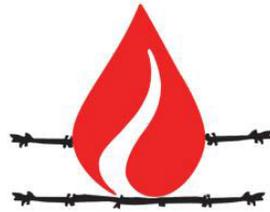


# Organization for Defending Victims of Violence (ODVV)

## UPR Submission

### Israel

29<sup>th</sup> session of UPR Working Group (Jan. 2018)



سازمان دفاع از قربانیان خشونت  
Organization for Defending Victims  
of Violence

[www.odvv.org](http://www.odvv.org)

## **About ODVV**

١. The Organization for Defending Victims of Violence (ODVV) is a non-governmental, non-profit, non-partisan organization in Special Consultative Status to ECOSOC. ODVV was established in 1988 in Tehran and has been active in the field of human rights and humanitarian activities.
٢. ODVV is also associated to the United Nations Department of Public Information (UNDPI), a participatory of the NGOs Coalition for an International Court (based in New York), and national coordinator of the Global March Against Child Labor (based in New Delhi). ODVV has cooperated with international organizations in a variety of issues and has working relations with many NGOs in Iran and around the globe.
٣. ODVV is also a member of the International Organization against Small and Light Weapons, the UN Conference of Non-Governmental Organizations (CONGO), the International Movement for a Just World (JUST), AMAN Network of Rehabilitation Centers in the Middle East and North Africa and International Rehabilitation Council for Torture Victims (IRCT).
٤. During the last 2 decades, we have done so many activities, mainly informative with regard to human rights and support of the victims of violence. Various human rights education courses, workshops, seminars, conferences have been held or co-held by ODVV for various sectors of society: civil society institutions and governmental organizations.
  ٥. Other Activities:
    - Participation in UN Commission on Human Rights annual sessions, and the new Human Rights Council sessions in Geneva. Written and oral statements on various items of the agenda are issued by ODVV.
    - Internship for foreign students
    - Publication of different books and booklets on human rights such as Rights of the Child, Racism, Racial Discrimination and Xenophobia. Publication of Defenders Newsletter (English), human rights news and developments bulletin (Farsi), Rights of the Child bulletin (Farsi)
    - Daily electronic human rights newsletter in English and Farsi.
  ٦. As a NGO active in human rights, ODVV has collected documents and data, through published information in news websites, and is providing the following report on the human rights situation of Israel, with the aim of the improvement of the human rights situation.

## **THE HUMAN RIGHTS SITUATION ON THE GROUND**

### **Implementation of international human rights obligations**

#### **1. Equality and non-discrimination**

٧. It seems that Israel has failed to meet the responsibilities of the occupying power, under international humanitarian law, stated in Geneva Conventions.<sup>١</sup> According to Article 43 of the Regulations Respecting the Laws and Customs of War on Land, annexed to the Fourth Convention Respecting the Laws of War on Land signed in The Hague on 18 October 1907 (“the Hague Regulations), “an occupying power must restore and maintain public order and civil life,

---

<sup>١</sup>. [http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33\\_GC-IV-EN.pdf](http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33_GC-IV-EN.pdf)

including public welfare, in an occupied territory.” This is while the evidence proves that Palestinians are facing violation of many fundamental human rights including the right to life, the right to health and right to education which will be discussed in the following sections.

٨. Israel has received 26 recommendations in the 2 cycles on elimination of racial discrimination and protection of the rights of its Bedouin population, out of which 11 recommendations are accepted, this is while there are reports manifesting serious discrimination against Palestinians in the region. However, the restrictions on water, electricity, goods, services and employment continue, including the following:
  ٩. Lack of access to safe drinking water, electricity and basic services violates Palestinians fundamental human rights. The shortage is also a source of discrimination against minorities since reflect the inequality of access to basic services for Israelis and the indigenous.
  ١٠. Drinking water restriction is serious in some areas. In Gaza, the already alarming water crisis is worsening. 90 percent of the contaminated aquifer water is unsuitable for domestic use and the residents are dependent on bottled water to survive.<sup>٧</sup> Also, on May, 4, 2017, in Jordan Valley, Israel army returned to village of Bardala to destroy what was left of the drinking and irrigation water system. The destruction left the residents, who heavily rely on farming and livestock, with no water.<sup>٤</sup>
  ١١. Electricity shortage is another challenge for the normal life routine in some areas. In Gaza, the serious electricity crises has reached a point that the region is about to collapse due to power cut consequences. The Palestinian hospitals of the region have stopped offering medical services to children, women and men due to lack of electricity.<sup>٥</sup> On May, 3, 2017, another Gaza hospital was reported to reduce operations due to electricity crisis.<sup>٦</sup> The besieged Palestinian territory has been already suffering from severe electricity crises for years and all the available power sources fail to cover the region’s energy need.<sup>٧</sup>
  ١٢. Unequal employment opportunities create another source of discrimination against minorities. According to statistics there were 361,000 unemployed Palestinians in 2016. As the unemployment rate for Palestinians has increased in the region, during the last decade, the average daily wage in the private sector decreased from about \$24 in 2007 to about \$19 in 2016.<sup>٨</sup>

## 2. Right to life, liberty and security of the person

### Continuous Killings

١٣. There are continuous reports of people being killed in the region, especially in the occupied territories, every year. In 2016, about 150 Palestinians were killed, including babies and the aged; 32 percent of the victims have been under 18 years of age. About half of the deaths are resulted

---

<sup>٧</sup> <http://www.hpcrresearch.org/sites/default/files/publications/sassoli.pdf>

<sup>٧</sup> <http://www.reuters.com/article/us-palestinians-gaza-water-idUSKBN15A1FC>

<sup>٤</sup> <http://english.wafa.ps/page.aspx?id=ogmZZra81252105363aogmZZr>

<sup>٥</sup> <http://imemc.org/article/icrc-gaza-on-edge-of-collapse-due-to-electricity-crisis/>

<sup>٦</sup> <https://www.middleeastmonitor.com/20170503-another-gaza-hospital-reduces-operations-due-to-electricity-crisis/>

<sup>٧</sup> <http://maannews.com/Content.aspx?id=776640>

<sup>٨</sup> <https://www.middleeastmonitor.com/20170502-statistics-361000-unemployed-palestinians-in-2016/>

by shootings of the Israeli military or police force.<sup>3</sup> The excessive use of force by the Israeli armed forces raises concerns over the extra-judicial nature of the killings.

<sup>14</sup>. In 2014, during the Gaza War, at least 2,100 Palestinians were killed. The United Nations recognized more than 1,500 of the victims as civilians. In the same conflict 11,000 people, mostly civilians, were injured. The Israeli War caused the destruction of 74 percent of Gaza homes, which left 22,000 homes uninhabitable, displaced 108,000 people, and deprived hundreds of thousands of adequate water or electricity.<sup>11</sup>

### Raids Attacks

<sup>15</sup>. It seems that Israel policies have contributed to instability and conflict in the occupied territories. In 2015, Israeli forces conducted more than 1,200 raids on homes, offices, and businesses, often destroying personal property, and arrested more than 500 people, many allegedly Hamas supporters.<sup>12</sup> In the time interval between July 2015 and May 2017, more than 4000 incidents of raid/ kidnappings and arrests are recorded in the territories controlled by Israel. In less than 10 days (from April, 30 to May, 8 2017) more than 180 Palestinians were detained as a result of Israel army attacks to homes and properties.<sup>13</sup> The cases include the arrests of 18 Palestinians in the occupied West Bank, on 8<sup>th</sup>, May, 2017;<sup>14</sup> 10 Palestinians, in the same area, on 7<sup>th</sup>, May, 2017<sup>15</sup>; Eight Palestinians, on 4<sup>th</sup>, May, 2017, 35 Palestinians, including 10 minors during overnight raids, on April, 30<sup>th</sup><sup>16</sup>; 13 Palestinians in Jerusalem, on May, 29<sup>th</sup>,<sup>17</sup> 2017 and 20 Palestinians kidnapped by Israeli soldiers in South Nablus.<sup>18</sup>

### The Situation of Prisoners

<sup>16</sup>. Israel has received 55 recommendations on detention conditions and torture in the two previous cycles only 4 of which are accepted. However, torture, ill treatment of prisoners and their deprivation of fundamental human rights continue leading to protests such as hunger strikes of thousands of detainees that in some cases lead to further torture such as forced feeding of the strikers. On April 2017, 1500 detainees started a new mass hunger strike to protest against prison conditions.<sup>19</sup> The prisoners demand ending solitary confinement, restrictions of family visits and administrative detention, which is a detention without charge or trial.

### Freedom of Movement

---

<sup>3</sup>. <http://www.globalresearch.ca/israeli-oppression-and-human-rights-violations-against-palestinians-in-2016/5567416>

<sup>11</sup>[http://www.salon.com/2016/02/09/74\\_of\\_gaza\\_homes\\_destroyed\\_by\\_israel\\_in\\_summer\\_2014\\_war\\_have\\_not\\_been\\_rebuilt\\_as\\_violent\\_repression\\_escalates/](http://www.salon.com/2016/02/09/74_of_gaza_homes_destroyed_by_israel_in_summer_2014_war_have_not_been_rebuilt_as_violent_repression_escalates/)

<sup>12</sup><https://www.hrw.org/world-report/2015/country-chapters/israel/palestine>

<sup>13</sup><https://www.hrw.org/world-report/2015/country-chapters/israel/palestine>

<sup>14</sup><http://staatvanbeleg.com/archive/>

<sup>15</sup> previous source

<sup>16</sup><http://english.wafa.ps/page.aspx?id=Nmek7da84126399423aNmek7d>

<sup>17</sup><http://imemc.org/article/israeli-soldiers-abduct-two-palestinians-in-bethlehem-4/>

<sup>18</sup><https://www.maannnews.com/Content.aspx?id=776771>

<sup>19</sup><http://imemc.org/article/army-abducts-seven-palestinians-in-jerusalem/>

<sup>3</sup><https://english.palinfo.com/news/2017/5/29/20-Palestinians-kidnapped-by-Israeli-soldiers-at-crack-of-dawn>

<sup>16</sup><https://www.middleeastmonitor.com/20170429-palestinian-prisoners-are-on-hunger-strike-for-fundamental-human-rights/>

17. According to ICJ Advisory Opinion<sup>17</sup> on 2004, the construction of the Wall in the occupied territories is contrary to international law, the already built Wall should be destroyed and the damage to the region as a consequence of such construction should be repaired.<sup>18</sup> This is while the construction is continuing regardless of repeated international calls. Also, the check points that make the Palestinians spend a considerable time of their life in queues continue their work. The policies violate the freedom of movement for groups of Palestinians every day, <sup>19</sup> putting restrictions on their human rights specially the fundamental rights of access to medical care, education and farmlands in addition to the abuses happening in the checkpoints. In about 2 years, (from July 2015 to June, 1<sup>st</sup>, 2017) 81 cases of violence and intimidation in the checkpoints is reported in Israel.<sup>20</sup> This is while, On May, 19<sup>th</sup> 2017, Israeli state comptroller called for more checkpoints in occupied West Bank.<sup>21</sup>

### The right to property and Confiscation of land

18. There has been 18 “Noted” recommendations calling on Israel to stop illegal settlements.<sup>22</sup> This is while construction of settlements, demolition and confiscation of Palestinian properties continue.<sup>23</sup> From July 2015 to May 2017, 1554 cases of “Annexation/Demolition/Building/Expropriation” are reported in Israel, for example:

19. In September 2014, Israel declared 400 hectares of the West Bank “state land,” to facilitate the construction of a large new settlement in the area.<sup>24</sup>

20. On May, 2017, Israel resumed construction of the illegal Separation Wall southern occupied West Bank and placed a 4-meter-high-barbed fence Ain Jweiza area northwest of the village of Al-Walaja, while the Israeli newspaper Haaretz, renouncing the move, announced that the construction had stopped three years ago.

21. On May, 30<sup>th</sup> 2017, the Israeli army issued a military order for expansion of a new illegal settlement in the West Bank<sup>25</sup> despite the long term disputes over the illegality of such constructions. The estimated 196 government recognized Israeli settlements in the Palestinian territory are all considered illegal under international law, but Israel continues to advance the illegal settlements and even passes new laws to pave the way of expanding settlements. A new amendment to Israel domestic law that previously considered Israel outposts illegal, called “outposts Regularization law<sup>26</sup>” now permits Israeli settler outposts to be built in the occupied territories.

---

<sup>17</sup> <http://www.unrod.org/docs/ICJ-Advisory2004.pdf>

<sup>18</sup> <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>

<sup>19</sup> <http://www.haaretz.com/israel-news/1.786233>

<sup>20</sup> <https://english.palinfo.com/news/2017/4/29/IOA-banned-42-Palestinians-from-travel-last-week>

<sup>21</sup> <https://www.middleeastmonitor.com/20170428-israel-to-close-gaza-commercial-crossing-for-2-days/>

<sup>22</sup> <http://staatvanbeleg.com/archive/>

<sup>23</sup> <http://english.pnn.ps/2017/05/19/israeli-state-comptroller-calls-for-more-checkpoints-in-occupied-west-bank/>

<sup>24</sup> including recommendations number: 136.108; 136.151; 136.150 (Noted)

<sup>25</sup> <http://staatvanbeleg.com/archive/>

<sup>26</sup> Previous Source

<sup>27</sup> <http://maannews.com/Content.aspx?id=777409>

<sup>28</sup> <http://www.maannnews.com/Content.aspx?id=775367>

## Child Labour

٢٢. There are reports of existence of child labor in Israel. A 74-page report is published that reveals the situation of hundreds of Palestinian children, as young as 11, who work in Israeli Agricultural Settlements. Their unsuitable working conditions include working in hot temperatures, exposure to hazardous pesticides and carrying heavy loads. The labor children are deprived of medical insurance or social insurance benefits and even in some cases have to pay for their own work-related injuries or illness.

## 3. Right to Education

٢٣. The Gaza blockade continues collective punishment of civilians in the region. In the Gaza War, over 200 schools, including three UN schools, were destroyed by Israel attacks. The reconstruction of these schools is hampered by the decade Gaza blockade. The inequality of access to education for Palestinians is the consequence of attacks to school, university campuses and students, especially arrests of student activists, discriminatory policies, the violation of the freedom of movement including the movement of academics.

## 4. Freedom of religion or belief, expression

٢٤. Israel continues to Judaize Muslim places of worship. In April 2017, the Israeli Occupation authorities (IOA) banned the Adhan (call for prayer) in the Ibrahimi Mosque in al-Khalil city for 65 times in one month. It is said that the measure is part of a policy to turn the mosque into a Jewish synagogue.<sup>٢٢</sup>

٢٥. Journalists and social network users end up in Israel prisons for criticizing the government policies. Being detained for exercising their freedom of expression, prisoners are denied legal rights including access to medical treatment. They suffer from continuous administrative detentions. On 18 Apr 2017 The Palestinian ministry of information announced that 28 Palestinian journalists<sup>٢٣</sup> are imprisoned by Israel, are in administrative detention without trial and receive military court verdicts. On April 17, 2017, 400 Palestinians<sup>٢٤</sup> were arrested for Facebook posts. The Israel intelligence service has developed a database that screens Palestinian comments in social networks. The system has delivered a list of 2200 Palestinians out of which 400 are arrested for having intentions of carrying out attacks against Israel.

٢٦. Being concerned about the widespread long term breaches of various kinds in Israel, the Organization for Defending Victims of Violence (ODVV) calls on the government to:

٢٧. Take practical measures and amend the existing laws to effectively address the serious existing discrimination against Palestinians.

---

<sup>٢٢</sup> <https://english.palinfo.com/news/2017/5/2/IOA-banned-the-Adhan-65-times-at-the-Ibrahimi-Mosque-in-April>

<sup>٢٣</sup> <https://english.palinfo.com/news/2017/4/18/Information-ministry-28-journalists-in-Israeli-prisons>

<sup>٢٤</sup> <https://www.middleeastmonitor.com/20170417-400-palestinians-arrested-for-facebook-posts/>

٢٨. Meet its commitments under the Geneva Conventions, as the occupying power, maintain public order and civil life, including public welfare and find durable solutions for the continuing challenges of Arab people in the occupied territories.
٢٩. Prevent the construction of all illegal settlements, confiscation of Palestinian lands and demolition of their properties.
٣٠. Start impartial and independent investigations on all cases of extrajudicial killings and torture, ending the impunity of all perpetrators.
٣١. End torture, solitary confinement, administrative detention and put measures in place to safeguard the human rights of all prisoners.
٣٢. Stop arrests of users of social networks based the information screened by “Big Data”.
٣٣. Respect Palestinians freedom of movement and all the other rights dependent on it such as the right to a family, education and the right to have access to one’s properties.
٣٤. Respect the Palestinians freedom of religion, belief and expression, protect their places of worship and release all prisoners of conscious.
٣٥. Maximize efforts to protect the rights of Bedouin population and eliminate racial discrimination against them.
٣٦. Gather data on cases of child labor, aiming at protection of children’s rights and elimination of the labor.