



20 May 2004

To:

Adv. Osnat Mandel

Director, Supreme Court Division

Office of the Attorney General

Jerusalem

**URGENT**

**RE: Impeding and Preventing Humanitarian Aid to Palestinian Residents of Rafah**

See our letter to Adv. Nitzan dated 19.5.04

I am hereby requesting your urgent intervention as follows:

1. Yesterday, 19 May 2004, following many telephone calls that we received from Palestinian residents in Rafah, I requested the urgent intervention of Adv. Shai Nitzan in instructing the [Israeli] military forces to enable the safe and continuous passage of ambulances and emergency medical teams.
2. Today, 20 May 2004, our office received a telephone call from Ms. Karin of the Office of the Israeli Army's legal advisor, informing the undersigned that Adalah's letter of 19 May 2004 was forwarded to [her]. Furthermore, Ms. Karin informed me that the army had established a humanitarian unit, which is in charge of attending to all humanitarian appeals, including appeals regarding the evacuation of dead and injured Palestinian civilians, as well as the provision of medical attention. Furthermore, although Adalah was guaranteed a written response, we have yet to receive one.
3. Today Adalah's offices received many similar urgent appeals for immediate assistance. We contacted the "Army Humanitarian Unit" at once in order to obtain its assistance in enabling the safe passage of ambulances for the evacuation of injured civilians. For example, witnesses reported that Israeli military forces prevented an ambulance driver, Mr. Adnan Al-Nawagha, who was transporting two injured civilians to hospital. The ambulance driver was

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ordered to stop the ambulance, and, according to eyewitness accounts, the ambulance was then buried under sand, thereby seriously endangering the lives of the driver and the injured civilians traveling in the ambulance at the time. In many other cases, residents stated that military bulldozers surrounded their homes from all sides and began to demolish them, whilst the residents, who included families with small children, were still inside.

4. The undersigned personally relayed many such accounts, which included addresses and phone numbers, to the Army Humanitarian Unit, requesting immediate attention. The personnel staffing the unit promised to attend to the incidents immediately yet, failed to do so. In the final such phone conversation, the undersigned inquired as to what had been done regarding these appeals. The unit's staff responded that they are dealing with them but that they had no time to check if the problems had been resolved.
5. In the course of conversations between the undersigned and the unit's staff, I was surprised to discover that the staff of the unit, established specifically in order to assist with urgent medical cases among the civilian population of Rafah - a population under attack by the army - do not speak Arabic or English. It is unclear how this "Humanitarian Unit" can operate, when none of its staff is able to communicate with those it is supposed to serve.
6. In light of our experience of working with this unit, it appears that it is extremely inefficient, unable to respond rapidly to urgent situations in the context of military activities on a large and ongoing scale, which have resulted in the deaths and injury of many Palestinian civilians, particularly given that it has only two members of staff.

Thus, we request your urgent response to our appeal made yesterday. We request that you disclose all of the procedures being employed by the Israeli military to ensure the safe passage of emergency rescue teams and facilitate immediate and urgent responses to the humanitarian needs in Rafah, aside from this so-called "Humanitarian Unit", which has proved to be incompetent, to say the least. We ask for your prompt response.

Respectfully,

Abeer Baker, Advocate