

**Urgent Action Office** 3-1992 Yonge Street Toronto ON M4S 1Z7 Phone: (416) 363-9933 Fax: (416) 363-3103 [urgentaction@amnesty.ca](mailto:urgentaction@amnesty.ca)  
First UA: 119/23 Index: MDE 15/7551/2023 Israel/Occupied Palestinian Territories of December 20, 2023

## ISRAEL/OPT PALESTINIAN JOURNALISTS FORCIBLY DISAPPEARED

Nidal al-Waheidi and Haitham Abdelwahed, journalists from the occupied Gaza Strip, were detained by Israeli forces on October 7 while covering the Hamas-led attack. They are currently being held under conditions amounting to enforced disappearance. Despite two and a half months passing since their disappearance, Israeli authorities have not disclosed their whereabouts or provided legal grounds for their arrest. Urgent action is needed to reveal their location, clarify the reasons for their arrest, grant them access to legal representation, and ensure humane treatment. Israeli authorities must release them immediately unless charged with an internationally recognized criminal offense.

### Write to the Military Advocate General urging him to:

- Immediately disclose the whereabouts of Nidal al-Waheidi and Haitham Abdelwahed, detail the legal grounds for their detention and ensure their humane treatment, including access to medical services and protection from torture and other ill-treatment
- Grant them access to the lawyers appointed by their families.
- Unless they are charged promptly with a recognizable criminal offence and granted a fair trial in accordance with international standards, they must be immediately released.

### Write to:

Military Advocate General  
Brig. Gen. Yifat Tomer-Yerushalmi  
Email: [Pazar@idf.il](mailto:Pazar@idf.il)

*Salutation: Dear Brig. Gen. Yifat Tomer-Yerushalmi,*

### And copy:

His Excellency Iddo MOED  
Ambassador  
Embassy of the State of Israel  
50 O'Connor Street, Suite 1005  
Ottawa, ON K1P 6L2  
Tel: (613) 750-7500 Fax: (613) 750-7555  
Email: [info@ottawa.mfa.gov.il](mailto:info@ottawa.mfa.gov.il)

## ADDITIONAL INFORMATION

Haitham Abdelwahed (25) and Nidal al-Waheidi (31), journalists from the occupied Gaza Strip were detained by Israeli forces on October 7 while reporting on the Hamas-led attack near/at the Beit Hanoun/Erez checkpoint. The toll on Ain Media includes the tragic deaths of journalists Ibrahim Lafi and Roshdi Sarraj since October 7.

Despite efforts by Israeli human rights organization HaMoked, there has been no response from Israeli authorities regarding the whereabouts and legal grounds for the detention of Nidal and Haitham. The Israeli Supreme Court's stance raises concerns about obligations toward Gaza residents, controlled by a perceived terrorist organization. According to the Supreme Court: *"Israel held no obligation towards residents of the Gaza Strip, given that it was a territory controlled by a terrorist organization and did not establish what were the legal framework and duties incumbent on Israel in holding Gazans."*

HaMoked's plan to submit another appeal highlights the broader issue of missing Palestinians from Gaza in Israeli custody. Communication blackouts contribute to families being unable to report missing loved ones, with 816 inquiries received by HaMoked from October 7 to December 11.

Since October 7, horrifying accounts of torture and degrading treatment have surfaced, with six confirmed deaths in Israeli custody. Disturbing images and videos depict Israeli soldiers beating and humiliating detainees, further raising concerns about the inhumane treatment of Palestinians.

The ongoing detention of Nidal, Haitham, and hundreds of Palestinians from Gaza remains legally vague. The "Unlawful Combatants" Law, not recognized by international law, has been applied to hold at least 260 Palestinians indefinitely without charge or trial, raising questions about legal basis and authority. The law's provisions, including limited access to legal representation, are a cause for concern.

*Please send your appeals until **April 10, 2024**. If there's the need for further action after that date, the UA will be duly updated.*