

Advocacy Letter
By
Civil Society Groups* in Solidarity with Palestine

January 22, 2013

We, as civil society organizations working in human rights and in solidarity with the Palestinian people under Israeli occupation, are writing this letter to your attention, following Israel's contact to Human Rights Council President on January 10th, in order to postpone the second cycle UPR revision (*that was scheduled originally on January 29th*).

We believe in the uniqueness of the UPR mechanism with its universality and that it requires that each State is equally treated. Yet Israel made its non-cooperation with the mechanism clear during the first cycle revision in 2009. It was a missed opportunity for the promotion and protection of human rights, as Israel gave no response to 161 recommendations out of 164. Given this, we call your state to pressure Israel to express the proposed duration for this postponement as soon as possible, in order to enable efficient participation of civil society groups in the mechanism.

In fact, while the UPR process offers an open channel for civil society organizations' submissions, the role that state delegations, like your own, play is crucial in making the concerns of civil society heard during the mechanism. Thus, we would like to take your attention to the following realities Palestinian people face under Israeli occupation and to collaborate with us in presenting our concerns during the next Working Group session of Israel.

1. Given that the Advisory Opinion made on 9 July 2004 by the International Court of Justice, as the United Nations' principal judicial body, which tackled the obligations of Israel in application of international Covenants with regard to Occupied Palestinian Territory (OPT) and especially with regard to International Covenant on Economic, Social and Cultural Rights, clearly stated that Israel should also not raise any obstacle to the exercise of such rights in those fields where competence has been transferred to the Palestinian authorities, the systematic violations continue by Israel. Therefore we call WG members to call Israel to **respect all United Nations resolutions and its obligations under international human rights law and international humanitarian law, with a view to guaranteeing fundamental rights and freedoms to all Palestinians in the Occupied Palestinian Territories.**

2. Even in 2008 UPR review and during the treaty body meetings, Israeli government has been called to "ensure equality and non-discrimination and to eliminate any distinction, exclusion or preferential treatment among groups of population in all the territories under State jurisdiction, particularly in the areas of access to justice, employment, education, health services, property rights, housing rights, family reunification, freedom of expression, belief and religion". Therefore we call WG members to call Israel to **end discriminative and politically motivated policies towards the Arab population and ensure equality in the application of the law and counter discrimination against persons belonging to all minorities.**

3. Systematic Israeli policies towards expropriation of Palestinian resources, deinstitutionalization of Palestinian economy and imposition of closure, results in severe socio-economic deprivation for Palestinians, hinders Palestinian development, creates increasing dependency on international aid and causes isolation and impoverishment. Therefore we call WG members to call Israel to **give an immediate end to occupation and illegal settlements that stand as the root cause and obstacle for the self-development of Palestinian society.**

4. Given the restricted conditions under Israeli occupation, several Palestinians' quest to enjoy right to work has been further exploited by the working conditions provided to Palestinians working for the settlements. Around 35,000 Palestinians work for the illegal settlements, whereby they receive low wages and more importantly pay around 23 Israeli shekels (US\$6) daily for special permits in order to enter the settlements and work there. Therefore we call WG members to call Israel to **put an immediate end to all kinds of obstacles such as restrictions on movement, work permits and**

* This letter is a joint initiative of the Arab NGO Network for Development (www.annd.org), Mossawa Center-The Advocacy Center for Arab Citizens of Israel (www.mossawacenter.org) and the Palestinian NGO Network. (www.pngo.net) ANND and Mossawa Center presented a joint submission focused on the social and economic rights violations of Israel, that was quoted as Joint Submission 4 in the summary prepared by the OHCHR.

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unequal and discriminative policies undertaken by the occupying forces in the OPT, which hinder the right to work of the Palestinians.

5. Restrictions of movement, regular harassment by settlers of children and teachers on their way to and from school, attacks on educational facilities, and sub-standard school infrastructure leads to inability of Palestinian children living in the Occupied Palestinian Territory (OPT) to enjoy their right to education. Therefore we call WG members to call Israel to **take measures so as to enable the Palestinian Authority to exercise its functions and powers emanating from the 1995 Interim Agreement, ensuring the right to education for Palestinian children living in the Occupied Palestinian Territory.**

6. As noted by WHO, “restrictions on importation of medical supplies, equipment and spare parts; limitations on movement of patients and health staff; interruptions of power supply and impurities of water supply; insecurity; and the permit regime” evidently limits the access of Palestinians to health services, as well as of the professional development of staff. Therefore we call WG members to call Israel to **give an immediate end to Israeli policies that hinders the Palestinian Authority to exercise its functions and powers emanating from the 1995 Interim Agreement regarding right to health.**

7. Over 35 discriminatory laws violate the rights and freedoms of the 1.587 million Palestinian Arab citizens in Israel, comprising approximately 20.5% of the Israeli population. Therefore we call WG members to call Israel to **abrogate all discriminatory laws and rescind all discriminatory bills.**

8. The freedom of assembly is regarded as a “fundamental right” by the Israeli Government and has been duly reaffirmed and upheld by the judiciary. Between 2009 and 2012, this right was severely undermined by a combination of legislative and extra-legal measures taken by the Israeli Government and on several occasions, Palestinian civil society activists were subject to arbitrary arrest and detention for organizing or participating in nonviolent protests in the occupied territories. Therefore we call WG members to call Israel **to respect and implement the rights enshrined in the ICCPR and to guarantee both in law and practice, consistent with international human rights standards, freedom of association, freedom of expression, the right to operate free from unwarranted state interference, the right to communicate and cooperate the right to seek and secure funding.**

9. The latest raid by Israeli occupation army was on December 11th 2012, to the offices of three civil society organizations based in Ramallah, namely the Palestinian NGO Network (PNGO), Women’s Union and Addameer; an advocate for Palestinians in Israeli jails, confiscating five computers from the latter group. This is a mere demonstration of systematic Israeli policy towards adoption of drastic aggressive measures to stop any attempt towards the quest of freedom by Palestinian people. Therefore we call WG members to call Israel **to give an immediate halt to aggressive measures and abide the related UN resolutions with regard to the recognition of the rights of the Palestinian people to self-determination and to live in peace and prosperity.**

We hope, when held, the second cycle revision will bring a genuine opportunity to shed light on the continuous violations that Israel is committing and we restate that the Israeli occupation is the major challenge and obstacle that the Palestinian society has, and that obstructs its development. The basic right of security, peaceful existence and self determination for the Palestinian people, as well as its right to exist in an independent Palestinian State continues to be violated, resulting in deteriorating human rights conditions in the country, including poverty, unemployment, health care, education.

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