

**HUMAN RIGHTS WATCH**



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[www.hrw.org](http://www.hrw.org)

April 7, 2019

Ms. Haitham Arar  
Head of Democracy and Human Rights Unit  
Ministry of Interior  
Ramallah, Palestine

Dear Ms. Haitham Arar,

I write to request your assistance in obtaining information pertaining to arrests carried out by the Palestinian Authority (PA) in the West Bank and treatment of detainees in custody.

This request is a follow-up to our correspondence with former Prime Minister Rami Hamdallah and other officials in the Palestinian Authority a year ago and the PA's November 2018 response to a report we issued a month prior, in October 2018.

We intend to release a publication later this month highlighting developments on these issues over the last year and will reflect in it any pertinent information you provide us by **Thursday, April 18**.

Human Rights Watch is an international human rights organization, whose head office is located in New York City. The organization carries out in-depth primary research and publishes reports on the state of human rights in more than 90 countries worldwide, with the object of defending human rights and promoting respect for international humanitarian law.

Human Rights Watch regularly meets and corresponds with Palestinian Authority officials, as part of its mission, and has fruitfully engaged with officials on a wide range of human rights issues. We hope, under your leadership, that we can maintain regular communication and dialogue around strengthening the state of Palestine's respect for human rights.

After a two-year investigation and a study of 86 cases, our October 2018 report found that the Palestinian Authority in the West Bank and Hamas authorities in Gaza have carried out scores of arbitrary arrests of journalists, demonstrators, student activists, and social media activists in recent years and routinely mistreat and torture those in their custody. We further concluded that these abuses contravene the legal obligations imposed through the state of Palestine's accession to major human rights treaties since 2014, but that effective impunity for serious abuses is the norm.

We would greatly appreciate answers to the following questions:

1. Do you maintain a record of every detention, from the moment of arrest, including the legal basis for detention, to the date of release?
2. How many arrests did the PA, across different agencies, carry out between January 1, 2018 and March 30, 2019?
  - a. How many arrests were triggered by posts on social media?
  - b. How many were charged with insulting "higher authorities," creating "sectarian strife," or under the 2018 Electronic Crimes Law?
3. How many people does the PA currently hold? What is the breakdown of where they are being held? How many are held in the custody of regional governors?
4. How many complaints into alleged arbitrary arrests, mistreatment, and torture by Palestinian security forces, including the Intelligence Services, Preventative Security, the Joint Security Committee, and the police, have been filed between January 1, 2018 and March 30, 2019?
5. How many investigations have been opened into alleged arbitrary arrests and torture by the PA in this period?
  - a. What was the outcome of these investigations?
  - b. How many of those investigations led to a finding of wrongdoing on the part of security forces?
  - c. In how many cases has there been a finding that an arrest was arbitrary?
  - d. In how many cases has there been a finding that a detainee was mistreated?
  - e. In how many cases has there been a finding that a detainee was subjected to torture?

6. In how many cases did a member of the security forces receive an administrative sanction for involvement in an arbitrary arrest or in mistreatment or torture of a detainee? Please include a breakdown of the number of each form of administrative sanctions provided.
7. In how many cases was a member of the security forces referred for criminal prosecution based on involvement in an arbitrary arrest or in mistreatment or torture of a detainee?
  - a. What was the outcome of these referrals?
  - b. How many cases were dismissed?
  - c. How many cases went to trial? Please include a breakdown of the charges faced in each case.
  - d. How many cases resulted in a conviction?
  - e. How many cases remain open?
8. On November 18, the government issued a response to Human Rights Watch's report from the month prior, which it said was based on "intensive consultation with the relevant Palestinian security forces" and a review of various documentary evidence. As part of its investigation, how many, if any, former detainees did the PA speak to?
9. Has the PA amended its policies and procedures, put in place any mechanisms or taken any concrete steps with regards to detention since October 23, 2018? If so, what exactly?
10. What is the status of Palestine's implementation of the Optional Protocol to the Convention Against Torture (OPCAT)?
  - a. Will you fully cooperate with the monitoring of the Sub Committee on the Prevention of the Torture of OPCAT?
  - b. Will you create a national preventative mechanism to investigate detention centers?

We would greatly appreciate it if you could send your response by Thursday, April 18 to my email address: [REDACTED]

We of course welcome the opportunity to further discuss these issues further in-person.

Thank you in advance for your attention to this request.

Regards,



Omar Shakir

Israel and Palestine Director

Middle East and North Africa

Human Rights Watch

