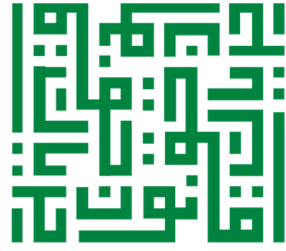


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الهيئة المستقلة
لحقوق الإنسان
ديوان المظالم

The Independent Commission for Human Rights (ICHR)

**Shadow Report of the Independent Commission for Human Rights (ICHR) on the
initial report submitted by the State of Palestine on the implementation of the
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or
Punishment of 1984**

June 2022

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Profile

The Independent Commission for Human Rights (ICHR) is Palestine's national human rights institution dedicated for the protection and promotion of human rights in Palestine. The ICHR was established in accordance with a Presidential Decree promulgated on 30 September 1993 and published in Issue 95 of 1995 in the Palestinian Official Gazette. Having initiated its functions in early 1994, the ICHR was later governed by Article 31 of the Palestinian Basic Law, which provides that "[a]n independent Commission for Human Rights shall be established by law, which shall specify its formation, duties, and mandate. The Commission shall submit its reports to the President of the National Authority and to the Palestinian Legislative Council." In accordance with the 1995 Presidential Decree and Article 31 of the Basic Law, the ICHR developed its statutes in a manner that ensures its independence and effective functions.

The ICHR is a full member of the Global Alliance of National Human Rights Institutions (GANHRI). Thanks to its total commitment to the Principles relating to the Status of National Institutions (Paris Principles), most notably independence, the ICHR has maintained its "A" status since 2005. The ICHR is a member of the Arab Network for National Human Rights Institutions, serving as chair of the Network's 2020 session. It is also a member of the Asia-Pacific Forum of Human Rights Institutions and Association of Mediterranean Ombudsmen.

Vision

An independent State of Palestine, grounded in the rule of law, safeguards rights and public freedoms with deep rooted values and principles of justice and human rights.

Mission

In its capacity as a constitutional national institution, the ICHR works towards protecting and promoting human rights in Palestine in accordance with international human rights conventions, Palestinian Declaration of Independence, and Basic Law. The ICHR receives and handles complaints, monitors and documents human rights violations, provides guidance, counselling and capacity building to duty bearers, promotes the culture of human rights, and mediates between the government bodies and civil society.

Values

Taking root in its programmes and activities, the ICHR embraces and implements its own set of values, namely, credibility, integrity, accountability, privacy, tolerance, and equality. ICHR is committed to these values, also incorporated in the Code of Professional Conduct.

Contact person: Ms. Khadija Zahran, Director, Monitoring of National Policies and Legislation Department, kzahran@ichr.ps

Introduction

The Independent Commission for Human Rights (ICHR) has reviewed the final version of the initial “report” submitted by the State of Palestine on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“Convention”) of 1984 to the Committee against Torture (CAT). Received on 14 June 2019, the State of Palestine’s report was issued by the CAT on 26 August 2019 under Document CAT/C/PSE/1. The ICHR notes the improved quality of the report submitted to the CAT as compared to the version which was first presented to civil society organisations during the national consultation process sponsored by the ICHR in late 2017.

The ICHR recognises that the State of Palestine has been under the most protracted occupation in the world, impeding its obligation to give full effect to the Convention. The ICHR also appreciates the State of Palestine’s admission of some forms of torture in its initial report and its administrative and criminal accountability of persons involved in such acts. Such admission is a good starting point towards putting an end to torture within Palestine.

The ICHR has recorded a number of observations omitted from the State of Palestine’s report that should be clarified upon:

- **In relation to the Common Document**

1. The Common Document for all of the conventions, which the State of Palestine acceded to, has not been in place. The report is devoid of any reference to the constitutional and legal effect of the Convention in the Palestinian legal and judicial systems. It fails to clarify any future initiatives for bringing the national legal framework in line with the international standards on torture and maltreatment, provided for under the Convention and the Optional Protocol thereto. The ICHR does not have any information on the official efforts made to develop the Common Document for the Convention, which the State has acceded to.
2. The report does not make clear the applicability of the Convention to the Gaza Strip, which falls under the *de facto* authority of the Hamas movement. It does not outline any formal actions being taken in this direction. Also, the ICHR has no knowledge of any formal procedures, which were, or will be, implemented in this regard.
3. The report fails to spell out how the State will implement the Convention in Area C, designated as such by the agreements signed with the Israeli occupying Power in 1993 and falling under control of the occupying Power. Furthermore, the report omits any reference to the steps to be taken by the State to implement the

Convention in this area, if any. In the very least, the State does not mention in the report that it has not set any plans in this context.

4. The report does not make plain the formal procedures and future plans of the State to bring an end to placing all three branches of government under one power, consequently affecting the extent and form of accountability for torture and other forms of cruel, inhuman and degrading treatment. Since 2007, the Executive is in possession of the executive and legislative powers altogether. In addition, the Executive has powers to undertake procedures for appointing members of, and enacting legislation on, the Judicial Authority. This may undermine procedures for holding to account those persons responsible for torture and other forms of cruel, inhuman and degrading treatment under civil and criminal law.
 5. The Report fails to refer to Israeli violations, including restrictions placed on the entry of equipment and tools needed for criminal investigations, detection of crimes, and access to offenders in tandem with legal and human rights procedures that are consistent with the international standards summed up by the Convention. These procedures should not result in the violation of the body of any person by torture and other forms of cruel, inhuman and degrading treatment.
 6. The report does not state the formal actions which were, or will be, taken by the State to avoid any instances of corruption, that may lead to the bodily violation of any person by torture and other forms of cruel, inhuman and degrading treatment. Having become a regular practice in different States, these actions particularly include those articulated by the Report of the United Nations Special Rapporteur,¹ which examines the relationship between corruption and torture or maltreatment, including poor judicial accountability or use of torture to combat corruption. On particular note, a limited number of persons have been held to account before Palestinian courts for acts of torture or maltreatment, as demonstrated in the State's report.
- **In regards to the definition of torture and other forms of cruel, inhuman and degrading treatment**
1. The effective legislative framework does not provide a definition of the crime of torture as an independent crime within the meaning of the Convention. Operative laws consider a number of acts that constitute physical assault as torture. However, these are less criminalised than the act of "torture" or "maltreatment" as defined by the Convention.

¹ United Nations General Assembly, Human Rights Council, fortieth session, 25 February–22 March 2019, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

On the other hand, laws in force deem the offence of torture as a misdemeanour, rather than a crime. The perpetrator is liable to insufficiently dissuasive penalties, which are disproportionate to the criminal offence and other conditions laid out by the Convention. These laws do not include the act of “cruel, inhuman and degrading treatment or punishment”, which is committed by public servants within the format, manner, and conditions provided for by the Convention. Accordingly, the State needs to incorporate this term into its legal framework in conformity with the criminalisation of “torture” and other actions taken thereon as contained in the Convention.

2. The State has not put in place any legislative procedures for fully incorporating the Convention within the national legal system. Such measures would enable citizens to invoke the provisions of the Convention before national judiciary. Moreover, the Report does not lay out the State’s guidelines for full incorporation of the Convention into the national legal system.

- **Data on the Gaza Strip**

- It is pertinent to refer to note that the Gaza Strip comprises 6 percent (360 out of a total 5,860 square kilometres) of the territory of the State of Palestine as recognised by the United Nations. According to data released by the Palestinian Central Bureau of Statistics (PCBS) in mid-2022, the Gaza Strip was home to at least 40 percent of the Palestinian population. In line with the efforts made by the State of Palestine in its Report submitted to the CAT, on more than an occasion, the State announces that the Hamas movement is in control of that part of the State’s territory. As indicated in Para. 9 of the Report, the actions taken by Hamas there are inadmissible and illegal in the eyes of the Government of the State of Palestine. However, the Report does not state the manner by which the State will ensure the application of the Convention to more than a third of its population (i.e., the Gaza population).
- The report does not include information on the actions and measures applicable in the Gaza Strip, such as circulars and policy actions issued by the Gaza *de facto* authority on the acts of torture, referred to in Paragraphs 15 and 16 of the report. Paragraphs 112-120 of the report do not provide a statement of the training and rehabilitation programmes delivered to law enforcement personnel on the themes of human rights in general, and fight against torture in particular, as provided for by Article 10 of the Convention. Although referenced in paragraphs 185-189 and 200, the Report does not provide data on the Israeli attacks on detention facilities and security personnel assigned to protect them. The tables in paragraphs 209 do not provide detailed statistical data regarding visits and medical services.

- **In relation to detention facilities, visits to detention facilities, and vocational and rehabilitation programmes for inmates**

The Report does not make reference to the deficiencies of detention facilities, nor does it make a mention of future plans and strategies to be implemented by the State to improve these facilities so that they are in harmony with relevant international standards.

In this regard, in 2019, the ICHR carried out a blanket assessment of detention facilities, using dozens of indicators specifically developed for this purpose. Key recommendations of the review process included:²

- **Management of detention facilities and staff**

- Put in place specific regulations and criteria on incentives and penalties, which govern the staff of detention facilities.
- Apply a documented, strict penal system to hold accountable those who violate laws and policies within detention facilities.

- **Health care guarantees for inmates**

- Implement a clear and documented policy on the appointment of a competent doctor.
- Appoint a psychiatrist who visits detention facilities regularly and for a long enough period of time.
- Provide a room for quarantine within the detention facility.
- Recruit sufficient medical staff, including doctors and nurses, to be in operation 24 hours a day.

- **Accommodation infrastructure and facilities**

- Provide all inmates with proper and clean beds and blankets.
- Provide uniforms to inmates within the detention facility.
- Distribute inmates to wards as per ability to coexist and mix with others.

² For more information, see ICHR. *Assessment of the alignment of correction and rehabilitation centres in Palestine with international standards on prisons: Correction and rehabilitation centres in the West Bank*, available at, www.ichr.ps (in Arabic).

- Windows of all service facilities are wide enough to let in sunlight, enabling inmates to read and allowing the entrance and renewal of fresh air every day.
- **Rehabilitation**
 - Apply a policy that determines the number of working hours for inmates. In all correction and rehabilitation centres, work is not obligatory; it is, rather, a privilege given to some inmates.
 - Provide vocational training facilities (handcrafts, bakeries, and barber's workshops).
 - Provide trainers of vocational training and education programmes.
 - Coordinate and network with community institutions and civil society organisations to rehabilitate and train women to help them take care of themselves before release.
 - Furnish opportunities for vocational training on non-traditional occupations and provide a library, including a comprehensive collection of books and reference materials.
 - Coordinate with local institutions to provide education to detained juveniles. In this context, current efforts are inadequate.
- **Women's detention centres**
 - Increase coordination and networking with community institutions and civil society organisations to rehabilitate and train women to help them take care of themselves before release.
 - Provide a gynaecological clinic or a female gynaecologist for female inmates independently of the general clinic.
- **In relation to the National Preventive Mechanism against Torture**

On 29 December 2017, the State of Palestine acceded to the Optional Protocol to the Convention against Torture (OPCAT), which aims at establishing a national preventive mechanism against torture (NPM). However, the legal framework for the NPM, namely the Law by Decree No. 25 of 2022 on the National Commission against Torture, was

only enacted in mid-2022. Together with civil society groups, the ICHR submitted a position paper on the NPM establishment as mandated in the law by decree. The ICHR emphasises the following points, which run counter to the standards of independence and impartiality prescribed by the OPCAT:

- a) Many provisions of the law by decree undermine the principles of NPM independence. It views the NPM as a State institution and government agency, to which all laws and regulations on official institutions are applicable. The enactment also deems that the chairperson and staff members of the Commission against Torture as civil servants, who are subject to the Civil Service Law. Procurement and tendering transactions are governed by the Public Procurement Law, treating the Commission as a full government body. Every time, NPM members are appointed by the President based on a recommendation of the Council of Ministers, contradicting the State of Palestine's obligations under the OPCAT. These require the adoption of the highest standards of transparency and independence. When NPM members are chosen, the same approach applicable to the selection of commissioners of national human rights institutions will be in place. Many irregularities deprive the NPM of independence, impartiality, and objectivity at all levels.
- b) The law by decree greatly undermines the independence, transparency, and impartiality of the National Commission against Torture, which is established in accordance with its provisions. The law by decree does not make available the legal tools the Commission needs to exercise its powers of preventing torture and ill-treatment. It runs counter to the universal Guidelines on NPMs of the UN Subcommittee on Prevention of Torture.
- c) Should it be applied under the stated format and before it is subject to further national and international consultations, the law by decree will tarnish the image and standing of the State of the Palestine before the Subcommittee on Prevention of Torture and other UN treaty bodies. It casts doubts on how serious the national will is to prevent torture. The ICHR called on relevant bodies to put enforcement of the law by decree on hold for further consultations with relevant stakeholders. The enactment needs to be amended in accordance with the OPCAT and Guidelines on NPMs.
- d) The law by decree does not entitle the National Commission against Torture to carry out unannounced visits to detention facilities. Rather, it stipulates prior arrangements for visits, never allowing the Commission to make some unannounced visits to certain cases in certain emergency circumstances. These visits do not require a long interval between a request for permission and actual implementation of visits.

- **In relation to deaths inside detention facilities**

The report is devoid of any reference to the incidents of death inside detention facilities in the West Bank and Gaza Strip. Apart from compensations paid by the State, the report does outline formal actions taken for investigation or procedures for administrative and criminal accountability of persons accused of the deaths, which investigations establish that they were caused by torture and other forms of cruel, inhuman and degrading treatment.

According to ICHR annual reports on the situation of human rights in the Palestinian territory 2015-2021, the number of announced deaths of inmates inside detention centres totalled 31, distributed as follows: 4 in 2015, 3 in 2016, 5 in 2017, 3 in 2018, 3 in 2019, 9 in 2020, and 4 in 2021.³

- **Claims of torture and maltreatment according to ICHR documentation**

The State's report refers to the administrative actions taken against a number of law enforcement officials, who were held administratively and criminally accountable for acts performed by them, impinging on the right to physical integrity by means of torture and other forms of cruel, inhuman and degrading treatment. However, reported figures continue to be much less than the number of relevant complaints/claims filed to the ICHR on an annual basis.

The report indicates that affected persons can lodge complaints to many agencies, including the ICHR. It states that these agencies received a number of claims of torture and other forms of cruel, inhuman and degrading treatment from the ICHR against some law enforcement personnel. However, the number of complaints allegedly forwarded by the ICHR (14 in 2017 and none in 2014-2016) is so different from the true figures demonstrated by the ICHR annual reports. Even though some were unsatisfactory to the ICHR, replies on a significant portion of complaints were provided by the security agencies, to which these complaints had been forwarded.

In 2016-2021, the ICHR received complaints from victims of torture, including at least 4,279 claims of torture and other forms of cruel, inhuman and degrading treatment, in both the West Bank and the Gaza Strip. These claims break down by year as follows: 865 in 2016, 898 in 2017, 676 in 2018, 692 in 2019, 410 in 2020, and 738 in 2021.

- **Claims to torture and maltreatment affecting children in 2016-2021**

In 2016-2021, a total of 505 claims of torture and other forms of cruel, inhuman and degrading treatment were filed by children, representing 12 percent of all claims made to the ICHR in this regard. These claims were distributed by year as

³ See ICHR annual reports, available at <https://www.ichr.ps/en/reports/annual-reports>.

follows: 113 in 2016, 120 in 2017, 60 in 2018, 98 in 2019, 26 in 2020, and 88 in 2021.

Children subjected to torture or maltreatment were detained against multiple backgrounds, mainly, theft, letting off fireworks, drug abuse, hacking of Facebook accounts, and murder. Claims of torture involved all security agencies, particularly the Preventive Security, Police, General Intelligence, Military Police, Internal Security, and juvenile welfare institutions. Patterns of torture inflicted on children included physical and psychological abuse, torture, threats during detention, and other forms of cruel, inhuman and degrading treatment.

- **Claims to torture and maltreatment affecting women in 2016-2021**

In 2016-2021, at least 9 percent of all claims of torture and other forms of cruel, inhuman and degrading treatment were filed by women. These claims broke down by year as follows: 84 in 2016, 65 in 2017, 72 in 2018, 43 in 2019, 42 in 2020, and 86 in 2021.

- **Satisfaction with the findings of investigations into claims filed by the ICHR**

The Report mentions that criminal accountability was pursued in some cases, which involved violation of the body by means of torture and other forms of cruel, inhuman and degrading treatment. However, the majority of replies sent to the ICHR indicated that government bodies had investigated torture claims, but found no valid grounds for these claims. Over and over again, the ICHR has stressed the need to launch serious investigations into the claims it files.

- **In relation to organ harvesting and transplant**

The report does not provide information on the actual enforcement of the Law by Decree No. 6 of 2017 on Organ Harvesting and Transplant. The harvesting and transplant of some organs are permitted under certain conditions. This procedure has the noble goal of a better health condition for human beings. However, it might involve some irregularities, which fall within the category of “torture and other forms of maltreatment” or human trafficking. Nevertheless, the ICHR did not record any complaints in regards human trafficking.

The ICHR annual review shows that health statistical reports released by the Ministry of Health (MoH) are devoid of information on the nature and number of organs harvesting and transplant surgeries every year. The State’s public plans and strategies make no reference to any efforts to enforce the law by decree into effect, establishing an organ bank, and putting in place regulations and instructions needed to enforce the law by decree. For this reason, it is necessary that the State present comprehensive data

on the actual enforcement of the said law by decree. Initiated by the State in 2016, organ harvesting and transplant surgeries may give rise to human rights and legal risks, potentially leading to human trafficking, putting lives at risk, or stealing organs.

- **Invalidating confessions obtained through torture and other forms of cruel treatment**

Paragraph 183 of the State's report indicates that national legal provisions allow courts to invalidate any confessions obtained from accused persons through torture and other forms of cruel treatment. However, the report does not state the number of court cases, which have invalidated confessions on these grounds. It also does not make reference to court proceedings instituted to hold to account perpetrators of torture or other forms of cruel treatment. Of note, the ICHR is informed about a number of cases, in which courts rendered null confessions obtained through torture and other forms of maltreatment. At the same time, however, neither the Public Prosecution nor the Military Prosecution placed any law enforcement officials accused of such acts under criminal investigation. These officials were not, therefore, held criminally accountable. A case in point was the decisions of the Palestinian Court of Cassation no. 117 of 2016 and no. 315 of 2014.

- **On training and rehabilitation of detention facility managers**

The report highlights significant efforts and trainings provided to law enforcement personnel, but does not explain the impact of these initiatives. It does not state the reason for the increasing number of claims of torture and other forms of cruel, inhuman and degrading treatment, which the ICHR and other human rights actors continue to receive every year.

In addition to some public activities concerning human rights curricula at some universities, the Report makes reference to awareness raising and training efforts made by the Ministry of Interior, relevant agencies, ICHR, civil society groups, and particularly human rights organisations in the fight against torture and other forms of cruel, inhuman and degrading treatment. However, the Report makes no mention of the official efforts exerted by the Ministry of Education and Higher Education and Ministry of Information to prohibit torture and other forms of cruel, inhuman and degrading treatment in formal educational curricula, programmes, and information materials.

- **In relation to compensating victims of torture and other forms of cruel, inhuman and degrading treatment**

1. While the Palestinian Basic Law of 2002 provides for compensating persons affected by acts of torture, the national legal system contains provisions on the right to claim compensation for torture and other forms of cruel, inhuman and degrading

treatment. Effective since 1944, however, the national legal framework needs to be upgraded in line with the developments that have taken place since then. Along the vein, the Report makes no reference to any government directions to develop this legal system with a view to fulfil the State's obligations following accession to the Convention in 2014 as well as to enforce constitutional provisions under the Basic Law of 2002.

2. The report does not provide information on the practical application of civil remedies for persons affected by torture and their families. Of particular note, the national legal framework for civil damages needs to be upgraded, enabling affected persons in torture cases to claim their rights. Under effective laws, claims procedures are so complicated and mostly defective. The Report does not state the number of cases, in which courts ruled for compensating victims of torture or the number of cases currently heard by courts. The ICHR is unaware of any cases of compensation for torture or maltreatment, which Palestinian courts disposed over the eight years following the State of Palestine's accession to the Convention.
3. Also, the report does not delineate the extent to which the State implements the five substantive obligations identified by the CAT General Comment No. 3 of 2012 to ensure effective redress for persons affected by acts of torture. These five forms of reparation include restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.
4. Based on its monitoring, the ICHR has not noticed any official efforts undertaken to provide redress to persons affected by the Israeli occupation, including the institution of proceedings before international courts, or by government agencies and respective actions with a view to put into effect the five substantive obligations mentioned above. In relation to providing redress for victims of torture and other forms of cruel, inhuman and degrading treatment, poor government efforts are borne out by the fact that Para. 177 of the Report indicates that only one lawsuit was filed in Palestinian courts, seeking compensation for a citizen who claimed to have been tortured. No verdict had been handed down in the case as at the time writing. On the other hand, Para. 43 indicates that a court convicted 24 security officers of acts of torture and other forms of cruel, inhuman and degrading treatment.
5. The report does not go over the efforts made, or to be made, by the State to provide redress to victims of torture, particularly legal aid to affected persons in order to obtain redress. In practice, victims do not have the means to afford the high cost of these judicial claims.

- **In relation to the treatment and rehabilitation of victims of torture and maltreatment**

In paragraph 122 *et seq.*, the Report explains official efforts to rehabilitate inmates in detention facilities and correction and rehabilitation centres. Still, the report fails to refer to efforts undertaken to treat and rehabilitate persons subjected to torture so that they can return to normal life and reintegrate into society. Further, the report does not indicate government preparations for the rehabilitation process, including cadres, centres, and services provided by the State.

- **In relation to persons held in psychiatric care centres**

The report refers to a number of community institutions, which provide day care to persons with mental and/or psychosocial disabilities. There is one psychiatric hospital in the Bethlehem governorate. However, the report does not provide adequate data on persons with psychosocial impairments in the West Bank and Gaza Strip. In particular, there is no mention of the number of inmates at the Bethlehem hospital, number of MoH psychiatric clinics, number of patients who receive electroconvulsive therapy, and how relevant protocols are consistent with international standards. Such conduct might fall within the definition of “torture and other forms of cruel, inhuman and degrading treatment.”

Additionally, the report fails to mention the medicines provided by the government health insurance system to persons with psychological disabilities. A number of drugs needed by these patients are not included on the list of medicines provided by the government in line with the health insurance scheme. According to many psychiatric patients, government and private insurance systems do not make available many necessary drugs. Those who have the financial means are forced to buy these drug at their own costs.⁴

Although the State of Palestine acceded to the UN Convention on the Rights of Persons with Disabilities in 2014, a legal framework for this group of persons has not been put forward yet. Developed in 2012, the Draft Law on Psychological Health has not been approved. No relevant bylaws have been compiled in reference of effective laws, particularly the Public Health Law of 2004. A brief reference is made to that group under the 2004 Bylaw of the 1999 Law on Persons with Disabilities.

⁴ For more information, see ICHR, Rights of persons benefiting from psychological health services in Palestine, 2017, available at www.ichr.ps.

- **In relation to violence in schools**

Although it falls within the purview of the Convention, the State's report makes no reference to school violence and government actions taken to prevent it. According to the PCBS, 25 percent of children in the 12-17 age group were subjected to one type of violence at school, including 26 percent males and 15 percent females. 17 percent of children, including 26 percent males and 7 percent females, experienced physical violence by a teacher. 15 percent of children (18 percent males and 12 percent females) suffered from psychological violence by a teacher.

- **In relation to forensic medicine**

The report does not make clear the State infrastructure of forensic medicine and aspects of organisational structure and functions that need to be improved. It does not provide a detailed account of the number of forensic practitioners, reports produced over the past five years, persons subjected to torture and examined by forensic institutes, forensic practitioners who were under criminal investigation, and those held judicially accountable for misconduct.

The report lacks reference to the State's future plans to develop this important facility of criminal justice, which helps to eliminate acts of torture and hold offenders to account.

- **Recommendations**

The State needs to:

1. Take expedited action to develop the Common Document, which addresses the general legal structure as well as the overall legal, constitutional and practical situation of the State of Palestine, which continues to be under the full-fledged Israeli occupation and lacks power over its land, air, and sea borders.
2. Put in place measures and procedures for the manner and circumstances of implementing the Convention in the Gaza Strip, as well as procedures and actions to reduce the impact of Israeli attacks on detention facilities and the security protecting them.
3. Address deficiencies of detention facilities, develop the plans and strategies needed to improve the conditions of these facilities, and put an end to potential acts of

- torture and maltreatment. This should cover all important aspects, particularly management of detention facilities and staff, health care guarantees for inmates, and infrastructure of detention centres, including places of detention for children in conflict with the law, women, persons benefiting from psychological health services, and persons sentenced by law.
4. Rescind and repeal the Law by Decree No. 25 of 2022 on the National Commission against Torture. The agreed outcomes of dialogue on the NPM establishment will be maintained. The NPM's legal and administrative structure will be in tandem with the standards set forth by OPCAT, ensuring its independence, integrity, and impartiality. The NPM will be enabled to conduct unannounced visits to detention facilities.
 5. Open adequate investigations into all incidents of death inside the State's detention facilities. Those proven to have caused these deaths will be subject to administrative, criminal, and civil liability.
 6. Launch serious and adequate investigations into claims of torture and maltreatment filed by the ICHR and implement relevant procedures, particularly penal, administrative and criminal proceedings, civil remedies, and rehabilitation, for the benefit of victims of torture or maltreatment, especially children and women.
 7. Disclose detailed and practical information on the Law by Decree No. 6 of 2017 on Organ Harvesting and Transplant, particularly data on and number of organ transplants (e.g. kidneys). In addition to establishing an organ bank, regulations and bylaws will be developed for the law by decree.
 8. Follow up on court decisions, which invalidate confessions obtained from accused persons through torture or other forms of cruel treatment. Persons accused of extracting these illegal confessions will have brought to trial and held to account.
 9. Review and examine why the main trainings delivered to law enforcement personnel have had a limited impact on reducing the cases of torture and maltreatment, recorded by the ICHR and civil society groups on an annual basis.
 10. Provide a universal periodic review of general and higher educational curricula and information materials broadcast by official media outlets. These will incorporate the prohibition of torture and other forms of cruel, inhuman and degrading treatment.
 11. Put in place actions and measures that limit or prevent school violence, particularly at governmental schools.

12. Amend civil laws, which allow compensation for acts of torture and maltreatment, enabling affected persons to receive remedies in summary court proceedings. The State will also amend laws on the physical and psychological rehabilitation of this group. The State will be obliged to provide legal aid to persons subjected to torture or maltreatment.
13. Develop forensic medicine to ensure criminal and judicial accountability of persons who commit acts of torture and other forms of cruel, inhuman and degrading treatment. Future plans will be developed to scale up this sector.
14. Finalise actions to develop the legal framework for persons with psychological disabilities. In particular, the Draft Law on Psychological Health, which was developed in 2012, should be completed. Bylaws of the 2004 Public Health Law and 1999 Law on Persons with Disabilities will be in place. The State will also take action to establish official centres to take care of this group of citizens throughout governorates.
15. Make available medicines, medical supplies, and rehabilitation needed by persons with psychological disabilities through the government health insurance or other mechanisms.

In conclusion, the ICHR emphasises that real and full realisation of the human right to physical, mental, and psychological integrity by the State can only be achieved when the Israeli occupation of the territory of the State of Palestine – the most protracted in the world – is brought to an end.