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**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF TORTURE AND DETENTION**  
**Report of the Special Rapporteur on the question of torture, Theo van Boven, submitted pursuant to Commission resolution 2002/38**  
**Addendum**  
**Summary of information, including individual cases, transmitted to Governments and replies received\***

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\* The present document is being circulated in the languages of submission only as it greatly exceeds the page limitations currently imposed by the relevant General Assembly resolutions

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**Introduction**

1. This addendum to the report of the Special Rapporteur contains, on a country-by-country basis, summaries of general allegations and individual cases, as well as of urgent appeals, and government replies. Owing to restrictions on the length of documents, the Special Rapporteur has been obliged to reduce considerably details of communications sent and received. As a result, requests from Governments to publish their replies in their totality could not be acceded to. Observations by the Special Rapporteur have also been included where applicable. Such observations, which sometimes note the most recent findings of other supervisory bodies, in particular United Nations treaty bodies, are usually made when the information suggests that there may be a problem extending beyond the exceptional or isolated incident. The fact that there is no such observation in respect of a particular country merely reflects the state of information brought to the attention of the mandate, and does not necessarily mean that there is no substantial problem in that country. Observations are also included with regards to countries whose Governments have failed to provide the Special Rapporteur with any or without adequate information requested over a period of years.

2. During the period under review, i.e. from 1 December 2001 to 15 December 2002, the Special Rapporteur sent 109 letters to 65 countries. The Special Rapporteur also sent 68 letters reminding Governments of a number of cases that had been transmitted in previous years. The Special Rapporteur sent 294 urgent appeals to 82 Governments on behalf of individuals with regard to whom serious fears had been expressed that they might be subjected to torture and other forms of ill-treatment. A total of 72 Governments provided the Special Rapporteur with replies to allegations and appeals received during the period under review and in previous years.

**SUMMARY OF CASES TRANSMITTED AND REPLIES RECEIVED**

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**Egypt**

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**Urgent appeals**

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466. On 24 May 2002, the Special Rapporteur sent a joint urgent appeal with the Special Representative on human rights defenders on behalf of nine activists who were reportedly arrested in May 2002 after they had announced that they were organizing a peaceful demonstration to protest against alleged massacres committed by Israeli troops in the Palestinian occupied territories.

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468. **Engineer Ali Abd El Fatah**, the Secretary-General of the Popular Committee of Solidarity with the Palestinian Intifada, three owners of a publishing house, **Gamal Mady**, **Ahmed Abd El Hafez** and **Khaled Souleman**, and two owners of a printing house, **Ahmed Ali** and **Ashraf Ali** were reportedly arrested at their homes on 14 May 2002 by members of the Alexandria State Security Investigation. They were reportedly beaten and insulted during their arrest. They were said to have been brought before Cairo State Security Investigation (SSI), and charged with publishing propaganda to disrupt public security.

469. **Dr. Gamal Abd El Fatah Abd El Dayeim**, another activist from the Popular Committee of Solidarity with the Palestinian Intifada, was reportedly arrested on 13 May 2002 in Hadayiek, El Maadi, by members of an anti-drug force from the Directorate of Cairo Security. He was reportedly assaulted, beaten and insulted, before he was taken to the Security Directorate and brought before El Basateen Prosecution, where he was charged with selling expired medicines and with announcing false news, propaganda and publication that disrupt public security. He was reportedly released on 19 May on bail, following a decree by the South Cairo Public Prosecutor.

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**Israel**

710. By letter dated 2 September 2002, the Special Rapporteur advised the Government that he had received information on the following individual cases.
711. **Abdallah Mahmud Abu Daka**, a resident of the Gaza Strip, was reportedly arrested on 15 January 2002 and taken to the General Security Service (GSS) Interrogation Unit at the Shikma Detention Center in Ashkelon, where he was believed to have been held incommunicado for at least 26 days. Reportedly, on 6 February 2002, a lawyer attempted to meet with him but was prevented from doing so because an Order Prohibiting Meeting with Counsel valid for 5 days had been imposed against Abdallah Mahmud Abu Daka.
712. **Khaled Mershed Hassan Rawashdeh**, a taxi driver, **Muhammad Yusuf Muhammad a-Salamin**, a taxi driver, **Muhammad Khalil Suleiman Sufia (Abu Seif)**, **Mahmud Muhammad Hawamdeh**, **Muhammad Yusuf Muhammad Salamin**, **'Abd al-Muttaieb Muhammad Musleh Mahariq**, all residents of As Samu', Hebron District, **Mahmud Muhammad Hawamdeh (Thefa)**, a resident of Samoa, Hebron District, and three other men were reportedly stopped and beaten for two hours on 23 July 2001 by soldiers from the Shimon Battalion permanently stationed in the West Bank. Three women, a child and an elderly man that were travelling in the same cars were reportedly ordered to leave the area. Reportedly, Muhammad Khalil Suleiman Sufia was taken by one soldier behind a parked army jeep and beaten with a helmet and rifle butt and another object, in particular on his head and left ear. It was alleged that the nine men were lined up against a wall and beaten with rifle butts and helmets by the soldiers. It was alleged that afterwards the nine men were forced under death threats to severely beat each other. The two taxi drivers and two other of the men were reportedly subsequently taken by residents of Karma for medical control.
713. **Khaled al-Akra'** was reportedly arrested in February 2001 and taken to Nablus Central Prison, where he was believed to have been handcuffed to a window, punched and beaten with sticks for six days before being released.
714. **Adnan al-Hajjar**, from the town of Taybeh, south of Nazareth, was reportedly arrested on 5 February 2001 and placed under administrative detention. Reportedly, the order was signed by the Prime Minister as Minister of Defence the day of his arrest and an order prohibiting the lawyer and family from discussing the case was imposed. It was alleged that Adnan al-Hajjar was held with another detainee in a three meters by one and a half meters cell for 23 hours a day. It was alleged that about four or five times a week he was woken up in the middle of the night for interrogation, during which he was reportedly handcuffed. The interrogations sessions were believed to have lasted up to 24 hours. Due to the tightness of the handcuffs on his wrist, he allegedly suffered from a bone infection which needed an operation. It was also reported that he was placed in an extremely hot, small dirty room before being taken straight to an extremely cold room. He was also alleged to have been subjected to extremely loud noise and to not have been allowed to change clothes for two weeks. His release was reportedly ordered on 5 August 2001.
715. **Hanzeh Muhammad 'Abd al-Fatah Za'ul**, a 15-year-old resident of Husan village, Bethlehem District, was reportedly arrested in his house on 6 January 2001, handcuffed, blindfolded, and taken to the detention centre at Etzion, where he was alleged to have been repeatedly beaten and kicked all over his body, in particular on his chest and neck, during interrogation. He was reportedly struck on his face with small pellets fired from a close distance. He was also believed to have been kept with three other detainees in a small and pungent bathroom with no windows for several hours. He was allegedly taken to Telmond Prison on 25 January 2001 and tried one month later in Beit El. He was reportedly released on 7 April 2001.
716. **Muhammad Yasser Muhammad Za'ul**, a 14-year-old resident of Husan Village, was reportedly arrested in his house on 25 December 2000, handcuffed and blindfolded, thrown into a car along with two other youth, kicked and taken to Etzion, where he was allegedly kicked in the abdomen and kept blindfolded and handcuffed during interrogation, beaten and struck with sticks. A police officer allegedly grabbed his head and slammed it against a wall five times. He was believed to have been injured in the face by small plastic pellets. He was allegedly ordered to stand with his face against a wall and his right leg rose for about two hours while still handcuffed and under the threat of being beaten again whenever he lowered his leg. It was alleged that he was taken to a police station where he was held in a one and a half meter square cell during ten days before being transferred to Telmond Prison. He was reportedly released on 2 May 2001.
717. **Mufid Hussein Muhammad Hamamreh**, a 15-year-old resident of Husan Village, was reportedly arrested on 9 November 2000, blindfolded, handcuffed and taken to a jeep, where his head was allegedly put next to the speaker of a tape recorder that they played at high volume for a few minutes. He was reportedly taken to Etzion where he was believed to have been beaten on his legs, bumped into a door while blindfolded and pushed from one soldier to another for about 15 minutes. It was alleged that cold water was sprayed on him, mostly into his ears, mouth and chest. Further, he was reportedly punched, beaten with a metal ruler and burnt with cigarettes. It is alleged that afterwards an empty pail was put on his head and that water was splashed on the upper part of his body for half an hour. He was also believed to have been forced to swallow pieces of ice. It was reported that he was later brought to a police station where he was kicked. On 17 November 2000 he was reportedly taken to the Gush Etzion Military Court and afterwards to Megiddo Prison, where he was alleged to have stayed until his release, on 2 May 2001.
718. **Isma'il Ahmad Hassan Sabatin**, a 17-year-old resident of Husan Village, was reportedly arrested on 14 November 2000, blindfolded, hit, kicked and taken to the Gush Etzion station. Reportedly, a hook was put over his head and he was kicked, slapped, beaten with a plastic pipe and forced to remain in contorted positions while in custody. It was alleged that cold and hot water was alternatively poured on him and that he was kept in a room with first the air conditioner and after the heat. It was also alleged that his head was put in a toilet that a soldier flushed. He was reportedly transferred to Megiddo before being on 23 May 2001.
719. **'Abd al-Jabber Sultan Mahdi**, a 15-year-old resident of al-'Arrub Refugee Camp, Hebron District, was reportedly arrested by 15 soldiers and two policemen who allegedly entered his house on 5 November 2000. It was alleged that his hands were cuffed behind his back and that he was blindfolded. He was reportedly hit on the head, beaten and kicked in the way to Gush Etzion where he was allegedly tied to a chair and questioned about his involvement in clashes with soldiers. It was reported that while interrogated, he was beaten on the face and head and his head was put in the toilet. After being allegedly forced to sign a testimony, he was reportedly taken to a cell, where he is thought to have been kept for 45 days, before being transferred to Telmond Prison to await trial. He was reportedly released on 7 March 2001.
720. **Patrick Baz**, a photographer, was reportedly shot in the finger by an Israeli soldier while he was allegedly covering clashes between Israeli forces and stone-throwing Palestinian protesters in Ramallah on 18 October 2000. It was reported that he was precisely hit on one of the fingers that were on the camera and while he was standing at certain distances from the clashes.
721. **Mahfouz Abu Turk**, a photographer, was reportedly wounded in the hand by a rubber-coated metal bullet fired by Israeli troops while he was allegedly covering clashes between Palestinians and Israeli forces in Bethlehem on 17 October 2000. It was reported that he was subsequently taken to hospital in Beit Jala, where he allegedly received four stitches for the wound. On 29 September 2000 he was reportedly hit in the left thigh with a rubber-coated metal bullet allegedly fired by Israeli troops, while he was covering clashes at Jerusalem's Al-Aqsa mosque.
722. **Mazen Dana**, a cameraman who was covering clashes on Hebron's Shalalah Street, was reportedly hit in the left foot and leg by live rounds fired by Israeli forces on 2 October 2000.
723. **Nisrin Assili** (f) was reportedly kicked and beaten by the police on 1 October 2000 at St Mary's Well in Nazareth. She was allegedly hit on her head, back and chest and thrown on the ground. She was believed to have been pushed by the policemen until she lost consciousness. An investigation was said to have been open by the *Mahash*.
724. **Hazem Bader**, a cameraman, was reportedly wounded in his right hand by a rubber-coated metal bullet while covering clashes between Israeli troops and Palestinian demonstrators at Jerusalem's Al-Aqsa mosque on 29 September 2000. It was believed that the bullet was fired by an Israeli soldier from an estimated range of 15 meters and although the journalist was standing away from the demonstrators. According to the information received, the bullet broke three bones of his hand and Hazem Bader had two metal plates inserted. As a result of the incident, he was alleged to have lost the mobility of two fingers and to have been unable to work.
725. **Khaled Abu Aker**, a journalist, was reportedly hit in his shoulder with a truncheon and punched in his face by police officers at Jerusalem's Al-Aqsa mosque on 29 September 2000, after he allegedly refused to hand over to a police officer a rubber bullet that he had picked up off the ground.

726. By the same letter, the Special Rapporteur advised the Government that he had received further information on the conditions of detention in prisons where Palestinian children are detained: Megiddo prison (for male minors older than 16), Telmond prison (for male children below the age of 16) and Ramle (Neve Tertzé) (for women and girls), ([E/CN.4/2002/76/Add.1](#), paras 783 et seq.)

727. Reportedly, there are 870 detainees in Megiddo, including approximately 100 children. It was believed that the Israeli intelligence was attempting to recruit collaborators from amongst the children held at Megiddo prison in return for reducing their punishment. Numerous detained Palestinian children also alleged that they had been physically and psychologically pressured to collaborate with the Israeli authorities. In Telmond prison, three prisoners were said to have been held in

every four square meters cell which contains a toilet. It was reported that one of the prisoners was forced to sleep on the ground and there was inadequate bedding material. The rooms were said to have small windows which were covered by iron. Family visits were believed not to be allowed, which means that the prisoners were not supplied with money to buy supplies from the canteen. Reportedly, they also could not receive clothes from their relatives.

728. In this context and by the same letter, the Special Rapporteur advised that he had received information on the following individual cases.

729. **Sultan Abdul Jabber Maadi**, aged 16, was reportedly arrested on 20 March 2002 and brought to Etzion Detention Center. It was believed that he had his hands and legs tied, that he was blindfolded and beaten on the chest. He was allegedly held for 16 days in a small 4 square meters isolation cell before being transferred to Megiddo Prison where he was prevented from receiving family visits. At the time of writing, it was reported that the Red Cross had not yet visited him.

730. **Jaafar Rasmi Ali Al Asmar**, aged 17, was reportedly arrested on 9 January 2002 and brought to Maale Adumim settlement where it was alleged that his hands were tied and that he was beaten by policemen and interrogators on his legs and stomach. On the same day he was taken to Etzion Prison and placed in a small four square meters isolation cell for one month before being transferred to Megiddo. Reportedly he was prevented from receiving family visits, lacked clothes and was unaware of when he will be brought to court.

731. **Qassem Farid Abu Awda Jaber**, aged 17, was reportedly arrested on 25 May 2001 on Shalaa street in Hebron, where he was believed to have been handcuffed and slapped on his face. He was reportedly taken to Majnuna prison and on the way was severely beaten on the stomach and back and his hair was pulled. Reportedly, he stayed in Majnuna prison for 21 days before being transferred to Megiddo. It was reported that since August 2001, he was denied access to his family.

732. By the same letter, the Special Rapporteur advised the government that he had received follow-up information on the following individual cases.

733. **Sanna Amer** (f), a 14-year-old Palestinian girl who was reportedly arrested on 20 February 2001 at noon in Hebron and on behalf of whom the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on Violence against Women on 16 October 2001 (E/CN.4/2002/76/Add.1, para. 815), was allegedly hit on her right cheek at the time of her arrest. It was alleged that she was subsequently taken to an interrogation room where she was hit again, causing a bruise on her arm. On 11 March 2001, she was reportedly transferred to Ramle Prison. It was reported that her arms and legs were tied to her bed for two nights and that once untied. She was also believed to have been deprived of any human contact and with nothing to occupy her time for 12 days. At the end of June 2001, she was reportedly beaten with sticks on her arms and legs. It was alleged that her arms were tied behind her back and that she was kicked by the police in the stomach, as a result of what she allegedly cough blood. It was alleged that she did not receive any medical treatment, although she felt pain when eating or drinking. It is alleged that during the trial, on 12 July 2001, her legs and hands were bound and she appeared not to have a clear understanding of the judge's questions. She was allegedly released in November 2001, one month after she became eligible for parole.

734. **Su'ad Hilmi Ghazal** (f), a 17-year-old detainee at Ramle Prison on behalf of whom the Special Rapporteur wrote a joint urgent appeal on 26 September 2001 (ibid., para. 813), was reportedly subjected to detention in isolation for a prolonged period and to restriction to receive parental visits in April 2001.

735. **Daoud al-Dir'awi**, a lawyer and human rights activist on behalf of whom the Special Rapporteur sent a joint urgent appeal with the Special Representative on Human Rights Defenders on 17 September 2001 (ibid., para. 812) to which the Government responded by letter dated 21 June 2002 (see below), was reportedly subjected to ill-treatments from the time of his arrest on 10 September 2001 until the morning of 18 September 2001, when two lawyers from a human rights organization allegedly visited him. Reportedly, he was kept seated in a chair with his hands and feet handcuffed to the back for much of the time between 10 September and 18 September (this method is commonly known as *Shabeh* position) and was deprived of sleep. He was also believed to have been threatened with the arrest of his wife, who, as his lawyer, was allegedly not allowed to visit him.

736. **Adnan al-Hajjar**, a human rights lawyer on behalf of whom the Special Rapporteur sent a joint urgent appeal with the Special Representative on human rights defenders and the Chairman-Rapporteur of the Working Group on Arbitrary Detention on 1 May 2001 (ibid., para. 803), was reportedly released on 23 May 2001 without charge. It was reported that while in detention in Ashkelon Prison he was kept shackled to a chair and interrogated for 20 hours a day over 14 to 15 days. He was believed to have been deprived of sleep for four days during this interrogation. It was also alleged that guards shouted in his ears loudly enough to cause physical pain.

737. By letter dated 13 September 2002 sent jointly with the Special Representative on human rights defenders, the Special Rapporteur advised the Government that he had received information according to which **Dr. Mustafa Barghouti**, a doctor and human rights defender as well as President of the Union of Palestinian Medical Relief Committees, was reportedly arrested on 2 January 2002 after a press conference with the participation of an international delegation including delegates from the United States and European countries. He was reportedly beaten at al-Ram checkpoint, as a result of what he had a fractured kneecap and various lacerations and bruises on his face and body. Some international delegates, including the Member of the European Parliament **Luisa Morgantini**, who were allegedly protesting against new attempts to arrest Dr. Mustafa Barghouti, were reported to have also suffered bruises and other injuries.

738. By letter dated 17 October 2002, the Special Rapporteur reminded the Government of a number of cases transmitted in 1999, 2000 and 2001 regarding which no reply had been received.

#### **Urgent appeals**

739. On 8 February 2002, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on violence against women on behalf of **female Palestinian prisoners** held at Neve Tirtza women's prison in Ramle, on behalf of whom the Special Rapporteurs already intervened on 26 September and 16 October 2001. It was reported that after the last suicide bombing in Jerusalem on 28 January 2002, the criminal prisoners in Neve Tirtza screamed death threats at the twelve prisoners detained allegedly because of their political activities and threw glasses into their cells. About 30 riot police, men and women, sprayed the cells of those prisoners with tear gas, even though it is believed that there are strict directives prohibiting spraying tear gas inside a closed space. The police reportedly entered the cells of the Palestinian women and started beating them with their truncheons. **Amme Muna** was allegedly subjected to the worst beating and tear gas was sprayed on her face. All the women were reportedly put in isolation and were handcuffed for some hours.

740. By letter of 14 February 2002, the Government responded that Neve Tirtza was a prison for women who were sentenced for periods of imprisonment. The prisoners were treated with respect for their dignity and receive on-going medical treatment from the prison's medical team. Ms Amma Muna was charged and convicted as accomplice in the murder of a 16-year-old Israeli boy. She incited the other inmates to riot. The prison service has therefore been forced to separate her from other inmates on several occasions. This has also entailed moving her to a different detention facility.

741. On 21 February 2002, the Special Rapporteur sent a joint urgent appeal with the Chairman-Rapporteur of the Working Group on arbitrary detention on behalf of **William Jehard Shuman**, a British citizen, who was reportedly arrested on 5 January 2001 by the General Security Service (GSS) Shin Bet in Jerusalem and on behalf of whom the Special Rapporteur intervened on 22 June 2001. Since his arrest, he has reportedly been held in administrative detention and in complete isolation at the Ashmoret prison for about 106 days. As a result, his mental health was believed to be very fragile. On 18 February 2002, the Beer Sheva District Court reportedly postponed the hearing on the extension of his administrative detention and to have claimed that it is not authorized to rule on the holding of William Jehard Shuman in isolation.

742. On 2 April 2002, the Special Rapporteur sent a joint urgent appeal with the Chairman-Rapporteur of the Working Group on arbitrary detention on behalf of **'Abd al-Salam 'Adwan**, a nurse, who had been arrested on the night of 7 March 2002 from Maqassed Hospital in Jerusalem, where he works, and was taken to the Moskobiyya Detention Centre in Jerusalem. He was then reportedly transferred to Shikma Prison, Ashkelon, where he was said to be held in incommunicado detention. It was not known why 'Abd al-Salam 'Adwan is being held. On 26 March, his lawyer was reportedly told that there was an order prohibiting access to counsel for 10 days. The International Committee of the Red Cross (ICRC) was also said not to have been able to see him, as his name was not on the list given to them by the Israeli authorities.

743. On 2 May 2002, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteurs on the right to freedom of opinion and expression and on the independence of judges and lawyers and the Chairman-Rapporteur of the Working Group on Arbitrary Detention on behalf of **Marwan Barghouti**, a Palestinian Legislative Council (PLC) Member. On 15 April 2002, Israeli forces in Ramallah reportedly detained him. Since his arrest, he was said to have been prevented from sleeping and from receiving food, water and medical treatment. For the past 12 days, he had reportedly been kept in complete isolation, with the exception of a single meeting with his lawyer, on 16 April. He was reportedly prevented from seeing members of the International Committee of the Red Cross (ICRC).

744. On 7 May 2002, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the independence of judges and lawyers on behalf of **three Jewish detainees** who had reportedly been arrested on 30 April 2002 on suspicion of planning attacks against Arabs and other security offenses, and were

presently said to be under interrogation by the General Security Service (GSS). Since then they have reportedly been held in incommunicado detention in an unknown location. On 30 April, an Order Prohibiting Meeting with Counsel and a gag order on their identity were imposed against them. The Order which was originally valid for 4 days was said to have been extended for an additional 6 days through 8 May. An appeal submitted by the suspects' attorney to the Jerusalem District Court and a petition filed to the High Court of Justice on 2 May against the above orders was reportedly rejected.

745. On 23 May 2002, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression on behalf of **Marwan Barghouti**, on behalf of whom the Special Rapporteurs had sent an urgent appeal on 2 May (see above). As a result of the treatment he was subjected to during interrogation, he was reportedly admitted to the prison's clinic on 20 May and was said to suffer from severe pain in his back and hands, as a result of prolonged hours in the "shabeh" position. Due to nails sticking out of the chair, on which he was reportedly forced to sit for prolonged hours, his back is said to be bleeding. He was allegedly also subjected to sleep deprivation and has been kept in solitary confinement. On 19 May, the military court of Beit El extended his detention for another twelve days.

746. On 27 May 2002, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the right to freedom of opinion and expression on behalf of **Yusri el-Jamal**, sound man at Reuters and **Ayman el-Kawasmi**, head of a local radio station El Honiya, who had allegedly been put in administrative detention for three months, together with **Maher el-Dessuki**, journalist at the Ramallah-based Al-Quds Educational television, **Kamal Ali Jbeil**, journalist at the daily Al-Quds, and **Hussam Abu Alan**, photographer for Agence France Presse (AFP), on behalf of whom an urgent appeal was sent by the Special Rapporteur on the right to freedom of opinion and expression on 29 April 2002. Yusri el-Jamal was reportedly arrested by Israeli soldiers on 30 April 2002 outside the hospital of Hebron where he had gone, together with Reuters cameraman **Mazen Dana**, to film wounded people. They were allegedly blindfolded and handcuffed and taken to a district coordination office where they were forced to lie on the floor for several hours without food or drink, and interrogated the next morning. Mazen Dana was freed, but Yusri el-Jamal was held as he was reportedly suspected of "aiding a terror organisation". Ayman el-Kawasmi was reportedly also arrested on 30 April 2002 and taken, blindfolded and handcuffed, to the district coordination office from where it is reported that he was taken the next day to the Ofer detention centre. According to reports, Maher el-Dessuki and Kamal Ali Jbeil were arrested by Israeli soldiers on 18 April 2002 and were taken to the Ofer detention centre, while Hussam Abu Alan was arrested on 24 April near Hebron where he went to cover the funerals of two Palestinians. He is reportedly suspected of "aiding the Tanzim terror organisation".

747. On 12 June 2002, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on the independence of judges and lawyers on behalf of **Ramzi Kobar**, a field researcher with the Palestinian Society for the Protection of Human Rights and the Environment (LAW) who had accompanied the General Director of LAW, **Khader Shkirat**, on 9 June 2002, to the Petah Tikva Detention Center where Khader Shkirat was scheduled to meet with his client Marwan Barghouti, on behalf of whom the Special Rapporteur intervened on 2 and 23 May in conjunction with the Special Rapporteur on the right to freedom of opinion and expression. Upon arrival, Khader Shkirat was reportedly told to wait because Marwan Barghouti was being interrogated, and later was informed that he would not be allowed to meet his client since they considered that he was late for the appointment. He was reportedly later informed that Ramzi Kobar had been arrested for interrogation and was being held in the Petah Tikva Detention Center.

748. On 15 July 2002, the Special Rapporteur sent a joint urgent appeal with the Chairman-Rapporteur of the Working Group on Arbitrary Detention and the Special Representative on human rights defenders on behalf of **Yousef Mahmoud Towreeg**, an Al-Haq fieldworker, who had reportedly been arrested on 14 July 2002 at the Doma checkpoint. His whereabouts were unknown.

749. On 8 November 2002, the Special Rapporteur sent an urgent appeal on behalf of **Hazim al-Natsha**, who was reportedly held at the Ofer detention centre, west of Ramallah since 29 April 2002 after he left a local hospital in Hebron, where he had been treated for serious injuries resulting from a shot in the stomach and the leg during the April siege of Hebron. It was reported that during his stay at the hospital, al-Natsha had two operations, during which his right leg was broken and he allegedly needed another operation of his leg. Reportedly, every time he asked for the prison doctor, he was given instead a medicine called "Elatrolet 10mg" which reportedly caused severe pain in his stomach and did not heal his wounds or relieve his pain. **Hussein al-Sawa'eed**, who was also held at the Ofer detention centre, was reportedly in need of an operation to remove a large swollen lump in his neck. However, he was allegedly not allowed to do so by the prison authorities and was only given painkillers.

750. On 2 December 2002, the Special Rapporteur sent a joint urgent appeal with the Chairman-Rapporteur of the Working Group on arbitrary detention and the Special Representative on human rights defenders on behalf of **Abed Rahman al-Ahmar**, a field researcher with the Palestinian Human Rights Monitoring Group (PHRMG) who had been reportedly arrested again on 22 November 2002 in the Daheishe Refugee Camp and was believed to be detained at the Etzion Detention Center for interrogation regarding a relative of him. His detention had reportedly been extended for 11 days and had been set to finish on 3 December 2002. Reportedly, he was held in overcrowded and harsh conditions in cold cells without beds, was not given food during the day and was not allowed a daily walk outdoors. Furthermore, he was reportedly not receiving proper medical care or the medication he had to take on a regular basis despite reports that he was suffering from severe back and stomach aches.

#### **Follow-up to previously transmitted communications**

751. By letter dated 10 January 2002, the Government responded to a joint urgent appeal sent by the Special Rapporteur with the Special Representative on human rights defenders on 1 June 2001, on behalf of **Abed Rahman Al-Ahmar** (Abed al-Rahman al Ahmar) (E/CN.4/2002/76/Add.1, para.809). The Government informed that he was arrested on 24 May 2001 on suspicion of activities with the Popular Front organisation and various terror attacks. He has been arrested a number of times in the past and spent extensive periods in administrative detention. A petition before the High Court about his interrogation and conditions of detention was dismissed on 12 June 2001. The Court examined the allegations of ill-treatment, inter alia, by examining his arms during the hearing. The Court further found that he had not been denied medical treatment during detention.

752. By letter dated 21 June 2002, the Government responded to a joint urgent appeal sent by the Special Rapporteur with the Special Representative on human rights defenders on 17 September 2001, on behalf of **Daoud al-Dir'awi** (ibid., para. 812). The Government informed that he was arrested on 10 September 2001 on suspicion of involvement in illegal military activities on behalf of the Popular Front for the Liberation of Palestine. An administrative detention order was issued against him on 27 October 2001. For the protection of intelligence sources, regular criminal procedures could not be applied. The Government stated that international law permitted administrative detention when there was no effective alternative and there existed a clear threat to security. A special investigation into the torture allegations concluded that there was no basis to these allegations. He was released in March 2002.

#### **Observations**

753. The Special Rapporteur notes with concern that no response has been provided to a number of cases brought to the attention of the Government since 1999 as well as to urgent appeals. In view of the nature of the latter, he would appreciate receiving prompt information on measures taken to ensure that the right to physical and mental integrity is properly respected. The Special Rapporteur also notes with concern that the Government did not extend to him an invitation to visit Israel.

754. The Special Rapporteur also notes the concerns of the Committee against Torture expressed in November 2001 after its consideration of the third periodic report of Israel under the Convention against Torture as follows: "(f) the continued use of incommunicado detention even in the case of children, is a matter of grave concern to the Committee. g) Despite the numerous allegations of torture and ill-treatment by law enforcement officials received by the Committee, very few prosecutions have been taken against alleged perpetrators." (CAT/C/XXVII/Concl.5, para. 6)

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#### **Information transmitted to the Palestinian Authority**

1997. By letter dated 11 September 2002 sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur advised the Government that he had received information regarding the following individual cases.

1998. **Khaled al-'Akheh** was reportedly arrested by the Preventive Security Service (PSS or al-Amn al-Wiqa'i) in Gaza on 14 February 2001 and convicted by the Gaza State Security Court on 12 August 2001 for helping Israeli forces to kill Mas'ud Ayyad on 13 February 2001. It is reported that over a period of 18 days after his arrest he was subjected to *shabah*, i.e. being made to stand or sit up in painful positions for long periods, often hooded or blindfolded and often combined with sleep deprivation, and repeatedly punched in the face with his head hooded. He reportedly received visitors about 20 to 30 days after his arrest. He was reportedly shot by police on 9 September 2001, allegedly while trying to escape from custody during a prison transfer in Gaza City.

1999. **Suliman Qwaidh Mohammad Abu 'Amra** was reportedly arrested on 8 August 2001 by the Military Intelligence Service (MIS) and held incommunicado at the MIS' headquarters in Gaza City until mid-August 2001. On 15 August 2001 his family was informed that he died of a heart attack while being interrogated. An

autopsy conducted at Shifa Hospital reportedly found that the death resulted from “several injuries in the body and sensitive parts, such as the abdomen and scrotum, caused by repeated blows by solid objects” and that “all the wounds were recent and took place one week prior to death”. President Arafat is said to have ordered an official inquiry into this death.

2000. **‘Ala’ al-Din Hassan Muhammad Wabheh** was reportedly arrested for “security reasons” on 18 October 2001 by security forces. It is reported that he died during his transfer to hospital on 21 October 2001, after having been held in incommunicado detention for three days at the General Intelligence Apparatus in Khan Yunis. His brother, a medical doctor, managed to see his body and reported that the corpse presented bruises, swellings and marks indicating that his head had been hurt and his neck wore marks of a rope or a wire.

2001. By letter dated on 19 September 2002 sent jointly with the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur advised the Government that he had received information regarding **Yusra al-Ramlawi** who had reportedly been arrested in June 2001 by the General Intelligence Service (GIS or Mukhabarat). Although she informed her interrogators that she was two-months pregnant, she was reportedly beaten so severely that she allegedly had a miscarriage. Some days later she was reportedly threatened with rape by an interrogator. It is alleged that despite a complaint to other officers, the same interrogator was back at work three days later. She was transferred to the GIS section of al-Saraya prison in Gaza Strip at the end of June 2001. She was believed to have been beaten there as well. It is alleged that she was not accused of being a collaborator herself but that she nevertheless remained in detention without charge or trial at least up to September 2001.

2002. By letter dated 17 October 2002, the Special Rapporteur reminded the Government of a number of cases transmitted in 1998, 1999, 2000 and 2001 regarding which no reply had been received.

#### **Urgent appeals**

2003. On 16 January 2002, the Special Rapporteur sent an urgent appeal on behalf of **Jaweed Al-Ghussein**, aged 71, on whose behalf the Special Rapporteur sent an urgent appeal on 11 October 2001 (see E/CN.4/2002/76/Add.1, paras 1817-1818). Since the beginning of his detention in Gaza, declared to be arbitrary by the Working Group on Arbitrary Detention in December 2001 (case No.31/2001), he has been suffering from diabetes and a serious heart condition. He reportedly developed swelling, flushing, cramps, abdominal pain and diarrhea. His doctors in Gaza and London indicated that he would have to be treated by means of advanced diagnostic facilities, such as MRI-guided biopsies and that the necessary facilities were not available in Gaza. At the end of November, Jaweed Al-Ghussein was reportedly transferred to the Palestine Hospital in Cairo. An Egyptian physician reportedly concluded that Jaweed Al-Ghussein needed “further investigation and expert management in a specialised centre such as the Royal Marsden hospital in London”. On 3 January 2002, Jaweed Al-Ghussein was said to have been forcefully returned to Gaza, where he was reportedly placed under house arrest in a house without electricity. Since the transfer, he is said to have been suffering from heart palpitations, breathing problems, flushing, diarrhea, an excessively accelerated heart rate and blood pressure of 180/110.

2004. On 8 July 2002, the Special Rapporteur sent a joint urgent appeal with the Special Representative on human rights defenders on behalf of **Khaidar Ghanem**, a B’Tselem fieldworker, who was in the custody of the Palestinian Preventive Security Apparatus. He had reportedly been arrested on 3 July 2002 in Gaza. Fears were expressed that he may have been arrested in connection with his work at B’Tselem, in particular collecting testimonies from Palestinian residents on alleged human rights violations in the Rafah area of the Gaza strip.

#### **Observations**

2005. The Special Rapporteur regrets that no response has been provided to the cases brought to the attention of the Authority since 1998.

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