

EXHIBIT

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**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF
TORTURE AND DETENTION**

Torture and other cruel, inhuman or degrading treatment or punishment

Report of the Special Rapporteur, Manfred Nowak

Addendum

**Summary of information, including individual cases, transmitted to Governments
and replies received***

* The present document is being circulated as received, in the languages of submission only, as it greatly exceeds the word limitations currently imposed by the relevant General Assembly resolutions.

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93		17/11/05	JAL	Terrorism; TOR;	<p>beaten, along with her father and her mother by members of the Satuan Gabungan Intelijen (SGI), Sungai Raya town. The officers, led by a captain, whose name is known to the Special Rapporteurs, raided the house in of a GAM member. They ransacked the house and destroyed the furniture and other belongings. Nurlaili M. Amin and her daughter were then taken to the SGI headquarters. There she was stripped naked, had her arms and legs tied to an X-shaped wooden frame, was beaten, and raped by at least three soldiers. Upon being raped for the third time, she lost consciousness. She and her daughter were both released the next day at 10am.</p> <p>Salah Nasser Salim 'Ali, aged 27, and Muhammad Faraj Ahmed Bashmilah, aged 37, both Yemeni citizens. On 19 August 2003, Salah Nasser Salim 'Ali was detained in Jakarta by police and taken to the main immigration centre in the Kuningan area. After four days of incommunicado detention, during which he was handcuffed, blindfolded and denied food, Salah Nasser Salim 'Ali was told that he would be deported to Yemen, via Thailand and Jordan. Upon arrival at the airport in Amman, he was taken to a detention facility of the Jordanian intelligence service, and held there for four days. He was interrogated about a past stay in Afghanistan and was beaten, spat on, verbally abused, and threatened with sexual abuse and electric shocks by Jordanian officials. On one occasion they tried to force him to sit on a bottle so that it would penetrate his anus. He was suspended upside down, hands and feet tied, and beaten with sticks on the soles of the feet. On a later occasion he was surrounded by 15 guards in a circle, who made him run around in the circle to</p>	<p>compensation until and after the facts of the case were verified, brought before a court of law and until a verdict was passed.</p>
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the point of exhaustion. The guards then forced him to lie down in the centre and took turns beating him. Muhammad Farah Ahmed Bashmilah travelled to Jordan with his wife in October 2003. On arrival at Amman airport, Jordanian immigration authorities took his passport. Three days later, on 19 October 2003, he was arrested by the Jordanian Da'irat Al-Mukhabarat Al-'Amah (General Intelligence Department (GID)), who kept him in custody for four days. During this period he was repeatedly tortured. From detention in Jordan, Salah Nasser Salim 'Ali and Muhammad Farah Ahmed Bashmilah were transferred to a detention centre under United States control. Blindfolded, they were brought here by plane following a flight that lasted several hours, and were subsequently detained below ground. Therefore they are not able to identify the location of the detention centre. Both the forces in charge of transferring them and those in charge of the detention centre were from the United States. The solitary confinement cells in which they were held in for six to eight months were approximately 1.5 x 2m, and had buckets instead of toilets. They were later transferred to a second detention centre under United States control, again blindfolded, flown by plane and helicopter, and are not able to identify the location of the facility. In both places, Salah Nasser Salim 'Ali and Muhammad Farah Ahmed Bashmilah were interrogated about their activities in Afghanistan and Indonesia, and about their knowledge of other persons suspected of terrorist activities. The two men were kept in US custody for 20 and 18 months, respectively. Throughout this period they were held incommunicado in underground solitary

					<p>confinement cells with no contact with others except for the prison guards, interrogators and interpreters. Noise was piped into their cells without interruption, 24 hours a day. At the beginning of May 2005 Muhammad Farah Ahmed Bashmilah and Salah Nasser Salim 'Ali were transferred to Yemen, where they were detained in the central prison of Aden. On one occasion they were taken to Sana'a. They are currently detained at the Fateh political security facility in Aden, where they have received visits by their family. Neither of the two men has been charged or tried with any offence and neither has been informed of the reason for their continued detention. It is reported that the reason for their detention is that their transfer by United States forces was conditional upon them being held in Yemen.</p>	
94		24/11/05	UA	TOR;	<p>Elfrrianus (Alfred) Ulu, aged 23, a student at the Maritime Academy of Kupang, East Nusa Tenggara Province. On 23 February 2005, he was arrested and detained by members of the Kupang Police Force. On 5 March 2005, he was transferred to Penfui Correctional Institute. During the period from 5 March to 8 March 2005, he was beaten, kicked and hit with various objects including blocks of wood, chairs and a door handle. The acts were carried out by five prison officers (whose names are known to the Special Rapporteur). As a result he suffered from swelling in his face, feet and hands, a bloody nose and bruising. He also lost his eyesight.</p>	
95		6/12/05	AL	TOR;	<p>Fitriyanto (Sanep), aged 28, a taxi driver. On 12 September 2005, he was arrested at Manggar Belitung Bus Terminal by a police officer at approximately 11am. He was taken to the Resort Police Station Belitung Timor (Mapolres Belitung</p>	

547		27/06/05	JUA	WGAD; TOR;	<p>I. S., a 14 year-old member of the Zaidi community. On 8 May 2005, he was arrested after security forces stormed his family home in Sana'a. Since then, he has been detained incommunicado, possibly in the Political Security (Al-Amn Al-Seyasi) prison in Sana'. Ibrahim Al-Sayani was injured by shrapnel during clashes in Sa'da between government forces and followers of Hussain Badr Al-Din Al-Huthi, a cleric from the Zaidi community. Ibrahim Al-Sayani's right arm is said to have been amputated, a piece of shrapnel is lodged in his skull, and he has an injury to his right leg.</p>	<p>By letter dated 23/09/05, the Government informed that he had participated in acts of sabotage in Saada Province and had been injured during the clashes with the security forces. He subsequently joined a terrorist cell in Sana'a, which perpetrated some acts of sabotage and explosions targeted against the security forces, governmental facilities and foreign embassies. He has been arrested along with a group of 37 persons and the courts are dealing with the case.</p>
548		27/10/05	JUA	FRDX; IJL; RINT; SUMX; TOR;	<p>Yahya Al-Daylami, a religious leader of the Shiite Zaidi community. On 9 September 2004, he was taken into custody in Sa'da by agents of the Political Security Force and held incommunicado at the intelligence detention centre in Sana'a. On 29 May 2005, a special criminal court sentenced Mr. Al-Daylami to death. He is currently awaiting execution, as the death sentence requires the approval of the President, which is still pending. He was detained for more than eight months without access to a lawyer or anybody else.</p>	<p>By letter dated, 14/12/05, the Government informed that his arrest had been carried out in accordance with procedural norms, under the supervision of the Attorney General. No complaint had been submitted a complaint of ill-treatment and he was able to receive visitors. It informed that the specialized court would have taken instant measures in the event that mistreatment had been confirmed.</p>
549		10/11/05	JAL	FRDX; TOR;	<p>Moujib Soueileh, a camera operator working for Al-Arabiya, an Arabic-language satellite TV news station. On 20 October 2005, in Sanaa, police officers beat him, insulted him and detained him for questioning for several hours at a police station in the Habra neighbourhood of Sana'a, for filming a demonstration staged by textile factory workers demanding payment for wage arrears. Mr. Soueileh suffered from internal bleeding, three broken ribs and bruises on one leg.</p>	
550		17/11/05	JAL	Terrorism; TOR;	<p>Salah Nasser Salim 'Ali, aged 27, and Muhammad Faraj Ahmed Bashmilah, aged 37, both Yemeni citizens. (See Indonesia above).</p>	<p>By letter dated 20/12/05, the Government informed that both of the men stated, when questioned, that they had not been tortured by</p>

551	Zambia	Follow-up to previously transmitted communication	28/06/05	JUA	FRDX; HRD; TOR; VAW;	<p>Martinho Ngola (E/CN.4/2005/62/Add.1, para. 1973).</p>	<p>the authorities. The two men were not arrested but rather were handed over to them by the United States authorities after having been accused of being members of Al-Qaeda. The Yemeni authorities detained them under the Code of Criminal Procedures with a view to questioning them and verifying the allegations made by the US authorities. The Yemeni authorities received the files on the two men from the US authorities on 10 November 2005, and the legal procedures are being completed pending their arraignment before the courts. Under the Prisons Act, detainees awaiting trial are legally entitled to access to medical treatment and rehabilitation programmes.</p> <p>By letter dated 8/02/05, the Government informed that the Zambian Police Service does not have any record of the arrest or detention of Mr. Ngola at Lusaka Police Headquarters. There is also no record of him on the Arrested Prisoners Property Book. The Government requested further information to enable it to respond appropriately.</p>
552	Zimbabwe		28/06/05	JUA	FRDX; HRD; TOR; VAW;	<p>29 members of the Women of Zimbabwe Arise (WOZA). On 20 June 2005 at around 11am, 100 women carrying placards and banners started a peaceful demonstration in Bulawayo, against alleged forced evictions of thousands of people in the context of Operation Murambatsvina (Drive out the Rubbish). Police officers blocked their way and the women sat down in protest. Twenty-nine women were arrested. They were all detained for 48 hours before appearing in court to face charges of blocking the traffic in violation of the Miscellaneous Offences Act. They were all released on bail. The first trial hearing before the Provincial Magistrate's Court is scheduled for 11</p>	<p>By letter dated 31/08/05, the Government informed that the incident took place on 18 June 2005 rather than 20 June 2005. The women concerned were blocking traffic, they were detained, charged under the Miscellaneous Offences Act, and were released on bail. No complaint had been filed by Siphwi Maseko concerning the alleged abuse she suffered. The Government expressed its commitment to investigating the case if a claim was filed.</p>