



General Assembly

Distr.: General
5 February 2023

English only

Human Rights Council

Fifty-second session

27 February–31 March 2023

Agenda item 7

Human rights situation in Palestine and other occupied Arab territories

Joint written statement* submitted by Organization for Defending Victims of Violence, Amman Center for Human Rights Studies, Khiam Rehabilitation Center for Victims of Torture, non-governmental organizations 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.

[5 February 2023]

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

Violation of Palestinian Rights Continues with Impunity

We express serious regrets over decades of systemic and systematic violation of the rights of Palestinians in the Occupied Territories (OPT) which are considered as the “collective punishment”(1) of the Palestinian people, including, the right to life, the right to health, children’s rights, the right to access clean water and other natural resources, the right to freedom of movement, prisoners’ rights, the rights of human rights defenders, the right to self- determination, the right to an adequate living standard and the right to live in one’s homeland as well as land ownership and be protected against force displacement.

Considering the continuous and unending occupation of the Palestinian territories, and the fact that on-going annexations and settlement constructions prove the intentions of continued occupation and systematic violations of Palestinian rights, we welcome the reports submitted by the Special Rapporteur on the human rights situation in the Occupied Palestinian Territories to the UN General Assembly, as well as the report submitted by the Independent International Commission of Inquiry on the Occupied Palestinian Territory to the Human Rights Council.

We also call on the two mentioned mandates of the HRC, namely the Special Rapporteur and the Commission of Inquiry to continue documentation of violations of Palestinian rights in the OPT and supporting their rights.

We call on the Special Rapporteur on OPT; the Commission of Inquiry; the UN High Commissioner; the HRC Special Procedures and the Treaty and Subsidiary Bodies to use all capacities at hand to address:

- The discriminatory laws and policies designed to maintain apartheid over Palestinians, including the water apartheid;
- The violations committed through latest Israeli military attacks against civilians and civilian infrastructure in the Gaza Strip;
- Administrative detentions, Palestinian prisoners’ conditions especially cases of torture and the systematic medical negligence policy against the sick Palestinian prisoners;
- Continued human rights abuses committed by the businesses involved in the settlements;
- The condition of Palestinians in Jerusalem and Gaza;(2)
- The continued repression against Palestinian human rights defenders;
- Palestinian detainee who have been in the Israeli prisons for decades;
- Designations of Palestinian NGOs as terrorist groups;
- Implementation of laws that permit Israel to forcibly displace the inhabitants of Gaza, especially the women (3);
- Palestinian children’s rights including their killings and imprisonment: In 2022, the tragic killing of 44 Palestinian children has been recorded (4);
- Escalation of tensions in the Occupied Territories: Since the beginning of 2022, over 150 Palestinians have been killed (5);
- The Palestinians’ access to fundamental services including clean water and sanitation, sufficient food and adequate and accessible health care;

- Israeli spyware or the military intelligence technology used by private companies to spy on civilians, as part of occupation and apartheid in Palestine, to silence any NGO attempts to hold Israel accountable for crimes committed against Palestinians.
- The violence committed by settlers against Palestinians with institutionalized impunity;
- The new Israel sanctions against the Palestinian Authority (PA) in response to the recent request to the International Court of Justice (ICJ) to give an advisory opinion on the prolonged occupation, including "withholding \$40 million of tax revenue that Israel collects on behalf of the PA" and "a moratorium on Palestinian construction in most areas of Area C and revocation of travel permits for Palestinian officials" (6).

Echoing the recommendations offered by the Commission of Inquiry, we note the UN General Assembly (General Assembly resolution 77/400) request for an urgent Advisory Opinion from the International Court of Justice, on the legal consequences of Israel's continued refusal to end its prolonged military occupation of the Occupied Palestinian Territory. However, we highly regret the steps taken by Israel against the Palestinian Authority (PA) in response to the recent request to the International Court of Justice (ICJ) to give the advisory opinion.

We also call on the UN General Assembly to urge the Office of the Prosecutor of the International Criminal Court to prioritize the investigation into the situation in the Occupied Palestinian Territory.

Finally, we also call on the UN General Assembly to call on the International Court of Justice and the International Criminal Court to investigate Israel August 2022 attacks on Gaza as war crimes.

Al-Istiqlal Center for Strategic Studies Bahrain Forum for Human Rights European Alliance in Defense of Palestinian Detainees Follow up Committee for the Support of the Lebanese Detainees Hurryyat Center for Defense of Liberties & Civil Rights International Commission for Supporting the Palestinian People Rights (Icspr) International Solidarity with Prisoners TADAMON Palestine Institute for National Security Research Palestinian Prisoners Association The Scandinavian Institute for Human Rights, الشبكة العالمية للدفاع عن الشعب الفلسطيني, NGO(s) without consultative status, also share the views expressed in this statement.

1. A/77/356

2. There are reports of more violations of Palestinians' rights in the regions, for example, in 2022, Israel has arrested about 7,000 Palestinians, with the number of Palestinians arrested from East Jerusalem remaining the highest among other Palestinian cities (3,000 cases of arrests, including 600 house arrests). Also, 106 Palestinians were arrested from the Gaza Strip, including 64 Gazan fishermen, 2022 In Review | Addameer

3. Israel's "Procedure for issuing permits for Judea and Samaria residents in the Gaza Strip". The procure stipulates that Palestinians registered as West Bank residents in the Palestinian population registry who reside in the Gaza Strip must sign a document stating that they have "settled" in Gaza permanently in order to apply for an Israeli permit to exit Gaza for any reason. In signing the document, Israeli authorities assert, these individuals "agree" to waive their right to move back to the West Bank in the future. Through this procedure Israeli authorities are de facto committing forcible transfer of protected persons in the occupied Palestinian territory, and the most affected are women. Since women are most often those who move to live near their spouses' families after marriage, women are disproportionately impacted by the procedure, and also by the Israeli permit regime, which prevents family visits to the West Bank other than in rare cases.

4. <https://unsc.unmissions.org/security-council-briefing-situation-middle-east-reporting-implementation-unscr-2334-delivered>

5. <https://news.un.org/en/story/2022/12/1131852>

6. <https://www.mezan.org/en/post/24218/AI+Mezan+condemns+punitive+measures+imposed+by+new+Israeli+government+against+PA+and+their+repercussions+on+Palestinians>