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

**Joint written statement* submitted by the International
Organization for the Elimination of All Forms of Racial
Discrimination (EAFORD), Arab Organization for Human
Rights, International-Lawyers.Org, Union of Arab Jurists,
non-governmental organizations in special consultative
status, International Educational Development, Inc., World
Peace Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Lives in Debris and Scarcity*

Fulfillment of the right to an adequate standard of living depends on a number of other economic, social and cultural rights, including the right to property, the right to work, the right to education and the right to social security. Israel has failed to ensure equal enjoyment of such fundamental rights between Jewish and non-Jewish populations in all areas under its effective control. With the Palestinian economy, the movement of goods and people, the natural resources and the allocation of water resources, and the development of infrastructure rigidly subjected to the control of the Occupying Power, which additionally imposes curfews and launches operations, it is difficult to imagine the realization of the right to an adequate standard of living.

These factors are compounded by further region-specific policies and practices detrimental to this basic right: The longstanding blockade and recurrent large-scale military operations in Gaza and the discriminatory zoning and planning regime in Area C of the West Bank and East Jerusalem and entailed land confiscation, house demolitions, and destruction of agriculture. In East Jerusalem, the refusal or revocation of residency rights and denial of equal access to basic services and the provision of vital infrastructure are decisive. Inside Israel, the land and development model discriminates against and displaces Palestinian citizens. The Israeli imposed siege over Gaza and recurrent military operations have resulted in, *inter alia*, the collapse of Gaza's economy, acute shortage of basic goods and essential services, and high drop-out rates in schools.

Right to Housing

Palestinians' right to housing continues to be trampled – as the UN Special Rapporteur on the right to adequate housing already concluded in 2012: “From the Galilee and the Negev to East Jerusalem and the West Bank, the Israeli authorities promote a territorial development model that excludes, discriminates against and displaces minorities, particularly affecting Palestinian communities.”¹

In all areas of the Occupied Palestinian Territory, the housing sector continues to be negatively affected by the Israeli occupation and apartheid practices, registering a significant housing deficit of residential units and largely inadequate housing conditions. The semi-private status allocated to the World Zionist Organization (WZO), the Jewish Agency (JA) and the Jewish National Fund (JNF) provide legal mechanisms for the reinforcement of discrimination against Palestinians with regards to planning and zoning, and managing the property and land in Israel and the Occupied Palestinian Territory, and thereby cater housing to the exclusive benefit of Jewish nationals.

In East Jerusalem, where the Israeli authorities incessantly seek to limit the number of Palestinians, the denial of building permits to Palestinians and the demolition of Palestinian homes have resulted in housing shortage and immense overcrowding. In one incident on 19 August 2014, for instance, Israeli authorities demolished all structures in the Bedouin community of Tel al-Adassa in East Jerusalem on the basis of lacking building permits, rendering all seven families of around 39 people homeless. Housing conditions are also severely affected by recurrent military operations, during which residential structures and shelters are leveled to the ground, leading to large scale displacement. Also among Palestinian citizens of Israel, inadequate housing conditions prevail.

Right to Food

Israel's control over Palestinian land and movement, economic activity and trade substantially impacts Palestinians' right to food and substantially reduces the range of foodstuffs. One decisive factor is Israel's annexationist and restrictive practices in Area C.

In the West Bank, Israeli forces and settlers have destroyed Palestinian agricultural land and means of subsistence. For instance, Israel has converted Palestinian land into garbage dumps by disposing of toxic products and untreated waste

¹ Rolnik (2012).

water in Palestinian valleys and on agricultural land. Moreover, it fails to prevent or is complicit in the contamination of Palestinian fields and wells by Israeli settlers, which causes the poisoning and killing of livestock. According to OCHA (2015), the vast majority of residents (93 percent) in Area C are vulnerable with regards to access to land, with 15 percent experiencing high vulnerability and 46 percent medium vulnerability².

With the imposition of the blockade on Gaza, Israel also banned the import of thousands of commodities, including food stuffs. The high poverty rate in Gaza mainly caused by the siege aggravates food insecurity among households, which amounted to 47 percent by November 2016³. During periods of military operations, food prices inflate and basic foodstuffs are in short supply. Products such as meat and fish, vegetables and fruit are then barely obtainable. While Gaza holds rich reserves of fish, the enforcement of access-restricted areas at sea continues to devastate the once flourishing Palestinian fishing industry because it prevents fishermen from fishing in the richest fishing areas, forcing them to fish in overfished and heavily polluted waters. This costs many Gazan families their livelihood and major source of food. The effects of these economic restrictions and other activities are reflected in a continuously high dependency on food assistance and a high poverty rate.

Right to Water and Sanitation

The right to water and sanitation is intrinsic to the right to an adequate standard of living and the right to the highest attainable standard of health enshrined in the CESC. Every person is entitled to sufficient and safe water as well as water and sanitation services that are within safe physical reach, are affordable, and conducive to public health and the environment. However, Palestinians are deprived thereof due to Israel's control over and exploitation of Palestinian natural resources, as well as obstruction or destruction of vital services and infrastructure.

Palestinians are deprived of essential public services marked by inadequate sewerage facilities and acute water scarcity – mainly owing to the destruction of main water pipes supplying Palestinian villages, unfair water distribution, the isolation of Palestinian neighborhoods from water sources, and the pollution of sewage water. This situation is compounded by the prevention of construction and maintenance of water and sanitation infrastructure, as well as by the prohibition of construction of wells. For instance, as South Hebronite village of Al-Duqaiqah is not connected to water grid, villagers have to purchase water from water-trucks at four times the cost of the average water tariff for private use in Israel. Palestinians are thus largely dependent on the water supply by the Israeli company Mekorot, which ironically draws on Palestinian water resources. However, the company occasionally interrupts its provision in Palestinian cities and villages for extended periods, while it continues to supply Israeli settlements. One such occasion was in June 2016, during Ramadan.

In Area C, 49 percent of residents experience vulnerability to water, sanitation and hygiene – with 20 percent of residents suffering from high vulnerability. The vulnerability level is based on weighted indicators: Residential areas connection to water networks, price of water tanker, and concerns on water quality. A further factor is settler violence with regards to pollution of land and water.⁴

As Israel made itself Gaza's major supplier of electricity and sole source of fuel, the sanctions and blockade imposed on Gaza have directly led to the violation of the right to water and sanitation. Supplies needed for the reconstruction and consolidation of water, sewage and sanitation facilities are denied entry and fuel and equipment for water treatment facilities are restricted. This forces the Gaza Coastal Municipality Water Utility to release untreated or partially treated sewage into the Mediterranean Sea, which damages marine environment, pollutes Gaza's underground aquifer (the main water source), and thus poses a substantial health hazard. Mere 5 percent of piped water is potable. The risk of

² The vulnerability level is based on indicators that are directly linked to food security: Main livelihood, access to land, decrease in amount of cultivated lands and cows and sheep, and cost of water tank. Access to land is impacted to differing degrees by the West Bank Barrier, bypass roads, "military areas", closure obstacles, settlement activities, is blocked through settler violence, or can only be achieved through prior coordination.

³ <https://www.ochaopt.org/content/gaza-strip-humanitarian-impact-blockade-november-2016>

⁴ https://public.tableau.com/profile/ocha.opt#!/vizhome/WASH_VPP/DashAccessland

waterborne diseases and of flooding and displacement has grown consistently as a result of lacking sewage treatment and pollution.

Right to Health

After having devolved responsibility for the health system in the Occupied Palestinian Territory to the PA, Israel, as Occupying Power, still remains responsible for ensuring the overall fulfillment of Palestinian right to health without discrimination. However, Israeli activities in the Occupied Palestinian Territory have systematically violated this right and impaired the PA's ability to fulfill it. The health sector is severely affected by, *inter alia*, a lack of investment into and resulting insufficiency and inadequacy of facilities, shortage in medical supplies and equipment, including medicines and vaccinations, movement restrictions on staff and patients, power outages, and contaminated water.

Moreover, Israeli authorities have actively closed down Palestinian health facilities. As a result, patients have to be referred to high cost Israeli hospitals – at the expense of the Palestinian medical budget, whose reduction inhibits the improvement of health services in the Occupied Palestinian Territory. The depletion of the Palestinian medical sector has resulted in high infant mortality rates and nutritional problems.

In the West Bank, movement restrictions through the curfews, the Wall, military checkpoints, and other obstacles severely impede Palestinians' access to adequate medical care. At checkpoints, Israeli forces routinely refuse passage to Palestinians, including patients whose lives are endangered. The Wall is a major impediment to health services. Palestinian inhabitants of the "Seam Zone" are particularly vulnerable to delays at checkpoints. Palestinian residents of Area C are extremely vulnerable to health, especially due to Israeli control over land and movement, as well as due to the depletion of the health care sector.

In Gaza, the healthcare sector is almost incapacitated. Sanctions imposed by Israel and the Palestinian Authority and the cutting of energy supplies imperil healthcare infrastructure and services in Gaza. In 2014, Israeli attacks stroke and destroyed or severely damaged more than half the hospitals and health centers in Gaza 5, which are accorded special protection under international law, severely diminishing the capacity of the health sector to respond to the needs during and after the escalation. Offensives entail the bombardment of public utilities, *inter alia*, vital civilian infrastructure such as water and sanitation installations, the sole Gaza Power Plant, water desalination stations, the main water pipelines and sewerage networks, and power transformers. This has adversely impacted healthcare centers, which are forced to use generators to power life-saving equipment due to power outages. Health and water facilities along with waste collection services and desalination plants currently sustained by UN emergency fuel are expected to run out by October.

Gaza's health system is suffocating under the siege – a situation that has deteriorated due to the electricity crisis. While children suffer from anemia and chronic malnutrition as well as from psychological illnesses, hospitals are short on essential medications, radiotherapy, chemotherapy, as well as on imaging and dialysis machines, neonatal incubators, and other life-saving equipment – many of which even break down due to power outages. Besides, medical staff is unable to obtain professional training outside Gaza. While many are therefore forced to seek treatment outside Gaza, medical treatment outside Gaza is severely restricted due to Israel's permit regime and has practically been terminated following the PA's suspension of support for medical referrals. Women suffering from breast cancer are often treated with mastectomy due to lacking facilities and are dying at two to three times the rates of women receiving appropriate treatment.

During military operations, large-scale destruction of objects indispensable to the survival of the civilian population, such as water and sanitation facilities and the power plant, is extremely detrimental to Palestinians' rights to an adequate standard of living and to health. Meanwhile, provided humanitarian assistance is usually inadequate given the chronic shortage of medical supplies and equipment, the extensive need resulting from the overwhelming number of

5 For instance, the Secretary General noted (A/69/926–S/2015/409) that Israeli directly targeted Al-Aqsa Martyrs Hospital numerous times on 21 July without previous warning, killing three persons and wounding 40.

injuries, and the high level of food insecurity. With the blockade firmly in place, the reconstruction and recovery of Gaza are severely hampered and humanitarian conditions, with high unemployment and food insecurity, are unprecedented.

Conclusion and Recommendations

Mindful of the region's wealth in natural resources and the Occupied Palestinian Territory's history of blooming traditional industries and agriculture, the humanitarian situation of the Palestinian people continues to cause dismay. The perilous socioeconomic conditions many Palestinians are facing are inherently manmade and are a consequence of the persistent violations of international law and human rights by the Occupying Power. In the view of this, the signatories to this statement call on the United Nations, and especially the Human Rights Council to take all necessary measures to:

- Finally bring an end to the half a century old Israeli occupation of the Occupied Palestinian Territory and fulfill Palestinians' right to national self-determination, which involves the end of all annexationist and settlement activity and the illegal and destructive blockade on Gaza, which constitutes a form of collective punishment, the lifting of all closures within the framework of Security Council resolution 1860 (2009), and the guarantee of the unrestricted movement of persons and goods between the West Bank and Gaza.
- Compel Israel to guarantee the unimpeded provision of humanitarian assistance, including electricity, fuel, food, and medical treatment, to the occupied Gaza Strip.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussels Tribunal, Rural Women Development Society (RWDS), Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Human Rights & Democracy Media Center "SHAMS", Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Youth Against Settlements (YAS), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights (ICHR), International Anti-Occupation Network (IAON), NGOs without consultative status, also share the views expressed in this statement.