



# General Assembly

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## Human Rights Council

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Agenda item 7

**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.

[11 February 2013]

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

## **Human rights in Palestine and other occupied territories\***

As one of the biggest violators of human rights, Israel has a black history in disregarding international law, treaties and norms, and even its own commitments to bilateral agreements with Palestinians. Israel's human rights violations have continuously been condemned by the international human rights community, but Israel continually ignores these international condemnations and demands. Despite these criticisms, in 2012 we witnessed Israel's suspension of cooperation with the Human Rights Council, to the extent in which Israel did not attend its own UPR session. This is the first time that a country fails to attend its own UPR session, and it is worrying that a dangerous custom comes about in the UPR mechanism and global respect to human rights.

In response to this action of Israel, the Council decided to postpone the session till 2013 and called upon Israel to cooperate with the UPR.

As we all know the poor function of the Commission on Human Rights in the encouragement for respecting human rights in the world, and day by day losing of its credibility which had turned into a political tool for human rights violating countries, and their influence in decision making were the most important reasons for the dissolution of Commission on Human Rights and its replacement with the Human Rights Council. The thing that became a cause for concern for the ODVV as a human rights NGO that has an active approach in the UPR mechanism, is the fear of the Council becoming like its predecessor.

While condemning this action of Israel, the ODVV expresses its concern that the lack of cooperation of countries with the UPR mechanism becomes customary.

This NGO stresses Israel's approach in disregarding international laws and mechanisms alongside violation of human rights, has brought about complicated conditions, the solving of which demand the serious efforts of international mechanisms. Below a number of human rights violation in territories under occupation by Israel since 1967 in 2012 and beginning of 2013.

### **Violation of Palestinians right to life**

Through repeated attacks against Palestinians such as the Gaza Strip have killed Palestinians and thus violated their rights to life. For example in 2012, 290 Palestinians were killed, among which were 170 civilians that included 49 children in the November 2012 eight day war, and 1400 were injured, 439 of which were women and children. In the current year, 12 Palestinians have been killed in the West Bank. Through measures that contradict common article 3 of the Geneva Four Conventions, which stresses on the necessity to protect civilians during conflict, does not distinguish between military personnel and civilians. Meanwhile the massacre of the Delo family which left 22 adults and 43 children dead must be investigated by the international community.

### **Gaza strip blockade**

Despite repeated international calls for Israel to end the Gaza Strip blockade, it continues to maintain the blockade. As well as affecting various living aspects of Palestinians and increase in poverty because of the blockade, Israel's prevention of the reconstruction of the region has made the conditions worse and even brought about environmental problems for

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\* Neda Institute for Scientific Political Research, an NGO without consultative status, also shares the views expressed in this statement.

the people. According to the WHO Office in Gaza, in the event of failure to purify the waters of the region, by 2016 water in the Gaza Strip will be undrinkable.

### **Palestinian detainees and prisoners conditions**

The conditions of Palestinian detainees in Israeli prisons are very worrisome. In December 2012 there were a total of 4656 Palestinian prisoners in Israeli prisons, 178 of which that included 7 legislative council members were in administrative detention, and 177 prisoners were children. Despite the agreement reached between Palestinian prisoners and Israeli Prisons Department, many prisoners are being abused by the Israelis and are in solitary confinement and have been tortured and their fundamental rights violated.

Meanwhile it is expected of Israeli officials to while improving the prisoners' conditions and providing their fundamental rights, to suspend the Administrative Detention phenomenon which is contrary to article 14 of International Covenant on Civil and Political Rights, and facilitate the trial of these detainees.

### **Settlement constructions and the Jewfication of Jerusalem**

Through total disregard to international reactions and the rights of Palestinians, Israel continues to construct and expand settlements in the West Bank. According to the statistics of the Mir Amim Society, during 2012 the number of settlement construction permits reached 6932, which in comparison the previous year the figures have increased immensely. According to the Peace Now Society in the first week of December 2012 alone Benjamin Nethenyahu approved the planning and construction of 11,000 settlements on the other side of the '67 border, which equals to the number of permits given over the last ten years. Meanwhile settlements construction in Jerusalem in contrast to international resolutions in 2012 increased by seven times compared to 2011. The E1 project which completely changes the Palestinian nature of East Jerusalem and causes the splitting up of the West Bank is a great cause for concern.

This is while construction of settlements and demographic alteration of nature of the Occupied Territories is fully banned according to international resolutions.

### **Settlers' violence**

One of the complicated problems which has put pressure on Palestinians in the West Bank is the violence of the settlers, especially around Al Khalil. As well as depriving Palestinians from their own safety, the settlers destroy their farms and lands. According to the monthly report of the Department of International Relations of the PLO in November 2012 alone IDF soldiers and settlers cut down 1360 trees most of which were olive trees, and in numerous instances attacked Palestinians and destroyed mosques, sabotaged water resources.

### **Demolition of homes and confiscation of lands**

Systematically the IDF demolishes Palestinian homes and confiscates land in the West Bank. According to the report of the Wadi Halweh Centre, in the second half of 2012, on average Israelis destroyed four Palestinian homes per month, mostly in Jerusalem.

### **Violation of children's rights**

The situation of Palestinian children as the defenceless victims of occupation and Israeli attacks is very concerning. According to the Palestinian Information Ministry report since the beginning of the Al-Aqsa Intifada in 2000, 5000 Palestinian children have been injured as a result of Israeli and settlers attacks, and 1456 killed. Furthermore Palestinian children in the West Bank are suffering terrible conditions due to Israeli negative policies in

restricting the movement of Palestinians, and the consequences of the construction of the Security Barrier, particularly with regards to the settlers' violence and arrests and torture by the IDF, and also the violation of the right to education. All these are in violation of the Declaration on the Rights of the Child (20/11/1959), Convention on the Rights of the Child (20/11/1989), and the Fourth Geneva Convention regarding the protection of civilians during war and armed conflict. In his 25 May 2012, Richard Falk has pointed these dire conditions out.

#### **Violation of Palestinian women's rights**

The situation of women in the Gaza Strip due to the blockade and Israel's repeated wars against the region is terrible. Many of them have become victims of these conflicts and been killed and injured, their homes demolished, their farmlands been destroyed, endured daily increasing poverty, restricted movements, the humiliating treatment they receive from IDF and settlers, and most of their rights as stated in international conventions been violated. Israeli officials are obliged to implement the contents of the International Convention on the Elimination of Discrimination against Women which Israel is a signatory to in territories occupied since 1967.

#### **Pilfering Palestinian natural resources**

Although article 55 of the Hague Conference (1907) and the Geneva Conventions prohibit the use of natural resources by the occupying forces in occupied territories, Israeli officials however in a very targeted way they take Palestinian natural resources and through legislations they try to make them legal. According to the Al-Haq Palestinian Institute, Israeli companies situated in Jewish settlements in the West Bank which are illegal according to international law, take the bahrolmeit natural resources and make commercial use of them, which has caused economic problems for Palestinians.

#### **Freedom of expression**

Despite repeated claims by Israel to being the protector of democracy, it violates the rights of Palestinians to freedom of expression and peaceful association. In the November 2012 war against Gaza the IDF targeted Palestinian and international news network offices, and killed and injured many reporters in the region. The IDF also attacked demonstrators demonstrating peacefully against the Gaza conflict in parts of the West Bank and northern Israel, arresting many, and killing 12 demonstrators.

The ODVV stresses that the existing facts and statistics regarding Israel's practice which this statement only reflected a part of, tells us that its nature is one of the biggest violators of human rights. This NGO believes that to prevent further violation of the rights of Palestinians, more effective mechanisms at the international level must be adopted to force Israel to observe international human rights commitments.

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