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COMMISSION ON HUMAN RIGHTS
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**QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:
TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT**

**Report of the Special Rapporteur, Sir Nigel Rodley, submitted
pursuant to Commission on Human Rights resolution 2001/62**

Addendum

Summary of cases transmitted to Governments and replies received*

* In view of its length, the present document is being issued in the original languages only, the Conference Services Division of the United Nations Office at Geneva having insufficient capacity to translate documents that greatly exceed the 32-page limit recommended by the General Assembly (see Commission resolution 1993/94, para. 1).

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Israel

1. By letter dated 22 June 2001, the Special Rapporteur advised the Government that he had received information on several individual cases indicating that the General Security Service (GSS) (Shin Bet) was still using interrogation methods that contradicted the Israeli High Court ruling of 6 September 1999 (see E/CN.4/2000/9, para. 675), including prolonged and painful tying to a chair with the hands of the person being interrogated tied behind the back or in front; sleep deprivation for prolonged periods of time; continuous interrogation for more than 20 hours; solitary confinement in small cells without proper ventilation or light; being held in a cell where food is served directly next to the hole or bucket used as a toilet; beatings; psychological pressure; and the denial of health care and legal assistance.
2. Since the beginning of the intifada on 29 September 2001, more than 1,000 citizens, the vast majority of them said to be Palestinians, have reportedly been arrested and a large number of them are believed to have been beaten upon arrest, to have undergone harsh and prolonged interrogation, to have been held in squalid conditions and to have been barred from the right to be represented by counsel. Of those, some 400 detainees are believed to be minors. Generally, detainees are said not to be informed that they are being represented by an attorney, and orders prohibiting them from meeting with their attorneys are reportedly issued for up to 60 days. Israeli authorities are said to have barred hundreds of Palestinian attorneys from the West Bank and Gaza from visiting their clients in Israeli prisons, hundreds of residents of the occupied territories in detention in the State of Israel, by refusing to issue them entry permits. The legal adviser for Judea and Samaria reportedly issued a closed list of only 12 Palestinian attorneys permitted to enter Israel. Those in receipt of entry permits are said to have encountered bureaucratic obstacles in that their

permits do not include car permits, making their entry into Israel virtually impossible.

3. Furthermore, the Special Rapporteur transmitted information according to which the Orders Concerning Security Provisions empower a police officer to extend the detention of detainees from the occupied territories for eight days before bringing him before a judge, as opposed to the 24 hours permitted by Israeli law for the holding of a suspect who is an Israeli resident before bringing him before a judge.

4. In particular, the Special Rapporteur transmitted information on the following individual cases.

5. **William Jehard Shuman**, a British citizen, was reportedly arrested on 5 January 2001 by the GSS. During his interrogation in detention, he was said to have been threatened, forced to bend for prolonged periods, slapped until his nose bled and deprived of sleep. He reportedly did not receive proper medical care. The Attorney-General is said to have imposed a gagging order regarding the case.

6. **Muhammad 'Issa**, a member of the Palestinian Authority police, was reportedly arrested on 28 November 2000 and held incommunicado in Shikma prison, Ashkelon. During questioning, he was reportedly tied to a chair (*shabeh*), kicked, hit on the head, in the stomach and in his testicles. He was allegedly subjected to cold and hot air for 12 hours. The treatment reportedly carried on until his first remand hearing on 4 December 2000. Before the second hearing, seven interrogators reportedly beat him again and told him to sign documents.

7. **Nasser Ayyad**, from Gaza, was reportedly arrested on 29 January 2001 between Gaza City and Deir al-Balah, transferred to Netzarim settlement, where he was beaten by Israeli interrogators, and from there to Shikma prison, Ashkelon, where he was reportedly deprived of sleep for seven days, denied access to his lawyer for a month, denied food and drink, exposed to bright lights causing burns, and beatings. The GSS interrogators reportedly threatened to kill his father, Mas'ud Ayyad, and subsequently told Mr. Ayyad that he had been killed on 13 February 2001 by an Israeli combat helicopter.

8. **Shadi Tareq Al Isawi**, from Al Isawiye village, was reportedly arrested on 18 October 2000 by Israeli undercover agents who entered his village. He was brought to the Russian Compound detention centre for interrogation, was allegedly hit by his interrogators on the head and chest, had hair pulled out, and was reportedly deprived of sleep for eight days. He was also said to have been kept in solitary confinement.

9. **Imad Saftawi** was reportedly arrested on 13 December 2000 and taken to Ashmoret Prison to the interrogation wing of the GSS, where he was held incommunicado for 44 days. On two occasions, during interrogation, he was reportedly deprived of sleep and chained to a chair for 36 hours. His interrogators are said to have threatened him with interrogation for 90 days. A High Court petition for removal of the prevention order was reportedly dismissed on 22 January 2001. On 19 February, Imad Saftawi was issued with an administrative detention order for six months.

10. **Ayman Al Ajluni**, from Hebron, was reportedly arrested at his home in the area of Hebron on 20 December 2000, subsequently detained at the Al Majnuna detention centre, at Ashkelon prison for 17 days, at Al Jalami prison for seven days, followed by the Russian Compound detention centre. During interrogation by GSS officers, which is said to have lasted for five days, he was reportedly tied to a chair, subjected to sleep deprivation, threatened with death and subjected to abusive language.

11. **Yunis Al Atrash** was reportedly arrested on 8 January 2001 by special Israeli forces, who are said to have broken into and to have carried out a search in his house in Hebron. He was said to have been taken to Ashkelon prison, where, during the first five days of his detention, he was reportedly tied blindfolded to a tiny chair with his hands bound behind his back (*shabeh*), drenched in icy water and subjected to abusive language.

12. **Atta Oweisat**, a photographer for Zoom 77, was reportedly assaulted by seven undercover security agents while covering the funeral of a Palestinian in Jabel Moukaber, in Jerusalem, on 4 October 2000. They reportedly threw him to the ground, beat him, stepped on him, and tried to take his cameras forcefully. As a result, he was said to have been knocked unconscious. He subsequently lodged a complaint, and, on 11 October, was reportedly charged on several counts, including insulting the police, injuring an officer and preventing the police from arresting demonstrators. It is believed that his having filmed a group of Israeli undercover agents in Jerusalem's Shufat refugee camp had motivated the assault.

13. **Thabet A'asi**, from Beit Lakiya, was reportedly arrested at his home by six soldiers on 14 October 2000 and transferred, handcuffed and blindfolded, to the Russian Compound detention centre. There, six policemen reportedly severely kicked and beat him on the spine, on the back, on his face and right ear, and banged his head against the wall. He was reportedly interrogated by as many as 15 persons for about 12 hours a day for a week. He was held blindfolded and handcuffed in solitary confinement, and was reportedly refused access to his lawyer and to medical treatment. He reportedly sustained a loss of hearing in his right ear, as well as severe pain in his spine. On 14 May 2001, six police sergeants and one inspector were reportedly indicted for assault and aggravated assault in the Jerusalem magistrates court. The officers allegedly said that they believed that Thabet A'asi was a ringleader of a lynching of an Israeli soldier in Ramallah.

14. **Khaled Zeghari**, a cameraman working for Reuters, was reportedly beaten by Israeli soldiers and shot in the leg with a rubber-coated metal bullet at short range on 29 September 2000 when filming clashes at the Al-Aqsa mosque in Jerusalem. The attack reportedly took place only minutes after Hazem Bader, a cameraman for the Associated Press, was shot. A group of Israeli soldiers reportedly stormed the courtyard of the Islamic Museum, opened fire and subsequently approached Khaled Zegari, reportedly beating him with bats and sticks on his head and shoulders. He was reportedly taken bleeding to hospital.

15. **'Abd al-Ra'uf 'Aqayleh** was reportedly arrested in his home at about 2 a.m. on 23 October 2000 by four armed police officers and taken to Kishon detention centre where he was interrogated by the GSS for nine hours. Interrogators reportedly beat him on 26 October and banged his head against the wall, causing him to faint. He was allegedly held incommunicado until his release on 26 October.

16. **Khatib 'Ali** was reportedly on his way home to Majd al-Kroum on the bus with two other students on 23 October 2000 when the driver racially abused him, drove them to the police station in Karmiel, and reportedly told the police that he had thrown stones at the bus. The officers allegedly interrogated him, kicked and punched him and later handcuffed him to the bars of a window. He reportedly received no medical attention. The following day, a magistrate at the Acre magistrate's court is said to have recommended that he be examined by a police doctor. He was reportedly released on bail on 26 October.

17. **Qadr al-Wa'el** and five of his friends were reportedly arrested in the village of Sha'b/Galilee on 2 October, following a demonstration in the village. Qadr al-Wa'el was allegedly beaten by two police officers with rifle butts during transfer to Misgav police station, and later in the police station. As a result, he is said to have sustained bruises on his lower legs down to his ankles, and to be limping. He reportedly informed the judge at his remand hearing in court about the beatings. After being transferred to three other lock-ups, he was reportedly released on bail on 27 October.

18. **Yoav Bar, Yoram Bar Haim** and seven other people were reportedly beaten upon arrest on 2 October 2000 during a peaceful demonstration in the Wadi Nisnas neighbourhood in Haifa. The police reportedly fired rubber-coated metal bullets at the legs of the demonstrators. Yoav Bar was reportedly dragged by the legs for more than 50 metres, and beaten with batons. His left hand was allegedly broken in three places; two of his ribs and two of his front teeth were broken and his back was injured. Yoram Bar Haim reportedly approached police officers as he saw Mr. Bar being ill-treated. A police officer reportedly jumped on his back, hit him with batons and kicked him all over his body. Three detainees, including the above-named, were reportedly held in custody until midnight without medical treatment.

19. **Ahmad Fu'ad al-Shawish, Ahmad Fu'ad al-Shawish, Murad 'Azmi al-Bakri** and **'Imad al-Shalouhi** were reportedly arrested on the street near their homes by a group of about 10 armed police agents on 16 October 2000, who took them to the Western Wall. Two hours later, **Jamal Fu'ad al-Shawish** and **'Ali Fu'ad al-Shawish**, Ahmad's brothers, were reportedly arrested by a group of about 25 agents in their home. 'Imad al-Shalouhi's brother, **Samir**, was reportedly also brought to the Western Wall after being arrested. There officers reportedly punched Ahmad al-Shawish and kicked him in the face and on his legs, and physically assaulted Samir al-Shalouhi, particularly in the face and eye. The detainees were

allegedly subsequently transferred to Jaffa Gate police station, interrogated and accused of stone-throwing. Ahmad and Jamal Fu'ad al-Shawish and Murad 'Azmi al-Bakri were asked to sign a statement saying that they had not been beaten, after which they were reportedly beaten again. Their detention in the Moscobiyyeh detention centre was reportedly extended by the court until 20 October 2000.

20. **Nidal Mohammed Said Dajles**, from Assira Elshamelia, was reportedly arrested on the night of 26 August 2000. During the arrest, soldiers reportedly beat him all over his body for about four hours, tied his hands, attempted to strangle him and stamped on his hands and shoulder. They allegedly stuffed stones and dirt into his mouth and poured water into his nose and mouth. The following morning, he was reportedly taken to the Petah Tikva detention centre and beaten during transfer. He was reportedly denied medical treatment. Nidal Dajles reportedly petitioned the court for an interim injunction ordering the Government to desist from applying illegal physical or mental pressure on him and to give him access to medical treatment.

21. **Talal Abu Ida**, a Palestinian Red Crescent ambulance driver, and his colleague **Naji Al Barghouthi** were reportedly restrained and brutally assaulted by Israeli soldiers in a jeep at the entrance to Surda in Ramallah district on 25 January 2001, when they went to collect a patient. They were reportedly ordered to lie on the wet ground for almost an hour, had guns pointed at their heads and were subsequently beaten, causing Talal Ida to lose consciousness. An attendant in another ambulance which had meanwhile arrived, Muhammad Al Huwari, and the driver, Muhammad Salem, were made to strip to the waist and sit in the cold for 20 minutes. All the equipment from the ambulances was allegedly confiscated. Talal Abu Ida was reportedly suffering from chest pains, spasms in his arms and legs, and was on the verge of hypothermia. He only regained consciousness at Ramallah hospital the next day. An Israeli officer allegedly told Naji Al Barghouthi to tell Talal Abu Ida to report to the Ofer military centre near Bitunia on 29 January.

22. **Rami Iz'oul** was reportedly arrested by Israeli soldiers in his home in Husan near Bethlehem on 30 October 2000. During interrogation, he was reportedly beaten. As a result, he was allegedly hospitalized for one night in Hadassa hospital in Jerusalem. After discharge, he was reportedly beaten again and threatened into signing a confession. A complaint was reportedly filed with the Department for Investigation of Police Misconduct on 3 December 2000. In mid-January 2001, the office of the Attorney-General allegedly stated that an investigation into the allegations of torture were not in the public interest.

23. Regarding the arrest and detention of minors, the Special Rapporteur transmitted to the Government information according to which Palestinian minors had reportedly been arrested in the middle of the night and taken directly from their homes to places of interrogation. Beatings with hands, rifle butts and other instruments, kicking and handcuffing detainees' hands so tightly that the blood circulation is obstructed have been reported during arrest, transportation and interrogation. Some detainees were reportedly also blindfolded. During interrogation, minors are said to have been put under psychological pressure through insults and threats, including threats of a sexual nature and threats related to their family members. Family visits and access to the telephone are said to have been restricted. In most cases the prosecutors have reportedly asked for pre-trial detention of Palestinian minors suspected of throwing stones, which is said to have been granted. In detention, minors are said not to have been kept separate from adult criminal prisoners and are said to be living in fear of attacks on their bodily integrity. Around 400 Palestinian children are believed to be held in Meggido, Telmond and Ramle (Neve Tertzze). Around 100 male children, aged 16 and above, are said to be detained with adults in Meggido prison. Around 80 male children, some reportedly as young as 14, are reportedly held in Telmond prison with adult Israeli criminal prisoners. A further 20 children are said to be held in Israeli detention centres in the West Bank and Jerusalem, and two Palestinian girls are reportedly held in Ramle prison. In Telmond prison, Palestinian children are allegedly being detained with adult Israeli criminal prisoners, three of whom reportedly attempted to rape a Palestinian juvenile pre-trial detainee. Five children are said to have had injuries inflicted with razors, several were allegedly scalded with boiling water and others were allegedly beaten by fellow inmates. The Prison Administration is believed to have failed to take appropriate action and to have ignored requests made by human rights organizations on behalf of the Palestinian children.

24. In particular, the Special Rapporteur transmitted information on the following individual cases.

25. **Hilami Shusha**, an 11-year-old boy, was allegedly beaten to death. The Jerusalem district court judge, Ruth Orr, had reportedly cleared Nahum Korman in spite of witness's accounts. The High Court of Justice overturned the decision and convicted Korman of second-degree manslaughter. After the case was returned to the district court, the State Attorney's office is said to have agreed to a plea bargain under which Korman was sentenced to 6 months' community service, a 15-month suspended prison sentence and payment of NS 70,000 damages to Hilami Shusha's family.

26. **Khaled Najib Samir Jaber**, a 12-year-old boy from Haret Saida in the Old City of Jerusalem, and his brother **Ali** were reportedly arrested in their home on 29 March 2001, handcuffed and taken to Kishla for about an hour, where they were interrogated. An interrogator reportedly slapped Khaled Najib Samir Jaber on the cheek and punched him in the stomach, asking who had thrown Molotov cocktails. Khaled Najib Samir Jaber allegedly told them that he did not know, upon which the interrogator reportedly grabbed him by the nose and squeezed it. Another interrogator reportedly slapped him several times. One of the interrogators reportedly hit the boy's head with his fist.

27. **Ayman Abu al Humus**, a 16-year-old boy from Al Issawiye, was reportedly arrested at his home on 10 December 2001 by about 20 soldiers, who reportedly beat him and took him to the Russian Compound detention centre in Jerusalem. There, an interrogator reportedly hit him with a helmet, and another reportedly threatened him with electrocution. He was told that he could only drink or receive medical treatment once he had confessed to having thrown stones. A plain clothes interrogator allegedly tied his hands and legs tightly to a chair, and kicked and beat him when he denied having thrown stones. The next morning, he reportedly signed a confession out of fear, and was taken to a prison cell. He was reportedly held until 22 January 2001 and subsequently transferred to Telmond prison. His family could reportedly only visit him two weeks after his arrest.

28. **Shadya Abed**, a 15-year-old girl from Salah-a-Din Street in Jerusalem, and her relative **Abed Jafar** were reportedly arrested in the night of 14 January 2001 in the Al Sawahri al Sharkiye neighbourhood near Jerusalem by soldiers who arrived in four military jeeps. The soldiers reportedly violently searched the house, causing her mother to suffer a nervous breakdown and her 11-year-old sister Shuruk to be traumatized. Shadya was reportedly taken to a police detention centre in the Jewish settlement of Maale Adumin on suspicion of dealing in weapons. During interrogation, she was reportedly subjected to threats of a sexual nature, including rape.

29. **Shadi Tareq al Isawi**, from Al Isawiye near Jerusalem was reportedly arrested on 18 October 2001 by eight *mustarabeen* in his shop. Together with two 15-year-old boys from the same village, **Sultan Mahmud** and **Ahmad Khanis**, who were reportedly beaten in the car, they were transferred to the Russian Compound detention centre in Jerusalem. There, he was reportedly interrogated blindfolded, handcuffed tightly, beaten on the face and the head and denied water. Whenever he denied having thrown stones and Molotov cocktails, an interrogator plucked out his hair, and later kicked him in the stomach and chest. Later he was reportedly held incommunicado in a dirty isolation cell of about 1.5 m² until 25 October 2000, and deprived of sleep. His family was reportedly allowed to see him only after three weeks. He was later reportedly transferred to Al Ramle prison in Israel.

30. **Iyad Qaymeri**, aged 17, **Usama Ahmad Abu Zayneh** and two other persons from Palestinian origin were reportedly arrested on the street in Shu'fat in East Jerusalem on 1 October 2000. Iyad Qaymeri was reportedly kicked all over his body and in his face by five soldiers, and Usama Ahmad Abu Zayneh was allegedly beaten with a baton. Together with two other Palestinians, they were reportedly taken to the Moscobiyyeh detention centre, where Iyad Qaymeri and Usama Ahmad Abu Zayneh were said to have been beaten whilst being interrogated about stone-throwing for about an hour, and detained until 5 October 2000. The night before his release, about 20 police officers reportedly beat Iyad Qaymeri and about 30 other Palestinian juveniles with their batons whilst yelling insults at them.

31. **Tamir Abu Nab**, a 16-year-old boy, was reportedly arrested by masked members of Israeli security forces who broke into his family's house in Silwan on 1 November 2000. The security forces had allegedly intended to arrest him and his 16-year-old brother **Tha'ir**. The family resisted handing the boys over to the masked men, who reportedly hit their 21-year-old brother **Tarik**, breaking several of his ribs. As a consequence, he reportedly spent a month in Al Makasid hospital. Tha'ir was allegedly tortured during interrogation, and was subsequently sent to Sha'ri Tsaidik hospital. Tamir Abu Nab was reportedly sentenced to two years in Telmond prison.
32. **Ra'fat Abu Eisha**, a 14-year-old boy from Hebron, was reportedly brutally assaulted by a group of Israeli soldiers in the Israeli-controlled part of Hebron on 28 January 2001, when he was working at a market near the Abraham Avino settlement. Three Israeli soldiers reportedly dragged him to one of the arches of the old city, where they allegedly punched, kicked and beat him with their weapons for about 30 minutes, until he lost consciousness. As a result of the treatment he was subjected to, he was said to have suffered severe bruising all over his body.
33. **Mohammed Dhiab El-'Aqqad**, a 17-year-old resident of Al-Mawasi area in Khan Yunis was reportedly stopped by Israeli soldiers on 1 May 2001 on his way to his family's farm in Al-Mawasi area, and severely beaten. As a result, he is said to have sustained haematomas all over his body. He was reportedly evacuated to Nasser hospital in Khan Yunis for treatment.
34. Finally, the Special Rapporteur transmitted to the Government information according to which as a result of the policy of closure, Israeli authorities are reported to have consistently sought to prevent medical assistance from reaching injured Palestinians by turning back ambulances or private cars carrying injured persons at checkpoints. The closure of Gaza International Airport as of 8 October 2000 is said to further hinder the transportation of injured persons to hospitals outside the Palestinian territories.
35. In particular, the Special Rapporteur transmitted information on the following individual cases.
36. **Sahar Zbaidat** (f), from Marj Na'ja near Jericho, gave birth in a car on 3 October 2000 while she was on her way to Jericho hospital. Despite the fact that she was reportedly bleeding and that the umbilical cord had not yet been cut, Israeli soldiers did not let her pass through the checkpoint to get to the hospital.
37. On 13 October 2000, a tear gas canister was reportedly thrown at an ambulance being driven by **Waleed Abu Aker** in Khan Yunis, Gaza Strip. The attack is said to have caused the paramedics and the patient they were transporting to inhale an excessive amount of tear gas.
38. Finally, the Special Rapporteur transmitted information on the following individual cases.
39. **Nidal Hijazi**, from Wadi el Joz in Jerusalem, reportedly got caught up in clashes near Bab Al-Isbat gate of the Old City on 15 December 2000. After someone had reportedly given him an ax, two *mustarabeen* reportedly beat him on his head, hands and legs, and he was arrested by four members of the Israeli Border Police. A journalist taking photographs of his arrest was reportedly also beaten by the Israeli security forces. He was subsequently transferred to the Russian Compound detention centre where he was allegedly interrogated for eight days, reportedly beaten every day, had his head hit against the wall and his thumb broken. His family was only allowed to visit him after the interrogation.
40. **Ahmed Darwish**, **Feisal Darbiah** and **Issah Imar** were reportedly returning from work on 6 September 2000 when they were stopped by three guards at a roadblock between Jerusalem and Abu Dis. There they were reportedly lined up against a wall. One policeman allegedly punched Feisal Darbiah in the face, causing his head to collide with the wall, whereupon he started bleeding from his ears and mouth. He then reportedly pressed his weapon to Darbiah's stomach, threatening to kill him and his friends, and hit him between the shoulders with a rock. On 12 September 2000, indictments were reportedly submitted to Jerusalem magistrate's court against the three policemen. The policemen are said to have admitted that there had been no need to exercise violence against the Palestinians.
41. **Arawd Thamanji**, from Jenin, was reportedly arrested on 19 May 2000, severely beaten by Israeli soldiers upon arrest and pulled along the ground until he lost consciousness. He was reportedly later transferred to Al Afoula hospital and then to Megiddo prison. In prison, he is said to have been severely beaten and threatened on several occasions. He is further said to have been denied adequate medical treatment.

Urgent appeals

42. On 22 February 2001, the Special Rapporteur sent an urgent appeal on behalf of **Zaher Mohammed Kafarna**, a resident of Gaza, reportedly arrested on 2 February 2001 and allegedly currently detained incommunicado in the GSS Interrogation Unit at the Shikma detention centre in Ashkelon. The Public Committee against Torture in Israel has allegedly filed an urgent petition to the High Court of Justice on his behalf, asking that the Order prohibiting meeting with counsel be lifted.
43. On 1 May 2001, 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 behalf of **Adnan al-Hajjar**, a human rights lawyer and Coordinator of the Legal Aid Unit of the Al Mezan Centre for Human Rights in the Jabalia Refugee Camp in the Gaza Strip. He was reportedly arrested by the Israeli Defense Forces on 23 April 2001 while returning from a seminar in Egypt on strengthening the capacity of the Palestinian Legislative Council, and was detained at Ashkelon prison without charge. On 30 April, he is said to have appeared before a military court which extended his arrest for 30 more days for investigatory purposes.
44. On 3 May 2001, the Special Rapporteur sent an urgent appeal on behalf of **Nasser Mahammed Atiye Ma'alla**, a doctor resident in the Shoafat refugee camp in Jerusalem, who had reportedly been arrested on 15 April 2001. He was believed to have since then been detained at the GSS Interrogation Unit at the Russian Compound detention centre in Jerusalem where he has allegedly been prevented from meeting with his attorney on court order. On 25 April 2001 an urgent petition was reportedly filed with the High Court of Justice on behalf of the above-named person, demanding that the Order prohibiting meeting with counsel be lifted. A hearing on this petition was expected to be held on or before 6 May 2001.
45. On 22 May 2001, the Special Rapporteur sent a joint urgent appeal with the Chairman-Rapporteur of the Working Group on Arbitrary Detention on behalf of **Samer Fawzi 'Awartani** who had reportedly been arrested by the Israeli security forces at the Allenby Bridge crossing point between the West Bank and Jordan on 7 May 2001 as he returned from a medical conference in England. He was said to be currently detained incommunicado without charge in Petah Tikva detention centre. On 14 May 2001, his lawyer found out that an Israeli court had extended his detention by another two weeks without informing him or his client.
46. On 1 June 2001, the Special Rapporteur sent a joint urgent appeal with the Special Representative on human rights defenders on behalf of **'Abed al-Rahman al-Ahmar**, a well-known Palestinian human rights activist who works as a field researcher with the Palestinian Human Rights Monitoring Group (PHRMG), a non-governmental organization working on human rights violations against Palestinians, regardless of who is responsible, in the West Bank, Gaza Strip and East Jerusalem. He had reportedly been arrested and beaten by the GSS on 24 May 2001 while he was on his way home from Jerusalem to Deheisheh refugee camp in the West Bank. He was said to be held without charge and without access to his family at the Moscobiyya detention centre in Jerusalem. On 31 May 2001, he is said to have appeared in court without his lawyer. His physical condition was reportedly poor. He was said to suffer from a hiatal hernia and back problems, allegedly caused or worsened by the torture he was subjected to during his detention for more than two years until his release in May 1998. It is said that he sued the GSS for damages a year ago and that the case is still outstanding.
47. On 7 June 2001, the Special Rapporteur sent an urgent appeal on behalf of **Hussein Elias Hussein Rebiye**, a resident of Beit Anan, who had reportedly been arrested on 30 May 2001 and had since been detained incommunicado in the GSS Interrogation Unit at the Russian Compound detention centre in Jerusalem. On 6 June, an urgent petition on his behalf was reportedly filed with the High Court of Justice, demanding that the

Order prohibiting meeting with counsel be lifted. On 7 June 2001, the petition was said to have been rejected at a hearing at the High Court.

48. On 14 June 2001, the Special Rapporteur sent a joint urgent appeal with the Special Representative on human rights defenders on behalf of **‘Abed al-Rahman al-Ahmar**, on behalf of whom an urgent appeal had been already sent on 1 June 2001 (see above). According to further information received, he was currently subjected to torture or other forms of ill-treatment at the Moscobiyya detention centre in Jerusalem. At a hearing on 11 June, judges at the Israeli High Court of Justice reportedly refused to examine marks of shackles on his wrists. The judges rejected a petition filed by two human rights groups, the Public Committee against Torture in Israel (PCATI) and the Palestinian Human Rights Monitoring Group (PHRMG), calling for the torture during interrogation to stop, for proper medical care and clothing to be provided to him and for more humane conditions to house him. According to his lawyer, on 10 June ‘Abed al-Rahman al-Ahmar was kept shackled to a sloping chair by his wrists and ankles from 9.00 a.m. to 6.15 p.m.. This form of torture, known as *shabeh*, is often combined, as in his case, with sleep deprivation. He has lost about seven kilograms in the last 10 days and is suffering severe stomach pain as a result of torture during interrogation. He is reportedly being held in a small, damp, filthy cell. The air conditioning is on all the time, increasing the cold in the small cell. There are mice and cockroaches in the cell, and three days ago a snake came in from an open sewer. ‘Abed al-Rahman al-Ahmar was apparently vomiting during the court hearing.

49. On 6 July 2001, the Special Rapporteur sent another joint urgent appeal with the Special Representative on human rights defenders and the Chairman-Rapporteur of the Working Group on Arbitrary Detention on behalf of **Abed Rahman Al-Ahmar** (see above). Since 30 May 2001, he has reportedly been held at the Russian Compound detention centre in Jerusalem. The administrative detention order was reportedly renewed on 18 June for 15 days. An appeal was filed, but was rejected on 22 June 2001 by the Military Court of Appeals in Beit El, West Bank. It was reported that he was now the subject of a six-month administrative detention order, which allegedly allows the Israeli authorities to detain him without charge or trial until February 2002. He was said to be detained at Megiddo prison, Israel.

50. On 19 July 2001, the Special Rapporteur sent an urgent appeal on behalf of **Tarek Sufian Abdallah Akesh** who had reportedly been arrested on 23 June 2001 and had since been held incommunicado at the GSS Shikma detention centre in Ashkelon. On 10 July 2001, an urgent petition to the High Court was filed on his behalf demanding that the Order prohibiting meeting with counsel be lifted.

51. On 24 August 2001, the Special Rapporteur sent an urgent appeal on behalf of **Muna ‘Ubayd** and her brother **Akram ‘Ubayd**, both Israeli citizens of Palestinian origin, who had reportedly been arrested on 10 and 12 August 2001, respectively, by the GSS. They were allegedly held incommunicado at the detention centre at Petah Tikvah. Muna ‘Ubayd has apparently been beaten and deprived of sleep while held in a painful position. As a result, she reportedly had to be taken to hospital, without her family being allowed to see her. On 23 August, a judge is said to have extended their detention for a further five days, ordering that a doctor examine her. She was apparently brought before a court on 23 August. The Israeli authorities have reportedly issued gagging orders on their lawyer and family to prevent them talking to journalists or human rights organizations. It is believed that the detainees are held as hostages in connection with Israeli hostages held by the Hizbullah.

52. On 17 September 2001, the Special Rapporteur sent a joint urgent appeal with the Special Representative on human rights defenders on behalf of **Daoud al-Dir’awi**, a lawyer and human rights activist working at the Ramallah office of the Palestinian Independent Commission for Citizens’ Rights, who had reportedly been arrested on 10 September 2001 at the Allenby Bridge crossing point as he returned with his wife and baby from a holiday in Jordan. He was reportedly taken to Shikma prison in Ashkelon and is being interrogated by the GSS.

53. On 26 September 2001, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on violence against women, on behalf of **female Palestinian prisoners, including a child**, in the Neve Tirtza women’s prison in Ramle. On 13 September 2001, the prison wardens were said to have entered the cells reserved for women and to have taken **Maha Al-A’ak, Abeer Amer, Suad Ghazal, Wijdan Buji and Rab’a Hamael**, aged 14, to isolation, while **Amen Muna** was taken to a different section holding convicted criminals. Other women, fearful for the latter’s safety, were said to have started shouting, at which point the wardens were believed to have beaten them. They were said to have tied their spread arms and legs to their beds with plastic restraints that were tight to the point of causing swelling and severe pain for one night.

54. On 3 October 2001, the Special Rapporteur sent an urgent appeal on behalf of **Palestinian child prisoners** currently held in section 8 of Telmond Prison. It was believed that the Prison Administration was attempting to move the 23 Palestinian children incarcerated in this section to Section 7, where conditions were said not to be suitable for human habitation. Section 7 was said to be holding 36 Palestinian child prisoners, incarcerated in small cells measuring 4 m². The stated maximum capacity of section 7 is 48 detainees. Each cell allegedly contains a bunk bed, an open toilet and a small window; the lighting and sanitary toilet facilities are said to be poor. The move would mean that some cells would hold three children in a 4 m² space. Furthermore, it was reported that no educational facilities are available in that section. It was believed that the prison administration is reportedly using the section transfer as a means of punishing the children for their continuing protests over detention conditions.

55. On 16 October 2001, 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 had already intervened on 26 September 2001 (see above). They were said to have started a hunger strike on 1 October 2001 as a protest against the alleged repressive attitude of the prison administration following a series of beatings on 13 September 2001. It was believed that during the hunger strike, the detainees were refused rations of milk and salt and were not permitted to take recreation time outside their cells. **Rab’a Hamael, Sanna Amer and Sawsan Abu Turki**, all aged 14, were held in isolation cells. Sawsan Abu Turki, who had reportedly been arrested on 6 September on charges of attempting to stab an Israeli soldier, was said to have a history of psychological problems. She was reportedly hospitalized in July 2001 for three days after having been hit on the head by an Israeli soldier. It was said that while her family supplied the medication she needs in order to treat her various medical problems, the prison administration has constantly refused to pass this medication on to her or to provide her with other medical care. Her psychological state has allegedly deteriorated to the extent that she no longer knows who she is. When the court was reportedly asked to have an impartial and culturally sensitive psychological examination conducted to assess her fitness to stand trial, it is alleged that an Israeli psychologist visited her for approximately five minutes, filled in a questionnaire and declared her to be psychologically fit.

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Information transmitted to the Palestinian Authority

56. By letter dated 10 August 2001, the Special Rapporteur advised the Government that he had received information on the following individual cases.

57. **Abed Al Mouteh Al Ajlonee**, aged 17, from the outskirts of Jerusalem, was reportedly severely beaten on his face and body by the Palestinian police in Ramallah during his arrest together with his 30-year-old brother **Aiman** on 5 August 2000. He was reportedly transferred to the Ramallah government hospital, bleeding from the face. On 6 and 7 August, a lawyer was reportedly denied access to the brothers on the grounds that they were still under interrogation. On 7 August 2000, their mother reportedly obtained permission to transfer Abed Al Mouteh Al Ajlonee back to hospital.

58. **‘Abd al-Jawad Saleh**, a member of the Palestinian Legislative Council, was reportedly physically attacked by General Intelligence officers on 16 December 1999, while participating in a peaceful demonstration outside the General Intelligence detention centre in Jericho. He reportedly entered the detention centre at the invitation of a General Intelligence officer, but once inside, a group of officers proceeded to slap his face and punch and

kick him. He was reportedly treated in hospital for his injuries.

59. **‘Abbas al-Mu’mani**, a freelance photographer for Reuter, was reportedly arrested by General Intelligence officers at his office in Ramallah in May 1998, held incommunicado for more than five days, and interrogated about a Reuter video broadcast. During the first five days, he was allegedly beaten with cables, denied sleep, food and use of a toilet and forced to remain in painful positions for long periods. On the sixth day, he reportedly escaped, seriously injuring his leg, but was rearrested and returned to the custody of the General Intelligence on the same day. He was reportedly released without charge five days later.

60. By the same letter, the Special Rapporteur reminded the Government of a number of cases sent in 1998, 1999 and 2000 regarding which no reply had been received.

61. By letter dated 3 September 2001 sent jointly with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur advised the Government that he had received information on the following individual cases.

62. **Salim Hassan Al Akra’a** was reportedly arrested at a taxi rank east of Nablus on 6 January 2001 and held in incommunicado detention in a Palestinian Military Intelligence prison in Nablus, where his health deteriorated quickly; he was reportedly transferred to Al Watani hospital where he died in the evening of 27 February 2001. There were reportedly torture marks over his body, such as signs of beating on the right side of his head and back, and cuts on his wrists and ankles. He was allegedly also subjected to “*shabeh*”, i.e., shackling in a contorted position.

63. **Mahmoud Abu Hannoud** from Asira A-Shmaliah was reportedly sentenced to 12 years’ imprisonment by the State Security Court on 2 September 2000 for allegedly training and equipping military groups. He had reportedly confessed when in a very critical state, reportedly as a result of having been denied medical treatment after having been shot in the right shoulder and in the back.

64. By letter dated 3 September 2001 sent jointly with the Special Representative on human rights defenders, the Special Rapporteur informed the Government that the Ramallah Police Commander had allegedly justified the beating of detainees during a discussion with the Director General of the Palestinian Society for the Protection of Human Rights and Environment (LAW), Khader Shkirat, on 7 August 2000, by stating that “the thief who does not confess must be beaten as a last resort to force him to confess”. When the Director of LAW noted that this violated Palestinian law, the By letter dated 3 September 2001 sent jointly with the Special Representative on human rights defenders, the Special Rapporteur informed the Government that the Ramallah Police Commander had allegedly justified the beating of detainees during a discussion with the Director General of the Palestinian Society for the Protection of Human Rights and Environment (LAW), Khader Shkirat, on 7 August 2000, by stating that “the thief who does not confess must be beaten as a last resort to force him to confess”. When the Director of LAW noted that this violated Palestinian law, the Police Commander allegedly threatened him, and he was escorted out by guards who attempted to assault him. Later, the Chief of the Palestinian Police Service reportedly issued an order to heads of police districts and detention centres prohibiting LAW members from visiting places of detention.

Urgent appeals

65. On 9 April 2001, the Special Rapporteur sent an urgent appeal on behalf of **Nasir Al Rafa’ee**, a lawyer, who had reportedly been arrested at a court in the West Bank town of Ramallah on 24 March 2001 and who was said to be held incommunicado at the Palestinian Military Intelligence Service headquarters in Ramallah. It is believed that he is suffering from a stomach ulcer and spinal problems and is not receiving any medical care.

66. On 10 May 2001, the Special Rapporteur sent an urgent appeal on behalf of **Yusuf Samir**, a journalist, who was reportedly arrested by police in Bethlehem on 4 April 2001 to be questioned about his Israeli passport and his commitment as an Arab journalist to the Palestinian cause. He reportedly returned to the police station with books and poems from his home to prove his support for the Palestinian cause. His wife is reported to have later met two Palestinian General Intelligence officers in plain clothes who reportedly took his gun and medicine for his heart condition. The next day, she was allegedly told that her husband had been released the previous night. The authorities are said to have claimed, in a press statement released by the Director of the Public Intelligence Department in the West Bank on 14 April, that he was released on 4 April. It was nevertheless believed that he is still in police custody.

67. On 4 October 2001, the Special Rapporteur sent an urgent appeal on behalf of **Muhammed Lahloh**, a Palestinian who was said to travel across the border to Israel every day in order to work in a carwash in Haifa. He had reportedly been arrested on 3 September 2001 in Jenin by the Criminal Investigation Department who reportedly interrogated him about drug trafficking and “collaboration” with Israel. It was reported that he had been burnt with cigarettes and was bruised on his face. It was believed that he was moved to a private house, as the police detention centre in Jenin had been destroyed by Israeli shelling the previous month. He was reportedly held incommunicado on the order of the military prosecutor of Jenin.

69. On 11 October 2001, the Special Rapporteur sent an urgent appeal on behalf of **Jaweed Al-Ghussein**, aged 71, who had reportedly been held by the Palestinian Authority for the last five months, and on behalf of whom the Chairman-Rapporteur of the Working Group on Arbitrary Detention had intervened on 30 August 2001. He was said to be seriously ill, suffering from diabetes, liver cancer and heart problems. It was believed that he was examined by a doctor who indicated that he urgently needed medical attention. No charges were said to have been brought against him.

70. By letter dated 22 October 2001, the Government indicated that Jaweed Al-Ghussein, a Palestinian national, had been released on 13 October 2001. Having confirmed his debt to the Palestinian National Fund before the Court of Abu Dhabi and before the competent legal authorities of the Palestinian Authority, he was awaiting the amicable settlement of this issue.

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