reportedly considering importing foreign doctors</u> to force feed hunger strikers. Physicians for Human Rights Israel asked the World Medical Association to tell doctors not to come to Israel to do what Israeli doctors will not.

The <u>Declarations of Tokyo and Malta</u>, the World Medical Association and the <u>American Medical Association</u> prohibit doctors from participating in force-feeding of prisoners capable of understanding the consequences of refusing food.

In addition, the International Committee of the Red Cross guidelines state:

"Doctors should never be party to actual coercive feeding. Such actions can be considered a form of torture and under no circumstances should doctors participate in them on the pretext of saving the hunger striker's life."

Palestinians Live Under Illegal Occupation

Barghouti, a Palestinian political prisoner who has spent 15 years in an Israeli prison, is one of the most prominent Palestinian leaders. He launched the First and Second Intifadas against Israeli occupation of Palestinian lands. In his op-ed, he wrote,

"Israel, the occupying power, has violated international law in multiple ways for nearly 70 years, and yet has been granted impunity for its actions."

Many international human rights experts concur. Richard Falk, former UN special rapporteur on human rights in the Palestinian territories and professor emeritus at Princeton University, and Virginia Tilley, professor of political science at Southern Illinois University and an authority on apartheid, co-authored a report commissioned and published in March by the UN Economic and Social Commission for Western Asia. The report concluded "beyond a reasonable doubt" that Israel's treatment of the Palestinians constitutes "the crime of Apartheid," which the authors characterized as a "crime against humanity under customary international law and the Rome Statute of the International Criminal Court."

Falk and Tilley recommended participation in the Boycott, Divestment and Sanctions movement (BDS), a nonviolent worldwide movement challenging the Israeli occupation.

The BDS movement was launched in 2005 by representatives of Palestinian civil society. They called upon

"international civil society organizations and people of conscience all over the world to impose broad boycotts and implement divestment initiatives against Israel similar to those applied to South Africa in the apartheid era ... [including] embargoes and sanctions against Israel."

This call for BDS specified that "these nonviolent punitive measures" should last until Israel fully complies with international law by

1.) ending its occupation and colonization of all Arab lands and dismantling the barrier wall;

- 2.) recognizing the fundamental rights of the Arab-Palestinian citizens of Israel to full equality; and
- 3.) respecting, protecting and promoting the rights of Palestinian refugees to return to their land as stipulated in United Nations General Assembly Resolution 194.

## The US Enables the Occupation

Israel exercises control over nearly every aspect of Palestinian life in the West Bank, East Jerusalem and Gaza. That includes borders, airspace, ingress and egress of people and goods, and the seashore and waters off the coast of Gaza. The occupation violates the fundamental human rights of Palestinians.

In 2014, Israel invaded Gaza and killed more than 2,000 Palestinians, the majority of them civilians. Nearly 10,000 Palestinians were wounded, more than 2,000 of them children. Tens of thousands of Palestinians lost their homes and infrastructure was severely damaged. Numerous schools, UN places of refuge, hospitals, ambulances and mosques were intentionally targeted.

Flavia Pansieri, former UN deputy high commissioner for human rights, said that human rights violations

"fuel and shape the conflict" in the occupied Palestinian territories, adding, "human rights violations in the West Bank, including East Jerusalem, are both cause and consequence of the military occupation and ongoing violence, in a bitter cyclical process with wider implications for peace and security in the region."

Israel could not maintain the occupation without the support of its chief ally, the United States. Before he left office, Barack Obama promised Israel a record \$38 billion in military assistance over the next 10 years.

In spite of Israel's pervasive violation of Palestinian human rights, the US government walks in lockstep with Israel. The American Israel Public Affairs Committee, the powerful United States-based organization that lobbies for Israel, heavily influences US foreign policy.

International criticism of Israel is opposed not only by Israel but also by the United States.

Nikki Haley, US ambassador to the UN, pressured UN Secretary-General Antonió Guterres to withdraw the Falk-Tilley report from the UN website, and Guterres capitulated. The chairperson of the UN agency that published the report resigned in protest against the withdrawal.

In April, all 100 US senators signed a letter to Guterres decrying "the UN's anti-Israel bias" and "continued targeting of Israel by the UN Human Rights Council (HRC) and other UN entities." The letter praised Guterres for "disavowing" the Falk-Tilley report and demanded the elimination or reformation of UN committees that support the BDS movement.

In the letter, the senators decried anti-Semitism but made no mention of Israel's egregious violations of Palestinian rights. Any criticism of Israeli policy is labeled anti-Semitism, even though many Jews — including members of Jewish Voice for Peace, Jewish Center for

Nonviolence and IfNotNow — oppose the occupation.

What Will Trump Do in Israel?

Trump has naïvely expressed a desire to settle the Israeli-Palestinian conflict. Yet his choice for US ambassador was David Friedman, who opposes Palestinian statehood. Friedman is a major patron of the illegal settlements Israel continues to build on Palestinian land: not an honest broker.

Israel is likely reeling from Trump's provision to the Russians of intelligence Israel gave the US in secret. Still, Israel will probably maintain the pretense of cordiality in order to keep the gravy train running.

We will see what Trump does and says during his visit to Israel. He sent 59 Tomahawk missiles to Syria to avenge the chemical attack allegedly carried out by the Syrian government. Will Trump express concern about Israel's human rights violations, including those underlying the prisoners' hunger strike?

There has been a painful silence from the international community about the hunger strike. The Global Palestinian Refugee and Internally Displaced Persons Network said in a statement,

"The lack of international response to the mass hunger strike of over 1,000 Palestinian political prisoners who are in need of immediate intervention and protection symbolizes the dehumanization and demonization of the Palestinian people in their struggle for dignity, justice and freedom."

As Barghouti wrote,

"Freedom and dignity are universal rights that are inherent in humanity, to be enjoyed by every nation and all human beings. Palestinians will not be an exception. Only ending occupation will end this injustice and mark the birth of peace."

Marjorie Cohn is professor emerita at Thomas Jefferson School of Law, former president of the National Lawyers Guild and deputy secretary general of the International Association of Democratic Lawyers. Her books include The United States and Torture: Interrogation, Incarceration, and Abuse; Cowboy Republic: Six Ways the Bush Gang Has Defied the Law and Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues. Visit her website: MarjorieCohn.com. Follow her on Twitter: @MarjorieCohn.

Featured image: Joe Catron/Flickr

The original source of this article is <u>Truthout</u> Copyright © <u>Prof. Marjorie Cohn</u>, <u>Truthout</u>, 2017

## **Become a Member of Global Research**

Articles by: Prof. Marjorie

<u>Cohn</u>

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: <a href="mailto:publications@globalresearch.ca">publications@globalresearch.ca</a>

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: <a href="mailto:publications@globalresearch.ca">publications@globalresearch.ca</a>