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Summary record of the 4008th meeting

Held at the Palais Wilson, Geneva, on Thursday, 6 July 2023, at 10 a.m.

Chair: Ms. Abdo Rocholl

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The meeting was called to order at 10.00 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

*Initial report of the State of Palestine (continued) (CCPR/C/PSE/1;
CCPR/C/PSE/Q/1; CCPR/C/PSE/RQ/1)*

1. *At the invitation of the Chair, the delegation of the State of Palestine joined the meeting.*

2. **A representative of the State of Palestine**, responding to questions raised at the previous meeting (CCPR/C/SR.4008), said that the Council of Ministers had adopted a decision concerning protection for witnesses and their families at work and in their private lives. The Anti-Corruption Commission reviewed protection measures, and other stakeholders were consulted on the provision of physical protection for witnesses, in cooperation with the security services. Anonymous whistle-blowing was encouraged and whistle-blowers' identities were never divulged, including when complaints were verified by the Anti-Corruption Commission. In 2022, 65 per cent of complaints had been submitted anonymously, and they could be lodged through a range of channels, such as via a free hotline or by fax. Following her request for protection two years previously, Amira Shihadeh had been reinstated in her job at a local council. However, she had been marginalized by her community, leading her to claim in the media that her protection had been insufficient. Ms. Shihadeh's husband had since been elected head of the local council and she had acknowledged that she had received appropriate protection.

3. The eight protesters detained in July 2020 had been brought before the Ramallah Court of First Instance. The case against two of them had been dismissed, while the others were awaiting trial. Although the launch of the National Cross-Sectoral Strategy for Integrity and Anti-Corruption for the period 2020–2022 had been hindered by the coronavirus disease (COVID-19) pandemic, efforts to revitalize it had been stepped up and it would be reviewed later in 2023.

4. **Mr. Awdala** (State of Palestine) said that the Israeli authorities treated Palestinians as second-class citizens in the health system, even in emergencies. The Israeli Government failed to fulfil its responsibilities as an occupying force, granting Palestinian hospitals just 5 per cent of the necessary funding. Very few referrals were made for Palestinian patients in hospitals in the West Bank and East Jerusalem, although services were provided when unavailable in Palestinian hospitals. Palestinians in the Gaza Strip, on the other hand, almost never benefited from referrals. The Israeli authorities' theft of Palestinian goods and funds, as well as the blockade of Gaza, prevented the provision of drugs, even for cancer and chronic conditions, and there had been direct attacks on medical facilities in Gaza. The lives of Palestinian children with cancer were therefore endangered, and they were often prevented from travelling abroad for treatment by the Israeli authorities' refusal to grant travel permits to persons wishing to accompany them. As a result, 10 per cent of patients died owing to a lack of health care. The Government had called on the Israeli authorities to implement the recommendations of the Director-General of the World Health Organization, particularly in relation to the provision of drugs required for basic health care.

5. The Gaza Strip was subject to an illegal occupation and, as such, all death penalties handed down there were out of the control of the Palestinian authorities. The Palestinian people and authorities opposed antisemitism, not least because they themselves were Semites, but also because they opposed all forms of discrimination. Nevertheless, the State of Palestine had been under occupation for more than 65 years, and more than half of all Palestinians had been displaced. The Committee itself, in its general comment No. 34 (2011), had stated that the expression of opinions about historical facts should not be penalized. Hate speech was prohibited in Palestinian legislation.

6. **Mr. Gómez Martínez**, noting that detainees were not entitled to a lawyer if their case was heard before a magistrate's court and that security agencies deprived persons of their right to legal counsel during the evidence-gathering phase of investigations, said that it was important to know how those restrictions could be justified in the light of article 14 of the Covenant. He would welcome details of the implementation of the Supreme

Constitutional Court's ruling that "governor-ordered" detentions were unconstitutional. There were reports that such detentions continued, and he would welcome assurances to the contrary. It would be useful to have information on the arbitrary arrest and detention, including incommunicado detention, of political activists, bloggers, released political prisoners and political activists, including an indication as to whether such practices continued; whether measures had been adopted to eliminate, or at least reduce, such detentions; and whether unlawful detentions were duly, promptly and effectively investigated. Details of the situation of detained student leader Abdul Majeed Hassan would be particularly welcome.

7. He wished to know the status of the draft amendments to Reform and Rehabilitation Centres Act No. 6 of 1988. It would be useful to have information, including disaggregated data, on the outcomes of the prison visits and inspections undertaken by State and judicial bodies and non-governmental organizations (NGOs). He would also welcome information on the medical examinations to which all prisoners were subjected, the types of medical treatment provided in prisons, and the steps taken to provide adequate health care to detainees and to protect them from contagious diseases, particularly AIDS. He would be interested to hear how many children had been detained in child protection and social care institutions and had received psychological, social and rehabilitation services since legislation to that effect had been enacted in 2016.

8. Clarification was required as to how judges were appointed, and he would like to hear the delegation's response to allegations of nepotism in that process. He would welcome confirmation of whether responsibility for disciplining judges lay with the President of the Supreme Judicial Council and, if so, clarification of how their independence was guaranteed. He also wished to know how the Supreme Judicial Council was elected. It would be helpful to hear about any consultations with the Independent Commission for Human Rights or civil society concerning controversial decree laws enacted in 2022, on the recommendation of the Transitional High Judicial Council, that currently permitted prolonged detention without a lawyer, limited the right to a defence and raised the threshold of accountability for crimes committed by public and law enforcement officials. Information on the composition and functions of the Transitional High Judicial Council would also be useful. Lastly, he would appreciate data on the objectives achieved to date under the Sectoral Strategy for the Justice System and the Rule of Law for the period 2021–2023 and those that would be met in 2023.

9. **Ms. Bassim** said that clarification was required as to the fate of the bill on trafficking in persons, including information on any obstacles that might be hindering its adoption. She wished to know which body was responsible for following up on families' responsibility to protect their children from violence, exploitation and illegal labour and to afford them social and psychological support. It would also be helpful to hear what measures were adopted if families or foster families failed to fulfil that responsibility; how children were selected for admission to social care institutions; how many such institutions existed in the West Bank and the Gaza Strip; how they were funded; and how their residents were separated according to age, sex and education level. She would welcome information on the number of offences of child labour – including begging – that had been reported, and on the perpetrators and the sanctions imposed. It would be interesting to hear why the number of women suffering exploitation had risen in 2022; what measures had been adopted to address the small number of women's shelters in the West Bank and the Gaza Strip; and whether the budget of the Ministry of Social Development could cover, at least partly, that shortfall.

10. Most of the Government's projects to protect basic rights in the occupied territories were implemented in partnership with international bodies and failed to meet basic needs. They were also threatened by funding shortages. Nevertheless, the Government had a duty towards the Palestinian people, and she wished to know how it would address the difficulties caused by the actions of the occupying forces and what measures had been adopted in terms of health, education, support for families living in poverty and job creation, including through the provision of credit. She also wished to know what projects were implemented jointly by the Government in Ramallah and the authorities in Gaza to ensure decent lives for refugees and internally displaced persons and how joint projects with international organizations and donors were selected.

11. Given that the authorities had reportedly prevented and violently dispersed peaceful protests against the Government and arbitrarily imposed requirements to seek prior permission for gatherings, it would be good to hear how many times peaceful assemblies had been dispersed by force, the reasons and justification for such action, and how many participants had been arrested.

12. **Ms. Tigroudja** said that she wished to know why the State party had suspended medical cooperation and coordination with Israel. She would also like to know what measures had been taken by the Ministry of the Interior to follow up on complaints from the Independent Commission for Human Rights concerning the refusal to issue passports. More generally, she wondered what had been done to ensure that restrictions on movement, such as the refusal of passports, did not discriminate, including, in particular, against women, and that they were proportionate and based on legitimate grounds, as required under article 12 of the Covenant.

13. She would appreciate information about any progress made in establishing a timetable for the parliamentary and presidential elections, which had been postponed indefinitely in 2021. In the light of reports criticizing the excessive restrictions imposed by the Elections Commission on persons wishing to stand as candidates in local, parliamentary and presidential elections, she wondered what measures the State party intended to take to ensure that, in future elections, the democratic process complied with article 25 of the Covenant. Lastly, she wished to know of any steps planned to guarantee effective access to public and political life for women, given that political and electoral violence and intimidation had targeted women in the 2021 local elections.

14. **Ms. Kran** said that she would like to know whether the State party planned to narrow the excessively broad scope of Decree-Law No. 10 of 2018, regarding cybercrime, which reportedly undermined the right to privacy. Would provisions that upheld the principle of legal certainty and brought the Decree-Law into line with the Palestinian Basic Law, which stipulated that court orders were required for measures involving interference with privacy, be introduced? She would also appreciate more information about the bill on personal data processing drawn up by the Ministry of the Interior, including its current status; when it would come into force; and how its provisions would ensure compliance with the rights enshrined in the Covenant and prevent arbitrary or unlawful interference with individuals' privacy. It would likewise be interesting to know how the State party ensured that intrusive surveillance technology, such as Pegasus spyware, was used in cases of serious crimes and grave security threats only, in line with the Covenant, and was not used to conduct surveillance on human rights defenders and journalists.

15. She wished to know what systems were in place to address complaints of violations of the right to privacy, particularly those committed by law enforcement officers; what remedies were available to victims of such violations; how many such violations had been reported, investigated and taken to trial over the previous five years; and what the outcomes had been in terms of sanctions imposed and remedies provided. Information about any steps being taken to safeguard individuals, particularly women, against online harassment and violations of their right to privacy and about any progress made in raising awareness of strategies for protecting personal privacy would be appreciated. She would also like to know how the State party facilitated the reporting of violations of the privacy of lesbian, gay, bisexual and transgender persons and what steps had been taken to address previous rights violations such as the banning of the rights organization alQaws for Sexual and Gender Diversity in Palestinian Society in 2019.

16. In the light of concerns that unclear definitions contained in Decree-Law No. 10 of 2018, regarding cybercrime, and also in the Criminal Code left freedom of expression vulnerable to violation, she wondered whether external input, including, for example, consultations with civil society and with lawyers and staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR), would be requested in order to ensure that amendments to those instruments complied with the State party's obligations under the Covenant. She would also appreciate an update on the status of the draft criminal code, which had been in development for 12 years.

17. She would welcome information about any steps taken to ensure that journalists and others exercising their right to freedom of expression, including to criticize the Government, whether through social media or otherwise, were protected as required under the Covenant. It would be interesting to know how many people had been detained for posting comments critical of the Government on social media since 2017 and what the outcomes of their cases had been. She would also appreciate information about any action taken to address reports of persons being unlawfully subjected to prolonged detention: what remedies were available to those persons and had remedies been granted in any cases?

18. **Mr. Carazo** said that he would appreciate the delegation's comment on the impact of the legal requirement for charitable associations and organizations to submit a detailed financial report, which apparently delayed the disbursement of funds and thus impeded their ability to function. He wondered whether any measures to lessen the impact were planned. He would also like to know whether the State party intended to repeal Decree-Law No. 7 of 2021, which was reported to have introduced further restrictions on charities' ability to function. The delegation's comments on information indicating that the Ministry of the Interior had denied registration for certain associations because security agencies had refused to issue certificates of good conduct to some of their members, even though they fulfilled all the legal requirements, would be welcome.

19. He would also welcome information about the composition of the ministerial committee set up to study and draft a new bill to regulate trade unions in the light of concerns about their freedom and plurality. Specifically, he wished to know whether the committee was a tripartite body; whether its members were drawn from both regions of the State of Palestine; and what timeline was envisaged for its work. Lastly, he would appreciate an update on the status of the bill, including details of any reports or findings already issued by the committee.

The meeting was suspended at 11 a.m. and resumed at 11.20 a.m.

20. **A representative of the State of Palestine** said that the Palestinian Basic Law stipulated that the judiciary was independent and that no other authority or power should intervene in the delivery of justice. The deterioration of the judiciary in the years leading up to 2019 had resulted in a decision to dissolve the existing Supreme Judicial Council, and Decree-Law No. 17, issued in 2019, had provided for the establishment of the Transitional High Judicial Council tasked with reforming the judiciary and the Public Prosecution Service and ensuring the independence of the judiciary, access to justice and the rule of law and the separation of powers. Legislation that shortened the duration of trials had also been passed.

21. Judges were appointed via a competitive oral and written process overseen by judges from the Court of Cassation and the Supreme Court, once eligibility and background checks had been run in line with the Judicial Authority Law. They could be dismissed by the Supreme Judicial Council on the recommendation of the relevant committees, whose members included three high court judges, as required under article 11 of Decree-Law No. 40 of 2020. The executive branch, including the President, played a purely honorary role in the appointment and dismissal processes, with the latter approving the decisions taken.

22. **A representative of the State of Palestine** said that Decree-Law No. 25 of 2022, concerning the National Commission against Torture, had been inconsistent with international law and had therefore been amended in consultation with civil society and international partners. It had now been referred to the President for approval. The Government was looking forward to the 2023 visit by the Subcommittee on Prevention of Torture and the additional institutional oversight the visit would provide. The Government cooperated with the Independent Commission for Human Rights, which had observer status in various ministries as well as in the country's prisons and other places of deprivation of liberty, and the Commission submitted its findings to the President, the Prime Minister, security leaders and competent institutions on an annual basis. The Government worked to combat any violations and shortcomings in prison conditions reported by the Commission and conducted extensive training of law enforcement officials.

23. Between 2011 and 2023, approximately 3,000 of the 3,500 passport applications received by the Ministry of the Interior from residents of the Gaza Strip had been successful, with the passports being issued in Ramallah. Applicants who had a pending court case were

not issued with passports until after they had appeared in court in order to prevent them from leaving the country in the interim. The requirement for a woman to have the approval of a male guardian in order to travel had been imposed by a Hamas-run court in the Gaza Strip but had been annulled subsequently in the face of pressure from civil society and NGOs. A decision of the State party's leading legal authority had since established that women were fully entitled to unrestricted travel and the Government was committed to preventing any backsliding on that decision.

24. The right of freedom of association was enshrined in the Palestinian Basic Law and other relevant legislation concerning measures to combat corruption, money-laundering and terrorism. Decree-Law No. 7 had been issued in 2021 but repealed later in the same year and consultations on possible future amendments were under way. The requirement for charitable organizations to submit their financial records as part of the registration application process was intended solely to ensure that they were operating lawfully.

25. Public Meetings Act No. 12 of 1998 was intended to regulate traffic, not to limit the right of peaceful assembly or freedom of assembly or to disrupt protests. Organizers of peaceful assemblies were required to notify the police 48 hours in advance but, even where they failed to do so, the police were committed to coordinating with organizers to ensure minimum inconvenience for citizens. Far more gatherings passed without incident than were dispersed by force. In the latter case, the security forces worked within the confines of the law and respected the principles of necessity and proportionality. Following events outside courts in Ramallah and Bethlehem during which protestors and journalists had been assaulted, the Government had established a fact-finding mission involving representatives of journalists and the Independent Commission for Human Rights. In response to the resulting recommendations, a manual had been drawn up to set forth the conduct expected of law enforcement officers in their interactions with journalists.

26. **A representative of the State of Palestine** said that, where the right to privacy was concerned, article 32 of Decree-Law No. 10 of 2018, regarding cybercrime, stipulated that the Public Prosecution Service was entitled to search relevant persons, places and computer equipment when a criminal offence had been committed. The Prosecutor General, on the instruction of a judge, issued the orders required to collect the information necessary for investigations from information technology companies. Precise reasons needed to be cited for inspections, which were restricted to a limited period of time and subject to appeal. If their scope exceeded the authorization granted, inspections could be annulled according to the Code of Criminal Procedure. The Public Prosecution Service had oversight and control in respect of all information obtained during inspections and, to gain access to the data in question, the judicial police was required to seek its permission.

27. Under the Palestinian Child Act, children were placed in child protection and social care institutions whenever they were at serious risk of harm or had already been harmed. The Act established the circumstances in which children should be referred to such institutions and was in line with international standards. There were three institutions in the State, within which children were separated according to their age and gender, and guidelines for ensuring their proper treatment had been adopted. The Juvenile Protection Act provided a range of legal safeguards, including legal aid, for juveniles in the custody of judicial officers.

28. Rates of violence and abuse against women had risen owing to higher reporting rates, which were attributable to Government efforts to raise awareness of women's rights and the remedies available to victims of violence and abuse and increase trust in the authorities. Prosecutors' visits to protection and holding centres were electronically documented, and the results were shared with the parties concerned.

29. **Mr. Shalaldeh** (State of Palestine) said that, in Jerusalem, the Israeli authorities held Palestinian children below 14 years of age under house arrest using satellite tracking equipment while their cases were being considered by the courts, since Israeli law did not allow children to be incarcerated. The period of house arrest was often unspecified and families faced huge fines if their child breached a confinement order. There had been over 200 such cases in 2022.

30. By order of the Council of Ministers, the Ministry of Justice had established a legal clinic to promote a culture of human rights, in line with various international human rights

treaties. The clinic monitored and documented cases of human rights violations against women and children, especially in remote areas and in camps, provided counselling to victims, and ensured access to justice.

31. **A representative of the State of Palestine** said that Palestinian officials had committed human rights violations, including abuse of power and torture, after the establishment of the Palestinian Authority owing to a lack of experience and expertise and the absence of a legal framework. However, once the security apparatus and legislative framework for regulating institutions and ensuring accountability had been created, far fewer violations had been registered.

32. The State of Palestine had a pluralistic society that respected freedom of expression, association and opinion. Force was used to disperse demonstrations only when they posed a threat to human life or property. The journalist Shireen Abu Akleh had been directly targeted and killed while covering a massacre taking place in Jenin in order to prevent her from exposing the occupiers' crimes, which included the killing of women and children. The State of Palestine protected human rights defenders and did not violate the rights of journalists. Persons who did so were prosecuted. Unfortunately, however, the killer of Shireen Abu Akleh was still at large. Freedom of opinion was enshrined in the Basic Law and all religious faiths were respected.

33. Unlawful deprivation of liberty was punishable as a serious crime. The military courts, which heard cases against law enforcement officers, had registered 20 cases involving unlawful deprivation of liberty since 2018. Sentences had been handed down in some, while others were still pending trial. The courts worked with Military Intelligence to ensure that no such crimes went unpunished. Detention facilities were subject to oversight, unscheduled visits were conducted and all officers were required by law to report any cases of unlawful deprivation of liberty. Civil society organizations were permitted to undertake visits to detention facilities and the relevant provisions of the Crime Prevention Act of 1954 had been repealed to prevent the arbitrary arrest of persons on the orders of governors.

34. The military courts had received two complaints in which officials had confiscated mobile telephones. In one of those cases, the defendant had been imprisoned for a year for confiscating a mobile telephone. The other complaint was still under investigation. Any evidence obtained through unlawful means, such as by accessing a mobile telephone without a court order or permission from the owner, was dismissed in court, regardless of the seriousness of the offence under investigation. The Public Prosecution Service, which investigated torture cases, was fully independent, and various military and other officials had been successfully prosecuted in the military courts without government intervention. No one outside of the justice system was permitted to interfere with court proceedings.

35. There were over 60 settler groups in the State of Palestine that killed and terrorized innocent Palestinian people and should be listed as terrorist organizations. Their occupation of Palestinian territory posed a major obstacle to the State's compliance with the Covenant.

36. **A representative of the State of Palestine** said that the main priorities of the Sectoral Strategy for the Justice System had been to improve digital services offered to citizens, evaluate and follow up on a plan to boost transparency, increase the use of digital technology in the handling of court cases and ensure access to justice. Priorities under the future strategy would include promoting inclusiveness, improving responsiveness to the needs of citizens, ensuring integration and effective coordination within the justice sector, digitalizing judicial services and guaranteeing good governance.

37. A committee comprised of representatives of various bodies, including civil society organizations and the Bar Association, was working on amendments to update the Criminal Code. Consultations would begin after the updated Code had been submitted to the Council of Ministers and the text would be made available by means of an electronic platform that was being developed in cooperation with the Organisation for Economic Co-operation and Development (OECD).

38. The bill on action to combat human trafficking was currently in its third reading and had undergone a public consultation process. It had taken the legal committee four years to draft the bill, which complied with all international treaties and conventions on cybercrime,

organized crime and human rights. Since 2022, offences of human trafficking had been punishable under laws to combat money-laundering and the financing of terrorism.

39. Public consultations were under way on a draft decree-law to protect personal data that had been circulated to all competent authorities in June 2023. The draft set out standards and security guarantees for the protection of personal data and provided for reparation to be granted to victims of data breaches. Personal information on health, political opinion and religious affiliation would be protected under the law and a national commission for the protection of personal data would be established to enforce the rules. The disclosure of personal data without the approval of the person concerned would be prohibited, except for criminal investigation purposes, and the person concerned could object to any unnecessary processing of their data. The processing of data in violation of the law would be punishable by a prison term of between 6 months and 2 years and a fine of between 1,000 and 5,000 Jordanian dinars.

40. **A representative of the State of Palestine** said that the purpose of the family protection bill was to plug gaps in laws governing family life, create a legal framework to protect the family, establish measures to protect women, ensure coordination between social workers and prosecutors, provide rehabilitation for victims and establish remedies in cases of incest or abuse of persons with disabilities. The bill was currently in its third reading before the Council of Ministers and might be adopted as early as the fourth quarter of 2023.

41. Mechanisms were in place to protect women and girls with disabilities who had been victims of violence. The Ministry of Women's Affairs, the Ministry of Social Development, the Public Prosecution Service, the religious courts, the provincial authorities and organizations of persons with disabilities might all be involved in decisions to refer women victims of violence to a protection centre. Since 2018, around 400 complaints of sexual violence had been received under the umbrella of a plan to provide legal services, psychological support and medical care launched by the Ministry of Women's Affairs. A service centre was being built in the north-east of the West Bank. In 2020, the Council of Ministers had announced a series of measures that entailed accommodating women victims of violence in protection centres, and an ad hoc committee had been created to free 81 children who had been detained during the COVID-19 pandemic.

42. The Ministry assessed cases of attempted suicide after they had been submitted for examination by the hospital and the Public Prosecution Service to determine the reason for the suicide attempt. A technical committee on violence had been created in view of the link between that issue and violence against women. The Ministry of Health had studied the psychological aspects of suicide and police officers had been trained in how to handle cases of attempted suicide. However, limited statistics on suicide were available. A protocol had been adopted to coordinate action, which covered areas such as suicide prevention, medical referrals and working with relevant stakeholders with responsibilities in the field of suicide prevention.

43. **A representative of the State of Palestine** said that female human rights defenders formed an integral part of the Palestinian social fabric and their rights, including the rights of association and participation in civil society activities, were guaranteed under the Basic Law. The State of Palestine worked in coordination with NGOs and civil society to combat violence against female human rights defenders. In 2023, an advisory council had been established to set priorities in terms of ensuring access to justice and gender equality, and a report had been published outlining measures to eliminate discrimination. The Ministry of Women's Affairs had signed memorandums of understanding with female human rights defenders to that end. The Government had sought to strengthen cooperation with human rights defenders since ratifying the Covenant and it held consultations before submitting any reports to the human rights treaty bodies to ensure that the views of human rights defenders were taken into account.

44. The Ministry of Women's Affairs worked with the security forces to investigate attacks against female human rights defenders and had sought assistance from the international community in dealing with acts of terrorism against them. For instance, a case had been lodged with the International Criminal Court to investigate the murder of Shireen

Abu Akleh. The Ministry also offered training for female human rights defenders, including numerous workshops run in cooperation with OHCHR in Ramallah.

45. Training would continue in view of the recent incursions carried out by Israel, which posed serious challenges. The Israeli army had classified six Palestinian humanitarian organizations, which mostly dealt with the rights of women and detainees, as terrorist groups, after they had been accused, without evidence, of receiving funding from dubious foreign sources. Israel had requested NGO Monitor to publish reports that had led to a travel ban against Sahar Francis, a human rights defender who participated in international conferences and denounced the occupier's practices. The Ministry of Women's Affairs had created a committee to monitor violations of women's rights and had reactivated the National Online Observatory of Gender-Based Violence, which gathered statistics on attacks against women. Furthermore, the Ministry had recently signed 11 contracts with women's associations with a view to gathering data in a single platform.

46. **A representative of the State of Palestine** said that, in 2016, the Council of Ministers had established a committee on sustainable development, which comprised 22 representatives of government ministries, public institutions, civil society and the private sector, to compile and publish data related to sustainable development. The Council had subsequently adopted the "Citizen First" national policy agenda aimed at integrating 125 sustainable development indicators into the Government's national development plans. The agenda covered poverty, education, health, security and justice, among other areas. A study on sustainable development had been carried out in 2019 in order to monitor progress in those areas.

47. **Mr. Gomez Martinez**, noting that persons could be detained for up to 90 days for failing to pay their debts, invited the delegation to comment on that practice, which affected thousands of people, many of them women, and to explain how it was compatible with article 11 of the Covenant. He would appreciate clarification as to who appointed the members of the Supreme Judicial Council.

48. **Ms. Tigroudja** said that the Committee was interested in learning the reasons why women human rights defenders continued to be subjected to sometimes virulent defamation and harassment campaigns, including online, whenever they expressed their views publicly. She invited the delegation to comment on the practice of depriving women of their liberty in order to protect them from violence, which was not compatible with article 9 of the Covenant. She would welcome a response to her questions on political and electoral matters, which were at the heart of the Committee's concerns.

49. **Mr. Quezada Cabrera**, noting that the Committee against Torture had raised concerns about the military courts and the fact that they prosecuted civilians, said that it would be useful to know who sat on the military courts, what their qualifications were and who appointed them; whether the military courts exercised their jurisdiction in accordance with the law; and whether rulings of the military courts could be appealed.

50. **Mr. Carazo** said that he would welcome information on the incidents of excessive use of force that had occurred during demonstrations against the measures put in place in response to the COVID-19 pandemic, and also on the time frame for the effective operationalization of the national mechanism for the prevention of torture. He seconded the request for replies to the numerous, important questions on political issues.

51. **Mr. El Haiba**, noting that the adoption of laws and the establishment of institutions did not always translate into real change on the ground, said that the State party might consider assigning the mandate of national torture prevention mechanism to the national human rights institution.

52. **Ms. Kran** said that she would welcome clarification as to the fate of the anti-corruption demonstrators who had been arrested in July 2020 given that the maximum sentence for the offence for which they had been arrested had long since elapsed. The Committee was interested in hearing how the State party encouraged individuals to report cases of corruption in practice as the various positive legal and policy measures in place did not appear to be allaying fears of retribution. In that connection, it would be useful to hear

examples of cases where the State party had ensured accountability for reprisals against whistle-blowers.

53. She would appreciate further details about the steps taken by the Government to bring the Criminal Code into line with international standards and the timeline for the adoption of the new Code. She wondered how the guidance on interaction between the security forces and journalists would be enforced. Lastly, she wished to know on what grounds Abdulmajid Hasan and other members of the Birzeit University student council had been detained and how their detention was compatible with the right to liberty and freedom from arbitrary detention under the Covenant.

54. **Ms. Bassim** asked what the age of criminal responsibility was, and, with reference to table 8 in the replies to the list of issues ([CCPR/C/PSE/RQ/1](#)), how the State party explained the sharp increase in the number of cases of exploitation of women between 2017 and 2022.

55. **Mr. Awdala** (State of Palestine) said that the Palestinian Government had ceased cooperation with Israeli hospitals on the admission of Palestinian patients because, in contravention of its duties as an occupying power, Israel had engaged in questionable billing practices.

56. Providing an overview of the history of elections in the occupied Palestinian territory since 1967, he recalled that, as established in United Nations resolutions, the Palestinian people had a right to self-determination and the Palestine Liberation Organization was the sole representative of the Palestinian people. Three seats in the Palestinian Legislative Council were currently vacant. It was inaccurate to state that officials were elected for indefinite terms: elections would be organized as soon as they could be held throughout the territory, including in Jerusalem. The ability to do that had been complicated by the decision of the Administration of former President Trump to recognize the annexation of Jerusalem by Israel and to relocate the United States embassy there. The international community should assume its responsibility and pressure the occupying power to abide by the rules of international law and allow the Palestinian people to hold elections across their territory. There were continuous attempts to undermine the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for instance, through efforts to change the definition of who constituted a Palestinian refugee. He called on all States to support the Agency so that it could continue to protect the rights of the Palestinian people.

57. **Mr. Khraishi** (State of Palestine) said that the State of Palestine was proud to take part in the dialogue with the Committee and looked forward to continuing the relationship and receiving technical assistance for the preparation of reports. He hoped that, when the Committee next reviewed the State of Palestine, its people would have gained their right to self-determination. Acceding to the Covenant had marked a turning point in the situation of human rights in the country, which was committed to satisfying international standards.

58. The gateway to good governance, the separation of powers and a robust judiciary was elections, which the authorities were determined to organize as soon as conditions were met. There was, however, a need for reconciliation among Palestinians. To that end, President Abbas had recently convened the factions to work on solutions.

59. The Government had an excellent relationship with the World Health Organization, which documented the health situation in Palestine and the occupied Syrian Golan annually and provided support that had been invaluable to efforts to overcome the COVID-19 crisis, among other challenges. Obstacles still facing the authorities included the purchase of vaccines at reasonable prices: Israel required them to be bought from specific producers, who sold them at ten times the price charged by other producers such as India.

60. Concerning the national mechanism for the prevention of torture, civil society had raised objections to the law presented in June 2022. A new version had therefore been transmitted to the Office of the President and would hopefully be signed by the time the Subcommittee on Prevention of Torture conducted its country visit in September. There was sufficient room in the public space for civil society organizations, whose criticism the Government accepted. The State of Palestine wished to convey to the world that it was determined and able to satisfy its international obligations.

61. **Mr. Shalaldeh** (State of Palestine) said that the State of Palestine was grateful to the Committee for the transparent, high-level dialogue and would take its comments into consideration in implementing the Covenant through legislative and other measures that were designed to realize the rights of people under the Government's jurisdiction without discrimination on any grounds.

The meeting rose at 1 p.m.