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Summary record of the 4007th meeting*

Held at the Palais Wilson, Geneva, on Wednesday, 5 July 2023, at 3 p.m.

Chair: Ms. Abdo Rocholl

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* No summary records were issued for the 4005th and 4006th meetings.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

*Initial report of the State of Palestine (CCPR/C/PSE/1; CCPR/C/PSE/Q/1;
CCPR/C/PSE/RQ/1)*

1. *At the invitation of the Chair, the delegation of the State of Palestine joined the meeting.*
2. **Mr. Shalaldeh** (State of Palestine), referring to the recent events in Jenin, said that the killing of civilians, the demolition of homes, the seizure of public and private property and the displacement of persons living in camps constituted war crimes and crimes against humanity under international humanitarian and human rights law. The Israeli occupying power bore full responsibility for such crimes and should be compelled to abolish its illegal settlements. The promulgation of racist laws, recent calls for the execution of prisoners and the treatment of freedom fighters as criminals were also crimes under international humanitarian and human rights law.
3. The policies of the occupying power were systematically implemented against the Palestinian people and their inalienable rights by civil and military officers, the army, settlers, and the racist judiciary and courts. The current dialogue was taking place in the context of a barbaric and unprecedented escalation in assaults on the lives and property of the Palestinian people by settlers. The Ambassador of the European Union in Palestine, Mr. von Burgsdorff, had explicitly described such assaults as terrorist acts and had indicated that the Israeli occupation authorities were colluding with the settlers. All United Nations treaty bodies and agencies should take steps to prevent further killings, forced displacement and the systematic destruction of Palestinian property.
4. The leaders of the illegal occupation authorities and organizations of settler terrorists had explicitly incited national, ethnic, religious and racial hatred. The Palestinian people would therefore be unable to exercise their rights and freedoms until the Israeli occupation was terminated and its settlements were abolished. One of the most appalling human rights violations committed by the occupying authorities was their refusal to hand over the bodies of dead Palestinians, including the remains of Palestinian prisoners. The United Nations Committee against Torture had condemned such conduct and had urged the State party to return the remains to their families.
5. The State of Palestine had ratified the Covenant and other human rights treaties and was convinced of the need to incorporate them into its legislative, administrative and judicial framework. That principle was reflected in the Palestinian Basic Law and in the fourth draft of the Constitution produced by a committee chaired by the President of the Palestine National Council. The interactive dialogue with the Committee provided a valuable opportunity for self-review in order to improve the human rights situation in Palestine. The publication of the Covenant in the Official Gazette was currently on the agenda of the Palestinian Council of Ministers and a decision would be made in the near future. To date, 11 international humanitarian law treaties had been published in the Official Gazette and had thus become part of national legislation.
6. The Palestinian ministries were preparing a set of strategic plans that would take account of the obligations assumed by the State of Palestine under international human rights treaties and the procedures for incorporating them into Palestinian legislation and policies. The indicators for the Sustainable Development Goals had been linked to national human rights indicators and plans. The National Strategy for Combating Multidimensional Poverty in the State of Palestine for the period 2023–2030 had been designed to achieve gender-responsive social justice and equality and guarantee the effective enjoyment of rights and freedoms. The State of Palestine was the first Arab country to have adopted such a strategy.
7. A national committee representing a number of official institutions had been tasked with issuing legally binding decisions to regulate matters of high priority. In addition, the Council of Ministers had issued a circular requiring all draft laws to be accompanied by a document assessing their regulatory and financial impact, a legislative policy memorandum,

and an agenda for public consultations with stakeholders. With a view to identifying legislative priorities, the Government had provided for the preparation of annual legislative plans, for which purpose each sector was required to determine its priorities in terms of the promulgation of new laws or the amendment or repeal of existing laws. Public consultations were conducted with all parties, including civil society institutions and trade unions. The Council of Ministers had decided on 4 June 2023 to establish a committee to draft a bill on legal aid.

8. The commitment of the State of Palestine to the Covenant and other human rights treaties did not relieve Israel, the occupying power, of its responsibilities in respect of the occupied territories. Accordingly, the occupying power must be compelled to permit the holding of general elections throughout the Palestinian territory, including in Jerusalem. As the citizens of Jerusalem had been prohibited from participating in elections, it had not been possible to elect members to form the Palestinian Legislative Council.

9. **Ms. Tigroudja** said that the Committee was aware of the obstacles to the jurisdiction of the State of Palestine over its territory and the resulting impediments to the full implementation of the Covenant and the Second Optional Protocol thereto. Nevertheless, the State party was required to respect all rights and freedoms in the parts of the territory over which it exercised effective control. Accordingly, the Committee wished to know when it planned to publish the Covenant and the Second Optional Protocol in the Official Gazette and incorporate them into national legislation so that they could be invoked before the Palestinian courts. The Committee also wished to know whether the State party planned to ratify the Optional Protocol on individual communications.

10. Since the States party's compliance with international instruments had been drastically limited by two decisions in which the Supreme Constitutional Court had ruled that such instruments were applicable only if they were consistent with the State's cultural and religious traditions, it would be interesting to know how the State party intended to ensure that its courts refrained from handing down judgments that were contrary to the object and purpose of the Covenant. It would also be useful to know how awareness of the Covenant and its interpretation by the Committee was promoted among the courts, State authorities and the police and security forces and how the State party interacted with the Independent Commission for Human Rights in that connection.

11. Article 9 of the Basic Law, article 14 of the draft Constitution of 2015 and the draft text of the new criminal code appeared to list prohibited grounds of discrimination in a manner that prevented other grounds, such as gender identity and sexual orientation, from being taken into account. In addition, cases relating to personal status were dealt with by sharia courts in which the testimony of one man regarding a marriage contract was equivalent to the testimony of two women. Since the Committee had been informed that there was significant intersectional discrimination against marginalized and stigmatized members of the population, including women and girls, persons with disabilities, lesbian, gay, bisexual and transsexual persons and members of Bedouin communities and there had also been reports of antisemitic discourse, including in public contexts, she wished to know whether the State party planned to adopt anti-discrimination legislation that covered all prohibited grounds of discrimination as well as direct, indirect, multiple and intersectional discrimination. Disaggregated data on complaints of discrimination and the action taken thereon, as well as information on measures taken to combat antisemitic and homophobic hate speech and hate speech directed against women, particularly women human rights defenders and women involved in politics, would also be appreciated.

12. The fact that the approval of religious authorities was required for abortions that were permissible pursuant to the Public Health Act of 2004 reportedly encouraged women to seek clandestine abortions. The Committee would therefore appreciate information on measures taken to guarantee women's right of access to sexual and reproductive health-care services without interference from their guardian or religious authorities. It would also be useful to know how many abortions had been authorized, the estimated number of clandestine abortions and the number of legal proceedings instituted against women who had sought abortion and the medical personnel who had assisted them. She wondered when the State party intended to decriminalize abortion and whether it had adopted a sexual and reproductive health education policy, not only for women but also for men.

13. **Ms. Kran** said that the Committee would welcome information on procedures for appointing members of the Anti-Corruption Commission, judges of the Anti-Corruption Court and special prosecutors, ensuring their independence and impartiality and monitoring their effectiveness. She wished to know how many reports had been submitted to the Anti-Corruption Commission since its establishment in 2010; how many had been investigated and prosecuted; and what penalties had been imposed. She would also like to know what quantity of corruptly obtained funds had been recovered; how the transparency of anti-corruption efforts was ensured; whether information on cases concerning corruption was available to the public; and how the State party ensured that action to prevent and counter corruption was taken by public administration bodies, law enforcement agencies and other institutions. Furthermore, since it appeared that 97 per cent of the total number of officials charged and found guilty under the Anti-Corruption Act were junior officials, she would like to know what was being done to ensure that investigations extended to high-level officials and promoted full accountability; how many senior officials had been prosecuted and found guilty; and what the outcome of cases involving senior officials had been in terms of sentencing and sanctions.

14. Noting that eight demonstrators who had been arrested during a peaceful protest in Ramallah in July 2020, in which excessive force had reportedly been used to disperse protesters and there had been mass arrests of anti-corruption protesters, had been charged with unlawful assembly under the Criminal Code, an offence for which the maximum period of imprisonment was one year, she asked whether a speedy trial had been organized to prevent the demonstrators from being detained for a period exceeding the maximum penalty. With regard to the case of Amira Shihadeh, who had received threats and lost her job after providing confidential information to the Anti-Corruption Commission in September 2020 on corruption in the Urif Village Council, she wished to know what measures were taken to ensure the safety of whistle-blowers who had not sought protection under the Anti-Corruption Act and what redress has been granted to Ms. Shihadeh and other whistle-blowers. The Committee would likewise welcome an update on the implementation of the National Cross-Sectoral Strategy for Integrity and Anti-Corruption.

15. Noting also that the Presidential Decree declaring a state of emergency to address the coronavirus disease (COVID-19) pandemic had been adopted in March 2020 and subsequently renewed until September 2022, she asked how the State party had determined that such action was justified and how the standards for derogation had been applied. She also wished to know how many persons had been detained for violating the restrictions; how many had been arrested for having criticized the Government for spreading misinformation about the pandemic; what charges had been filed against them; and what the outcome of the proceedings had been. Lastly, she enquired what steps had been taken to investigate violations of rights, to ensure the accountability of those responsible, and to assist victims in pursuing claims for redress.

16. **Mr. Gómez Martínez** said that the Committee would appreciate information on the current status of the family protection bill and whether it included marital rape as a specific offence. It would also welcome information on the status of the draft criminal code and whether it included the offence of marital rape. With regard to honour crimes, the State party had indicated that persons who committed such acts were not exempt from punishment yet none of the articles of the Criminal Code referred to such crimes and the Committee had been informed that the legal framework had proved ineffective when it came to prosecuting the perpetrators. He would therefore like to know what measures had been taken to identify and effectively investigate honour crimes, for instance by establishing special police units for the purpose. He also wished to know whether tolerance of honour crimes in some sectors of society constituted an impediment.

17. Additionally, he wished to know whether police agents, prosecutors and judges received training in how to handle cases of violence against women effectively; whether special interim measures, such as restraining orders, were used to protect victims; how many protection centres for victims had been established; and how many victims had been accommodated in such centres during the COVID-19 pandemic. Similarly, he wished to know what the first actions of the new National Committee for the Prevention of Suicide and the National Referral System for Women Victims of Violence had been; how many cases of

suicide or attempted suicide had been recorded among women and girls; and what the initial impact of the National Online Observatory of Gender-Based Violence had been, particularly with regard to the underreporting of gender-based violence.

18. He wondered what measures the State party planned to take to reduce the proportion of pretrial detainees in prison relative to convicted prisoners and what legal provisions and judicial mechanisms had been established to ensure that persons held in pretrial detention for more than the legal limit of six months were released without trial. Disaggregated data on the use of alternatives to detention for children and juveniles, as established in the Juvenile Protection Act of 2016, would be welcome. He would also be interested to learn what measures had been taken to prevent the alleged practice whereby defendants were detained on new charges after being tried and released in order to circumvent the maximum time limit established for pretrial detention.

19. **Mr. Carazo** said that he wished to know whether there was a strong political will to abolish the death penalty; whether the State party planned to enact a formal moratorium; and what efforts had been made to stop the use of the death penalty in the Gaza Strip, especially its imposition against civilians by military courts without due process.

20. In the light of reports that 18 Palestinians had been shot and killed by law enforcement officers over the past five years, he wondered what measures had been taken to hold those responsible to account; whether the legal framework governing use of force and weapons was compatible with the Covenant and other applicable international guidelines; and whether law enforcement and security personnel received training in the use of such instruments. He would appreciate data on the use of excessive force by security personnel when enforcing restrictions during the COVID-19 pandemic, including the number of investigations that had been carried out into such cases and their outcomes.

21. He would like to know whether the definition of torture included in the draft of the new Palestinian criminal code encompassed the acts of persons who attempted or were complicit in torture; whether the draft provided for the repeal of legislation that exempted from criminal liability any person who committed acts of torture or ill-treatment while obeying orders issued by a competent authority; whether the draft rendered all perpetrators of torture criminally accountable; whether appropriate and proportionate penalties were envisaged; whether the draft code included a statute of limitation and excluded any possibility of granting amnesty or pardon to those convicted of committing torture; and what measures had been taken to provide redress, compensation and guarantees of non-recurrence to victims of torture.

22. He also wished to know whether members of the National Commission against Torture, established in May 2022, were appointed for a fixed period of time; whether their appointments were subject to presidential approval; whether the Commission's first members had been appointed, and, if they had not, when the appointments would take place; and what mechanisms were in place to ensure the independence of the Commission and its members. He wondered what steps would be taken to combat the allegedly widespread use of torture in the State party and why there had apparently been no judgments in cases involving torture.

23. **Ms. Bassim** said that she wished to know what criteria were applied in decision-making on applications for medical referrals to the occupying authority, given that only a small proportion were approved; how long it took the occupying authority to process such referrals; and what percentage of the health budget of the Palestinian Government was earmarked for financing them. She wondered what the patient survival rate was in cases of chronic illness such as cancer and after major surgery; how many Palestinian patients were admitted to Israeli hospitals; and what role the World Health Organization (WHO) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East played in the provision of health care. She would also be interested to learn how the division between the Gaza Strip and the West Bank impacted the health of the Palestinian people and what measures had been taken by the State party to implement the recommendations for improving health conditions in the Occupied Palestinian Territory, including East Jerusalem, made by the Director-General of WHO in May 2023.

The meeting was suspended at 4 p.m. and resumed at 4.20 p.m.

24. **A representative of the State of Palestine** said that a number of laws enacted by the Legislative Council were based on the Covenant, including the articles of the Palestinian Basic Law related to local and general elections and the State's anti-corruption legislation. A Palestinian constitution incorporating all the provisions of the Covenant was also due to be drafted. The Legislative Harmonization Committee was responsible for ensuring that legislation was aligned with the provisions of international conventions and protocols to which the State had acceded, including the Covenant, and took account of recommendations made by treaty bodies. The cultural and religious traditions of the State were not in contradiction with its obligations under the Covenant or any other human rights treaties but there might be scope for the issuance of reservations in the case of gaps or discrepancies.

25. **Mr. Shalaldeh** (State of Palestine) said that, following accession, the Covenant was considered to be part of the State's legislation and had equal status to national legislation, in line with article 27 of the Vienna Convention on the Law on Treaties, which provided that national law could not be invoked to justify the failure to meet obligations under an international treaty.

26. **A representative of the State of Palestine** said that, although discrimination on the grounds of sexual orientation was not criminalized in the Criminal Code (Act No. 16 of 1960) currently in effect in the West Bank, members of the lesbian, gay, bisexual and transgender community could not be legally prosecuted owing to their sexual orientation and law enforcement officers had a duty to protect their right to life. Authorization for abortion was based on the risk to the life of the mother, rather than on the religious opinion of authorities: the police, prosecution service and Fatwa Board worked together to ensure that women who became pregnant outside of marriage as a result of incest had access to safe abortion and that abortion in such cases was not criminalized, in line with the recommendation of the Committee on the Elimination of Discrimination against Women. However, there had been one prosecution for unlawful abortion in 2019 and two each year from 2020 to 2022; amendments to the Public Health Act (No. 20 of 2004) were thus required with regard to abortion.

27. The United Nations Entity for Gender Equality and the Empowerment of Women had worked with the police, prosecution service and the judiciary to establish a family protection unit and a juvenile protection unit to investigate cases of violence against women. Judges could also be specifically assigned to deal with cases of gender-based violence and prosecutors received training to ensure that the best interests of the victim was taken into account. Investigations into honour crimes placed the burden of proof on the accused rather than on the victim. Family protection advisors conducted social assessments in cases of domestic violence to establish the best interests of the victims and other family members, and psychological evaluations of victims were conducted to ascertain whether they were under pressure to change their testimonies in court. There was no legislation specifically addressing domestic violence but perpetrators could be separated from their families by court order and arrested if they did not comply. Although marital rape was not criminalized as a stand-alone offence, cases had been prosecuted in the past under charges of psychological and physical harm.

28. Of the 87 persons detained in juvenile prisons at the outset of the COVID-19 pandemic, 73 had been released following a social investigation. During the state of emergency, there had been 71 legal cases related to economic and environmental issues, 8 murder cases, 97 thefts, 75 misdemeanours and 76 cases of drug dealing. Overall, 35 per cent of all cases referred to the prosecution service had involved minors and 16 per cent had been related to domestic violence. As the current penalties for murder were not sufficient as deterrents, article 99 of the Criminal Code had been amended to remove the discretionary power of judges to reduce sanctions.

29. **A representative of the State of Palestine** said that the death penalty was still envisaged under criminal legislation but, as a result of a presidential instruction to suspend the death penalty, no executions had been carried out since 2005. The penalty had been handed down in four cases in the West Bank but had subsequently been overturned and replaced by sentences of life imprisonment in all of them. The next step in the adoption of the draft criminal code, which did not provide for the death penalty, was dependent on the formation of the Legislative Council. The legal definition of torture contained in the Military

Criminal Code had been expanded to include any person complicit in the perpetration of acts of torture. Since 2018, the military courts had handled 18 cases of torture and had handed down a number of sentences.

30. The Office of the Public Prosecutor was empowered to order the detention of any person suspected of a criminal offence for a maximum of six months but the order must be approved by the courts. Reasons for prolonged detention could include risks associated with a detainee's release. Governor-ordered detentions were no longer implemented following the Supreme Constitutional Court's ruling that the provisions empowering governors to order detention were unconstitutional. A system for the provision of early legal aid was being implemented by the military courts in cooperation with international partners, making the State of Palestine the first Arab country to implement such a system.

31. The Code of Conduct on the Use of Force and Firearms by Members of the Palestinian Security Forces was still in force – the Minister of the Interior had issued a decree reaffirming adherence in 2011 – and members of the security forces received training on its provisions. Since 2018, only six cases concerning excessive use of force by members of the security forces had been recorded and he wished to reiterate that no Palestinian person had ever been killed by a member of the Palestinian security forces while exercising the right to peaceful assembly.

32. Visits to prisons and other places of deprivation of liberty were mandated under the Code of Criminal Procedure for the purposes of inspecting conditions of detention and ensuring that no person was unlawfully incarcerated. Provisions were in place to allow regular and unscheduled visits by the Ministry of the Interior, the Office of the Military Prosecutor and local and international civil society organizations. A prison oversight mechanism had been developed in partnership with the Office of the United Nations High Commissioner for Human Rights and would be implemented in due course.

33. **A representative of the State of Palestine** said that the death penalty had been handed down by the civil courts in one case in 2015 but that the sentence had subsequently been overturned and replaced by the alternative sentence of life imprisonment.

34. **A representative of the State of Palestine** said that female members of the security forces who were suspected of committing a criminal offence were detained only if the suspected offence was serious. In such cases, the suspects were detained in their place of work.

35. **A representative of the State of Palestine** said that a government working group had drawn up an action plan for implementation of the recommendations made by the Committee against Torture in its concluding observations on the initial report of the State of Palestine (CAT/C/PSE/CO/1). In line with those recommendations, the working group had reviewed current legislation on torture and would endeavour to ensure that the draft criminal code included a definition of torture consistent with the Convention against Torture as well as harsher penalties for the offence of torture and that it stipulated that offences of torture could not be time-barred.

36. In preparation for the establishment of the national torture prevention mechanism, the definition of detention facilities had been expanded to include not only correctional and rehabilitation centres but also psychiatric hospitals, women's shelters and other facilities where persons might be deprived of liberty. As to the mechanism's 13 members, candidates were nominated by a national committee composed of representatives of both government and civil society. The names of nominees were then submitted to the Council of Ministers for review and subsequently to the President, who took the final decision. Terms of office lasted four years and any one member could serve a maximum of two terms. The administrative and financial independence of the mechanism was guaranteed by decrees issued by the Council of Ministers.

37. Training on human rights and legal issues was provided to hundreds of law enforcement officers every year. Such training was considered a key responsibility of the Ministry of the Interior, which provided workshops, specialized training and university programmes. For example, a programme developed in cooperation with Birzeit University included material on the right to peaceful assembly, the right to freedom of expression and

the non-execution of unethical orders. The Code of Conduct on the Use of Force and Firearms by Members of the Palestinian Security Forces and the Code of Ethics and General Code of Conduct for Members of the Palestinian Security Forces served as important points of reference, as did guidelines on managing relationships between journalists and members of the security forces on the ground, which had been developed in cooperation with civil society organizations.

38. Like many other States worldwide, the State of Palestine had responded to the COVID-19 pandemic by extending the duration of the state of emergency, which ordinarily would have been limited to 30 days with scope for extension once only. In addition to the presidential decree allowing for the further prolongation of the state of emergency, the Council of Ministers had enacted legislation to regulate the extension. Appropriate action had been taken to address the health dimension of the state of emergency, including the provision of necessary medical services, the publication of guidance and the launch of awareness-raising campaigns to ensure that all Palestinians enjoyed their right to health.

39. Members of the security forces had been given specialist training and had been reminded that the use of torture or ill-treatment in enforcing the state of emergency was prohibited and that they had a duty to protect the people of the State of Palestine. Measures adopted to protect the population from health risks had included enforcing social distancing and limiting travel. Primary and secondary schools and universities had provided teaching online. Hygiene and safety measures had been introduced in prisons and detention centres and COVID-19 testing had been mandatory for all prisoners and detainees believed to have contracted the disease. Visits by lawyers had continued to be permitted but visits by family members had been radically reduced.

40. In view of the notable rise in poverty and unemployment in the wake of the pandemic, the Government had launched a number of programmes to support the most vulnerable and had endeavoured to ensure that protection services were available for victims of domestic violence, in particular women, older persons and persons with disabilities. A number of offences and misdemeanours committed by members of the security forces had been reported and examined by the courts. Work on enforcing the formal prohibition of torture and ill-treatment was ongoing at all levels.

41. **A representative of the State of Palestine** said that it had become apparent during the pandemic that members of the security forces required additional training in areas such as legal proceedings and international human rights law. However, despite calls on stakeholders to assist in the provision of such training, the Government had received no support and had had to absorb the financial and material costs alone. It had also made efforts to deliver training in oversight.

42. **A representative of the State of Palestine** said that it was important to recall that the national legislation of the State of Palestine had a complex history and reflected the legacy of a series of occupations. The Legislative Harmonization Committee had been working to implement a number of treaty body recommendations, including recommendations on combating cybercrime and on prohibiting early marriage. Additionally, between 2020 and 2023, 38 new pieces of legislation concerning human rights had been enacted and 38 of 150 judgments issued had been human rights-related. The new legislation encompassed a wide range of issues, including inheritance, detention during the state of emergency, drug-related crime, embezzlement, money laundering, trafficking in persons, the protection of minors and protection of the environment. Eight of the 57 presidential decrees issued related to human rights, including the activities of the Elections Commission and the establishment of a national human rights commission.

43. Since the early 2010s, the Government, supported by international donors, had been working with international experts, academics and civil society to draft a new, high-quality criminal code. The draft had then needed to be updated following the accession, in 2014, of the State of Palestine to seven of the core human rights treaties. In the absence of a sitting Palestinian Legislative Council, the draft code could not be made law but it was currently being considered by the Council of Ministers for inclusion in the legislative programme. Under the draft code, the courts would not be able to prevent the imposition of penalties or

commute sentences in respect of offences of torture, which would not be subject to a statute of limitations.

44. **Mr. Gómez Martínez** said that he was curious as to whether the Government had established any link between so-called honour crimes and inducement to suicide among women and girls. He wondered whether Decree No. 8/90/18/MW/MA of 2021 had been effective in preventing suicide and whether induced suicide was a major problem in the State of Palestine. He would welcome the State party's comments on allegations of violence against Bedouin women, along with an outline of their situation and any measures taken to protect them. Lastly, could the delegation guarantee that no person currently in pretrial detention in the State of Palestine had been detained for longer than six months?

45. **Ms. Kran** said that she would appreciate information about how, in cases of corruption, the safety of whistle-blowers and accountability for reprisals were ensured. In particular, she would be grateful for an update on the case of Amira Shihadeh. She wished to know how the Government had determined that declaring a state of emergency due to the COVID-19 pandemic and repeatedly extending it had been justified. In addition, it would be useful to hear what steps the State party was taking to investigate the mass arrests and detention, in 2020 and 2021, of protesters, journalists and social media activists critical of the Government and to hold those responsible to account.

46. **Ms. Tigroudja** said that, in view of the apparent contradiction between the statement in the replies to the list of issues (CCPR/C/PSE/RQ/1, para. 1) that the State party employed a dualist system and the delegation's assertion that the Covenant formed an integral part of the State's legislation, she would be grateful for clarification of the status of the Covenant and the Second Optional Protocol, aiming at the abolition of the death penalty. She would appreciate examples of judgments of the Supreme Constitutional Court that cited the decisions of international bodies as well as an indication as to whether the State party intended to comply with the recommendation of the Committee on the Elimination of Discrimination against Women by revising Public Health Act No. 20 of 2004, under which access to abortions was restricted.

47. **Mr. El Haiba** said that, in the light of the reported pressures and restrictions on the Independent Commission for Human Rights, he would like to know what safeguards the Government had put in place to ensure its independence. Details of the human and financial resources allocated to the Commission to enable it to discharge its mandate in accordance with the Paris Principles would be appreciated, as would an indication of the extent to which the Commission was involved in the drafting of legislation and contributed to training on human rights. He also wished to know the extent to which the Government took the Commission's recommendations and, in particular, its Views on individual complaints into account.

48. **Ms. Bassim** asked how frequently Palestinian patients, particularly those with serious health conditions, were admitted to Israeli hospitals and what procedures were followed in order to secure their admission.

49. **Mr. Carazo**, underscoring the quality of the shadow report submitted by the Independent Commission for Human Rights, said that he would be grateful for information about steps taken to ensure that the Prosecutor General maintained the necessary independence when investigating accusations of torture made against the officials of government bodies with which the Prosecutor was also affiliated.

50. **A representative of the State of Palestine** said that the Anti-Corruption Commission and the Office of the Special Prosecutor for Corruption-Related Offences worked closely together. The fact that the Commission had a dedicated budget guaranteed its financial independence. The Commission's head was appointed jointly by the Council of Ministers and the President of the State of Palestine, and, although the appointment could not at present be endorsed by the Legislative Council, as was required by law, the President did not have the power to dismiss the head, once appointed. The independence of the judges appointed to serve in the Anti-Corruption Court and the Special Prosecutor's Office was safeguarded under Judicial Authority Act No. 1 of 2002.

51. Between 2010, the year of its establishment, and 2021, the Anti-Corruption Commission had received over 6,100 complaints, related to all manner of corruption offences across all sectors. Of those, approximately 2,000 had been declared inadmissible, over 2,300 had been shelved after investigation, just over 600 had been referred to the Special Prosecutor's Office for further investigation and approximately 700 had been closed, principally because multiple complaints related to the same issue had been received. In the same period, amounts of approximately 96,000 Jordanian dinars, 53 million United States dollars, 25 million new Israeli shekels, 227,000 Egyptian pounds and 8 million UAE dirhams had been corruptly obtained. Of those sums, some 70,000 Jordanian dinars, over 51 million United States dollars and a smaller amount of new Israeli shekels had been recovered. Information on the work and case outcomes of the Anti-Corruption Commission was published online, in English and Arabic.

52. In relation to the prosecution, or otherwise, of senior officials for corruption offences, the figure of 3 per cent alluded to by Ms. Kran had come from a report prepared by a civil society organization, about which there was some confusion. The 3 per cent figure in fact related to ministers only, whereas the "senior officials" category also encompassed others. Senior officials brought before the Anti-Corruption Court to date included 3 ministers, 2 of whom had been prosecuted while in office and had not invoked immunity, 10 directors and 15 leaders or members of municipal councils.

53. The third National Cross-Sectoral Strategy for Integrity and Anti-Corruption, covering the period 2020–2022, was currently being implemented, having been prepared with the involvement of civil society and non-governmental organizations, and a fourth strategy was in the process of being drawn up. Reforms were being introduced in government ministries and other public institutions based on the findings of studies of corruption and the related risks.

The meeting rose at 6 p.m.