

Draft Joint Statement on the UPR Pre-Session on Israel

3 April 2023

Many thanks to UPR Info for the opportunity to speak today, and to everyone joining us.

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This statement is delivered on behalf of Al-Haq, Al Mezan, Addameer, and Community Action Centre, four non-governmental organisations that document human rights violations against Palestinians and work to ensure that justice and accountability are afforded.

This presentation will cover three main issues: first, Israel's colonial settlement enterprise; secondly, collective punishment against Palestinians, and thirdly, Israel's mass and arbitrary detention policy and administrative detention.

Notably, all of these policies and practices have played an essential role in ensuring the maintenance of Israel's settler-colonialism and apartheid.

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Issue 1: Israel's Colonial Settlement Enterprise

In Israel's third UPR, 17 States recommended that Israel halt or dismantle its settlement enterprise in the OPT.

Israel continues to expand its colonial settlement enterprise, a visible example of its elimination policy. This enterprise reinforces a system of domination over the Palestinian people, entrenching their fragmentation and dispossession and denying their right to self-determination and sovereignty over natural resources.

Also, Discriminatory planning and denial of building permits to Palestinians facilitate the settlement enterprise, leading to land appropriation and forced transfers.

In 2022, Al-Haq documented the destruction of 254 Palestinian homes under the pretext of lacking a building permit, forcibly displacing 848 Palestinians, including 438 children.

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Moreover, the expansion of Israel's settlement enterprise led to an increasing and alarming level of violence committed by colonial settlers against Palestinians throughout historic Palestine. In addition to attacks which led to injuries and destruction of properties and trees, 5 Palestinians, including 1 child, were killed by Israeli colonial settlers in 2022.

These attacks have not only been permitted but further encouraged by the IOF – which provide protection to Israeli colonial settlers; Israeli officials – who openly incite for further violence; and the Israeli judiciary – which grants impunity for these attacks.

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Issue 1: Recommendations

Therefore, we recommend that Israel:

- Comply with its obligation as an Occupying Power by immediately halting the planning, construction and expansion of its illegal settlement enterprise, dismantling all existing settlements and Israeli infrastructures and withdrawing colonial settlers from the OPT.

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Issue 2: Collective Punishment

In Israel's third UPR, three States recommended that Israel cease practices of collective punishment against the Palestinian people.

Yet, Israel has continued and escalated its collective punishment policies and practices, demonstrated through, *inter alia*, the 15-year long settler-colonial closure and blockade against the Gaza Strip, punitive house demolitions, withholding the bodies of Palestinians killed, and the closure of Palestinian villages and areas.

For the past 15 years, more than two million Palestinians have been subjected to a brutal, illegal blockade and closure, which has increasingly undermined all aspects of life in occupied Gaza and prevented Palestinians' enjoyment of all their unalienable rights—including their rights to life, health, work, education, adequate housing, self-determination, and return.

In 2022, Israel punitively demolished 18 Palestinian homes in the West Bank, resulting in the forced displacement of 79 Palestinians, including 28 children.

Notably, another collective punishment that wasn't addressed by any of the States during the last UPR cycle is the withholding of the bodies of Palestinians killed and Palestinian prisoners and detainees. As of last month, Israel is withholding 122 Palestinian bodies including the bodies of 12 Palestinian children, and 12 prisoners and detainees, according to JLAC and Addameer.

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Issue 2: Recommendations

Therefore, we recommend that Israel immediately and unconditionally:

- Lift the illegal closure and blockade of the Gaza Strip and end all associated unlawful restrictions imposed on the movement of people and goods that have already made the Gaza Strip unliveable;
- Stop punishing the families of deceased Palestinian by withholding their bodies and offer them the treatment of human dignity to which they are entitled.
- Cease all punitive house demolitions in the OPT,
- Refrain from any other forms of collective punishment against Palestinians.

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Issue 3: Arbitrary Arrests, including Administrative Detention, and Torture

In Israel's third UPR, 18 States recommended that Israel halt its arbitrary arrest and detention, including administrative detention, or eliminate its practice of torture and ill-treatment.

Yet, arbitrary arrests continue to be a critical feature of Israel's attempts to repress the Palestinian people's struggle and maintain its apartheid. As of last month, there are 4,780 Palestinians held in Israeli prisons, including 29 women, 160 children, and five Legislative Council members.

For decades, Israel has systematically utilised administrative detention to indefinitely hold Palestinians without charge or fair trial based solely on "secret evidence".

In January 2023 alone, 260 administrative detention orders were issued, bringing the total number of Palestinian detainees to 916, including one woman, five children, and two Palestinian Legislative Council members. Notably, this number has tripled since the last review of Israel.

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Issue 3: Recommendations

Therefore, we recommend that Israel:

- End its widespread practice of arbitrary arrest and detention, including administrative detention.
- Respect the principle of the absolute prohibition of torture.
- End the policy of deliberate medical neglect, and ensure and uphold Palestinian prisoners and detainees' rights to the highest attainable standard of physical and mental health.

Final remarks:

Another policy carried out to maintain Israel's apartheid is through silencing opposition.

During the last UPR cycle, many States recommend Israel stop targeting civil society actors and guarantee a secure environment conducive to the work of NGOs and journalists, free of intimidation, harassment and threat, and where they can exercise their freedom of speech and association.

Despite these recommendations, Israel has intensified its crackdown on Palestinian civil society and human rights organisations over the past four years, as evidenced by the outlawing of six prominent human rights organisations, as one example.

I would quickly highlight the need to have recommendations addressing self-determination and racial discrimination by Israel and to recognise the ongoing settler-colonialism and apartheid against the Palestinian people.

Our final recommendations:

- Dismantle Israel's settler-colonialism and apartheid which are maintained by discriminatory laws, policies and practices of forcible transfer, property appropriation, property destructions, and systematic and institutionalised domination, and oppression against the Palestinian people as whole.
- Enable the exercise of the right of self-determination of the Palestinian people and the return of Palestinian refugees to their original homes.