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HUMAN RIGHTS DEFENDERSReport submitted by Hina Jilani, Special Representative of the Secretary-General on the situation of human rights defenders  
Addendum

Summary of cases transmitted to Governments and replies received \* \*

\* 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.

## Introduction

1. The present document is submitted by the Special Representative of the Secretary General on the situation of human rights defenders, Ms. Hina Jilani, to the Commission on Human Rights pursuant to Commission resolution 2003/64. The document provides summaries of the communications on specific cases addressed by the Special Representative to Governments, as well as summaries of the replies by Governments that she has received and her observations thereon.
2. In the past, such information had been included in an annex. Following up on a practice adopted in her report to the Commission at its fifty-ninth session, the information on specific cases raised by the Special Representative over the year is now published in an addendum to her main report to the Commission at its sixtieth session (E/CN.4/2004/94). For technical reasons the addendum has not been edited by the United Nations editors or translated by the United Nations translation services. The document is thus published in the several languages used by the Special Representative in her communications with Governments and may contain editing errors.
3. The cases raised by the Special Representative in this addendum relate to cases reported to her between 1 December 2002 and 30 November 2003. In a very small number of instances, some cases reported in early December 2003 have also been included in the report. The addendum contains summaries of responses received from Governments and, where necessary, translated up to and including 31 January 2004. Most of the responses by Governments refer to cases raised by the Special Representative during the period December 2002 to November 2003; however, some of the responses are to cases addressed by her in earlier reporting periods. While the summaries of these responses are included in this report, the summaries of the cases to which they refer will be found in the Special Representative's reports from preceding years (see [E/CN.4/2002/106](#) and [E/CN.4/2003/104/Add.1](#), covering the previous two years).
4. For ease of reference, and as indicated in the table of contents, cases have been grouped by country, with countries listed alphabetically according to their names in English.  
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## Bangladesh

Communications sent

41. On 4 December 2003, the Special Representative, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, sent an urgent appeal regarding reports of the arrest in Dakha on 29 November 2003 of **Salah Uddin Shoaib Choudhury**, editor of the magazine *Blitz* and head of the Bangladeshi branch of the International Forum for the Literature and Culture of Peace (IFLAC) - an organization of writers who campaign for peace. Salah Uddin Shoaib Choudhury was reportedly arrested, as he was about to leave for Israel to take part in a symposium organized by the Hebrew Writers Association. He is reportedly accused of spying for Israel on the basis of the text of a speech he was to have given on the media's role in the dialogue between Muslims and Jews, and that he could be charged with "sedition", a crime punishable by death. Mr. Choudhury was reportedly detained by police at Dakha Airport as he was about to board a flight to Tel Aviv via Bangkok, and a judge has reportedly granted the police permission to detain him for seven days. He was reportedly being held in Dhaka's Cantonment police station, where secret service officers were said to be interrogating him. The secret services reportedly claim that documents found in Choudhury's briefcase - especially the text of his speech and reports on the human rights situation in Bangladesh - are evidence of his spying on behalf of Israel. Reports indicate that a few hours after his arrest, police seized all the computer equipment, including printers and CD-ROMs, at the offices of his magazine and his home. It is reported that in his speech, Mr. Choudhury stressed the key role that the news media in Muslim countries have to play in constructing peace in the Middle East.

Observations

42. The Special Representative regrets that at the time of the finalization of her report no reply had been received to her communication.  
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Communications sent

278. On 30 January 2003, the Special Representative, in conjunction with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the question of torture and the Chairman-Rapporteur of the Working Group on Arbitrary Detention, transmitted an urgent appeal regarding **'Abla Sa'adat**, a human rights defender, and **Iman Abu Farah** and **Fatma Zayed**, both fourth-year students at the Religious Studies College of al-Quds University in Abu Dis, Jerusalem. According to the information received, on 20 January 2003, Iman Abu Farah and Fatma Zayed were reportedly arrested from their apartment in Um al-Sharayit and taken to Beit El. On 21 January 2003, **'Abla Sa'adat** was reportedly arrested at the border crossing into Jordan, while she was on her way to Brazil for the World Social Forum as a delegate representing the Palestinian human rights organization *Addameer*. It is believed that she was also taken to the Beit El Military Detention Centre (near Ramallah, West Bank), and placed in an isolation cell without being questioned. All her personal belongings were allegedly taken from her. On the evening of 22 January 2003, **'Abla Sa'adat**, Iman Abu Farah and Fatma Zayed were reportedly all served with four-month administrative detention orders. It was reported that they are held in extremely harsh conditions. In protest at their detention conditions, the three detainees have reportedly been on hunger strike since 23 January 2003, and their health is reportedly deteriorating. Iman Abu Farah has reportedly subsequently been transferred to the Moskobiyye Interrogation Centre. According to the information received, in sworn affidavits, **'Abla Sa'adat** and Iman Abu Farah described the harsh conditions of their arrest, and reaffirmed that they would not end their hunger strike until they were transferred to more adequate facilities for female detainees.

279. On 19 February 2003, the Special Representative transmitted an urgent appeal concerning **Dr. Azmi Shuaibi**, a Commissioner with the Palestinian Independent Commission for Citizens' Rights (PICCR), and **Husein Sholi**, the coordinator for complaints at PICCR, who have reportedly been refused permission to leave to attend human rights events abroad. Dr. Azmi Shuaibi has been invited to attend the eleventh United Nations Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia and Pacific Region, to be held in Islamabad at the end of February 2003. According to the information received, Dr. Azmi Shuaibi was informed by the relevant Israeli authorities that, because he is a Palestinian Parliamentarian, he would require a special permit to leave, but that given the limited time available it would be very difficult to obtain such a permit. Husein Sholi was reportedly invited in October 2002 to attend a human rights training course in Sweden from 17 February to 21 March 2003. He was reportedly provided with the relevant visa by the Swedish consulate in Jerusalem, but the Israeli Ministry of Defence allegedly informed him that he would not be allowed to travel for security reasons.

280. On 28 February 2003, the Special Representative, in conjunction with the Special Rapporteur on the question of torture and the Special Rapporteur on the independence of judges and lawyers, transmitted an urgent appeal concerning **Daoud Dirawi**, who was reportedly detained on the evening of 21 February 2003 in Jerusalem while on his way to purchase medicine from a pharmacy for his daughter who was ill. Reports indicate that he was stopped by Israeli soldiers, who asked to see his identification. He reportedly had left his identity card with his wife and was only able to show an official document indicating that he had moved to Jerusalem so as to be with his wife, who is a resident of the city. His wife, Fatmi Dirawi, reportedly brought the identification card and was then required by the soldiers to wait outside with her husband for two hours. Daoud Dirawi was then reportedly taken by Israeli soldiers to Qeshle Police Station in Jerusalem. Fatmi Dirawi was reportedly told by officers at the police station that her husband would be held for 24 hours and then brought before a judge. The following morning, she was reportedly told that her husband had been taken away by personnel from Shin Bet (the Israeli Secret Intelligence Service), that he would be detained for interrogation purposes for 12 days, that his place of detention would not be disclosed and that he would not be able to meet with a lawyer during this period. According to the information received, Daoud Dirawi had already been arrested on 10 September 2001 and allegedly tortured while being detained in Ashkelon in poor conditions of detention and was the subject of an urgent appeal on 17 September 2001, under the mandate of the Special Rapporteur on the question of torture and the Special Representative of the Secretary-General on the situation of human rights defenders, to which the Government of Israel responded on 21 June 2002.

281. On 3 June 2003, the Special Representative transmitted an urgent appeal concerning a statement made on 21 May 2003 by the Israeli Minister for Foreign Affairs to the Knesset's Foreign Affairs and Defence Committee, accusing "most human rights offices in the West Bank and Gaza Strip of providing shelter to terrorists". The Special Representative pointed out that while her information indicated that those accusations were false, general statements against human rights organizations and actors, such as the one alleged, were contrary to the spirit of the Declaration on human rights defenders. In addition, she expressed concern that in the current context of tension in the region such public accusation by a government official might increase the vulnerability of human rights defenders to threats to their work and personal safety.

282. On 16 September 2003, the Special Representative transmitted a letter of allegation concerning the alleged killing of **Rachel Corrie**, a volunteer from the United States of America with the International Solidarity Movement (ISM). On 16 March 2003, Rachel Corrie was reportedly opposing the bulldozing of a Palestinian home in the Rafah refugee camp in Gaza, when an Israeli army bulldozer allegedly ran her over, reportedly causing her death. It is reported that Rachel Corrie and the seven other ISM activists working with her in the Rafah area had clearly identified themselves as unnamed international peace activists. The driver of the bulldozer was reportedly aware of her presence, as she was reportedly carrying a loudspeaker and sitting in the path of the bulldozer as it advanced towards her. When the bulldozer allegedly refused to stop or turn aside she reportedly climbed up onto the mound of dirt and rubble being gathered in front of it wearing a fluorescent jacket to look directly at the driver. The bulldozer allegedly continued to advance so that she was pulled under the pile of dirt and rubble. It is alleged that after she had disappeared from view, the driver kept advancing until the bulldozer was completely on top of her, without lifting the bulldozer blade.

283. On 2 December 2003, the Special Representative, in conjunction with the Special Rapporteur on the question of torture and the Chairman-Rapporteur of the Working Group on Arbitrary Detention, transmitted an urgent appeal regarding **Abed Rahman al-Ahmar**, a field researcher with the Palestinian Human Rights Monitoring Group (PHRMG). According to the information received, Abed Rahman al-Ahmar, who has been imprisoned by Israeli authorities several times in the past, was reportedly arrested again on 22 November 2002, at his home in the Daheishe Refugee Camp. He was reportedly detained at the Etzion Detention Centre. Concerns have been expressed that Abed Rahman al-Ahmar's recent detention and imprisonment may be a response to his human rights activities. It was reported that on 22 November at 4 a.m., members of the Israeli Security Forces entered his house and proceeded to shoot in the air and ordered everyone to leave the house before searching the al-Ahmar's home for several hours. Approximately 30 persons, including women and children, were reportedly kept outside in the cold at gunpoint for about three hours. It was reported that the Security Forces stated that they were looking for a relative of Mr. al-Ahmar, but as they did not find him, they arrested Mr. al-Ahmar instead, explaining that they wanted to question him for a short time. Mr. al-Ahmar was then reportedly taken to the Etzion Detention Centre, where his detention was set to end on 3 December 2002. According to the information received, Mr. al-Ahmar was not questioned so far on anything other than his marriage to Attorney Allegra Pacheco, who currently works for the United Nations Relief and Works Agency for Palestine Refugees (UNWRA). Furthermore, he reportedly was 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. His fragile health reportedly results from the alleged torture to which he was subjected by the General Security Services (GSS) while he was in detention during the first Intifada. According to the information received, Attorney Pacheco has visited Mr. al-Ahmar at the Etzion Detention Centre and Attorney Lea Tsemel was appointed to represent Mr. al-Ahmar and filed a request on 27 November 2002 to the Beit El Military Court demanding that Mr. al-Ahmar be released on bail.

284. On 8 December 2003, the Special Representative sent a letter of allegation regarding the alleged shooting of **Tom Humdall**, a volunteer with ISM. According to the information received, on 11 April 2003, Tom Humdall was reportedly preparing for an ISM "action", involving the positioning of a tent in order to protect a house in the Yibnah District of the City of Rafah, with a group of 10 ISM volunteers. He was allegedly shot on Kir Street, while he was reportedly carrying children away from gunfire allegedly emanating from an Israeli Defence Forces (IDF) watchtower. In addition, according to the information received, Tom Humdall was reportedly taken by taxi to the local hospital and then to a hospital in Gaza, and finally by helicopter to the Soroka Medical Centre in Beer Shiva, where he reportedly received a CAT scan. The scans from the hospital in Beer Shiva have reportedly been repeatedly promised to his family, but have allegedly not been given. Concern has been expressed that Tom Humdall may have been targeted as a result of his work with ISM. Concerns are heightened by the fact that, at the time of the shooting, Tom Humdall was reportedly wearing orange clothes with fluorescent markings to indicate his status as an international peace volunteer which were allegedly fully visible from the IDF watchtower, and that the ISM banner had reportedly been hung directly in front of the watchtower.

Communications received

285. By letter of 12 March 2003, the Government responded to the communication sent by the Special Representative on 19 February 2003 regarding the case of **Husein Sholi**. The Government stated that following the clarification of certain security issues, Husein Sholi had been given authorization to travel and would be leaving for Sweden on 12 March 2003 to attend the human rights training course.

286. By letter of 16 June 2003, the Government responded to the communications sent by the Special Representative on 2 December 2002 regarding the arrest of

**Abed Rahman Al-Ahmar** . The Government informed the Special Representative that the person concerned had been arrested in relation to his activities with a terrorist organization, the Popular Front for the Liberation of Palestine, for which he held previous convictions for involvement in terrorist attacks against Israelis. The Government stated that following an appeal filed on his behalf by the Military Court of Appeals, it was found that he posed an imminent and significant danger to security and that his claims to be a human rights activist were inaccurate. It further stated that the Ofer detention facility where he was being held fully complied with the applicable standards of international humanitarian law and had permanent medical staff whom he was entitled to approach with regard to his medical needs. It also stated that he was entitled to have recourse to Israel's judicial system, including the Israeli Supreme Court sitting as High Court of Justice, with regard to any aspect of his detention.

Responses received to communications sent by the Special Representative in previous years

287. By letter dated 27 June 2003, the Government responded to the communication sent by the Special Representative together with the Special Rapporteur on the question of torture on 13 September 2002 regarding the situation of **Dr. Mustafa Barghouti** . The Government stated that the Ministry of Justice Department of Investigation of Police Misconduct had carried out an investigation, which concluded that there was insufficient evidence to justify criminal proceedings against the police officers in question regarding the allegations of Dr. Mustafa Barghouti and that this was due, inter alia, to the lack of cooperation by Dr. Barghouti and his attorney. The Government further stated that Dr. Barghouti had been entitled to submit an appeal to the State Attorney within 30 days of receipt of the letter informing him of the above-mentioned decision and that no such appeal had been submitted.

Observations

288. The Special Representative thanks the Government for its responses and in particular for its rapid response to the situation of **Husein Sholi** . She welcomes the fact that through the Israeli Foreign Ministry and the Permanent Mission of Israel to the United Nations Office at Geneva, which entered into direct contact with its support staff at OHCHR, Husein Sholi was able to travel to Sweden. She regrets that time did not allow Dr. Azmi Shuaibi to travel to Islamabad to attend the eleventh United Nations Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia and Pacific Region. The Special Representative regrets the absence of responses to her other communications. She remains deeply concerned by the many violations allegedly committed against human rights defenders by Israeli authorities over the past year, including notably the reported killings of peace activists in the occupied territories. She calls on the Government to ensure that all rights enshrined in the Declaration on human rights defenders are respected.

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