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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization 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.

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



The Human Rights situation in the Occupied Palestinian Territory

Preamble

In this intervention, Maat for Peace, Development and Human Rights Association (Maat) sheds light on the deteriorating human rights situation in the Occupied Palestinian Territory (OPT), including occupying powers use of the Covid-19 pandemic regulations to commit further violations against the Palestinians, and justify the ongoing blockade of the Gaza Strip, and the restrictions on civil society and human rights organizations. Despite the accelerating spread of the second wave of the emerging Covid-19 pandemic in all countries, including the occupied Palestinian territories, Israel continued to practice widespread violations and did neither comply with international law nor its responsibility as an occupying power. These violations included torturing prisoners, paying no consideration for the current global circumstances triggered by the spread of Covid-19 and the absolute prohibition of torture by international covenants and agreements, in addition to the continuing practice of administrative detention of Palestinians by the Israeli security forces and the use of so-called "secret evidence" as a basis for administrative detention in blatant contradiction with the International Covenant on Civil and Political Rights, as well as the expansion of settlements, in violation to United Nations (UN) Security Council resolutions.

Torture and other cruel, inhuman or degrading treatment or punishment

In November 2020, the Israeli security forces arrested about 413 Palestinians, while the total number of detainees in Israeli prisons reached more than 4,400 detainees, including 41 women and 170 children. Despite the outbreak of Coronavirus second wave in the Palestinian territories, regional and international reports documented violations against human rights, in relation to Israel Security Agency's practice of torture and various types of degrading and inhuman treatment. Human rights reports indicated that 95 out of every 100 Palestinian prisoners and detainees are subjected to torture from the first moment of their arrest in Israeli prisons. The various methods of torture used against detainees and prisoners include severe beatings, sleep deprivation during investigations, solitary confinement and incommunicado, and the denial of all necessary needs for personal hygiene, especially in light of the Covid-19 pandemic. All this is even compounded by the so-called "Bosta", which is a narrow military van with little ventilation, made entirely of cold hard metal, and is used to transfer prisoners and detainees from one prison to another, as well as the policy of medical negligence ("slow killing") which significantly contributes to the decline in the health status of detainees, especially those with chronic diseases.

In many cases, the medical doctors of the occupying forces purposely misdiagnose the cases so that interrogations are prolonged as much as possible, ignoring the documentation of cases of torture brought to them in compliance with the Istanbul Protocol (Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment).

Maat expresses its deep concern about occupying power's systematic torture of Palestinian detainees and prisoners, especially under the global health crisis of the present century, which infected about 135 Palestinian prisoners until mid-November 2020. This situation obligates the occupying forces to observe the current circumstances triggered by the outbreak of the Covid-19, comply with international humanitarian law and international human rights law, and take appropriate measures to save prisoners and detainees.

Continuing administrative detention

Israel continued administrative detention of citizens in the OPT, in contradiction to the right not to be subjected to arbitrary arrest or detention, which is guaranteed by international human rights law. In November 2020, the Israeli Security Agency issued about 102

administrative detention orders for citizens, including about 47 new orders and 55 extensions of precedent arrests, bringing the total number to nearly 380 administrative detainees. Israel is still practicing administrative detention under a flawed law that allows the detention of Palestinians without trial, for a renewable term ranging from three to six months, under the pretext that it is entitled, under law, to keep confidential information about the people it arrests in violation of Article 9 of the International Covenant on Civil and Political Rights. And in many cases, administrative detention is accompanied by practices that may amount to torture, cruel and degrading treatment, not to mention the lack of real guarantees for those arrested, such as the right to contact a lawyer, or to know the charges against them.

Expanding settlement construction

Israel's plan to occupy more spaces on the Palestinian land is illegal under the International Court of Justice and relevant Security Council resolutions, especially Resolution No. 2334, adopted by the Council on December 23, 2016, which calls for putting an end to the illegal settlement in the OPT and in accordance with the Fourth Geneva Convention of 1949 that prevents the occupying power from transferring its citizens to the territories it occupies. However, the Israeli government is sparing no effort to resume the construction of more illegal settlements and the plans to annex more land from the Occupied Palestinian Territory of West Bank and other areas of the OPT, in violation of the United Nations Charter and the Geneva Conventions, and in conflict with the basic rule affirmed by the Security Council and the UN General Assembly, which states that seizing land by war or force is neither acceptable nor permissible.

From January to October 15, 2020, the Israeli government approved the construction of 12,159 new settlement units, including 4,948 units in October 2020 approved by the Israeli Civil Administration's High Planning Committee. These illegal Israeli decisions reflect Israel's contradiction, especially in light of the peace signs that appeared on the horizon after the American administration approved the "Peace Plan for Prosperity" in the Middle East, as well as the normalization of relations with Israel by many Arab countries. Nevertheless, settlement expansion turned out to be a stumbling block in front of any attempts or efforts to build a real peace with regard to the Palestinian-Israeli conflict, to ensure that the rights of the Palestinian people, topped by their right to land, are not wasted. The clearest example of this is Israel's ongoing plans to annex more land from the Occupied Palestinian Territory, as the aforementioned Planning Committee agreed on January 17, 2021, to build 780 new settlement units in the West Bank, which undermines the pursuit of any peace talks in the coming period, and makes the right of the Palestinian people to self-determination is a far-fetched and unenforceable goal.

Recommendations

Eventually, Maat, in this intervention, calls on the Human Rights Council and the international community to jointly cooperate and take an international action to put an end to impunity, and to use more effective tools to pressure Israel with the aim of ending the illegal situation of occupation and promoting the inalienable rights of the Palestinian people. Therefore, Maat recommends the following:

- The Israeli government put an end to all human rights violations against Palestinians, ensure full compliance with international human rights law, especially those stipulated in Article 9 of the International Covenant on Civil and Political Rights, as well as ensure that all persons who have disproportionately practiced torture and force against unarmed Palestinians are prosecuted.
- The Israeli government cease the administrative detention policy practiced under the flawed secret evidence law, which needs further reconsideration and evaluation, and ensure that the detainees have access to a lawyer of their own choice from the first day of their arrest and that the charges against them are known.
- The Human Rights Council show solidarity with the Palestinian People and their right to self-determination by adopting future decisions in this regard, and ensure Israel's

compliance with international resolutions, especially Security Council Resolution 2334, which calls for the cessation of all settlement activities in the occupied Palestinian territories.
