



## Special Focus: Collective Punishment against the Barghouthi Family

Date: 30 January 2019

Since 12 December 2018, the Israeli Occupying Forces (IOF) have imposed a series of unlawful and ongoing collective punishment measures on the Barghouthi family in Kobar, a Palestinian village located north of Ramallah, in the occupied West Bank. These measures started immediately following the enforced disappearance of Saleh Omar Barghouthi, 29, who was detained by the IOF on Wednesday, 12 December 2018. Since then, the IOF has continued to deny Saleh's family the right to know the truth, not having provided any proof as to his fate or whereabouts at the time of writing, amounting to enforced disappearance.<sup>1</sup>

### *Excessive Use of Force in Kobar on 12 December 2018*

Within this context, the IOF imposed a series of collective punishment measures on Saleh Barghouthi's family since 12 December, having accused Saleh of alleged involvement in a shooting attack, which took place near Ofra settlement on Sunday, 9 December 2018, during which seven Israelis were injured.<sup>2</sup> Al-Haq has previously documented Israel's practice of collective punishment against Palestinian families in situations where an individual is pursued by the Israeli occupying authorities,<sup>3</sup> despite the imposition of collective penalties violating international humanitarian law. In particular, Article 33 of the Fourth Geneva Convention (1949) provides: "[c]ollective penalties and likewise all measures of intimidation... are prohibited." In the case of Saleh Barghouthi, Israel imposed collective punishment measures on his family

---

<sup>1</sup> See Al-Haq, "Special Focus: IOF Kills Six Palestinians, including a Child, in the Second Week of December 2018" (23 January 2019), available at: <http://www.alhaq.org/documentation/weekly-focuses/1345-special-focus-iof-kills-six-palestinians-including-a-child-in-the-second-week-of-december-2018>. See also Al-Haq, "Al-Haq Sends Urgent Appeal to UN Special Procedures on the Enforced Disappearance of Saleh Omar Barghouthi" (27 December 2018), available at: <http://www.alhaq.org/advocacy/topics/right-to-life-and-body-integrity/1339-al-haq-sends-urgent-appeal-to-un-special-procedures-on-the-enforced-disappearance-of-saleh-omar-barghouthi>; and Al-Haq, "United Nations Working Group on Enforced or Involuntary Disappearances Sends Response to Al-Haq on the Case of Saleh Barghouthi" (31 December 2018), available at: <http://www.alhaq.org/advocacy/topics/right-to-life-and-body-integrity/1341-united-nations-working-group-on-enforced-or-involuntary-disappearances-sends-response-to-al-haq-on-the-case-of-saleh-barghouthi>.

<sup>2</sup> See Yotam Berger, Aaron Rabinowitz, Yaniv Kubovich, Jack Khoury, and Jonathan Lis, "Seven Wounded, One Seriously, in Shooting Attack Near West Bank Settlement" (10 December 2018), available at: <https://www.haaretz.com/israel-news/two-wounded-one-seriously-in-shooting-near-west-bank-settlement-1.6727271>.

<sup>3</sup> See, e.g., Al-Haq, "Unremitting Collective Punishment against Palestinians" (23 October 2017), available at: <http://www.alhaq.org/advocacy/targets/accountability/81-general/1145-unremitting-collective-punishment-against-palestinians>. See also, Al-Haq, "Collective Punishment in Deir Abu Mash'al" (15 July 2017), available at: <http://www.alhaq.org/advocacy/topics/civil-and-social-rights/1125-collective-punishment-in-deir-abu-mashal>.



immediately on the evening of 12 December 2018, at around 8:00 pm. Saleh's mother, Soheir Ismail Barghouthi, 59, told Al-Haq:

*"We were surprised to see that Israeli forces had surrounded our home from the start. Then they raided the area. [Family members and visitors] who left [the house] had their hands tied behind their backs [by the IOF], one after the other, or were forced to sit outside in the yard, despite the fact that it was raining... When the soldiers raided the house, they opened fire indiscriminately, injuring four men with live ammunition, one of them Salah Barghouthi [a relative of Saleh's], who was injured with a bullet in his left leg, which led to the amputation of his leg from below the knee, while the other three suffered less serious injuries."*<sup>4</sup>

In his affidavit to Al-Haq, Salah (or 'Saleh' as per his identity document) Nabih Barghouthi, 52, recounted the following:

*"A number of Israeli soldiers raided the outer gate of the house outside, firing live bullets and sound grenades. The soldiers wore military uniforms and were masked. The [presence of the] soldiers caused confusion and chaos amongst us. The men and youth began to stand in front of the soldiers in different directions as the soldiers continued to move towards the house. At that moment, I started moving away from the soldiers, walking quickly towards a piece of agricultural land belonging to Saleh Barghouthi's father. From there, I walked for another 20 metres, as another group of Israeli soldiers came from the opposite direction. I realised once I was about a metre away from one of the soldiers, as it was dark and I was unable to see him except from this very close distance. Then I heard a gunshot and felt a bullet hit me in the left leg in the area below the knee... I felt that my injured leg had been torn apart and was no longer supported by anything but skin. I could no longer stand and fell to the ground..."*<sup>5</sup>

Following his injury, Salah was provided first aid by the soldiers at the scene, who tried to stop the bleeding. Half an hour later, the soldiers took Salah onto an Israeli military ambulance, and drove with him in the direction of 'Atara bridge, where they transferred Salah to a civilian ambulance. At that moment, he lost consciousness and when he woke up, the next morning, he found himself in a bed in Israel's Beilinson Hospital. Salah told Al-Haq that he found himself handcuffed to the hospital bed and that two Israeli soldiers were standing guard.

Salah realised then that his leg had been amputated. An Israeli doctor, who entered his room, apologised and told him it had not been possible to control the bleeding and that the amputation was necessary to save his life. Al-Haq recalls that, before his injury, Salah suffered from diabetes

---

<sup>4</sup> Al-Haq Affidavit No. 868A/2018, given by Soheir Ismail Barghouthi, 59, a resident of Kobar in the Ramallah Governorate, on 7 January 2019 (hereinafter 'Affidavit No. 868A/2018 of 7 January 2019').

<sup>5</sup> Al-Haq Affidavit No. 866A/2018, given by Salah (officially "Saleh") Nabih Barghouthi, 52, a resident of Kobar in the Ramallah Governorate, on 7 January 2019.



and that he had heart stents installed. As a result of the severe bleeding, he suffered further heart complications, requiring the doctors to perform a cardiac catheterization on him. Because of the amputation, he has not been able to regain his work or to tend to his agricultural land and livestock. He is now waiting to receive an artificial leg, until which he will not be able to support his wife and five children, three of whom are minors.

Al-Haq considers the IOF's indiscriminate use of lethal force against members of the Barghouthi in Kobar, on 12 December 2018, resulting in at least one serious and permanent maiming, as unnecessary and excessive, violating Israel's obligation under international human rights law not to resort to intentional lethal use of firearms unless "strictly unavoidable in order to protect life"<sup>6</sup> and "only when strictly necessary and to the extent required for the performance of their duty."<sup>7</sup> Notably, Al-Haq recalls that Israel refuses to disclose its rules of engagement for the use of live fire against Palestinians,<sup>8</sup> while impunity for excessive use of force in the Occupied Palestinian Territory (OPT), including for incidents of killings, largely prevails.<sup>9</sup>

#### *Punitive Raids and Destruction of Property*

On the same evening of Saleh Barghouthi's enforced disappearance by the IOF, near Surda, the IOF raided Kobar and interrogated his family members. According to his mother, Soheir:

*"In our house, the soldiers first interrogated my husband, Omar, and asked him what he knew about Saleh. The IOF member who interrogated him was dressed in military clothing and [seemingly] belonged to the Israeli intelligence. My sons Asef and Muhammad were also interrogated in the same way. The soldiers remained in our house until 3:00 am, when they withdrew after having arrested my husband, Omar, my son Asef, and my son-in-law Hadi Fakhri Asfour Barghouthi, 39, in addition to about six other youth."*<sup>10</sup>

---

<sup>6</sup> *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, adopted by the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990, Principle 9.

<sup>7</sup> *Code of Conduct for Law Enforcement Officials*, adopted by the UN General Assembly in resolution 34/169 of 17 December 1979, UN Doc A/RES/34/169, Article 3.

<sup>8</sup> See, e.g., Revital Hovel, "Israeli High Court Rejects Bid to Restrict Rules of Engagement on Gaza Border" (Haaretz, 25 May 2018), available at: <https://www.haaretz.com/israel-news/.premium-high-court-rejects-bid-to-restrict-rules-of-engagement-on-gaza-border-1.6116626>.

<sup>9</sup> See, e.g., Al-Haq, "Impunity for Extrajudicial Killing: Israeli Soldier and Killer of Abdel Fattah Al-Sharif Released after Mere 9 Months in Prison" (11 May 2018), available at: <http://www.alhaq.org/advocacy/topics/right-to-life-and-body-integrity/1233-impunity-for-extrajudicial-killing-israeli-soldier-and-killer-of-abdel-fattah-al-sharif-released-after-mere-9-months-in-prison>. Al-Haq, "The Consequences of Israeli Impunity" (23 August 2017), available at: <http://www.alhaq.org/advocacy/topics/right-to-life-and-body-integrity/1135-the-consequences-of-israeli-impunity>.

<sup>10</sup> Affidavit No. 868A/2018 of 7 January 2019.



During the first raid on Kobar on 12 December, the IOF broke doors and turned over furniture in Saleh's parents' home, while they also caused destruction in Saleh's brother Asem's home, his brother-in-law Hadi's home, and Hadi's father's home. In the home of Khaldoun Rawhi Barghouthi, 46, a cousin of Saleh's, the destruction was extensive, and the raid occurred while four of Khaldoun's children (aged 18, 10, 8, and 6) were alone at home. In his affidavit to Al-Haq, Khaldoun recalled:

*"At about 8:00 pm, I was heading home [from work]. When I reached the edge of the village of Kobar, my [18-year-old] daughter Raghed called me and told me that Israeli soldiers were in our home and in my 60-year-old uncle Fakhri Asfour Barghouthi's home, both of which are in the same building... At the same time, I heard the sound of a door being knocked down... Then, the call ended and I felt very frightened and worried about my children because I knew that they were alone at home and that their mother had gone to Omar Barghouthi's house to check up on the situation and to stand with Saleh's mother after the news of her son's detention..."<sup>11</sup>*

Following the phone call, Khaldoun tried to head back home but was prevented from reaching his house by a large number of Israeli soldiers, Border Police, and special forces who had surrounded his building. When he reached his home by some 50 metres, the IOF pointed their weapons at Khaldoun and ordered him to get back. He was forced to retreat and stayed with a relative in the area for about two hours. During that time, Khaldoun and his wife repeatedly called their eldest daughter Raghed but could not reach her. Meanwhile, his wife Manal Barghouthi, 39, was prevented from leaving Omar Barghouthi's home by the IOF there. Only once the IOF withdrew from his building, two hours later, was Khaldoun able to get to his children.<sup>12</sup>

When he reached his home, Khaldoun found the main door of the house wide open and the lock broken. The furniture inside the house had been turned upside down, and the couch cushions had been torn out. In the bedrooms, the family and children's belongings had been thrown out of the cupboards onto the floor and the drawers had been pulled out. In the kitchen, a number of shelves had been destroyed while kitchen utensils and dishes were thrown onto the floor. In addition, some food was also found on the floor, while some of the pots and plates were broken. In Khaldoun's uncle Fakhri's home, the destruction was similar. When Khaldoun asked his children what the soldiers had done, they told him that the soldiers had kept them in a room and interrogated them about their father's whereabouts. As a result of the incident, Khaldoun's 10-year-old son Majd suffered a state of panic causing him to vomit and tremble. When his mother,

---

<sup>11</sup> Al-Haq Affidavit 867A/2018, given by Khaldoun Rawhi Barghouthi, 46, a resident of Kobar in the Ramallah Governorate, on 19 January 2019 (hereinafter 'Affidavit No. 867A/2018 of 19 January 2019').

<sup>12</sup> Affidavit No. 867A/2018 of 19 January 2019.



Manal, took him to the doctor's, she was told that the reaction had resulted from fear and the doctor gave him painkillers.<sup>13</sup>

Al-Haq stresses that, not only did the IOF fail to provide Saleh's family with information about his fate and whereabouts, but they also arbitrarily interfered with his relatives' privacy, family, and home and their right to protection from such interference under Article 17 of the International Covenant on Civil and Political Rights (ICCPR). In addition, the raids and interrogations carried out until 3:00 am that night, amount to unlawful collective punishment in violation of international humanitarian law applicable in the OPT,<sup>14</sup> while the destruction of the family's property and personal belongings was carried out in the absence of military necessity.<sup>15</sup> Notably, the raid on Khaldoun Barghouthi's home and the destruction of his family's belongings, while his children were alone at home, in addition to the interrogation of four of his children, three of them minors, violates Article 19(1) of the Convention on the Rights of the Child (1989), which requires Israel to protect Palestinian children from "all forms of physical or mental violence".

Two nights later, the IOF carried out a second punitive raid on Saleh's mother's home, while her husband, Omar, and her son, Asef, were still in Israeli detention. Her son-in-law Hadi had been released by then. On the same day, the IOF also raided the home of Soheir's brother Lutfi Ismail Barghouthi, 52, and arrested him. Lutfi has now received a six-month administrative detention order, without charge or trial.<sup>16</sup> The home of Muhammad Faraj Zibar, 35, another resident of Kobar, was also raided and he was arrested after his private library was vandalized and its doors broken down.

### *Threat of Punitive House Demolitions*

Israeli soldiers raided the village of Kobar and Soheir Barghouthi's house twice again after that until 20 December 2018, when Israeli soldiers carried out another raid on Soheir's home, past midnight, interrogating her about her sons Saleh and Asem, and her husband, Omar, while threatening to punitively demolish her home. She told Al-Haq:

*"The Israeli soldiers made approximately six holes with an electric drill in the house. Then the next day, the soldiers again raided the house and took accurate measurements of it. After that, the Israeli raids on our house continued at a pace of about one every*

---

<sup>13</sup> Affidavit No. 867A/2018 of 19 January 2019.

<sup>14</sup> Article 33, Fourth Geneva Convention (1949).

<sup>15</sup> Article 53, Fourth Geneva Convention (1949).

<sup>16</sup> For information on Israel's recent practice relating to administrative detention, see Addameer, "Administrative Detainees" (December 2018), available at: <http://www.addameer.org/the-prisoners/administrative-detainees>. For a legal analysis, see Emma Playfair, *Administrative Detention in the Occupied West Bank* (Al-Haq, Occasional Paper No. 1, 1986), available at: <http://www.alhaq.org/publications/publications-index/item/administrative-detention-in-the-occupied-west-bank>.



*three days, with continued interrogations and threats made... They took measurements of my home and Saleh's home, which is adjacent to mine, and of the home below ours, belonging to my husband Omar's deceased parents, which is not occupied but was inherited by Omar and his brother, who [are both] currently detained in Israeli prisons.*<sup>17</sup>

Al-Haq notes with concern the threatened punitive demolitions on Saleh's home, his parents' home, in addition to his deceased grandparents' home, recalling that the taking of measurements indicates a step towards carrying out such punitive house demolitions. According to Al-Haq's Monitoring and Documentation Department (MDD), the Israeli occupying authorities punitively demolished 17 Palestinian homes in the OPT in 2018, despite the practice amounting to unlawful collective punishment, in violation of international humanitarian law.<sup>18</sup>

In December 2018 alone, Israel carried out two punitive house demolitions on 15 and 17 December, the first in Al-Amari Refugee Camp and the second, two days later, in Al-Shweikah neighbourhood in Toulkarem. Critically, earlier last week, the Israeli occupying authorities issued a punitive demolition order for Asem Barghouthi's home, which is now at imminent threat of demolition.<sup>19</sup> Should such punitive demolitions be carried out in the case of the Barghouthi family, they will further have devastating effects on the livelihood of Saleh's mother and her right to adequate housing,<sup>20</sup> given that she is now the only person remaining in the family household.

### *Interrogations, Threats, and Intimidation*

In addition, the waves of raids and interrogations were coupled with threats and intimidation against Saleh's mother. On 5 January 2019, Saleh's youngest brother, Muhammad, 17, was detained by the IOF. He is currently being held in Al-Maskoubiyya prison in Jerusalem. During one of the raids on her home, Soheir was interrogated under duress by an Israeli intelligence officer about her son Asem's whereabouts:

---

<sup>17</sup> Affidavit No. 868A/2018 of 7 January 2019.

<sup>18</sup> See Shane Darcy, *Israel's Punitive House Demolition Policy: Collective Punishment in Violation of International Law* (Al-Haq 2003), available at: <http://www.alhaq.org/publications/publications-index/item/israel-s-punitive-house-demolition-policy>.

<sup>19</sup> See, e.g., Anna Ahronheim, "Israel to Demolish Homes of Ofra and Givat Assaf Terrorists" (The Jerusalem Post, 19 January 2019), available at: <https://www.jpost.com/Arab-Israeli-Conflict/Israel-to-demolish-homes-of-Ofra-and-Givat-Assaf-terrorists-577993>.

<sup>20</sup> Should the punitive demolition of Soheir's home be carried out, this would further amount to a violation of international human rights law, notably her right to adequate housing under Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Al-Haq further recalls its analysis on the gendered implications of Israel's practice of house demolitions on Palestinian women and their livelihoods in the OPT. See Suha Jarrar, *Unpacking Gender in Coercive Environments: The Case of the Jordan Valley* (Al-Haq 2018), available at: <http://www.alhaq.org/publications/publications-index/item/unpacking-gender-in-coercive-environments-the-case-of-the-jordan-valleycategoryid10categoryid10>.



*“The threats I received were from an [Israeli] intelligence officer who identified himself as “Diab”... He threatened to deport me to Jericho and told me that the Palestinian Authority would know how to deal with me there. He asked me about my son Asem, whom they accused of carrying out a shooting attack at the junction by the settlement of Givat Asaf. Asem had been missing since the first raid on our home and I did not know where he had gone. The last thing Diab told me is that they were going to execute my family based on a law that has not yet been approved by the Knesset, but which they would begin to implement on us once adopted. I told him I did not know where Asem was. He told me I had three days to prepare my bag and clothes and that if Asem had not given himself in by then, I would be deported. Diab threatened me that he was going to squeeze Muhammad for “oil” before he is returned to me.”<sup>21</sup>*

Khaldoun Barghouthi also received threats against himself and his family members during a further IOF raid on his home on 31 December 2018. He told Al-Haq that Israeli intelligence officers, including the so-called captain “Diab” interrogated him and told him they would deal with the Barghouthi family like a “terrorist organisation”. Asking him what he knew about Asem, the IOF threatened him and his family, including his children, should they find any relationship between Khaldoun and Asem. The soldiers destroyed and ravaged his home, as they had done on the first evening on 12 December, this time even pulling out tiles from the kitchen floor.<sup>22</sup>

#### *Arbitrary Detentions and Arrests*

Continuing their persecution and punitive measures against the Barghouthi family, the Israeli occupying authorities withdrew the prison visitation permit given to Omar’s sister, Hanan Saleh Barghouthi, 54, denying her from visiting her son Anad Muhammad Barghouthi, 31, who is serving a five-year prison sentence, and her brother Nael, also in prison. The work permit of Khaled Nabhan Barghouthi, 42, Soheir’s cousin, who used to work within Israel, was also withdrawn.<sup>23</sup> Besides amounting to collective punishment against the Barghouthi family, these measures have disrupted their right to family life,<sup>24</sup> and, in the case of Khaled, adversely affected his livelihood and his right to work.<sup>25</sup> The punitive measures were further coupled with a series of arbitrary detentions and arrests of a number of Barghouthi family members. Soheir stated:

*“As of this moment, my husband Omar and my son Asef are still in detention and under interrogation in Israeli prisons. In addition, my sister’s three sons are also detained.*

---

<sup>21</sup> N.B.: The threat against Muhammad presumably meant that he would be pressured (“squeezed”) for information (“oil”) about his brother Asem, who was missing as of that moment. Affidavit No. 868A/2018 of 7 January 2019.

<sup>22</sup> Affidavit No. 867A/2018 of 19 January 2019.

<sup>23</sup> Affidavit No. 868A/2018 of 7 January 2019.

<sup>24</sup> Articles 17 and 23(1), International Covenant on Civil and Political Rights (ICCPR).

<sup>25</sup> Article 6(1), ICESCR.



*They are: Ehab Munir Saqer Barghouthi, 32, who received four months in administrative detention, his brother Mu'tasem, 28, who received three months in administrative detention, and 26-year-old Muhammad, who is detained and still under investigation.*<sup>26</sup>

On Tuesday, 8 January 2019, Asem was detained by the IOF after almost a month-long search. Accused of having carried out an attack that resulted in the killing of two Israeli soldiers on 13 December 2018, near the Israeli settlement of Givat Asaf, Avigdor Lieberman stated: “[t]his is the classic case in which it is regrettable that the death penalty for terrorists was not instituted”.<sup>27</sup> Asem is currently being held in Al-Maskoubiyya prison in Jerusalem and continues to be denied access to his lawyer. As of the time of writing, Omar Barghouthi and Asef Barghouthi have both been issued three-month administrative detention orders and are also being held at Al-Maskoubiyya prison.<sup>28</sup> Muhammad Barghouthi, 17, Saleh’s youngest brother, is also still detained at Al-Maskoubiyya, as are his cousin, Miqdad Zahi Barghouthi, and distant relatives, Jawdat Ahmad Mishal and Muhammad Ahmad Mishal. In addition, Omar Muhammad Asfour Barghouthi, 22, Saleh’s cousin, was transferred to Ofer Prison and his detention has been prolonged.

### *Ill-Treatment of the Barghouthi Family*

Al-Haq gravely notes that, since 12 December 2018, the IOF have imposed a series of ongoing collective punishment measures on Saleh Barghouthi’s family, through a campaign of military raids on the homes of Saleh’s mother, Soheir Barghouthi, and the homes of other family members in Kobar. The punitive measures have also included arbitrary arrests and detentions of a large number of family members and violations of their right to a fair trial, in addition to the threatened punitive demolitions of Asem’s home, Soheir’s home, Saleh’s home, and the home of Saleh’s deceased grandparents. What is more, the measures further involved the punitive revocation of Saleh’s aunt’s prison visitation permit and the work permit given to his mother’s cousin. Critically, Soheir Barghouthi was interrogated under duress about her son Asem’s whereabouts and threatened with deportation to Jericho should her son not hand himself in to the Israeli authorities. Al-Haq stresses that, if carried out, Soheir’s deportation would amount to unlawful forcible transfer, prohibited under international humanitarian law.<sup>29</sup> Finally, Soheir was further intimidated by an Israeli intelligence officer, who identified himself as “Diab”, and who

---

<sup>26</sup> Affidavit No. 868A/2018 of 7 January 2019.

<sup>27</sup> The Jerusalem Post, “Security Forces Arrest Givat Asaf Shooter Who Killed 2 IDF Soldiers” (8 January 2019), available at: <https://www.jpost.com/Breaking-News/Security-forces-arrest-Givat-Asaf-shooter-who-killed-2-IDF-soldiers-576665>.

<sup>28</sup> Al-Haq field report on the detention of Kobar residents, dated 17 January 2019.

<sup>29</sup> Article 49 of the Fourth Geneva Convention (1949) provides: “[i]ndividual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.”



threatened that her 17-year-old son Muhammad would be pressured for information in Israeli detention, causing her to fear for his safety.

With her husband Omar, and her three sons Asef, Asem, and Muhammad, now in Israeli detention, while Saleh has been subjected to an enforced disappearance since 12 December 2018, Soheir Barghouthi is now alone in her family home in Kobar. She expressed concerns as to Muhammad's safety, in reference to the threats she received from the Israeli intelligence.<sup>30</sup> Soheir also expressed concerns as to her husband's health condition in Israeli detention. She told Al-Haq that Omar suffers from diabetes and high blood pressure in addition to further health conditions, which require him to take some 12 medications a day. Al-Haq also notes that Saleh's wife has suffered severe shock and hysteria since 12 December, with difficulty sleeping at night as a result of her inability to receive proof of Saleh's fate and whereabouts. As of the time of writing, she is receiving treatment for her condition, while her 5-year-old son has also suffered the loss of his father.

Within this context, Al-Haq believes that the measures of collective punishment, threats, and intimidation against the Barghouthi family, taken together with Saleh's enforced disappearance since 12 December 2018, have caused his family members mental anguish and stress,<sup>31</sup> amounting to cruel, inhuman or degrading treatment or punishment, in violation of Article 7 of the ICCPR and Article 16(1) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Al-Haq will continue to closely document any further violations against Saleh's relatives and urges the Israeli occupying authorities to cease all ongoing and imminent collective punishment measures imposed on the Barghouthi family. Critically, Saleh's family must be granted the right to know the truth, and his mother Soheir must be allowed to see Saleh and to identify her son.

---

<sup>30</sup> Affidavit No. 868A/2018 of 7 January 2019.

<sup>31</sup> UN Human Rights Committee, *Quinteros v. Uruguay* (Communication No. 107/1981), 21 July 1983, para. 14