



General Assembly

Distr.: General
26 August 2019

English only

Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 7

**Human rights situation in Palestine and other
occupied Arab territories**

Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Association Ma'onah for Human Rights and Immigration, Indian Movement "Tupaj Amaru", International-Lawyers.Org, United Towns Agency for North-South Cooperation, Union of Arab Jurists, non-governmental organizations in special consultative status, International Educational Development, Inc., World Peace Council, non-governmental organizations on the roster

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

[21 August 2019]

* Issued as received, in the language(s) of submission only.



Recent developments in Palestine and the Occupied Palestinian Territories

Introduction

Since the 1948 establishment of the State of Israel in Palestinian territory, without a formal implementation of the partition plan by the UN and the UN agreed borders, and the 1967 annexation of lands, Palestinian people have seen their basic rights violated as the right to self-determination, the right to live in peace and security and the right to freedom of movement. In this statement, we aim to raise awareness on the most recent developments, from 1 July to 7 August 2019, to outline the far too many violations that happened to Palestinian rights in such a short period. Given that the conflict has been lasting for decades, one can only imagine the effects on the population, and the international community has a duty to act to stop these massive violations of human rights.

Business and human rights

We are deeply concerned over continuous reports of international companies promoting and working in Israeli settlements in the Occupied Palestinian Territories (hereinafter OPT), such as TripAdvisor, AirBnB, Expedia and Booking.com, which list properties and tourist attractions there. The establishment of companies in lands that are illegally occupied by Israel leads to a de-facto recognition of Israeli sovereignty over the territory.

Israeli settlement activities in the OPT undermine the fundamental rights of the Palestinian people, thus businesses should refrain from undertaking activities that could further undermine these efforts or infringe upon Palestinians' rights.

We recall that Human Rights Council's resolution 31/36 (March 2018) aimed to produce a database flagging companies doing business in Israeli settlements. This database shall be reviewed, updated frequently and made accessible.

Demolition of homes and forced evictions

We condemn the recent demolition of homes in Sur Baher¹ (East Jerusalem), which Israel tries to justify by an Israeli Supreme Court ruling stating that the houses are too close to the separation barrier. This demolition is undertaken in contradiction with Israel's international obligations and is part of an ongoing attempt to strip Palestinians of their homes and to expand Israeli settlements.

On 9 July 2019, the United Nations Office for the Coordination of Humanitarian Affairs published a report focusing on the case of Sur Baher, "Threat of Demolitions in East Jerusalem", stating that the Israeli authorities continue to demolish Palestinian structures, on the grounds of lack of building permits.² Despite this report, calls from NGOs and UN special rapporteurs' urgent appeal on 26 July,³ the demolitions are still taking place.

Many other neighbourhoods have been affected. From 1 July to 6 August 2019 only, demolitions have been reported in 26 neighbourhoods:⁴

¹ Geneva International Center for Justice <http://www.gicj.org/un-special-procedures-appeals/palestine/1619-israel-violations-destroying-palestinian-homes>.

² United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People NGO Action News 12 July 2019.

³ UN human rights experts call on Israel to halt demolition of Palestinian homes in East Jerusalem, 26 July 2019 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24854&LangID=E>.

⁴ The UN Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory OCHA oPt <https://twitter.com/ochaopt>.

- 4 July: near Dkaika
- 8 July: in Beit Ummar
- 9 July: in Silwan; in Hizma
- 14 July: in Jabal al Mukabbir
- 16 July: in Al Khalayleh; in Khirbet Ghuwein al Fauqa; in Hebron
- 17 July: in Silwan; in Sur Baher; in Zif; in Nahhalin
- 18 July: in Asira ash Shamaliya
- 21 July: in Sur Baher; in Al Hadidiya
- 24 July: near Khashem ad Daraj; in Umm al Kheir
- 25 July: in Haris
- 29 July: in Khirbet ar Ras al Ahmar
- 31 July: in Ein al Hilwa; in Wadi al Faw
- 5 August: in South Bethlehem; in Bir Onah
- 6 August: in As Sawahira al Gharbiya; in Beit Hanina at Taybe
- 18 August: in Bardala

We recall that under the Geneva Convention, an occupying power cannot forcibly transfer population from or to the occupied territories. Forced evictions of Palestinians from their homes, with the objective of expanding Israeli settlements, amounts to forcible transfer and is condemned by international law. In this regards, we are deeply concerned with the advancement of 2400 settlers' housing units in the OPT in early August,⁵ following which Special Rapporteurs recalled to the international community, its duty to “stand by their collective promise to protect the rights of the Palestinian people, and to take decisive action to prevent Israel’s planned construction of a record number of housing units in its West Bank settlements.”⁶

Moreover, following demolition of homes, Mahmoud Abbas, the president of the Palestinian Authority, announced the suspension of all agreements signed with Israel. The continuous evictions and demolitions further undermine the hope to reach a peaceful resolution of the conflict.

Despite Israel’s international obligations, and UN special rapporteurs’ call to halt demolitions,⁷ Israeli authorities continue to act following their own will.

Abductions and deaths

As an occupying power, Israel has the legal obligation to treat the Palestinian people in accordance with humanitarian and human rights law. Abductions and deaths caused by Israeli authorities, often arbitrary and disproportionate, threaten the lives of Palestinian people, their right to life and their right to live peacefully. The illegal abductions and killings must end, in respect of Israel’s international obligation. A few examples of these acts are:

⁵ UNSCO, Statement by special coordinator Mladenov on advancement of settlement units in the occupied West Bank, 7 August 2019 <https://unsco.unmissions.org/statement-un-special-coordinator-mladenov-advancement-settlement-units-occupied-west-bank-0>.

⁶ “Meaningful action” needed to stop Israeli settlement building, say UN experts, 8 August 2019 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24881&LangID=E>.

⁷ UN human rights experts call on Israel to halt demolition of Palestinian homes in East Jerusalem, 26 July 2019 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24854&LangID=E>.

On 17 July, 15 Palestinians were abducted from their homes in the West Bank; seven on 7 August; five on 12 August in three separate incidents; one teenager on 13 August; five persons on 16 August; two men in Hebron on 17 August; and 21 men in the West Bank on 19 August.

On 11 July, a Palestinian was shot by Israeli forces in Gaza Bank, and died as a result of his injuries.

Nassar Taqatqa, 31, was arrested on June 19 after Israeli forces raided his family home in the village of Beit Fajjar south of the occupied West Bank city of Bethlehem. Held in solitary confinement in an Israeli prison (Nitsan), he died on 16 July, barely a month after his arrest, even though he was in good shape before his arrest, which implies the use of torture against him.

On 10, 11 and 18 August, a total of eight Palestinians were shot and killed by Israeli forces in Gaza.

Children's rights

Children, as vulnerable persons, must enjoy specific rights and protection. However, in the OPT, children are disproportionately harmed by the constant attacks and dire living conditions.

On 12 July, Abdul Rahman, a 9-year-old Palestinian child, was shot in the head by Israeli Security forces near a protest in the village of Kafr Qaddum, while several testimonies show that he did not participate actively in the protest. This act is only one example of the excessive force used by Israeli Security Forces. Rupert Colville, the UN High Commissioner for Human Rights spokesperson, called on the Israeli authorities to “conduct a thorough, effective, impartial and independent investigation into the incident, and to make sure that those responsible for any wrongdoing are held accountable”.

A more recent event strongly highlighted the excessive force used by Israeli Security Forces not just against Palestinians but against vulnerable people such as children. On 29 July, a very young child, was summoned for interrogation by Israeli authorities over alleged stone throwing. The child was only four years old.⁸

We condemn all acts of violence against children and interrogation or detention of children without evidence, undertaken in clear violation of the Convention on the Rights of the Child.

Recommendations

We call on

- The International Community to support the implementation and respect of international and humanitarian law by all States, including by acting to prevent the further expansion of Israeli settlements; and to create policies discouraging business from undertaking activities in the Occupied Palestinian Territories;
- The Human Rights Council to ensure that Israel halts demolitions of Palestinian facilities, stops expanding its settlements, restores Palestinians' right to their lands and respects the rights of all, especially children;
- The OHCHR to publish the list of companies whose work supports Israeli settlements in the OPT and call on the international community to boycott such companies;

⁸ IMEMC, Israeli Authorities Summon 3-Year Old Child for Interrogation, 30 July 2019 <https://imemc.org/article/israeli-authorities-summon-3-year-old-child-for-interrogation/>.

- Finally, we call on the United Nations to advocate for the respect of its resolutions regarding Palestine, in particular resolutions 181 (II)/1947, 242 (1967) and 1397 (2002).

Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.