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**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Israel *

The present report is a summary of 30 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The periodicity of the review for the first cycle being four years, the information reflected in this report mainly relates to events that occurred after 1 January 2004.

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. The Centre on Housing Rights and Evictions (COHRE) noted the non acceptance by Israel of article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.² Al Marsad, the Arab Center for Human Rights in the Occupied Golan, recommended to Israel to ratify the First and the Second Optional Protocol to the International Covenant on Civil and Political Rights; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and; the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women.³

2. Amnesty International (AI) made reference to Israel's refusal to recognize the applicability of international humanitarian and human rights law to the Occupied Palestinian Territories (OPT).⁴ The BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations noted in their joint submission (JS 2) that in OPT, Israel applies domestic civil and criminal law to Jewish settlers (nationals), while a repressive military regime is applied to the Palestinian civilian population.⁵ The International Commission of Jurists (ICJ) indicated that the Israeli Government has argued that since the September 2005 disengagement from Gaza, the military government was dissolved, and therefore, Israel cannot be any longer considered an occupying power and bear no general obligation to ensure protection and the appropriate living conditions to the civilians of the Gaza Strip. However, as highlighted by several organizations, the Israeli Government is still exercising an effective control over the Gaza Strip.⁶

3. Although party to a number of human rights treaties which prohibit torture and cruel, inhuman or degrading treatment or punishment, Defence for Children International – Palestine Section (DCI/PS) indicated that Israel has yet to implement effective domestic legislation incorporating these prohibitions, as urged by the Committee against Torture in 2001.⁷

4. The ICJ called on the Working Group of the Universal Periodic Review and the Council to urge the Government of Israel to comply with the International Court of Justice advisory opinion on the Legal Consequences of the Construction of a Wall in the OPT.⁸ In this regard, Nord Sud XXI indicated that despite the advisory opinion, no action has been taken to stop building the wall, to dismantle the parts of the wall that have been built, or to compensate those who have suffered from the construction of the wall.⁹

B. Constitutional and legislative framework

5. The Knesset's Constitution, Law and Justice Committee is the official body advancing the efforts for the development of a constitution, as reported by The Legal Center for Arab Minority Rights in Israel (Adalah).¹⁰ While two Arab members of the Knesset sit on this committee, there has been no negotiated process with the Arab political leadership to ensure minority rights protections in a future constitution and over fundamental principles, such as equality.¹¹ The portrayal of Palestinian citizens of Israel as a threat to the state, combined with lack of a meaningful way in which they can contribute to the constitution-building process, threatens to produce a constitution that disregards their rights and render their second-class citizenship status permanent.¹²

C. Policy measures

6. Israel should develop plans of action for ensuring that the Convention on the Rights of the Child is implemented in the OPT, as reported by Save the Children UK, Save the Children Sweden and World Vision, in their joint submission (JS 1).¹³

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

7. In the joint submission JS1, organizations indicated that Israel should make progress on implementation, including fulfilling reporting requirements to the Committee on the Rights of the Child when the second report of the State party is submitted.¹⁴

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non discrimination

8. The principles of equality and prohibition of discrimination are not guaranteed in Israel's Basic Law: Human Dignity and Liberty, which serves as Israel's Bill of Rights. As a result, and in conjunction with Israel's self-identification as a Jewish state, the Palestinian citizens of Israel are constitutionally not protected against racial discrimination, as indicated in the joint submission JS 2.¹⁵ Organizations further indicated that the Israeli legal system makes a distinction between "nationality" and "citizenship."¹⁶ The *Law of Return* (1950), entitles Jews the rights of nationals, namely the right to enter "Eretz Israel" (Israel and the OPT) and enjoy full legal and political rights. This law excludes non-Jewish citizens of Israel from nationality rights. It includes Jewish citizens of other countries, who, if they wish to immigrate to Israel, automatically become citizens. The *Citizenship and Entry to Israel Law* (1952) regulates the acquisition of Israeli citizenship by Jews and non-Jews. Thus, this legal framework creates a discriminatory dualistic arrangement whereby Jews hold nationality and citizenship and non-Jews (Palestinian citizens) hold only citizenship.¹⁷

9. Under Israeli Military Orders, a child in the OPT is defined as being under 16 years old, while Israeli civil law which is applied in Israel and to Israeli Jewish settlers in the OPT, defines a child or minor as persons under the age of 18, as indicated by the organizations in the joint submission JS1.¹⁸

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

10. Nine years after the Israeli High Court of Justice (HCJ) ruled that interrogations must be free of torture, cruel, inhuman and degrading treatment, and that these prohibitions are absolute, these practices continue to be employed against Palestinian adult and child detainees, before, during and after interrogations, as indicated by DCI/PS.¹⁹ The Public Committee Against Torture in Israel (PCATI), also reported on ill treatment of Palestinians detainees committed by Israeli soldiers.²⁰ DCI/PS expressed concern by the use of coercive techniques by Israeli authorities to extract confessions; the provision of typed confessions to Palestinian child detainees; the use of confessional evidence, most of which is obtained illegally, in the Israeli military courts in order to obtain convictions, and the lack of effective mechanisms for investigating complaints of torture.²¹

11. Referring to the Israeli Government policy of administrative detention, ICJ indicated that arrests and detentions are often based on secret evidence to which neither the detainees nor their counsels may have access. In addition, the Israeli administrative detention orders do not often specify any maximum cumulative period of administrative detention, and the detaining authority can repeatedly extend the initial period without necessary evidence justifying lengthy detention.²² The International Complaints Commission (ICC) noted that there are about 800 Palestinian administrative detainees at the Israeli detention centers at present.²³ In this regard, the Addameer Prisoner Support and Human Rights Association (Addameer) indicated that all are detained without any charges or any trial procedures; the administrative detention is ordered by a military commander and grounded on ‘security reasons’; the detainees must be brought before a military judge within 8 days and; hearings are not open to the public.²⁴ Addameer further indicated that administrative detention has regularly been used against Palestinian children.²⁵ AI also noted that some 800 Palestinians are held without charge or trial in administrative detention, which may be renewed indefinitely, and although the detainee has the right to appeal to a military court and ultimately to the Supreme Court, neither the detainee nor his lawyer has the right to see the details of the evidence against him.²⁶

12. The ICJ noted that some 11,000 Palestinian convicted prisoners, pre-trial detainees and administrative detainees are held in Israeli jails.²⁷ According to AI, some 8,500 Palestinians from the West Bank and the Gaza Strip are detained in Israel.²⁸ Many are denied family visits because Israel denies permits to family members to enter Israel on ‘security grounds’. In addition, since June 2007, Israel has imposed a total ban on family visits for some 900 detainees from the Gaza Strip. AI further noted that Palestinians arrested in the OPT should not be moved to detention facilities in Israel and Palestinian detainees should be permitted regular access by their families.²⁹ The Mandela Institute reported serious deterioration in all Israeli detention facilities, including over-crowdedness; deprivation of family visits; arbitrary transfers; violence against prisoners by prison officials; torture and ill treatment by the Israeli General Security Services (GSS or Shin Bet), Israeli soldiers and prison guards against Palestinians; deterioration of health conditions, and deaths in custody.³⁰ According to AI Marsad, the provision of health care in Israeli jails towards political prisoners from the Occupied Syrian Golan often falls well short of the United Nations’ Standard Minimum Rules for the treatment of prisoners.³¹ The Child Rights Information Network (CRIN) reported that during 2007, some 700 Palestinian children were arrested by Israeli soldiers in the West Bank.³²

3. Administration of justice and the rule of law

13. According to Adalah, several recent Israeli Supreme Court dealings with the human rights of Palestinians in the OPT substantially deviate from accepted principles of international law, thereby depriving them of the legal protection to which they are entitled and impeding their access to justice.³³ In this regard, Adalah made reference to the following: the Supreme Court rejected most of the cases challenging the legality and the route of the Separation Wall; in its decision on the Israeli military’s policy of “targeted assassinations” in 2006, the Supreme Court gave an unreasonably narrow interpretation of who is a “combatant” and very wide interpretation of who is not a “civilian”, an approach which has broadened the scope of who can be legitimate target for extra judicial execution; in 2007 and 2008, the Supreme Court approved the closure of border crossings for humanitarian aid and vital commodities and goods; denial of passage for seriously ill individuals in need of medical treatment not available in Gaza, and cutbacks in fuel and electricity supplies.³⁴

14. Addameer wished to express concerns regarding the absence of fair trial procedures of Palestinian civilians in the Israeli Military Courts noting in particular frequent bans on

lawyer/client meetings; no sufficient and adequate time and facilities for the preparation of a defense; denial of bails.³⁵

15. Regarding concerns of impunity, Adalah referred to the decision made by the Attorney General in January 2008 not to file any indictment against those responsible for the killing of 13 Palestinian citizens protesting at the outbreak of the second Intifada in October 2000, and the injury of thousands, following the investigation by a Commission of Inquiry which found the security forces responsible for using excessive force.³⁶ Front Line indicated that there is still significant impunity for attacks against Palestinian human rights defenders.³⁷ AI and HRW both indicated that Israel should ensure prompt, independent, impartial and thorough investigation of alleged violations of human rights and humanitarian law by Israeli forces, and of attacks by Israeli settlers, and bring suspected perpetrators to justice in fair trials.³⁸ Adalah also expressed concerns about the *Civil Torts Bill* which seeks to prevent residents of the OPT from submitting tort lawsuits against the State of Israel to gain compensation for damages inflicted upon them by the Israeli security forces, even in cases where damages were caused outside the context of military operations. The bill has passed its first reading before the Knesset.³⁹ HRW also raised similar concerns regarding tort lawsuits.⁴⁰

4. Right to privacy, marriage and family life

16. Adalah wished to draw attention to new amendments to the *Citizenship and Entry into Israel Law* (2003; temporary order), approved by the Knesset in March 2007, which denies Palestinian citizens the right to acquire residency or citizenship status in Israel for their Palestinian spouses from the OPT. Although the law is defined as a “temporary order”, it has now been extended eight times since its enactment.⁴¹ The new amendments expand the law to exclude spouses from “*enemy states*” and extend the ban to “*anyone living in an area in which operations that constitute a threat to Israel are being carried out,*” according to the security services. In June 2008, the Gaza Strip was added to this list, thereby nullifying the limited possibilities for any family unification between citizens of Israel and residents of Gaza.⁴² Similar concerns were raised by several organizations, including the Jerusalem Legal Aid And Human Rights Center (JLAC), AI and the ICJ.⁴³

5. Freedom of movement

17. JLAC reported on new procedures that limit the freedom of movement of Palestinians to leave and return to the OPT and to move within the OPT.⁴⁴ The Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos (FADPDH) also indicated that in 2007 and 2008, Israeli authorities expanded restrictions and imposed additional ones on the movement of Palestinian civilians and goods to and from the West Bank and the Gaza Strip and East Jerusalem⁴⁵ severely limiting their access to proper medical care as highlighted by organizations in the JSI.⁴⁶ Al Marsad reported on the continued suffering inflicted on thousands of Syrian people in the Occupied Syrian Golan brought about by Israel’s strict entry and exit policy on the Occupied Golan which has led to the continued separation of thousands of family members. Only a privileged few get to cross the international cease fire line each year, an activity facilitated by the International Committee for the Red Cross (ICRC).⁴⁷ Similar concerns regarding restrictions on the freedom of movement, such as the regime of Israeli military closures, checkpoints, and other barriers in the OPT, were also raised by HRW and AI, noting that only restrictions which are absolutely necessary for immediate security threats and are non-discriminatory and proportionate may be imposed.⁴⁸

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

18. Access to Al Aqsa Mosque is severely curtailed by the ongoing closure of Jerusalem to residents of the West Bank and Gaza, and by other restrictions including a general ban on Palestinians under the age of 45 from entering the mosque, as reported by CCDPRJ.⁴⁹

19. Conscience and Peace Tax International (CPTI) reported on the refusal to acknowledge the right of conscientious objection to military service, the repeated imprisonment of conscientious objectors and discriminatory treatment of those who have not performed military service. Military service in Israel is in principle obligatory for all Jewish and Druze men, and for all Jewish women, although there are a number of grounds for exemption. Arab Israelis are excluded from military service.⁵⁰

20. Reporters Without Borders (RWB) reported that all media in Israel are subject to censorship by the armed forces.⁵¹ Journalists have to get approval for anything they say about army movements.⁵²

21. The NGO Monitor indicated that the Israeli Government should be commended for allowing NGOs to operate freely, even when many promote an agenda in which Israel is demonized.⁵³ Front Line noted that non governmental organisations defending the rights of Palestinians encounter obstacles with regard to obtaining official registration status and are forced to work under conditions of considerable risk.⁵⁴ Human rights defenders in Israel and the OPT are subjected to threats, violent attacks, stigmatisation, restrictions on freedom of movement, long periods of arbitrary detention usually under administrative detention orders which enable the authorities to hold human rights defenders indefinitely, without being charged or granted a trial process, and ill-treatment. Front Line also indicated that human rights defenders defending the rights of women and the LGBTI community also face threats and are often targeted by religious extremists.⁵⁵ ICJ reported that Palestinian human rights defenders have been subject to arbitrary travel restrictions.⁵⁶ The Right to Education Campaign (R2E) indicated that under Israeli military regime, all student groups associated with political parties are banned, making student leaders particularly vulnerable to arrests based solely on their political activity.⁵⁷

22. According to COHRE, Arab citizens are significantly under-represented at local, regional and national decision-making levels and their lack of participation in planning bodies is a significant cause for concern.⁵⁸ Israel has no incentives in the law or mechanisms that would bring about appropriate representation of women in politics, as noted by The Israeli Women's Network (IWN).⁵⁹ Women constitute 65 per cent of all government employees, of which only 3 per cent are Arab women.⁶⁰

7. Right to work and to just and favourable conditions of work

23. Women make up about half of the work force in Israel. Arab women's participation in the work force is low, despite the fact that 29 per cent have an academic degree compared with only 12 per cent of Arab male workers.⁶¹ In spite of the existence of the *Law for Equal Opportunities at Work*, women's professional advancement is slow in private and public sectors, as noted by IWN. Salaries are also lower for women than for men. Salaries for Arab women are also lower than those of Jewish women.⁶² The Palestinian Working Women Society for Development (PWWSD) indicated that the Palestinian working women situation is deteriorating due to the restrictions imposed by the Israeli occupation forces, in particular the restrictions on movement and checkpoints.⁶³

8. Right to social security and to an adequate standard of living

24. Israel has devolved responsibility for the health system in the West Bank and Gaza to the Palestinian Authorities (PA), but remains responsible for ensuring the overall fulfilment of Palestinian children's right to health, as highlighted by the organizations in the JS1. The blockade on Gaza has led to the depletion of strategic medical reserves, an overall deterioration in the healthcare system, and extremely limited access to specialized care only available outside of Gaza.⁶⁴ The Child Rights Information Network (CRIN) also reported on the impact of the blockade on children suffering from cancer and blood diseases in Gaza.⁶⁵

25. In the joint submission JS 2, organizations noted that laws, which provide semi-private status to the World Zionist Organization (WZO), the Jewish Agency (JA) and the Jewish National Fund (JNF), provide legal mechanisms to enforce the preferential treatment of Jews in the fields of land and housing. These organizations cater to the exclusive benefit of the "Jewish nationals" under their mandates and carry out various public functions on behalf of the State, including development projects, planning, funding and the establishments of Jewish-only settlements, managing the property and land in Israel and the OPT. Thus, Palestinians who are not and can never be Jewish nationals, are subject to racial discrimination in the field of housing and land allocation.⁶⁶ The Civic Coalition to Defend Palestinian Rights in Jerusalem (CCDPRJ) drew attention to the Local Outline Plan Jerusalem 2000 (2004, 2006) ('the Master plan') promoting further expansion of settlements and demolition of Palestinian homes in occupied East Jerusalem.⁶⁷ COHRE also raised concerns about forced evictions; exclusion from water and sanitation services of Palestinian citizens, most notably Bedouins, and widespread inadequate housing conditions among the Arab minority.⁶⁸

9. Right to education and to participate in the cultural life of the community

26. Israel has also devolved responsibility for Education in the West Bank and Gaza to the PA and United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). However, the Israeli government maintains overall responsible for ensuring that all children in the OPT enjoy their right to an education and that its actions do not contradict or inhibit this right, as highlighted by the organizations in the JS1.⁶⁹ The organizations also reported on: attacks on educational facilities and school children by the Israeli military and settlers; restrictions on school development; shortage of classrooms to educate all Palestinian students in East Jerusalem; restricted access to schools in many locations due to the Wall and other movement restrictions.⁷⁰ In the West Bank, the ongoing closure and the construction of the wall have impeded students' access to schools and universities, as reported by the ICHR.⁷¹

27. R2E also referred to the negative impact of the Wall for students and teachers who regularly face problems crossing the checkpoint to reach the school.⁷² Since 2004, Israel has totally prohibited Palestinian residents of Gaza from studying in the West Bank. Israeli immigration controls deny access of academics and students holding foreign passports to Palestinian institutions of higher education, as further indicated by R2E.⁷³ The R2E also reported that the Israeli army regularly invades the homes of students, conducts arbitrary interrogations and restricts their movement as punishment for non-compliance and; that Palestinian detainees from the occupied Palestinian territories (OPTs) inside Israeli prisons are arbitrarily denied the same access to education as their Israeli counterparts. In 2007, 3,000 detainees were not permitted to sit their end of high-school exams.⁷⁴

28. Severe restrictions on Palestinian cultural activity in Jerusalem are imposed by the Israeli occupying authorities with the effect of preventing expression of Palestinian cultural, social and

political identity, as indicated by CCDPRJ. These restrictions extend to events organized for children, such as summer camps.⁷⁵

10. Minorities and indigenous peoples

29. As indicated by Adalah, the Arab Palestinian minority in Israel comprise close to 20 per cent of the total population of the state, numbering around 1,200,000. They are citizens of Israel and belong to three religious communities: Muslim (81 per cent), Christian (10 per cent) and Druze (9 per cent). They are indigenous and constitute a national, ethnic, linguistic and religious minority. The Arab Palestinian minority in Israel face severe discrimination in all field and the legal challenges launched against discriminatory measures are weakened due to the lack of a constitutionally-guaranteed right to equality.⁷⁶ Adalah also wished to draw attention to Israel's policy of uprooting, displacing and dispossessing Palestinian Bedouin citizens of the state of their traditional, ancestral lands in southern Israel. The Arab Bedouin constitute around 160,000 people or 28 per cent of the total population of the Naqab. One of the primary means employed to remove the Arab Bedouin from their land is home demolitions and providing almost no basic infrastructure and services, including electricity, water, telephone lines, or education or health facilities. At the same time, the state is encouraging intensive Jewish settlement of the remaining land.⁷⁷

11. Migrants, refugees and asylum-seekers

30. Since the early 90s Israel has invited migrant workers from all over the world to work in care giving for the elderly and disabled, agriculture, construction and industry, as indicated by Kav LaOved. At the end of 2006 Israel hosted 186,000 migrant workers. In the majority of cases migrant workers enter Israel with valid work permits, but become victims of debt bondage, fraud concerning the existence or terms of promised jobs, and/or forced labour and slavery.⁷⁸ Kav LaOved indicated that the State must criminally prosecute brokers who charge exorbitant brokerage fees; must respect migrant workers' freedom of association, expression and worship, refrain from violating these rights by targeted arrests; must enable migrants' access to justice, and effective protection of victims that submit complaints; must criminally prosecute employers and job brokers who participate in trafficking in persons for labour; must provide victims of trafficking with the shelter, jobs and visas required for their rehabilitation; must recognise the right of migrant workers to form families; must develop a transparent process of work permit application and allocation; must allocate resources to fight Palestinian labour discrimination, and monitor the safety of Palestinians workers employed in Jewish settlements.⁷⁹

31. According to AI, a new draft law (*Prevention of Infiltration Law – 2008*), currently before the Knesset, contains provisions which are inconsistent with Israel's international human rights obligations, notably the obligation of non-refoulement. The draft law criminalizes irregular entry, without regard for the reasons for entry or the risk of removal and severely restricts the ability of individuals to seek asylum.⁸⁰ Kav LaOved informed that in 2007, Israel violated the non-refoulement principle twice. It also indicated that some asylum seekers are held in incommunicado incarceration, others expelled and others are assigned work as an alternative to incarceration.⁸¹

12. Internally displaced persons

32. According to the Internal Displacement Monitoring Centre of the Norwegian Refugee Centre (IDMC) the situation of displacement in Israel, Occupied Arab Territories, in particular in OPT, has largely been neglected by the international community. IDMC reported on the situation

of displacement in Israel, caused by Israeli policies towards Palestinians and Bedouin Israelis, as well as by conflict between Israel and its neighbours.⁸² Forced displacement has had a significant negative impact on peoples' enjoyment of basic rights and their standard of living,⁸³ including in particular on children.⁸⁴ Legal mechanisms, established by Israel's military administration in the OPT, and in occupied East Jerusalem and Israel under Israeli civil law, have often failed to provide effective remedies for displacement, while compensation is only rarely provided.⁸⁵ In the Occupied Arab Territories, consisting of Syria's Golan Heights and Palestinian Territory, IDMC and other organizations reported on displacement as a result of the 1967 war, as well as Israeli policies in the decades that followed.⁸⁶ Though there are instances in which internal displacement is the direct result of violence stemming from incursions and human rights violations, IDMC and other organizations believe that the patterns of forced displacement attest to a policy with the purpose of acquiring land, redefining demographic boundaries, and divesting Palestinians and Syrians of ownership rights under international law.⁸⁷ Issues regarding displacement were also raised by The Civic Coalition for Jerusalem, Save the Children UK, Save the Children Sweden, World Vision, Al-Haq, The Jerusalem Legal Aid and Human Rights Center and other organizations.⁸⁸

13. Human rights and counter-terrorism

33. Al-Haq indicated being gravely concerned by the 2006 Israeli High Court of Justice decision which failed to recognise the illegality of the practice of targeted assassination by Israel. Al-Haq further referred to the impunity enjoyed by the Israeli military in carrying out targeted assassinations.⁸⁹

34. The ICJ wished to draw the attention of the Council to the increasing perception of the Israeli Arab citizens as a security threat and to their stigmatization. The Israeli Government has exacerbated this stigmatisation by adopting a new controversial citizenship law and by maintaining a 'racial profiling' policy against Arabs at the airports.⁹⁰

35. ICJ further noted that the Israeli Supreme Court declared an absolute ban on torture in 1999, though the ruling allowed methods of creating pressure or discomfort, so long as such methods were not meant to break morale. However, in cases defined as "ticking bombs," where interrogation might prevent an imminent terrorist attack, the court ruled that interrogators would not face criminal neither disciplinary sanctions for using physical pressure in extreme circumstances, despite the fact that it amounts to torture. The ICJ also noted reports that the Shin Bet Security Forces are still continuing to use "irregular" interrogation techniques involving physical measures and torture against Palestinian prisoners.⁹¹

36. Addameer also reported on the amendment made by the Israeli Knesset in 2007, on the period of the criminal procedures (*Non-Resident Detainee Suspect of Security Offences*) (Temporary Provisions; 2006), under which suspects could be held for up to 96 hours before being brought before a judge and for 21 days incommunicado, noting also that the Special Rapporteur on human rights while countering terrorism noted with concern the derogation of this law from recognized standards of due process.⁹²

14. Situation in or in relation to specific regions or territories

37. *Occupied Palestinian Territories* - According to The Independent Commission for Human Rights (ICHR) Israel has maintained control over the PA, as well as undermined its capacity to run respective official bodies and deliver basic services to Palestinians in both the West Bank and the Gaza Strip. The Israeli occupation forces have continued to implement

policies of systematic killings and targeted assassinations, air attacks, incursions, closure and siege, collective punishment, destruction of public and private property and infrastructure, and economic sanctions.⁹³

38. *West Bank* - Israel occupies the entire surface of the West Bank, as indicated in the joint submission (JS 2).⁹⁴ The Israeli authorities started construction of the fence/wall in 2002, describing it as a defensive barrier to provide security for Israel. According to AI, most petitions lodged by Palestinians in the Israeli High Court against the route of the fence/wall were rejected but even in the few instances when the High Court ordered that the route be changed, the rulings have not been implemented by the Israeli authorities.⁹⁵ Closures and blockades have paralyzed the Palestinian economy, caused increasing poverty and unemployment, and ultimately restrict or deny Palestinians' economic, social and cultural rights, including their right to health and education. Israeli forces routinely deny passage to Palestinians, including patients whose lives are in danger.⁹⁶ The "Comunità Papa Giovanni XXIII" Association (APGXXIII) reported in particular on incidents of intimidation and violence against children and the local population by Israeli settlers as well as Israeli military interference.⁹⁷ DCI/PS also reported on growing violence perpetrated by Israeli settlers on Palestinian civilians, such as beatings, shootings, stone throwing or hit-and-runs, as well as on continued reports on the use of Palestinians as human shields by the Israeli army.⁹⁸

39. *East Jerusalem and West Bank* - FADPDH reported that in 2007, Israel continued to demolish Palestinian houses in the OPT, especially in East Jerusalem, as a collective punishment against the Palestinian civilian population, whereas in the West Bank, they demolished houses under the pretext of building without licenses.⁹⁹ The CCDPRJ also indicated that Israel has continued over the last four years to use its planning regime in East Jerusalem to impose measures designed to change the legal, geographic and demographic status of East Jerusalem.¹⁰⁰

40. *Gaza Strip* - The Israeli occupation authorities have imposed a complete closure over the Gaza Strip, resulting in a harsh humanitarian crisis and catastrophic living conditions, as indicated by the ICHR.¹⁰¹ During the last months the Israel Defense Force (IDF) incursions in Gaza, prior to the ceasefire between the Hamas and Israel effective since June 2008, civilians were killed, residential structures unlawfully demolished and non-military objectives targeted. Such attacks are contrary to the principles of distinction and proportionality.¹⁰² HRW indicated that despite the decrease in violence, Israel remains obliged to investigate civilian deaths where there is evidence that laws of war violations may have occurred. Failure to do so reinforces a culture of impunity in the army and deprives victims and their families of an effective remedy.¹⁰³ HRW also referred to the impact of the Israel's blockade of the Gaza Strip, indicating that it constituted collective punishment of the civilian population in violation of international humanitarian law.¹⁰⁴

41. *Occupied Syrian Golan* – Al Marsad indicated that since Israel began its occupation of the Syrian Golan it has taken full control of all water sources and introduced severe discriminatory policies in its distribution to the indigenous Syrian population, while at the same time greatly benefiting illegal Israeli settlers living in the occupied territory.¹⁰⁵

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

N/A.

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council. Two asterisks denote a national human rights institution with “A (R) – accreditation with reserve” status *vis a vis* the International Coordinating Committee of National Institutions for the promotion and protection of human rights)

Civil society

Addameer	Addameer Prisoners Support and Human Rights Association, Jerusalem (Israel)
AH	Al-Haq, Ramallah (Palestine) *
AM	Al Marsad- The Arab Center for Human Rights in Occupied Golan, Golan (Israel)
AI	Amnesty International, London (England)*
APGXXIII	Association Papa Giovanni XXIII, Italy
JS 2	BADIL Resource Center for Palestinian Residency and Refugee Rights*, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA)*, the Association for the Defense of the Rights of the Internally Displaced (ADRID), the Housing and Land Rights Network (HIC)*- Habitat International Coalition and Zochrot in cooperation with Ittijah* – Union of Arab Community-based Associations, joint submission by 7 organizations.
COHRE	Centre on Housing Rights and Evictions, Geneva (Switzerland)*
CRIN	Child Rights Information Network
CCDPRJ	"Civic Coalition to Defend Palestinian Rights in Jerusalem", Jerusalem (Israel)
CPTI	Conscience and Peace Tax International, Thonex (Switzerland)*
DCI/PS	Defence for Children International – Palestine Section, Jerusalem (Israel)*
FADPDH	Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, Madrid (España), joint submission by 13 organizations.
FL	Front Line - The International Foundation for the Protection of Human Rights Defenders, Dublin (Ireland)*
HRW	Human Rights Watch, Geneva (Switzerland)*
IDMC	Internal Displacement Monitoring Centre of the Norwegian Refugee Council, Geneva (Switzerland)*
ICJ	International Commission of Jurists, Geneva (Switzerland)*
ICC	International Complaints Commission
JLAC	Jerusalem Legal Aid and Human Rights Center, Jerusalem (Israel)
JS 1	Joint submission by 3 organizations: Save the Children* UK, Save the Children* Sweden, and World Vision*
KLO	Ka LaOved, Tel- Aviv (Israel)
MIHR	Mandela Institute for Human Rights, Ramallah (Palestine)
NGOM	NGO Monitor, Jerusalem (Israel)
NSXXI	Nord Sud XXI
PWWSD	Palestinian Working Woman Society for Development, Jerusalem (Israel)
PACTI	Public Committee Against Torture in Israel, London (England)/Cairo (Egypt)
RWB	Reporters Without Borders, Paris (France) *
Adalah	The Legal Center for Arab Minority Rights in Israel, Haifa (Israel)*
IWN	The Israeli Women's Network Ramat Gan, Israel
R2E	The Right to Education Campaign, West Bank (Palestine)

National human rights institutions

ICHR The Independent Commission for Human Rights (formerly known as The Palestinian Independent Commission for Citizen's Rights) Ramallah, Palestine **

² The Centre on Housing Rights and Evictions, page 4.

³ Al Marsad, page 2. See also submission from COHRE.

⁴ Amnesty International, page 1. See also submission from BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations; International Commission of Jurists.

⁵ BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, page 3.

⁶ International Commission of Jurists, page 2. See also submissions from Amnesty International; Human Rights Watch; Independent Commission for Human Rights.

⁷ Defence for Children International- Palestine Section, page 1.

⁸ International Commission of Jurists pages 4-5.

⁹ Nord Sud XXI, pages 1-5. See also submission from Al-Haq.

¹⁰ The Legal Center for Arab Minority Rights in Israel, pages 1-5.

¹¹ The Legal Center for Arab Minority Rights in Israel, pages 1-5.

¹² The Legal Center for Arab Minority Rights in Israel, pages 1-5.

¹³ Save the Children UK, Save the Children Sweden, and World Vision, page 1. See also submission from CRIN.

¹⁴ Save the Children UK, Save the Children Sweden, and World Vision, page 1.

¹⁵ BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, page 2.

¹⁶ BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, pages 2-3.

¹⁷ BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, pages 2-3.

¹⁸ Save the Children UK, Save the Children Sweden and World Vision pages 2-3. See also submission from Addameer Prisoner Support and Human Rights Association, page 5.

¹⁹ Defence for Children International- Palestine Section, page 1.

²⁰ The Public Committee Against Torture in Israel (PCATI), pages 1-5.

²¹ Defence for Children International- Palestine Section, pages 3-4. See submission for cases cited.

²² International Commission of Jurists, pages 5-6.

²³ International Complaints Commission, pages 1-5. See submission for cases cited. See also Amnesty International.

²⁴ Addameer Prisoner Support and Human Rights Association, pages 3-5.

²⁵ Addameer Prisoner Support and Human Rights Association, pages 4-5.

²⁶ Amnesty International, page 5.

²⁷ International Commission of Jurists, pages 5-6.

²⁸ Amnesty International, page 5. See also submission from Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, page 4.

²⁹ Amnesty International, page 6.

³⁰ The Mandela Institute, pages 1-6. See submission for cases cited.

³¹ Al Marsad, page 5. See submission for cases cited.

³² CRIN, pages 3-4.

³³ The Legal Center for Arab Minority Rights in Israel, pages 2 -3.

³⁴ The Legal Center for Arab Minority Rights in Israel, pages 2 -3.

³⁵ Addameer Prisoner Support and Human Rights Association pages 2-3. See submission for cases cited.

³⁶ The Legal Center for Arab Minority Rights in Israel, page 2.

³⁷ Front Line, page 3.

³⁸ Amnesty International page 6. Human Rights Watch page 3.

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- ³⁹ The Legal Center for Arab Minority Rights in Israel, page 3-4.
- ⁴⁰ Human Rights Watch, page 5.
- ⁴¹ The Legal Center for Arab Minority Rights in Israel, page 5. See also submission from the Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos; The Jerusalem Legal Aid and Human Rights Center; Human Rights Watch.
- ⁴² The Legal Center for Arab Minority Rights in Israel, page 5. See also submission from the Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos; The Jerusalem Legal Aid And Human Rights Center.
- ⁴³ The Jerusalem Legal Aid and Human Rights Center, pages 2-3. See submission from Amnesty International page 6; International Commission of Jurists, pages 7-8.
- ⁴⁴ The Jerusalem Legal Aid and Human Rights Center, pages 2-3.
- ⁴⁵ Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, page 2.
- ⁴⁶ Save the Children UK, Save the Children Sweden and World Vision page 4.
- ⁴⁷ Al Marsad, page 4. See submission for cases cited.
- ⁴⁸ Human Rights Watch, page 2; Amnesty International, pages 7-8.
- ⁴⁹ The Civic Coalition for Jerusalem, pages 5-6.
- ⁵⁰ Conscience and Peace Tax International pages 1-3. See submission for cases cited.
- ⁵¹ Reporters Without Borders, page 1.
- ⁵² Reporters Without Borders, page 1.
- ⁵³ The NGO Monitor, pages 1-4.
- ⁵⁴ Front Line, pages 1-4. See submission for cases cited.
- ⁵⁵ Front Line, pages 1-4. See submission for cases cited.
- ⁵⁶ International Commission of Jurists, page 6.
- ⁵⁷ The Right to Education Campaign, page 4. See submission for cases cited.
- ⁵⁸ The Centre on Housing Rights and Evictions, page 8.
- ⁵⁹ The Israeli Women's Network, pages 4-5.
- ⁶⁰ The Israeli Women's Network, page 1.
- ⁶¹ The Israeli Women's Network, pages 1-2.
- ⁶² The Israeli Women's Network, pages 1-2.
- ⁶³ The Palestinian Working Women Society for Development, pages 1-3. See submission for cases cited.
- ⁶⁴ Save the Children UK, Save the Children Sweden and World Vision, pages 4-5.
- ⁶⁵ CRIN, page 4.
- ⁶⁶ BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, page 3.
- ⁶⁷ Civic Coalition to Defend Palestinian Rights in Jerusalem, pages 1-2.
- ⁶⁸ The Centre on Housing Rights and Evictions, pages 1-10.
- ⁶⁹ Save the Children UK, Save the Children Sweden and World Vision, page 3.
- ⁷⁰ Save the Children UK, Save the Children Sweden and World Vision, page 3.
- ⁷¹ Independent Commission for Human Rights, pages 3- 4.
- ⁷² The Right to Education Campaign, pages 1 - 4.
- ⁷³ The Right to Education Campaign, pages 4 – 5.
- ⁷⁴ The Right to Education Campaign, pages 1 - 6.
- ⁷⁵ The Civic Coalition for Jerusalem, pages 4 - 5. See submission for cases cited.
- ⁷⁶ The Legal Center for Arab Minority Rights in Israel, pages 1-5.
- ⁷⁷ The Legal Center for Arab Minority Rights in Israel, pages 4-5. See also the Jerusalem Legal Aid and Human Rights Center, pages 5-6; Human Rights Watch, page 1.
- ⁷⁸ Kav LaOved, pages 1-5.
- ⁷⁹ Kav LaOved, pages 1-5.
- ⁸⁰ Amnesty International, page 7.
- ⁸¹ Kav LaOved, page 6.
- ⁸² Internal Displacement Monitoring Centre of the Norwegian Refugee Council, pages 1-8.
- ⁸³ Internal Displacement Monitoring Centre of the Norwegian Refugee Council, pages 1-8.
- ⁸⁴ Save the Children UK, Save the Children Sweden and World Vision page 4.
- ⁸⁵ Internal Displacement Monitoring Centre of the Norwegian Refugee Council, page 4- 5; see also submission by The Civic Coalition for Jerusalem, pages 2-3.
- ⁸⁶ See also Al-Haq, pages 3 -4 and information on related cases cited and; Save the Children UK, Save the Children Sweden and World Vision page 4.

⁸⁷ Internal Displacement Monitoring Centre of the Norwegian Refugee Council, pages 1-8. See also joint submission by BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, pages 4- 6; The Civic Coalition for Jerusalem, pages 2-3.

⁸⁸ See submissions from The Civic Coalition for Jerusalem, Save the Children UK, Save the Children Sweden, World Vision, Al-Haq, The Jerusalem Legal Aid and Human Rights Center.

⁸⁹ Al-Haq, pages 5-6.

⁹⁰ International Commission of Jurists, pages 1-2.

⁹¹ International Commission of Jurists, pages 5-6.

⁹² Addameer Prisoner Support and Human Rights Association, pages 4-5

⁹³ Independent Commission for Human Rights, pages 1-5.

⁹⁴ BADIL Resource Center for Palestinian Residency and Refugee Rights, the Anti-Apartheid Wall Campaign, the Arab Human Rights Association (HRA), the Association for the Defense of the Rights of the Internally Displaced (ADRID), the HIC - Housing and Land Rights Network-Habitat International Coalition and Zochrot in cooperation with Ittijah – Union of Arab Community-based Associations, pages 5 – 6. See also the submission from The Centre on Housing Rights and Evictions.

⁹⁵ Amnesty International, page 4.

⁹⁶ Amnesty International, page 5.

⁹⁷ The “Comunità Papa Giovanni XXIII” Association, pages 1-6. See also submission from the Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos.

⁹⁸ Defence for Children International- Palestine Section, pages 3-4. See submission for cases cited.

⁹⁹ Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos, page 4. See also submission from Amnesty International page 4.

¹⁰⁰ The Civic Coalition for Jerusalem, page 3.

¹⁰¹ Independent Commission for Human Rights, page 1. See also submission from the Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos; The Centre on Housing Rights and Evictions.

¹⁰² International Commission of Jurists pages 2-3; Human Rights Watch page 1.

¹⁰³ Human Rights Watch page 3.

¹⁰⁴ Human Rights Watch, page 1.

¹⁰⁵ Al Marsad, pages 3 -5.
