The state of Palestine responds to the joint questionnaire related to the mandate of several Special Procedure mandate holders for purposes of their thematic reports which will be presented to the United Nations Human Rights Council and the General Assembly. `

The State of Palestine welcomes and appreciates the efforts taken by the special rapporteurs to maintain and improve the human rights situation globally.

In this regard, the replies of the state of Palestine are as follows:

**Impact on human rights:**

* On 5 March 2020, seven cases of coronavirus patients were confirmed in the city of Bethlehem, who visited numerous locations in the city, after which the Minister of health recommended a lockdown of the entire city to be put in place to stop any community spread, which was approved by the government, and on the same day the cases were first discovered, leading to a lockdown of the entire city and all surrounding suburbs.
* On the 21st of March 2020, the government of the State of Palestine placed the entire country under a complete lockdown due to the spreading of the COVID-19 across various cities that are highly populated based on the recommendation of the Minister of Health.
* The lockdown instructions were made for everyone to stay in their homes unless in necessary cases of seeking health services, buying food and essential supplies, in addition to shutting down all recreational and entertainment facilities. The Palestinian police monitored the compliance of the citizens with regards to the instructions of the lockdown.
* Additional mandatory health measures were introduced to stop the spread of COVID19, such as wearing gloves and protective masks to all those who deem it necessary to leave their homes.
* Due to the limited medical and financial capacities of the State of Palestine, the measures put in place were deemed appropriate in stopping the spread of the virus, and preventing the increase of the number of infected people, as the medical systems were understaffed and underfunded.
* The State of Palestine indicates that all measures taken had no discriminatory effects, and in fact only took into consideration the wellbeing of all residents and citizens in Palestine.
* The State of Palestine acknowledges that the measures taken impacted a set of different human rights, specifically, the freedom of movement, the right to education, the freedom of peaceful assembly, and cultural rights; however, we note that such restrictions were either minimal or of absolute necessity for purposes of avoiding any catastrophic results.
* The State of Palestine indicates that despite its own restrictions imposed on right to freedom of movement, Israel, the occupying power, has abandoned its obligations towards the occupied Palestinian population, forbidding Palestinians abroad their right to return to their families, inconsiderate of their situation and circumstances, noting how it hindered the State of Palestine’s ability to guarantee the safe return of its people, due to Israel’s control over all borders.

**Protection of various groups at risk and indigenous peoples:**

* Measures undertaken to protect high-risk populations, including health care and social workers and older people, and others more vulnerable to COVID 19, varied, but mostly included mainly raising their awareness on safety measures through all available outlets and platforms, offering them via home services; as for health care workers they were daily given protective gear with instructions for safe disposal with sanitation procedures following the disposal before interacting with their families. As for children, schools and educational facilities were shut down while offering online eLearning services.
* Additionally, the President of the State of Palestine, issued a Presidential pardon for Palestinians’ convicted with misdemeanors, and those convicted with the least serious felonies, who have spent half or more of their prison sentence time, while upholding people’s right to seek civil remedy, not being affected by this pardon. This special pardon was part of Palestine’s attempt to stop the spread of COVID19, by trying to ensure that prisons do not remain overly crowded, allowing for social distancing between the remaining prisoners, and applying the Ministry of Health guidelines.

**Participation and Consultation:**

* The government of the State of Palestine established a ministerial committee to provide its insights and recommendations regarding the developments under COVID-19, which recommended the declaration of the State of emergency across the country.
* The State of Palestine indicates that the adoption of emergency measures was by a Presidential Decree, according to Articles 110 and 114 of the Palestinian Basic Law. Upon that, the State of Palestine communicated to the Secretary General a notification dated 30 March 2020, made under Article 4 (3) ICCPR, regarding the declaration of a state of emergency throughout the territory of the State of Palestine for a period of 30 days by presidential Decree NO.1 (2020) on the 5th of March 2020.
* Under the State of emergency, and based on the recommendations of the Ministry of Health, discussed by the ministerial committee Decree law NO.17 regarding public safety and health procedures during the state of emergency was adopted.

**Awareness raising and technology:**

* The declaration of the state of emergency was followed by informing public officials and law enforcement officials regarding the scope of allowed limitations on human rights in the context of the state of emergency.

**Internet:**

* The lockdown across the State of Palestine required the shutdown of all educational facilities, including higher education institutions and universities, and all other work-related facilities, such as ministries and institutions. The State of Palestine was already working on establishing and enhancing its online teaching modules and equipping students with the necessary practical skills to access educational websites and outlets and carry out research on their own, and not render the education process. Moreover, institutional desk jobs were also carried out home based, proving that the State of Palestine was partially prepared with plans set for various sectors in the Palestinian society to continue answering to the everyday needs under COVID 19; however, the pandemic has proven the shortcomings of these plans, which the State of Palestine noted and instructed to its specialized institutions to take into consideration in its future planning.
* The pandemic and the need to rely on online modules and systems has also proven the related limitations and obstacles, mainly the hindering of internet services such as internet broadband by Israel, the illegal Occupying Power in the Occupied State of Palestine which had major disruption effects. Notably, the State of Palestine does not control the broadband services, whereas Israel, the Occupying Power, decides where to place service towers and only allows a number of Palestinian companies to provide internet services, resulting in villages and outskirts of major municipalities not being provided steady connection. This is also related to Israel, the illegal Occupying Power, controlling electricity centers; power outages, and in some areas limited hours of power. This especially furthered violations regarding the right to education and access to internet, as students, employees and the Palestinian people in general were denied steady access to their right to education, work and internet.
* The State of Palestine notes that access to internet is tied to the right of freedom of speech which can be seen to encompass freedom of expression as well.[[1]](#footnote-1) Notably, Israel’s, the Occupying Power, control over the Palestinian people’s access to internet also hinders the aforementioned set of rights.

**Accountability and justice:**

* The pandemic highly affected the justice system, as the operation of courts was hindered due to the emergency regulation functions, and according to their emergency regulations, this resulted in adjourning most of the ongoing civil cases and only hearing those urgent civil claims. On the other hand, criminal hearings and procedures were not hindered, and remained to be seen by the court in their due date without being adjourned or affected, due to their urgency and importance. The State of Palestine acknowledges that the legal process and rule of law were mildly hindered to an extent deemed appropriate considering the ongoing situation and pandemic, for purposes of applying the Ministry of Health regulations’ and guidelines to avoid the spread of COVID-19.
* However, the legal system adopted measures allowing individuals to communicate with the specialized judicial bodies in urgent cases of domestic violence, discrimination and racism, and claims of corruption of State bodies, to seek redress or to bring claims through introducing online platforms.
* The Judicial sector introduced an online system allowing for individuals to bring claims and communicate with judicial bodies in cases of urgency, allowing the judicial body to assess the urgency of the claim, and processing it upon its urgency.
* There has been no reported cases of persons in situations of homelessness being fined or detained, as such procedures were withheld/suspended, considering the more vulnerable and compromising situation such persons were undergoing. In fact, the State of Palestine employed its available resources for purposes of helping persons by demanding that the private sector be more understanding towards those who were unable to fulfill their financial commitments, specifically those who could not secure their monthly rent.
* The Judicial bodies issued their orders for the cancelation of the ‘judicial vacation’, which was supposed to be from July until the end of August. This was deemed as the appropriate response as the state of emergency affected the flow of civil cases, therefore, and for purposes of bringing back the balance and flow of the cases heard before the court, the lockdown was considered as the substitute for the annual judicial vacation.
* The State of Palestine indicates that all regulations issued within the emergency state, remained to be in power, noting that no one brought any claims against its constitutionality before relevant Judicial bodies.
* Notably, during the lockdown, the number of claims received due to corruption amounted to 63 claims, two of which were related to the distribution of emergency funds allocated for those in need, currently under active investigation.
* The Ministry of Women’s affairs established permanent committees to guide, direct, and support women.
* During March and April 2020, civil society organizations provided that a total seven claims, one in March and six in April regarding freedom of expression and peaceful assembly, and a total of two claims in April regarding freedom of movement, currently being processed by the specialized governmental agencies.

**Social protection:**

* The State of Palestine established a fund called “Waqfet Ezz Fund” which mobilized around 10 million USD, by donations from Palestinian individuals and the private sector. The donations collected through the fund aimed at serving the financial needs of those vulnerable to losing their jobs, or already undergoing challenging financial situations.
* The funds also contributed mainly to Palestinian workers who used to work in illegal settlements and inside the green line, who had to either temporarily leave their jobs with no other alternative source of income, or keep crossing to Israel, and being exploited in the most inhuman matter while being exposed to the high COVID-19 numbers in Israel, the Occupying Power. As the Palestinian Prime Minister stated “We have been against this practice since the very beginning...prior to the spread of coronavirus, illegal crossings were a matter of security and the exploitation of workers. But now the issue has become linked to the fate and health of our people. It has become completely unacceptable to the Palestinian leadership.”
* The State of Palestine would like to indicate that all efforts possible were granted to ensure that most vulnerable families were provided with the essential supplies of food.
* The State of Palestine announced that fees for essential services, such as: water, electricity, and telecommunications, would not be collected temporarily from those unable to afford it during the pandemic due to their financial situation, without affecting these services from being provided to all.

**Questions by the Special Rapporteur on extreme poverty and human rights:**

* Economic recovery plans included social protection measures as included by the ILO social protection floors recommendation No.2020 (2012), in which priority was given to the health sector and vulnerable families affected by COVID-19, especially with the high increase of unemployed individuals, taking into consideration that the rise in poverty rate was linked to the closure of enterprises during the mandatory lock down.
* The government of the State of Palestine has been working on its employment policies prior to the pandemic and its associated outcomes, this included the cluster development of all sectors, giving priority to youth empowerment and the enhancement of the entrepreneurship concept. However, the struggle with financial resources, and the outcomes of COVID-19 were of serious impact to those plans, as the State of Palestine remains in a constant struggle to employ a lot of its policies hindered by Israel and its aggravated violations and policies towards all aspects of lives including the Palestinian economy.
* Economic recovery plans were of limited capacity; therefore, priority was not given to investments in education and skill development for women. Currently, the focus remains keen on investing and direct spending in the health sector, providing what it needs and the equipment it lacks, in addition to investing in the security sector with focus given to vulnerable families as well. As for gender budgeting, it has been highly considered and of important impact in the base budget; however, such consideration was not considered in light of the measures and pandemic.
* Particular tax reforms have not been associated with recovery plans, as there has been a considerable decline in revenues under the light of COVID-19; however, the State of Palestine indicates that such reforms will be considered in the upcoming future, where these reforms will focus on being compatible with current reality, and focus given to improving tax collection.
* The government of the State of Palestine indicates its support and promotion of the principles of participation, transparency, and accountability, which strengthen individuals’ effective contribution to bring feedback and claim redress from policy measures, these mechanisms include seeking redress through judicial and administrative bodies depending on who and what the case is. Furthermore, claims received by civil society organizations are taken into consideration and in mostly investigated.

**Questions by the Special Rapporteur on the right to food**:

* Measures taken by the government to address the impacts of COVID-19 were strategically designed and implemented in a way to ensure continuity of food supply chains; however, the pandemic stood as a challenge as many businesses were undergoing many financial difficulties and were forced to shut their operations, therefore the producers’ access to production inputs was compromised as input suppliers required cash up front, where liquidated cash was not a viable option.
* The closure of restaurants, hotels and other food shops resulted in the decreased demand for certain products, specifically dairy products, which had an impact on farmers and dairy producers; however, food supply chains from international and local sources were not affected, and no significant price shocks were reported.
* The State of Palestine indicates that the Ministry of Agriculture has implemented several quick impact programs to enable vulnerable families with no source of income to produce their own food and income, this included for example distributing over one million seedlings to be used for homestead food production.
* Social protection programs lead by the Ministry of Social Development have been upscaled in cooperation with civil society, the private sector, and international organizations. A considerable amount of families has received cash payments and essential food supplies. The aforementioned policies prioritized women, older people, children, persons with disabilities, and rural communities.
* Agricultural and food chain workers have been excluded from movement restrictions under the condition that they comply with national regulations and guidelines related to the pandemic. Grocery and fruit/vegetables stores remained open taking into consideration the necessary precautions. With regards to daily workers who lost their source of income, the Ministry of Labor ensured their enrollment and engagement in special support program led by the Ministry.
* The State of Palestine indicates once again its mobilization of funds allocated from both the public and private sector for purposes of being distributed to vulnerable families, suffering the loss of their source of income.

**Questions by the Special Rapporteur on the right to adequate housing:**

* The State of Palestine did not take any official steps to place a ban on evictions; however, the government did make unofficial requests from landlords to uphold any evictions during the pandemic, and to facilitate easier payment methods for those left in vulnerable situations.
* The government of the State of Palestine postponed payments for buildings owned by the government, such as ‘Hamad residential units’ in Gaza and ‘Marsawi residential units’ in Nablus.
* The government of the State of Palestine exempted a number of stores and institutional buildings from their pending payments due to the limited finances during COVID-19.
* Despite the outbreak of the pandemic, Israel, the illegal Occupying Power in the OPT, systematically employed its illegal policies, breaching their obligations under International Humanitarian Law and International Human Rights Law. Israel’s policies of land appropriation, home demolitions and forcible transfer of Palestinians have continued under the pandemic.

**Questions by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes:**

* The Environment Quality Authority has conducted thorough research on the possibility of COVID-19 being transferred through exposure to hazardous substances and waste, air and water pollution. The Authority indicates that it took part in the ministerial committee established to prevent the spread of COVID-19, and therefore participated in providing guidelines and available data within its expertise to support the purposes of the committee.
* The Authority collected samples of wastewater from different regions in the country to analyze it for purposes of ensuring the samples were COVID-19 free.
* The Authority participated in the establishment of an ‘infections map’ which identified each patient and how he was infected with COVID-19, while the authority ensured that the infection’s source did not originate from exposure to environmental factors.
* The Authority participated in the recommendations and protocols set up for the management of hazardous medical waste, ensuring its’ compatibility with the appropriate environmental standards.
* The Authority took part in conducting visits to the official quarantine allocated centers, and supervised the disposal of hazardous substances.
* The Authority participated in raising citizens awareness regarding the possibilities of being infected with COVID-19 through stray animals such as dogs and cats.

**Questions by the Special Rapporteur in the field of cultural rights:**

* Cultural rights and cultural life were affected due to the pandemic; the financial funding to the cultural sector was highly affected due to Israel, the illegal Occupying Power in the OPT, lobbying policies in the EU, considerably the highest funder of the cultural sector in the State of Palestine. Furthermore, cultural events, including the Palestine marathon, exhibitions, extracurricular activities, musical events, the national day of culture, and activities related to ‘Jerusalem as the capital of Islamic culture’ were cancelled or postponed. Closure of all cultural centers, cancelation of all sports events and public gatherings.
* The State of Palestine acknowledges that the cultural sector was highly affected, due to the fact that such sector requires interactions, exhibitions, and events that cannot be held while upholding the basics of social distancing; however, the Ministry of Culture worked within its available resources and capacities to give access to people to practice their cultural rights, even if in a limited manner.
* The Ministry of Culture conducted a statistical research to study the impacts of the pandemic on cultural rights; furthermore, the Ministry launched multiple TV programs that included various culturally related topics, for different generations, taking into consideration the different background these programs were addressed to- the programs hosted different artists and performances, and a televised tour of cultural places in Palestine. Moreover, the Ministry also launched a set of different Radio programs also culturally related. In addition to that, the Ministry employed the use of social media and available online outlets for purposes of publishing Palestinian poems, and other culturally related readings.
* The State of Palestine acknowledges the immense role cultural rights play in a society, and the importance of their realization, indicating the importance associated to those rights especially when facing the pandemic. That being said, artists, creators, and culture professionals, as well as organizations in the culture sector “have a fundamental role in promoting well-being and resilience in individuals and communities, guarantee access to information, encourage awareness, tolerance and build the capacities to imagine the societies of the future, which are already in formation due to the ongoing global upheaval.”[[2]](#footnote-2) Cultural concerns shall be addressed in future planning and incorporated when addressing future response to crisis and planning for recovery.
* The State of Palestine indicates that people who work in the culture sector were severely impacted, due to the limited financial capacities of that sector; furthermore, funding had been severely impacted by Israel’s vicious campaign against EU funding Palestinian institutions. Other institutions also refused the funding offered as it was conditional, and serves the agendas of the Israeli occupation. The Ministry of Culture reports that most individuals working in the cultural sector were in need of financial aid, while the government remains crippled to provide the necessary finances as it is undergoing a financial crisis.
* The State of Palestine would like to indicate that prior to the pandemic, restrictions imposed by Israel, the occupying power, over Palestinians rights, including restrictions on the right to movement, freedom of speech and expression, are also endorsed as part of the main limitations for the Palestinian people to practice cultural life and their cultural rights

**Questions by the Independent Expert on foreign debt and human rights:**

* The COVID-19 pandemic was accompanied with a considerable decline in revenues and grants as the government of the State of Palestine was unable to repay its debt requirements during the Pandemic. As for domestic loans and according to the instructions of the Palestinian Monetary Authority, local banks were to postpone governmental loan payments, resulting in postponing four installments.
* The decline in revenues, accompanied by debt repayment requirements, have negatively affected social spending and services provided to the public, including the limitations imposed on those funds allocated to the health sector. The State of Palestine indicates that debt obligations and repayment requirements had a major impact on all sectors, as those funds could have been allocated to meet the needs of sectors in need, specifically the health sector.

1. Szoszkiewicz, Łukasz (30 September 2018). ["Internet Access as a New Human Right? State of the Art on the Threshold of 2020"](https://www.researchgate.net/publication/328290234_Internet_Access_as_a_New_Human_Right_State_of_the_Art_on_the_Threshold_of_2020). **8**: 50. [doi](https://en.wikipedia.org/wiki/Doi_(identifier)):[10.14746/ppuam.2018.8.03](https://doi.org/10.14746%2Fppuam.2018.8.03). [↑](#footnote-ref-1)
2. # Ensuring Culture Fulfills Its Potential In Responding To The Covid-19 Pandemic, Statement By The Culture 2030 goal Campaign, found <https://cultureactioneurope.org/news/ensuring-culture-fulfills-its-potential-in-responding-to-the-covid-19-pandemic/>

   [↑](#footnote-ref-2)