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Human rights situation in Palestine and other
occupied Arab territories

Written statement* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[9 May 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Violation of human rights in Palestine

As one of the biggest violators of human rights, the State of Israel has a dark history of ignoring international law and treaties and even its own commitments to bilateral agreements with Palestinians. Israel's human rights violations have continuously been condemned by the international community, but continues to ignore these international condemnations and demands.

At the height of these criticisms, in 2012 we witnessed Israel completely halt its cooperation with the Human Rights Council in such a way that it even failed to show up in its working group in the second round of the UPR. This is the first time that a country fails to attend its UPR that it can bring about a dangerous custom for the UPR and respecting of human rights throughout the world. In reaction to this the Human Rights Council decided to make new plans for Israel in 2013 and called upon Israel to resume its cooperation with the UPR.

The Organization for Defending Victims of Violence stresses that Israel's disregarding approach towards international law and mechanisms alongside its own human rights violations, has brought about complex situation which require the serious efforts of international mechanism. Below some cases of human rights violations that have been committed in 2013 in the Territories Occupied since 1967 are listed as follows:

Demolition of homes¹

In 2012, the Israeli government retroactively authorized 10 outposts and took no action to prevent settlers establishing four others.

The Israeli authorities also continue to demolish Palestinian homes and structures in the West Bank. So far in 2013, more than 200 structures have been demolished, displacing almost 400 Palestinians from their homes and affecting more than 500 others.

“The Israeli government’s long-running policy of settling civilians in occupied territory violates international humanitarian law. Such a policy, under the Rome Statute of the International Criminal Court, constitutes a war crime,” said Ann Harrison.

Violation of the right to life²

Israel’s military response to protests in the West Bank is failing to respect the human rights of Palestinians, Amnesty International said as the number of Palestinian civilians killed by Israeli fire in the area since the beginning of 2013 reached eight.

The protests look set to continue following the deaths of two Palestinian teenagers who were killed by Israeli forces at a military post near the settlement of Enav in the northern West Bank on Wednesday.

The UN Office for the Coordination of Humanitarian Affairs documented more than 1,000 injuries of Palestinian civilians by Israeli forces in the West Bank during January and February 2013.

¹ AI Index: PRE01/215/2013

<http://www.amnesty.org/en/for-media/press-releases/israel-must-remove-new-settler-outpost-west-bank-2013-05-02>

² Ann Harrison, Amnesty International’s Deputy Director for the Middle East and North Africa.

“While we recognize that the Israeli army, as the occupying power, has a responsibility to maintain law and order, it is also obliged to protect Palestinian civilians and must adhere to international policing standards,” said Harrison.

“Israeli forces must respect Palestinians’ right to protest peacefully, including against Israeli policies and practices such as the building of settlements on occupied land, which is a serious violation of international law and amounts to a war crime when pursued as a consistent policy, as in Israel’s case.”

Violation of Children's Rights³

A newly released report compiled by internationals working in the West Bank city of Hebron documents an alarming rate of abuse of the rights of children. Human rights workers in H2, the portion of the city under Israeli military control, have witnessed 47 detentions or arrests of children age fifteen and under by soldiers since the start of February. Other violations documented in the report include conducting war training when children are present, delaying children and teachers as they pass checkpoints to access schools, detaining children in adult facilities, questioning children without the presence of an adult, and blindfolding children in detention.

Access to Water⁴

For many years, the Palestinian population of the West Bank, including East Jerusalem, and the Gaza Strip, has suffered from a shortage of clean, safe water. However, despite alarming predictions of insufficient drinking water supplies by 2040, based on the expected population growth in the Occupied Palestinian Territory (OPT), Jordan and Israel, water is not and has not been scarce in the region.

At present, the water sector in the OPT and Israel is characterised by highly asymmetrical overexploitation of damageable shared water resources, exhaustion of long-term storage, deterioration of water quality and increasing levels of demand driven by high population growth and accompanied by decreasing per capita supplies. However, the burden is disproportionately borne by the Palestinian population, who are impeded from exercising effective control over the development and management of the available water resources in the region.

Measures taken by the Israeli authorities, including the relentless expansion of settlements, continue to deprive Palestinians of vital water resources necessary for a dignified standard of living. Palestinian communities are left fragmented and confined to shrinking areas. These areas resemble a land-locked archipelago of territory in which essential human rights, and more specifically the right to water, are continuously denied.

Violation of Women's Rights⁵

In a resolution issued on March 15, 2013, the UN policy-making body condemned the Israeli government for the degrading living conditions for Palestinian women.

³ <http://www.alzaytouna.net/en/resources/selections/selected-reports-studies/151577-occupied-childhoods.html>

⁴ <http://www.alzaytouna.net/en/resources/selections/selected-reports-studies/151582-water-for-one-people-only:-discriminatory-access-and-%E2%80%98water-apartheid%E2%80%99-in-the-opt.html>

⁵ <http://www.presstv.com/detail/2013/03/16/293826/un-csw-condemns-israel-for-hr-violation/>

"The Israeli occupation remains the major obstacle for Palestinian women with regard to their advancement, self-reliance and integration in the development of their society..." the eight clause resolution read.

The resolution was passed by 29 votes. It was rejected only by Israel and the United States. 10 other countries also abstained. The UN commission also issued a declaration, urging an end to violence against women across the world.

"The commission urges states to strongly condemn all forms of violence against women and girls and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination," said the declaration.

The declaration also called on the world's countries to "devote particular attention to abolishing practices and legislation that discriminate against women and girls, or perpetuate and condone violence against them."

The 18-page declaration includes the viewpoints of Iran and other Muslim countries. Activists have described the document as a victory for women.

Prisoners' Rights⁶

As we marked the Palestinian Prisoners' Day this year, many Palestinians continue to suffer in Israeli jails and their situation has only deteriorated over time. Israel's persistent violation of prisoners' rights, during the period April 2012 to April 2013, resulted in the deaths of 2 prisoners and the deportation of another to the Gaza Strip.

Israel continued with its policy of forcible transfers and deportation of prisoners, which was demonstrated through the case of Ayman al-Shawarna, a former prisoner from Dura, Hebron, in the West Bank. Ayman was released in March 2013 on the conditions that he would end his 261 days long hunger strike and be forcibly transferred to the Gaza Strip.

Moreover, in the past few months, the Israeli prison administration authorities manifested their policies of medical negligence and torture against Palestinian prisoners. On 2 April 2013, Maysara Abu Hamadiya, another Palestinian prisoner from Hebron, died in the Soroka hospital in Be'ersheba, Israel, because he was denied the necessary health care services despite having been diagnosed with laryngeal cancer. According to Abu Hamdiya's lawyer, JawadPaulis, his hands and feet were bound even at the hospital and the Israeli guards refused to remove the restraints during the visit.

Few days before Abu Hamdiya's death, on 23 February 2013, Arafat ShalishJaradat, 30, also from Hebron, passed away in Megiddo prison in Israel. The results of his autopsy conducted by Saber al-'Aloul, a Palestinian doctor, with the assistance of 2 Israeli doctors revealed that Jaradat had sustained many injuries shortly before his death. The autopsy report concluded that all the injuries resulted from torture practices.

The Israeli forces continued to restrict the Palestinian prisoners' right to family visits by obstructing of the visit programs and by imposing constraints on these programs. Further, during visits, the Israeli forces imposed measures including stringent searches of visitors.

They also hindered any physical contact between the prisoner and his family by placing glass boards between them. In particular, the families of prisoners from the Gaza Strip suffer from the Israel's persistent denial of their right to visit their imprisoned family members.

⁶ http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=9440:palestinian-prisoners-day-marks-the-deteriorating-situation-of-prisoners&catid=145:in-focus

These violations form part of a systematic policy adopted by Israeli forces against Palestinian prisoners. This policy includes subjecting the prisoners to cruel, inhumane and degrading conditions through practices of solitary confinement and deprivation of family visits. The Israeli authorities also prohibit Palestinian prisoners from receiving academic education, in accordance with a decision issued by the Israeli Prison Service on 20 July 2011.

The ODVV stresses that only a part of the existing facts and statistics regarding Israel's behaviour have been mentioned in this statement, the nature of which shows that Israel is one of the biggest violators of human rights.

The ODVV believes that more effective mechanisms must be created at the international level to prevent the violation of the rights of the Palestinians, and to force Israel to observe international commitments
