

PUBLIC

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To: Health professionals  
From: Medical Office / Middle East sub-regional team  
Date: 17 February 1998

## ***MEDICAL LETTER WRITING ACTION***

### **DEATH IN CUSTODY**

**Nasser Husayn Salah al-Hurub**

**PALESTINIAN AUTHORITY**

Theme: Death in custody

#### **Summary**

Attached is information about the death of Nasser al-Hurub who died on 3 February 1998 by hanging shortly after being taken into custody. An autopsy was performed, but the family requested a second autopsy, the first having concluded that death was suicidal. It would now appear that it has not been established whether the hanging was suicidal, homicidal or provoked.

#### **Recommended actions**

Letters are requested from medical professionals to the addresses given below:

- seeking information on the progress of investigations into the circumstances surrounding Nasser al-Hurub's death, in particular
  - how he was treated in the hours preceding his death
  - his demeanour during interrogation
  - what factors are likely to have provoked suicide
  - what ligature was used
    - what measures are practised to prevent prisoner suicide
  - whether those conducting the autopsy and subsequent medical examination had access to the scene of death
  
- letters should also seek information on the reasons why Nasser al-Hurub was taken into custody for interrogation

#### **Addresses**

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Major General Nasr Yussef  
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**Copies can be sent to :**

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Hotel 'Odeh Street  
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Date: 17 February 1998

**Death in custody  
Nasser Husayn Salah al-Hurub  
PALESTINIAN AUTHORITY**

Amnesty International is seeking information from the Palestinian authorities about the circumstances surrounding the death of Nasser Husayn Salah al-Hurub who died in custody by hanging shortly after his detention at the beginning of February 1998. He was in his mid-twenties and married with children.

**Background**

At 5 p.m. on 2 February 1998, two men from the Palestinian Authority's criminal investigations department arrived at Nasser al-Hurub's house in the village of Deir Samet and arrested him without a warrant. They stated that he was wanted for questioning and would be brought back in two hours' time. Forty minutes later, the detainee's father and a cousin went to the criminal investigations office in Dura together with the *Mukhtar* (head man) of Deir Samet village. They were refused permission to see him and the *Mukhtar*'s offer of bail was rejected.

Nasser al-Hurub's father said he returned to the criminal investigations office the following day when his son had failed to return home and was told that he had been transferred to Hebron. However, when he went to the criminal investigations office in Hebron together with Nasser al-Hurub's brother and a cousin, he was told to return to Dura. On arriving there again, he was told: "Your son was found dead with a rope around his neck"<sup>1</sup>. This was at 8.30 a.m. on 3 February, just half an hour after his first visit to the Dura office that day. An autopsy was conducted that morning at Beit Jala Government Hospital, but the family were not informed of the results and refused to receive the body for burial. They had noted a trickle of blood coming from Nasser al-Hurub's mouth and ear and wished for a second autopsy.

On 4 February, the Head of Preventive Security stated on radio that the family would be permitted a second autopsy at which their own medical delegates could be present. He also stated that the forensic findings would be made public. Initially, the second autopsy was cancelled by the Prosecutor General of Hebron on the grounds that the doctors nominated by the family were not suitably qualified. A second examination did take place on 5 February after the Mandela Institute, a Palestinian human rights organization, wrote to the Attorney General. Present in the hospital where the examination was conducted were the Jericho District Attorney, a team of six from the Palestinian Forensic Institute, the Director General of hospitals in the West Bank, two hospital directors nominated by the family and a forensic pathologist representing the Mandela Institute.

Although the examining doctors did not immediately speak to the Mandela Institute or the family about their findings, the Prosecutor General told the Mandela Institute that the second examination had broadly confirmed the findings of the first autopsy, i.e. that death had been caused by hanging and that there were no signs of violence to the body. The first autopsy report had stated "it is

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<sup>1</sup> Some media reports stated that he had hung himself with shoelaces. The autopsy report refers to a thin rope. It is unclear to Amnesty International at present exactly what ligature was indeed used.

apparent that the placement of the thin rope around the neck constituted suicide by hanging", this apparently being based on the absence of signs of violence. However, some of the doctors attending the second examination are said to have reported to the Prosecutor General that it could not be determined whether the hanging was suicidal or homicidal in nature.

After the examination and closed meetings between the medical and legal experts, the Prosecutor General said that investigations into the circumstances surrounding the death would continue. No further information has as yet emerged about the outcome of these investigations - e.g. exactly when death occurred, how frequently he was supervised by warders during the night and early morning, how he was treated during interrogation and what might have provoked suicide within 24 hours of detention. Amnesty International believes it is important that this information is made known. Nasser al-Hurub's death was the 19th to occur in Palestinian Authority custody in circumstances where torture or ill-treatment after arrest may have caused or contributed to the death. The President of the Palestinian Authority, Yasser Arafat, has announced the establishment of a committee of inquiry into this latest death chaired by Brigadier General Ghazi Jabali, the head of the Palestinian police. Amnesty International does not regard this committee as independent and impartial.

The Palestinian Authority has frequently announced investigations of inquiry into deaths in custody or other human rights abuses. On no occasion has the report of any investigation or inquiry by the authority known to have been made public. Usually no report is known even to have been made. On the few occasions human rights abusers have been brought to court, trials have almost invariably been summary and failed to elucidate the circumstances of the deaths.

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