

Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967 and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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(Please use this reference in your reply)

27 June 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on extrajudicial, summary or arbitrary executions; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967 and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 53/4, 54/14, 1993/2A and 52/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the reported deliberate attack by the Israeli Defense Forces (IDF) on 23 March 2025, against civilian medical and emergency personnel, killing fifteen (15) individuals protected under international humanitarian law (IHL), including: eight (8) members of the Palestine Red Crescent Society (PRCS): Mr. [REDACTED], and Mr. [REDACTED], six (6) members of the Palestinian Civil Defense, and one (1) United Nations staff member, Mr. Kamal Abdullah Shahtout. The PRCS health workers were on duty wearing and travelling in vehicles clearly marked with protective emblems. Autopsy reports of the eight victims from the PRCS, whose bodies were recovered from a makeshift mass grave on 30 March 2025 – one week after the incident – along with witnesses' accounts and a forensic analysis of video footage from the event, provide conclusive evidence indicating that the killings were intentional and therefore amount to crimes under international law. After the killings, those responsible buried the bodies of the victims in an unmarked mass grave, destroyed and also buried their vehicles in an attempt to conceal the evidence of the attack.**

Furthermore, one PRCS volunteer, Mr. [REDACTED], was arrested, detained at the site of the attack and reportedly tortured before his release 12 hours later. Another PRCS paramedic, Mr. [REDACTED], was detained during the attack, forcibly disappeared by the IDF and subjected to torture and other forms of ill-treatment until his release on 30 April 2025.

Special Procedures mandate holders have previously raised concern about the unlawful killing of PRCS paramedics, in communication AL ISR 4/2024, to which no response has been received from Your Excellency's Government.

According to the Palestinian Central Bureau of Statistics, 1411 healthcare professionals¹ have been killed in Gaza since October 2023. In addition to the killing of nearly 320 staff members from the United Nations Relief and Works Agency for Palestinian refugees in the near east (UNRWA).²

We emphasize that the deliberate targeting or killing of medical and emergency personnel, as well as humanitarian aid workers, are war crimes under international law and a blatant violation of the absolute and non-derogable prohibition of the arbitrary deprivation of life.

These targeted attacks against medical personnel and vehicles constitute grave breaches of international humanitarian law (IHL) and crimes pursuant to international criminal law (ICL), amounting to the war crimes of *willful killing* and *intentionally directing attacks against medical personnel and transport* protected under the Geneva Conventions and Additional Protocol I. Article 71(2) of Additional Protocol I establishes the obligation to respect and protect humanitarian relief personnel. The Rome Statute of the International Criminal Court (article 8(2)(b)(iii)) explicitly qualifies as a war crime the *intentional targeting of personnel involved in a humanitarian assistance mission carried out in accordance with the UN Charter*, so long as they are entitled to civilian protection under IHL.

When such killings of protected persons, including medical and humanitarian personnel, are carried out as part of a widespread or systematic attack directed against a civilian population, pursuant to or in furtherance of a State or organizational policy, they may amount to crimes against humanity under article 7 of the Rome Statute.

These allegations arise in a broader context where, in its Order of 26 January 2024 in the case *South Africa v. Israel*, the International Court of Justice (ICJ) found it plausible that Israel's actions in Gaza may fall within the scope of the Genocide Convention. The ICJ determined that there is a real and imminent risk of irreparable harm to the rights of the Palestinian people under the Convention on the Prevention and Punishment of the Crime of Genocide. In this context, the large-scale and repeated targeting of protected categories of persons, including medical workers and humanitarian staff, may contribute to the overall assessment of acts prohibited under article II of the Convention, including killings "*committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.*"

Accordingly, we urge the Government of Israel and its armed forces to adopt immediate and effective measures to prevent arbitrary killings in Gaza and the entire Palestinian Occupied Territory, ensure full compliance with their obligations under international law, including to respect and protect the right to life as required under art. 6 of the International Covenant on Civil and Political Rights (ICCPR), carry out and allow independent UN mechanisms to conduct prompt, effective, independent, and impartial investigations into all alleged violations of IHL and IHRL and bring those responsible to justice. These investigations must comply with relevant international

¹ Palestinian Central Bureau of Statistics, available at: https://www.pcbs.gov.ps/site/lang_en/1405/default.aspx?lang=en (accessed on 2 June 2025).

² UNRWA, Press Conference by UNRWA Commissioner-General Philippe Lazzarini – Berlin, 22 April 2024. Available at: <https://www.unrwa.org/newsroom/official-statements/press-conference-unrwa-commissioner-general-philippe-lazzarini-berlin>.

standards, including [the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions](#) (Minnesota Protocol). Any obstruction of accountability mechanisms, including efforts to shield perpetrators or impede investigations into such killings, may also constitute a separate violation of international law and further engage the responsibility of the State.

According to the information received:

Attacks Against PRCS and Civil Defense medical and emergency Responders

On 23 March 2025, at 03:49 a.m., the Rafah Ambulance Centre received a distress call from Al-Hashashin area in northern Rafah Governorate, Gaza, reporting that a civilian family's home had been hit by an Israeli air strike, resulting in several casualties. In response, two ambulances were dispatched to the location – an area designated as a humanitarian safe zone at the time, as follows:

- **First PRCS ambulance** (license plate number 55-0825-3), with crew members: [REDACTED], [REDACTED] ([REDACTED]), and [REDACTED] departed from the Centre's headquarters in Khirbet Al-Adas at 03:50 a.m.
- **Second PRCS ambulance** (license plate number 55-0214-3), with crew members: [REDACTED] – driver [REDACTED] [REDACTED] – paramedic ([REDACTED]), and [REDACTED] – volunteer [REDACTED] ([REDACTED]), departed from the British Field Hospital, west of Rafah, at 03:52 a.m.

At 03:55 a.m., the **first ambulance** arrived at the scene and soon after informed the operations officer that the second ambulance could be cancelled and instructed to return to its post, after informing that it could handle the emergency on its own. The first crew proceeded to load the bodies of those killed by the airstrike and transferred them to Nasser Hospital in Khan Younis. They returned to the Rafah Centre at 04:37 a.m.

In the meantime, the operations officer attempted to contact all crew members of the **second ambulance**, which was on its way to the location of the emergency, over a period of more than 30 minutes. Although their phones continued to ring, none of the calls were answered, except for one instance in which the call was actively declined by volunteer paramedic Mr. [REDACTED]. It was later discovered that by that time Mr. [REDACTED] had been detained on site by Israeli soldiers who confiscated his telephone.

Testimonies from the scene later indicated that the **second ambulance** was attacked by soldiers of the IDF positioned near the Al-Qadisiyah area, which was designated as a humanitarian safe zone at the time. The ambulance was en route to the Al-Hashashin neighbourhood in Rafah when IDF forces opened heavy fire on the vehicle, striking two crew members, Mr. [REDACTED] and Mr. [REDACTED]. The gunfire caused the vehicle to crash into an electric pole. Mr. [REDACTED], who had taken shelter on the patient bed in the rear of the vehicle, was the sole survivor. He witnessed his two colleagues die before

being arrested by the IDF and held in detention for 12 hours (*see details on Mr. ██████'s arrest below*).

Without knowing the fate of the second ambulance, the operations officer instructed the first ambulance's crew to proceed to the British Field Hospital to check on the second ambulance's crew, fearing they may have encountered a traffic accident or mechanical failure en route. At approximately 04:39 a.m., the first crew departed, following the likely route taken by the second ambulance toward Al-Hashashin area.

At 04:53 a.m., paramedic Mr. ██████ (*first ambulance*) contacted the operations officer to report that he had located the second ambulance by the roadside. He requested immediate backup assistance, stating that the location appeared to have come under direct attack and confirmed: "Our team has been targeted."

Consequently, at 04:54 a.m., two additional PRCS ambulances were dispatched from the Rafah Ambulance Centre in response to Mr. ██████'s emergency call, as follows:

- **Third PRCS ambulance** (license plate number 55-0191-3), with the crew: ██████ (██████) and ██████ (██████);
- **Fourth PRCS ambulance** (license plate number 55-0194-3), with the crew: ██████ (██████) and ██████ (██████).

Simultaneously, at 04:56 a.m., the operations officer contacted the Khan Younis Ambulance Centre to request additional support for the rescue operation. The PRCS also contacted the International Committee of the Red Cross (ICRC), informing them that one of the ambulances had been targeted and that the health workers had sustained serious injuries, requesting their urgent assistance in evacuating PRCS staff and ambulances from the area. The precise location of the incident was shared with the ICRC, whose representative confirmed that the area was deemed safe.

Mr. ██████ (*first ambulance*) had also independently contacted both the Civil Defense teams and the Ministry of Health ambulance service to request assistance in reaching the site. According to a Ministry of Health paramedic, upon arriving approximately 60 meters from the location of the incident and as he began to exit his vehicle, he observed a reconnaissance drone overhead, prompting him to retreat and withdraw from the area for safety reasons.

By that time, the third and fourth support ambulances had reached the general area north of Tel Al-Sultan and joined the first ambulance. They missed the affected vehicle on the side of the road (*second ambulance*) but encountered the first ambulance and followed it toward the location of the attack. Two Palestinian Civil Defence vehicles also joined the convoy: one rescue and firefighting vehicle, and one ambulance.

At approximately 05:12 a.m., the operations officer received a phone call from paramedic [REDACTED] (*first ambulance*), reporting that their team had come under heavy fire and that the entire crew had sustained injuries. His call was cut abruptly immediately after he shouted: “They killed us!”. Following this call, the operations officer contacted ambulance officer [REDACTED] (*fourth ambulance*). During their conversation, sounds of intense gunfire were heard in the background. Mr. [REDACTED] reported that their team was under fire by Israeli special forces in the area and confirmed that several colleagues had been injured.

According to witness accounts collected after the attack, the two Civil Defense vehicles accompanying the convoy, along with the first PRCS ambulance, were targeted by Israeli soldiers as they approached the affected vehicle. Witnesses reported seeing victims lying on the ground outside the ambulance.

At 05:13 a.m., the Director of Khan Younis Centre decided to withdraw three additional ambulances, which had been dispatched to assist the besieged crews, due to the extreme danger in the area. Furthermore, Rafah Centre has been instructed not to send additional teams to this location, which had become a high-risk zone, while continuing to monitor the situation from a safe distance.

At 06:06 a.m., the Department Director called paramedic Mr. [REDACTED] [REDACTED] to assess the conditions on the ground. Shooting could be heard in the background during the call as Mr. [REDACTED] reported: “*Most of the guys have been wounded, and [REDACTED] is bleeding from all over his body.*”

Between 06:15 a.m. and 07:03 a.m., the Department Director made repeated attempts to coordinate with the ICRC to report the incident and to request a heightened level of coordination to facilitate the rescue of the trapped teams. He spoke on the phone with Mr. [REDACTED], at 06:50 a.m., in an attempt to reassure him that coordination efforts were underway. In another call between Mr. [REDACTED] and the Operations Officer at the Deir Al-Balah Centre, Hebrew-speaking voices – presumably Israeli forces – were heard on the background. Mr. [REDACTED] was instructed to record the call for documentation purposes.

While coordination efforts with the ICRC were ongoing, including the provision of details of the four ambulances and the personal information of their drivers to initiate a formal evacuation process, contact with Mr. [REDACTED] was lost at 07:12 a.m. It was later revealed that he had been arrested by the IDF, who ordered him to empty his pockets and confiscated his phone.

At 7:31 a.m., the Arabic-language spokesperson for the IDF, Mr. [REDACTED] [REDACTED], posted an announcement on X³ social media platform warning residents in Tel Al-Sultan, Rafah, that the previously safe area had now become an active combat zone. He urged immediate evacuation, instructing civilians to proceed on foot via Gush Katif Road to Al-Mawasi, explicitly prohibiting the use of

³ <https://x.com/AvichayAdraee/status/1903696196587180347>

vehicles and cautioning against remaining in place or taking alternative routes.

Throughout the day, on 23 March 2025, and until 26 March 2025, coordination efforts from the PCRS with the ICRC and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) to secure access to the location of the attack and evacuate the wounded and dead health workers proved unsuccessful.

Summary execution of UNRWA staff member – Mr Kamal Abdullah Shahtout

On the same day that PCRS and Civil Defense vehicles were attacked, at approximately 05:10 a.m., Mr. Kamal Abdullah Shahtout, Security Shift Supervisor at UNRWA's Rafah Logistics Base in Khan Younis, left his home in Al-Zuhour neighbourhood, east of Rafah, to report for duty. He was wearing his blue UN vest and driving an official UNRWA [Hilux]⁴ vehicle. This movement formed part of his regular duties on an agreed route, which included transporting security staff to the Rafah Logistics Base. At the time, the area he travelled through was not subject to any Israeli displacement orders, nor did it require prior coordination for UN movement.

At around 06:00 a.m., UNRWA lost contact with Mr. Shahtout. Reportedly, at approximately 06:05 a.m., another UNRWA staff member was seriously injured by IDF fire while driving a UN minibus near the Rafah Logistics Base. This staff member observed a UNRWA Hilux vehicle, with all four doors open, believed to be the one driven by Mr. Shahtout. He also noted that nearby PCRS and Civil Defense vehicles also had their doors open, but did not see Mr. Shahtout.

It was later reported that the two UNRWA vehicles (the Hilux and the minibus) were seized by the IDF and used as makeshift roadblocks in the Rafah area. UNRWA subsequently received information indicating that Mr. Shahtout had been detained by the IDF.

On 24 and 25 March 2025, UNRWA formally requested information from the Israeli authorities regarding the fate and whereabouts of Mr. Shahtout. No response was received. His body was subsequently recovered during the rescue operation coordinated by OCHA, with the participation of PCRS and Civil Defense teams, on 30 March 2025. Mr. Shahtout's body was found behind a dirt berm, typically used as a defensive position by the IDF, approximately 30 meters from the unmarked mass grave where other bodies of medical and emergency workers were found. The body was only partially buried, and the site was unmarked. According to the autopsy report, the cause of death was determined to be blunt force trauma to the back of the head, resulting in skull fractures.

Rescue operation to retrieve the bodies of the victims

On 26 March 2025, in coordination with OCHA, three PCRS ambulances and two Civil Defense vehicles entered the affected area but were unable to proceed

⁴ The Hilux is a white, pick-up style vehicle and was marked with the letters "UN" in blue on its roof, sides, and back, all clearly visible.

further due to the road being obstructed by sand berms set up by the IDF. The coordination was subsequently suspended to enable the deployment of a bulldozer to clear the route. Near Tel al-Sultan, the rescue operation team witnessed two individuals attempting to flee sniper fire; a woman who was shot in the back of the head, and a young man who attempted to assist her was also shot. OCHA staff managed to recover the woman's body using a UN vehicle. An UNRWA-marked vehicle, previously targeted, was located and inspected; no casualties or injuries were found inside.

On 27 March 2025, again under OCHA⁵ coordination, three ambulances, two Civil Defense vehicles, and a bulldozer were allowed to return to the site of the incident, where they found three of the targeted ambulances completely destroyed and buried in a pit, where, according to witnesses, Israeli forces had buried them using bulldozers. The body of a Civil Defense member was also found buried in that same place.

On 30 March 2025, the week-long rescue operation concluded with the recovery of the bodies of 15 individuals, from a makeshift mass grave: eight from the PRCS, six from the Palestinian Civil Defense, and one from UNRWA. According to OCHA, the 15 emergency, medical, and humanitarian personnel were "buried under the sand, alongside their wrecked emergency vehicles – clearly marked ambulances, a fire truck and a UN car." Two UNRWA vehicles, including, the vehicle driven by Mr. Shahtout, were also found heavily destroyed and buried under the sand. The UNRWA staff's body was found partially buried behind a dirt berm, around 30 meters from the mass grave, a location typically used as a defensive position by the IDF.

Autopsy reports of the eight medical and emergency personnel from the PRCS

Autopsy reports of the eight medical and emergency personnel from the PRCS – which were reviewed by the Special Rapporteur on extrajudicial, summary, or arbitrary executions, in his capacity as a forensic doctor – provide conclusive evidence of firearm injuries as the cause of death. All bodies were clothed in garments bearing the Palestinian Red Crescent emblem, with most sustaining wounds to the upper parts of their bodies, including execution-style bullet wounds to the head and neck.

Enforced disappearance, detention, and torture/ill-treatment of PRCS staff

Mr. [REDACTED], 27 years old, volunteer at the PRCS, member of the second ambulance's crew

Mr. [REDACTED] was the sole survivor in the second ambulance, as he was lying on the patient bed at the rear of the vehicle at the time of the attack by the IDF. At approximately 4:00 a.m. On 23 March 2025, Mr. [REDACTED] was arrested by Israeli soldiers, who reportedly approached the ambulance, opened the side door, and forcibly removed him from the vehicle. He was ordered to undress,

⁵ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Gaza: Tal al-Sultan Aftermath – 30 March 2025*, available at: <https://www.unocha.org/media-centre/gaza-tal-sultan-aftermath-30-march-2025> (accessed on 2 June 2025).

leaving only his underwear, and to lie on the ground. Mr. [REDACTED] was then reportedly subjected to severe physical assault by the Israeli soldiers, including beatings with their weapons and fists.

Mr. [REDACTED] was reportedly blindfolded, had his hands tied up and was held in a hole approximately 300 meters from the site of the attack. His hands were tied, and he was blindfolded with a piece of clothing, wearing only his underwear despite the cold weather. Shortly thereafter, his colleague, Mr. [REDACTED], was also arrested and brought to the same location. They were both asked by the IDF soldiers whether they were aware that the area was designated as a military operations zone, to which they responded that they were not.

Mr. [REDACTED] was interrogated by Israeli soldiers regarding the 7 October attacks. He responded that he was working at a school library at the time, as it was the beginning of the school semester. The soldiers reportedly accused PRCS of engaging in terrorist activities, which Mr. [REDACTED] denied, stating that the PRCS' exclusive mission is to provide humanitarian assistance to those in need. He was also questioned about his family members and the other members of the ambulance crew.

At sunrise, Mr. [REDACTED] witnessed a large number of Israeli military vehicles moving north from Tal Al-Sultan and Al-Tayyara area. He saw the bodies of his colleagues lying on the ground outside the ambulance, presumably dead, and their ambulance destroyed.

An Israeli soldier reportedly wore a PRCS emblem-bearing vest taken from one of PRCS crew members to patrol the area and instruct civilians to evacuate. In the meantime, the IDF was operating a D9 bulldozer to pile the PRCS ambulances on top of one another.

After approximately 3 to 4 hours in Israeli custody, an officer instructed Mr. [REDACTED] to perform a task in exchange for his release. Fearing for his life, he agreed. He was ordered to stand at a checkpoint and assist in organizing civilians; separating women from men, then grouping the women into groups of ten and the men into groups of five, for inspection prior to their crossing toward the regional area.

At the checkpoint, the IDF reportedly further separated the men into two categories: younger and older men. The younger men were instructed to undress, put on white overalls, and undergo interrogation prior to release, while others were arrested and driven away. The older men were also ordered to undress but were instead given orange overalls. Those wearing orange overalls were reportedly not released; some were taken into continued detention, while the fate and whereabouts of others are unknown.

At approximately 4:00 p.m., paramedic [REDACTED] was released on foot. When he inquired about the whereabouts of his colleague, Mr. [REDACTED], he was threatened by Israeli soldiers who warned that he would either be arrested or killed like his other colleagues if he insisted. An PRCS ambulance was eventually dispatched to collect Mr. [REDACTED] and reunite him with

his family. Before his departure, one of the soldiers instructed him to inform civilians that the area stretching from the regional zone northward to Tel Al-Sultan was a "red zone," and that approaching it would put their lives at risk.

Mr. [REDACTED], 47 years old, paramedic at the PRCS, member of the fourth ambulance's crew

Mr. [REDACTED] was in the fourth ambulance that was dispatched to provide additional support to the first ambulance after the second ambulance came under attack. When he arrived at the scene, he saw his PRCS colleagues lying on the ground and Israeli soldiers shooting heavily at them. He tried to hide behind one of the vehicles to avoid the gunfire. All other PRCS colleagues were on the ground either seriously injured or dead. Mr. [REDACTED] approached him and died in his arms of his gunshot injuries.

Mr. [REDACTED] called the PRCS operations centre to inform them about the situation. During this time, he witnessed the IDF heavily firing at two vehicles of UNRWA driving on the road towards Khan-Younis. He attempted to escape, however, noticed that the Israeli soldiers were checking all bodies on the floor and killings anyone who is still alive. So, he remained quiet. When the Israeli soldiers noticed him, they pointed their weapons towards him, as he yelled in Hebrew language "my mother is Israeli," hoping this could save his life. His mother is a resident of Naqb and holds an Israeli identity card.

The soldiers took him away, as he looked at the bodies of his deceased colleagues on the ground. As they walked, Mr. [REDACTED] saw his colleague, Mr. [REDACTED], along with two other civilians – a man and his son. They were ordered to take off their clothes and were put in the same hole with their hands tied and blindfolded.

Shortly thereafter, Mr. [REDACTED] was taken away for interrogation. He was questioned about the names and professions of all members of the four PRCS ambulance crews, as well as the reason they had driven along that road. He explained to the IDF officer that they had come in search of a PRCS ambulance initially dispatched to assist civilian casualties, with which all contact had been lost.

From under the blindfold, Mr. [REDACTED] saw IDF officers with his colleague, Mr. [REDACTED], asking him to put his clothes back on, and taking him towards the checkpoint at the main road.

Mr. [REDACTED] was again questioned by an IDF officer regarding the identity of the other member of his crew, to which he responded that his name was Mr. [REDACTED]. He was subsequently asked about the profession of Mr. [REDACTED] and clarified that he served as a paramedic with the PRCS. The interrogation also extended to questions about the identity of his mother. Subsequently, the IDF officers gave Mr. [REDACTED] an overall marked with the number 22 on the chest and instructed him to wear it.

At sunset, approximately 30 individuals were detained in the same location as Mr. [REDACTED]. Four or five Israeli military [jeep] vehicles arrived, and began transporting detainees, with each vehicle reportedly loading around 15 individuals. As the vehicles departed, Mr. [REDACTED] observed that the ambulances of the PRCS, as well as the Civil Defense and UNRWA vehicles, had been destroyed. He did not know the fate of his colleagues who had been killed.

The detainees were driven through the Philadelphia intersection via Al-Rashid Street (also known as Al-Bahr Street), passing by a military site in Rafah and crossing through the Karam Abu Salem crossing gate. At that point, IDF soldiers subjected detainees, including Mr. [REDACTED], to severe beatings and forced them out of the vehicles onto rough gravel. They were ordered to remove their overalls and underwear and were then given white overalls to wear. Their plastic handcuffs were replaced with iron chains.

The soldiers waited for the arrival of an army bus, during which time the detainees were again subjected to beatings. The physical assaults continued throughout the transfer to the Sdeh Teman detention centre. Upon arrival, the detainees were again beaten, insulted, and subjected to verbal abuse, including obscene and degrading language.

At the Sdeh Teman detention centre, the IDF took biometric details (iris scans) of all detainees and conducted a brief medical examination. Mr. [REDACTED] was placed in Ward No. 3, Section A.

On the following day, Mr. [REDACTED] was transferred to the intelligence service installations, where he again endured beatings, threats and verbal abuse. Detainees were then divided into groups of four and returned to the barracks.

On the evening of 1 April 2025, Mr. [REDACTED] was transported in a police vehicle to an unknown location approximately three to four minutes' drive from the detention centre. Upon arrival, he was again subjected to severe physical assault. He was then taken to a room referred to as the "disco room," where loud music was played continuously as a form of psychological torture and where Mr. [REDACTED] remained overnight.

The following morning, Mr. [REDACTED] was taken into an interrogation room, where he was restrained (shackled) and interrogated under duress about his relatives and his work for the PRCS, following which he was placed in solitary confinement for three days.

Over the next five days, Mr. [REDACTED], who was assigned a number (490) was repeatedly transferred to the so called "disco room" for interrogation under duress, including severe beatings, about his affiliation with the PRCS and the circumstances surrounding his arrest.

He was then transferred to another cell, where he could hear other detainees being beaten. There, soldiers instructed Mr. [REDACTED] to remove his blindfold and showed him photographs of his sons and daughters, repeatedly

threatening that his children would be orphaned and his wife widowed. The interrogators questioned him about his personal background, including details of his life, education, employment, and his mother, – whom he had reportedly stated was Israeli – asking about her location at the time of the incident and her current whereabouts.

Mr. [REDACTED] was also interrogated about the incident preceding his arrest in Rafah, including the circumstances of his arrest, the presence of four PRCS ambulances, and his interaction with the Israeli soldier who had pointed a weapon at him. He was asked whether the ambulances bore PRCS emblem. In response, Mr. [REDACTED] explained that the ambulances were clearly marked with PRCS emblems, including a red crescent and flashing lights. When questioned about the presence of UNRWA vehicles, he stated that due to the intensity of the gunfire, which forced him to take shelter, he had been unable to see them clearly.

Following the interrogation, Mr. [REDACTED] was again returned to the so called “disco room,” where one of the soldiers deliberately tightened his iron shackles, causing him severe pain and was thereafter transferred to a contiguous ward before being returned to his cell.

The following day, on 30 April 2025, soldiers entered the cell and called out the names of ten detainees, including Mr. [REDACTED]. After verifying their identities, the soldiers transported them in a military bus to a location distant from the detention centre. Upon arrival, they reached an area referred to as “Al-Matkh,” a large open space surrounded by soldiers and military personnel, with the sound of heavy gunfire audible nearby. A soldier called Mr. [REDACTED] by his full name and questioned him again about the location of his arrest. When he responded, “in Rafah,” the soldiers removed the detainees from the bus and provided them with water and bags containing their personal belongings.

One of the soldiers then removed Mr. [REDACTED]’s restraints and blindfold. Fearing imminent execution, he asked a female soldier whether he could pray. She responded, “No, not here. You will pray at home.” At that moment, Mr. [REDACTED] understood that he was likely being released instead. The group was instructed to walk toward the Kissufim gate in Deir al-Balah, where a team from the ICRC was waiting. They were subsequently taken to Al-Aqsa Martyrs Hospital in Deir al-Balah. Later, a team from the Khan Yunis Ambulance Centre transferred Mr. [REDACTED] to Al-Amal Hospital, where he was reunited with his children and brothers. Following medical examinations, he returned to the area where his family had been displaced.

Between 23 March 2025 and 30 April 2025, Mr. [REDACTED]’s relatives could not determine his fate and whereabouts.

IDF statements and investigations regarding the 23 March 2025 incident

On 2 April 2025,⁶ the IDF issued a press release in relation to the incident stating that, on 23 March 2025, its troops had fired at Hamas vehicles and “eliminated several Hamas terrorists.” The statement claimed that the vehicles were advancing suspiciously toward IDF positions, without prior coordination, headlights, or emergency signals. According to the IDF statement, the incident had been referred to the General Staff’s Fact-Finding and Assessment Mechanism for investigation.

Following the release of a video on 5 April 2025, which clearly showed that the ambulances were visibly marked and had their emergency lights activated at the time of the attack, the IDF issued a second statement, on 7 April 2025.⁷ In this statement, the IDF claimed that a preliminary inquiry had found that troops had opened fire on the ambulances due to a perceived threat, citing a prior encounter in the same area. The IDF reiterated its assertion that six of the individuals killed were members of Hamas, though it provided no supporting evidence for this claim.

On 20 April 2025,⁸ the IDF reported on the findings of what was described as a “thorough and in-depth investigation.” It concluded that the incident had occurred in a “hostile and dangerous combat zone” under “a widespread threat to the operating troops.” The report stated that there was no evidence to support claims of execution or that any of the deceased had been bound, either before or after the shooting. It further asserted that the troops had not engaged in indiscriminate fire but had instead “remained alert to respond to real threats identified by them.” The IDF acknowledged that the decision to crush the vehicles following the incident was inappropriate but asserted that it did not reflect an intent to conceal evidence, citing the subsequent coordination with international organizations for the removal of bodies.

Forensic analysis of the crime scene

On 5 April 2025, the PRCS released a 6 minute and 47 second video, recovered from the phone of one of its deceased staff members, which clearly showed that the PRCS emblem-carrying ambulances were visibly and clearly marked and had their emergency lights activated. This visual evidence directly contradicted earlier statements by the IDF, which claimed the ambulances were advancing suspiciously without lights or prior coordination. A second, longer video, of 19 minutes and 6 seconds, was further released on 8 April 2025.

⁶ Israel Defense Forces, *The Incident on March 23rd in Which Terrorists Abusing Medical Vehicles Were Eliminated by IDF Troops*, 2 April 2025, available at: <https://www.idf.il/en/mini-sites/idf-press-releases-israel-at-war/april-25-pr/the-incident-on-march-23rd-in-which-terrorists-abusing-medical-vehicles-were-eliminated-by-idf-troops/> (accessed on 2 June 2025)

⁷ *Ibid*, *Update on the IDF Inquiry into the Shooting Incident in Rafah on March 23, 2025*, 7 April 2025, available at: <https://www.idf.il/en/mini-sites/idf-press-releases-israel-at-war/april-25-pr/update-on-the-idf-inquiry-into-the-shooting-incident-in-rafah-on-march-23-2025/> (accessed on 2 June 2025)

⁸ *Ibid*, *Summary of the Examination Into the Incident Involving Rescue Teams and Vehicles in the Gaza Strip*, 20 April 2025, available at: <https://www.idf.il/en/mini-sites/idf-press-releases-israel-at-war/april-25-pr/summary-of-the-examination-into-the-incident-involving-rescue-teams-and-vehicles-in-the-gaza-strip/> (accessed on 2 June 2025)

An independent audio forensic analysis of the footage revealed critical details about the nature and intensity of the attack. Over 150 gunshots were identified in just the first 30 seconds, all directed toward the aid workers' convoy.

The analysis further established that the shooting began at an estimated distance of 40 to 45 meters, progressively closing to as little as 30 meters or less. The presence of multiple shooters was inferred, and patterns in the audio confirmed the use of automatic weapons. Notably, a burst of 22 rounds within two seconds was documented, indicative of sustained and deliberate automatic fire consistent with machine-gun usage.

Through chrono-location analysis, it was determined that the video was filmed in the early hours of the morning, with sunlight visible on the eastern horizon. The estimated time of the recording is approximately 05:00 a.m. – two and a half hours prior to the IDF's formal declaration that the area had become a zone of military operations.

Without prejudging the accuracy of the above-mentioned allegations, we express profound alarm at the apparent deliberate targeting and killing of emblem-bearing health care and humanitarian personnel and attacks against clearly emblem-bearing ambulances during the incident of 23 March 2025 in Rafah, Gaza, resulting in the deaths of 14 protected individuals and the destruction of their vehicles protected under IHL. We are further shocked by the reported summary execution of a UNRWA staff member following his detention by the IDF and deeply disturbed by the disposal, by Israeli soldiers responsible for the killings, of the bodies of the victims in an unmarked mass grave and the burial of their destroyed vehicles in an apparent attempt to conceal the evidence. Concern is also expressed at the arbitrary deprivation of liberty, enforced disappearance and ill-treatment which Mr. Mundhir Jihad Nafez Abed and Mr. Asaad Soliman Salim Al-Nassarrah, were subjected to.

We remind your Excellency's Government that these acts constitute flagrant violations of the right to life, a non-derogable norm of *jus cogens* under international law, protected under article 6 of the ICCPR ratified by Israel on 3 October 1991. Arbitrary deprivation of life, including through summary executions or disproportionate use of military force, is strictly prohibited at all times and a failure to respect the duty to investigate the arbitrary deprivation is also a breach of the right to life.

We recall that medical and humanitarian personnel are entitled to special protections under IHL. Pursuant to articles 19, 24, and 26 of the First Geneva Convention, article 20 of the Fourth Geneva Convention, and rules 25 and 29 of the ICRC's Study on Customary International Humanitarian Law, medical personnel and units must be respected and protected at all times and may not be the object of attack. The targeting of medical transports bearing the distinctive emblems of the Red Crescent, engaged in humanitarian medical missions, constitutes a grave breach of these protections and amounts to a war crime. This prohibition includes both direct attacks on medical personnel and failures to take all feasible precautions to protect them.

In this regard, we are particularly disturbed by video and audio evidence indicating that Israeli forces opened fire on clearly marked medical transports with

emergency lights activated, resulting in multiple fatalities. The targeted shooting of the emblem-bearing vehicles and personnel with over 150 rounds within seconds strongly suggests a deliberate or reckless attack, which may amount to a grave breach of IHL, including a serious violation under article 85(3)(e) of Additional Protocol I and customary international law, which prohibit intentionally launching an attack with knowledge that it will cause excessive incidental loss of civilian life.

We further note with grave concern allegations that Israeli military personnel used PRCS uniforms or vehicles bearing the Red Crescent emblem during military operations. Even in the absence of evidence indicating perfidious intent, such misuse of the emblem is strictly prohibited. Article 38 of the First Geneva Convention and rule 59 of Customary IHL explicitly forbid the improper use of the distinctive emblems of the red cross or red crescent, including for deceptive purposes in armed conflict. Such acts undermine the protective function of the emblem and endanger the safety and neutrality of humanitarian actors.

The killing and injury of medical personnel performing their humanitarian duties also violate the principle of distinction enshrined in article 48 of Additional Protocol I, which obliges parties to distinguish at all times between civilians and combatants, and between civilian objects and military objectives. Medical personnel, not taking part in hostilities, are protected civilians under Common article 3 of the Geneva Conventions, which prohibits violence to life and person, in particular murder of all kinds, against persons hors de combat, such as medical personnel. The perceived threat claimed by the Israeli Government does not relieve it of its obligations under IHL.

We are further troubled by the destruction of emblem-bearing ambulances vehicles belonging to PRCS, Civil Defense, and UNRWA vehicles after the incident. This raises further serious concerns of unlawful destruction of property protected under IHL unless justified by imperative military necessity, which has not been demonstrated. Such acts undermine the ability of humanitarian actors to provide essential assistance to affected civilian populations and may themselves constitute violations of IHL. We recall that article 53 of the Fourth Geneva Convention prohibits the destruction of real or personal property by the Occupying Power, except where such destruction is rendered absolutely necessary by military operations. Additionally, articles 52 and 57 of Additional Protocol I prohibit attacks against civilian objects and require precautionary measures in attacks.

The burial of bodies of victims in unmarked mass graves to conceal evidence of unlawful killings may amount to obstruction of justice and constitute further violations of IHL and IHRL. Under international law, the proper treatment of the dead is governed by provisions designed to preserve human dignity, ensure accountability, and facilitate independent investigations, the violation of which may constitute international crimes. Moreover, the deliberate concealment or destruction of evidence relating to violations, including through hasty or clandestine burials, may amount to obstruction of justice and could engage individual criminal responsibility under international criminal law, particularly within the framework of war crimes investigations. Such concealment undermines the right of victims and their families to truth, justice, and reparations, and must be urgently investigated by competent authorities in accordance with international standards.

We express further grave concern about the arbitrary detention followed by enforced disappearance of Mr. [REDACTED], and the torture and/or other cruel, inhuman or degrading treatment or punishment of both Mr. [REDACTED] and Mr. [REDACTED], both PRCS personnel. In particular, we are concerned about the physical and verbal assault, including beating, threats, insults, and humiliation of Mr. [REDACTED], such as forcing him to remove his clothes in cold weather, and the use of blindfolds, iron shackles, and physical and psychological abuse during Mr. [REDACTED]'s 37-day detention by the IDF, including threats against his family members and exposure to continuous loud noise or audio stressors. These acts constitute violations of the absolute prohibition of torture and/or other cruel, inhuman or degrading treatment or punishment. These prohibitions are enshrined in the Convention against Torture (ratified by Israel in 1991), Common article 3 of the Geneva Conventions, and articles 27 and 32 of the Fourth Geneva Convention, which protect against violence to life and person, including torture and outrages upon personal dignity, particularly humiliating and degrading treatment. We further recall that the absolute prohibition of enforced disappearance has attained the status of jus cogens. Enforced disappearance is equally prohibited under customary IHL (rule 98). Moreover, we recall that the third Geneva Convention provides standards of treatment for POWs and the fourth Geneva Convention affords protection to civilians, including in occupied territory. The first Additional Protocol to the Geneva Conventions contains additional protection measures, including dealing particularly with missing and dead persons (articles 32-34). All those provisions provide valuable protection for detained persons, ensuring that their detention is recorded and the detained persons remain in contact with their families, thus preventing enforced disappearances.

We remind your Excellency's Government that the Occupied Palestinian Territory, including Gaza, remains under Israeli occupation, and that the Fourth Geneva Convention and customary international law apply fully. Israel, as an occupying Power, is therefore bound by its obligations to respect and ensure respect for the laws of occupation and to guarantee the protection of civilians and the functioning of health services, including under articles 55 and 56 of the Fourth Geneva Convention, which require the provision and facilitation of medical services for the population and the allowance for medical personnel to carry out their functions.

In line with international legal obligations, your Excellency's Government has a duty to conduct prompt, thorough, independent, impartial, effective and transparent investigations into these grave allegations. Failure to undertake such investigations and to hold those responsible accountable may itself constitute a separate violation of international law. While we note the investigation reportedly conducted by the General Staff's Fact-Finding and Assessment Mechanism, we express serious concern regarding its compliance with international standards, including those articulated in the United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol, 2016) and the Istanbul Protocol on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Such investigations must be conducted with the clear objective of establishing the truth, identifying those responsible, and ensuring effective remedies for victims. We emphasize the duty of your Excellency's Government to ensure that all individuals involved in the ordering, perpetration, or concealment of such violations are brought to

justice. Furthermore, we urgently call upon the Government of Israel to grant unhindered access to United Nations independent experts and mechanisms to facilitate investigations into the reported violations and alleged international crimes.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed information regarding the alleged targeting and killing by Israeli forces of PRCS and UNRWA personnel while performing their duties, as well as the arbitrary detention, enforced disappearance and ill-treatment of Mr. [REDACTED] and Mr. [REDACTED], including the circumstances leading to these incidents.
3. Kindly explain how the investigation conducted by the General Staff's Fact-Finding and Assessment Mechanism into the reported attacks against the PRCS and the UNRWA personnel and vehicles, resulting in the deaths of emblem-bearing humanitarian workers, complied with international standards of promptness, effectiveness, thoroughness, independence, impartiality, and transparency as outlined in the Minnesota Protocol. If the investigation did not meet these standards, please provide an explanation.
4. What measures have been implemented to ensure respect and protection of medical personnel, ambulances, and humanitarian vehicles operating in conflict zones, in accordance with articles 35 and 21 of the Geneva Conventions (I and IV respectively) and customary international humanitarian law.
5. Please provide detailed information on precautionary measures taken by the IDF to ensure compliance with the principles of distinction, proportionality, and precaution under international humanitarian law, and to guarantee the safety of civilians, humanitarian personnel and other protected persons and objects amid ongoing hostilities.
6. Please explain any measures taken to hold those responsible accountable and prevent recurrence of incidents involving the targeting of medical, emergency, and humanitarian personnel and assets.
7. Please provide information regarding investigations into allegations of torture and other cruel, inhuman or degrading treatment or punishment, as well as enforced disappearance, and the outcome of those investigations.

8. Please provide information on the measures taken by your Excellency's Government to ensure that any person deprived of liberty is authorized to communicate with, and be visited by, his or her family, counsel or any other person of his or her choice.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

To conclude, Your Excellency, the investigation and prevention of atrocities such as those suffered by the PRCS paramedics on 23 March 2025 are obligations and not an option under international law. We urge the Israeli authorities to make these effective without further delay. The Special Procedures mandate holders, notably the Special Rapporteur on extrajudicial, summary, or arbitrary executions, stand ready to offer technical assistance, including forensic expertise as may be necessary to assist on this regard.

Please be informed that a copy of this letter has been also sent to the Government of State of Palestine.

Please accept, Excellency, the assurances of our highest consideration.

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Gabriella Citroni

Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Francesca Albanese

Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967

Alice Jill Edwards

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

The facts alleged, if proved correct, appear to be in contravention with international human rights law, specifically the International Covenant on Civil and Political Rights (ICCPR), acceded to by Israel on 3 October 1991, and the Four Geneva Conventions, ratified by Israel on 6 July 1951.

International proceedings

On 19 July 2024, the International Court of Justice (ICJ) issued an Advisory Opinion on the "Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem". The International Court of Justice declared Israel's presence in the Occupied Palestinian Territory (OPT) unlawful under both *jus ad bellum* and *jus in bello* perspectives, also recognizing violations of racial segregation and apartheid prohibitions.

In addition, on 20 May 2024, the Prosecutor of the International Criminal Court (ICC) submitted applications for arrest warrants against senior Israeli officials, in the context of the Situation in the State of Palestine, alleging their criminal responsibility for war crimes and crimes against humanity committed during the hostilities in Gaza. The alleged crimes include the war crime of starvation of civilians as a method of warfare, and the crimes against humanity of murder, persecution, and other inhumane acts, as defined under articles 7 and 8 of the Rome Statute.⁹

Prohibition of Genocide

On 26 January 2024, the International Court of Justice also found it plausible that Israel's acts could amount to genocide under the Convention on the Prevention and Punishment of the Crime of Genocide. On that occasion, the International Court of Justice issued six provisional measures, ordering Israel to take all measures within its power to prevent genocidal acts, including preventing and punishing incitement to genocide, ensuring aid and services reach Palestinians under siege in Gaza, and preserving evidence of crimes committed in Gaza. It has been compelled to intervene twice further in March and May 2024, in particular, recognizing an "exceptionally grave" risk in Rafah, it ordered an immediate halt to the military offensive. We would like to remind your Excellency's Government that the Court's provisional measures have a number of important legal implications. First and foremost, they are binding for Israel.

The 1948 Genocide Convention, independently of the provisional measures order, creates obligations upon the state parties. As the Court clarified in its interim

⁹ ICC, *Statement of the Prosecutor of the International Criminal Court, Karim A.A. Khan KC: Applications for Arrest Warrants in the Situation in the State of Palestine*, 20 May 2024. Available at: <https://www.icc-cpi.int/news/statement-prosecutor-international-criminal-court-karim-khan-kc-applications-arrest-warrants>

order:

“... all the States parties to the Convention have a common interest to ensure the prevention, suppression and punishment of genocide, by committing themselves to fulfilling the obligations contained in the Convention. Such a common interest implies that the obligations in question are owed by any State party to all the other States parties to the relevant convention; they are obligations erga omnes partes, in the sense that each State party has an interest in compliance with them in any given case”.

The prohibition of genocide more generally is considered a jus cogens norm and is one of the crimes that falls under the jurisdiction of the International Criminal Court (article 6 of the Rome Statute). While the ruling on the merits of the case will take many more years, and the issue of whether there was complicity in or a failure to prevent genocide will depend upon that judgment, the mere issuance of provisional measures by the Court, detailing the destruction (South Africa v Israel, paras. 46-49) and dehumanizing language (paras. 50-53) that make the risk of genocide plausible, triggers at the very least the duty to prevent since all states are now aware of the serious risk of genocide and the urgency of the case.

The right to life

In its general comment 36, paragraph 2, the Human Rights Committee notes that article 6 of the International Covenant on Civil and Political Rights (ICCPR) recognizes and protects the right to life of all human beings, without derogation even in situations of armed conflict. Adding that the inherent right to life and its effective protection are prerequisites for the enjoyment of all other human rights. In addition, the Committee states in paragraph 64 that “[p]ractices inconsistent with international humanitarian law, entailing a risk to the lives of civilians and other persons protected by international humanitarian law, including the targeting of civilians, civilian objects and objects indispensable to the survival of the civilian population, indiscriminate attacks, failure to apply the principles of precaution and proportionality, and the use of human shields would also violate article 6 of the Covenant. States parties should, in general, disclose the criteria for attacking with lethal force individuals or objects whose targeting is expected to result in deprivation of life, including the legal basis for specific attacks, the process of identification of military targets and combatants or persons taking a direct part in hostilities, the circumstances in which relevant means and methods of warfare have been used, and whether less harmful alternatives were considered. They must also investigate alleged or suspected violations of article 6 in situations of armed conflict in accordance with the relevant international standards.” A failure to investigate and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR.

We would also like to remind your Excellency’s Government of the duty to investigate, prosecute, and punish all violations of the right to life. In general comment No. 31, the Human Rights Committee observed that there is a positive obligation on State Parties to ensure protection of Covenant rights of individuals against violations by their own security forces. Permitting or failing to take appropriate measures or to exercise due diligence to prevent, punish, investigate and bring perpetrators to justice could give rise to a breach of the Covenant (CCPR/C/21/Rev.1/Add.13). Furthermore,

the Committee requires that “Investigations into allegations of violations of article 6 must always be independent, impartial, prompt, thorough, effective, credible and transparent” and that full reparation should be granted to victims” (general comment No. 36, para. 28), and insists that “Investigations and prosecutions of potentially unlawful deprivations of life should be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death, and must be aimed at ensuring that those responsible are brought to justice, at promoting accountability and preventing impunity, at avoiding denial of justice and at drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations. Investigations should explore, inter alia, the legal responsibility of superior officials with regard to violations of the right to life committed by their subordinates” (para. 27).

In his report to the 50th session of the Human Rights Council (A/HRC/50/34, para. 80), the Special Rapporteur on extrajudicial, summary or arbitrary executions underlined that “The duty of States to investigate the cause and manner of any potentially unlawful death promptly, thoroughly, effectively, independently, impartially and transparently is integral to the right to life. The duty to investigate applies to all potentially unlawful deaths without distinction of any kind. States should ensure that medico-legal death investigations are conducted according to the principles and standards set out in the Minnesota Protocol on the Investigation of Potentially Unlawful Death.”

Under International Humanitarian Law, wilful killing and murder are used interchangeably and considered as grave breaches amounting to a war crime. All four Geneva Conventions list “wilful killing” of protected persons as a grave breach. In addition, the prohibition of murder is recognized as a fundamental guarantee by Additional Protocols I and II. Murder is also specified as a war crime under the Statute of the International Criminal Court with respect to both international and non-international armed conflicts and under the Statutes of the International Criminal Tribunals for the former Yugoslavia and for Rwanda and of the Special Court for Sierra Leone.

Furthermore, it is a war crime to intentionally direct attacks against a civilian population or individual civilians not taking a direct part in hostilities in both international and non-international armed conflict. In addition, allegations concerning an attack against civilians must be investigated, and where there is sufficient evidence, persons responsible for the commission of the offence or ordering of the offence must be prosecuted, and full reparation should be granted for the loss suffered (Additional Protocol I arts. 48, 49, 50, 51, 52, 57, 58, 79; 85; Additional Protocol II art. 13).

We would also like to recall that launching an intentional attack against medical personnel in the context of an international or non-international armed conflict is a war crime, punishable under international humanitarian law and international criminal law (arts. 8.2.b.xxiv and 8.2.e.ii of the Rome Statute of the International Criminal Court).

The prohibition against torture and other cruel, inhuman or degrading treatment or punishment

The absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law that must be respected and protected under all circumstances and has been codified in human rights treaties, including in the Universal Declaration of Human Rights (art. 5), the International Covenant on Civil and Political Rights of 1966 (art. 7) and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (art. 2 and 16). No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as justification for torture (article 2(2)). No order by a superior officer or public authority may be invoked to justify torture (article 2(3)).

Attached to such prohibition are obligations to investigate all acts of torture and other ill-treatment, to prosecute suspects, to punish those responsible and to provide remedies to victims (see A/HRC/52/30 for full explanations).

We would like to draw the attention of your Excellency's Government to the reviewed United Nations Standard Minimum Rules for the Treatment of Prisoners (as amended and adopted by the UN General Assembly on 5 November 2015 and referred to as the "Mandela Rules") and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted by the General Assembly on 9 December 1988. We recall that the Committee against Torture and the Human Rights Committee have consistently found that conditions of detention can amount to inhuman and degrading treatment. We also refer to paragraphs 12, 13, 15, 16 and 17 of the General Assembly resolution 77/209 (2022) which emphasizes that conditions of detention must respect the dignity and human rights of persons deprived of their liberty and calls upon States to address and prevent detention conditions that amount to torture or cruel, inhuman or degrading treatment or punishment.

Enforced disappearances

With regard to the alleged enforced disappearance, we reiterate that enforced disappearance is prohibited under customary international law applicable in armed conflicts (rule 98). Rules [118](#) to [128](#) of customary international humanitarian law enshrine the guarantees to be ensured to persons deprived of their liberty, including the ICRC access ([rule 124](#)) and the visits to persons deprived of their liberty ([rule 126](#)).

Importantly, the absolute prohibition of enforced disappearance and the corresponding obligation to investigate and hold perpetrators accountable have attained the status of *jus cogens*. Therefore, no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances. The above allegations, if confirmed would amount to violations of articles 6, 7, 9-13 and 16 of the ICCPR, read alone and in conjunction with article 2(3). Moreover, it would entail a violation of article 7, read alone and in conjunction with article 2(3) of the ICCPR with regard to the relatives of the disappeared person. In this respect, we also make reference to general comment No. 36 (2018) on article 6 of the ICCPR, which states, *inter alia*, that extreme forms of arbitrary detention that are themselves life-threatening, in particular enforced

disappearances, violate the right to personal liberty and personal security and are incompatible with the right to life (para. 57), and that enforced disappearance constitutes a unique and integrated series of acts and omissions representing a grave threat to life, and States parties must take adequate measures to prevent the enforced disappearance of individuals and conduct an effective and speedy inquiry to establish the fate and whereabouts of persons who may have been subject to enforced disappearance (para. 58). Moreover, articles 9-13 of the Declaration spell out the rights to a prompt and effective judicial remedy to determine the whereabouts of persons deprived of their liberty; to access of competent national authorities to all places of detention; to be held in an officially recognized place of detention, and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to ensure that all involved in the investigation are protected against ill-treatment, intimidation or reprisal.

We wish to reiterate the joint statement of the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances on so-called “short-term” enforced disappearances, which affirms that duration is not a constitutive element of enforced disappearance under international human rights law, therefore regardless of the duration of an enforced disappearance, it produces serious harm and consequences for the disappeared and their families, and also presents practical challenges as regards seeking protection as well as defence of their rights. We also make reference to the Working Group’s study on Enforced disappearance and economic, social and cultural rights (A/HRC/30/38/Add.5), in particular on the impact that disappearance of medical personnel can have on the entire community. We also note that prolonged enforced disappearances may also constitute forms of torture or other ill-treatment including for family members.

Finally, we underscore that victims and families of victims of unlawful killings, torture, enforced disappearances and other serious violations, are entitled to adequate remedies and reparations, including compensation, rehabilitation, satisfaction, and guarantees of non-repetition, in accordance with article 2(3) of the ICCPR and the Basic Principles and Guidelines on the Right to a Remedy and Reparation (A/RES/60/147).