



INDEPENDENT  
COMMISSION  
FOR HUMAN RIGHTS

Submission to the United Nations

Human Rights Council's for

Universal Periodic Review of Israel

**43rd Session of the UPR Working Group**

**4th Cycle of Israel's UPR**

11<sup>th</sup> of october 2022



## **Profile of the Independent Commission for Human Rights**

As the Palestinian national human rights institution, the Independent Commission for Human Rights (ICHR) is an accredited member of the Global Alliance of National Human Rights Institutions (GANHRI). On 30 September 1993, the ICHR was established in accordance with a Presidential Decree promulgated by the late President Yasser Arafat. The Decree was subsequently published under number 59/1995 in the Palestinian Official Gazette in 1995. According to the Presidential Decree, ICHR functions and responsibilities are outlined as follows: “To monitor and ensure that requirements for safeguarding human rights are fulfilled by various Palestinian laws, bylaws and regulations, as well as by functions of various departments, agencies and institutions of the State of Palestine and the Palestine Liberation Organisation.”

In its capacity as the national human rights institution and ombudsman office, the ICHR monitors and ensures that requirements for safeguarding human rights are fulfilled by Palestinian laws and regulations, as well as by functions of Palestinian departments, agencies and institutions. The ICHR scope of work is as broad as to address human rights violations, handle complaints of human rights abuses committed against citizens by the Executive branch of government, promote legal literacy, and monitor national legislation and policies, ensuring consistence with international human rights standards. Furthermore, ICHR highlights the impact of the Israeli human rights violation on the ability of the Palestinian Authority to fulfil its obligations towards human rights.

Contact Person: Khadija Zahran. Director of Monitoring Policies & National Legislations Department, E-mail: [kzahran@ichr.ps](mailto:kzahran@ichr.ps)

The Israeli occupying authorities continues to escalate daily violations and colonial policies against Palestinians, target Palestinian lives and properties, and impinge on rules of the International Humanitarian Law (IHL) and International Human Rights Law (IHRL). Acting as a State above the law, serving and expanding its settler colonial project, which runs counter to customary practice, human rights principles, and international laws. Of these, the United Nations Security Council Resolution 2334 of 2016 that provides that the establishment by Israel of settlements has no legal validity and demands that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory (oPt), including East Jerusalem.

Israel continue to use arbitrary policies and measures serve as a tool to entrench a colonial setting, tighten the grip on the Palestinian territory, dispossess Palestinians of their social, economic, and political rights, and deprive them of security and safety. As a result, Palestinian citizens cannot lead a normal life. The root causes of Israeli racist practices, policies, and crimes against Palestinians are grounded in apartheid processes. While Israel has historically enjoyed impunity for systematic violations against Palestinians, repression, systematic excessive use of force, collective punishment, and settlement activity are distinctive features of the Israeli colonial regime.

In both the West Bank and the Gaza Strip, Israeli arbitrary policies, IOF attacks, and settler violence against Palestinians resulted in the killing of 362 Palestinians, including four shot and killed by Israeli settlers. Thousands of others sustained injuries. Targeting Palestinian young people, extra-judicial killing crimes were on the rise after the IOF had modified open fire regulations, introduced additional facility rules, expanded cases where firearms are allowed to be used against Palestinian protestors.

IOF carried out at least 4,289 raids into Palestinian cities and towns, set up 3,784 flying checkpoints, opened fire on some 4,750 occasions, and launched 877 attacks on properties belonging to Palestinian citizens.<sup>1</sup>

To serve the Israeli settler colonial project, the Israeli occupying authorities issued orders to confiscate a minimum of 1,237 dunums of Palestinian land under various pretexts. In the meantime, Israeli settler violence and attacks on Palestinians and Palestinian property continued under the protection of the Israeli army and police, who did not fulfil their duty of providing protection to Palestinian civilians under the occupation. Israeli settlers also carried out at least 945 attacks on Palestinian civilians and property. No settlers were held to account or placed in custody.<sup>2</sup>

---

<sup>1</sup> PMG NAD. *Israeli Violations: January-December 2021*.

<sup>2</sup> Ibid.

In tandem with a systematic policy pursued throughout the oPt, the Israeli occupying authorities broke the record for the demolition of Palestinian homes and structures with 906 buildings and structures, resulting in the displacement of 1,203 persons. To further promote Judaisation and change the demographic and geographical composition of the city, 177 structures were pulled to the ground in East Jerusalem, displacing 332 persons. In Area C, the Israeli occupying authorities demolished 220 structures funded by the donor community.<sup>3</sup> In addition to thousands of flying checkpoints, the IOF set up 600 permanent checkpoints on the West Bank roads, hindering Palestinian access, who often had to take long detour roads. Continued closure, restrictions ongoing obstruction of the movement of Palestinian persons and goods by the Separation Wall, lockdown on Jerusalem, and military checkpoints have resulted in longer distances, more energy consumption, increased travel cost, and further traffic congestion.<sup>4</sup>

The Israeli occupying authorities continue to further expand settlements, effectively seizing control of 62 percent of resource-rich West Bank land as well as of 85 percent of Palestinian water sources. According to a report of the United Nations Conference on Trade and Development (UNCTAD), in 2021, the occupation is the cause of the economic predicament in Palestine. Ending the occupation is the only key to sustainable development. the Palestinian territory is affected by geographical split, loss of land and natural resources to settlements, fragmentation of markets. The economy of Gaza has been drained by the Israeli blockade and military operation.<sup>5</sup>

---

<sup>3</sup> *United Nations Office for the Coordination of Humanitarian Affairs (OCHA). West Bank demolitions and displacement | November - December 2021, February 2022.*

<sup>4</sup> Letter from Ministry of Transportation (MoT), January 2022.

<sup>5</sup> UNCTAD. *The Economic Costs of the Israeli Occupation for the Palestinian People: Arrested Development and Poverty in the West Bank*, 24 June 2021. The report was submitted to the United Nations on 29 November 2021, which marked the Day of Solidarity with the Palestinian People.

## **1. Consequences of the Israeli practices on the ability of Palestinian institutions to ensure human rights**

Overall, the practices of the Israeli occupying authorities posed serious challenges to the State of Palestine's ability to safeguard fundamental rights and freedoms of Palestinian citizens.

### **1.1 Health**

Israeli policies have obstructed Palestinian government action on the right to health and Palestinian access to health services, particularly in Area C. IOF continues targeting medical centers, raid hospitals, and denying access to ambulances. Across the West Bank, military checkpoints and lockdowns impeded the movement of medical personnel, limiting medical services and delivering primary healthcare services to Palestinians throughout the oPt.

In villages isolated behind the Separation Wall, Israeli measures impeded access to health services. The construction of fixed health clinics was prevented in Area C, the Israeli occupying authorities have not allowed the construction of any fixed clinics or permanent or semi-permanent buildings without a license. Mobile clinics have always been at risk of dismantlement.

In Area C, some 300,000 Palestinian residents of scattered small communities in Hebron encounter difficulties in accessing primary healthcare services due to Israeli restrictions, military checkpoints, and lack of a public transportation system. Almost a third of these people rely on mobile clinics to receive medical attention.<sup>6</sup>

The Israeli occupying authorities have maintained a policy of medical negligence towards Palestinian political prisoners depriving them from medical care and forestalling the provision of treatment to ill and wounded ones. The health condition of prisoners has worsened, particularly amid the prevalence of COVID-19, harsh prison environment. The Israeli Prison Service continued to subject prisoners to extortion. As many as 600 ill political prisoners need intensive medical care. Four prisoners developed cancer. Of these, the health condition of prisoner Nasser Abu Humeid is the worst. now Fourteen (14) prisoners are with different stages of tumors.

The blockade on the Gaza Strip, closure of crossing points, and ban on travel for medical treatment have deprived patients from accessing hospitals outside Gaza, further deteriorating their health condition. The Israeli occupying authorities

---

<sup>6</sup> Médecins Sans Frontières (MSF), 2021 Report.

rejected or stalled the approval of 36 percent of patient applications, resulting in precarious health conditions of many Gazans due to disease complications and delayed treatment. Consequently, four patients, including two children, referred for medical treatment outside Gaza died.

Patient referrals to hospitals outside the Gaza Strip saw a remarkable reduction of 30.4 percent. This was concurrent with a decline in underlying determinants of health among the Gaza population as well as shortage of medicines and medical consumables. Towards the end of 2021, 209 essential drugs were at zero stock level, representing a 45 percent deficit in the list of medicines. Compounded by insufficient human resources, a total of 164 medical disposables were at zero stock, marking a deficit of 19 percent.<sup>7</sup>

Closure of the Beit Hanun (Erez) crossing had serious reflections on the health condition of Gazan patients, who had patient referrals for treatment abroad. These included some 8,700 cancer patients, who were supposed to receive or continue treatment in hospitals outside Gaza. Suffering from deteriorated health condition, these patients needed regular chemical and radioactive therapy. The lives of dozens of cancer patients were put at risk because they were not able to travel and continue their treatment.<sup>8</sup>

Extreme shortages continued to affect medicines and medical missions at major medical centers and hospitals in Gaza, particularly emergency sections, operating rooms, and intensive care units (ICUs). The list of essential medicines ran short of more than 256 out of 516 items. A total of 285 items were lacking in the list of medical missions, negatively impacting health services provided to injured persons. Shortage of essential medicines and medical supplies also debilitated the MoH capacity to respond to the COVID-19 outbreak throughout the Gaza Strip.

Out of 149, 47 items were in short supply at emergency sections and ICUs. Of 309 items, 73 medical missions were at zero stock. The short supply of medicines had grave consequences on, and seriously threatened, the lives of patients and injured people in Gaza.<sup>9</sup>

## **1.2 Education**

---

<sup>7</sup> Al Mezan Centre for Human Rights, *The Reality of Economic, Social and Cultural Rights in the Gaza Strip, 2021: Summary Report*, available at: <https://www.mezan.org/uploads/files/1645614968663.pdf>.

<sup>8</sup> PCHR, *A cancer patient loses his life as a result of a ban on travel abroad: Israel continues to prevent patients from traveling for treatment outside Gaza*, 2 June 2021.

<sup>9</sup> PCHR, *The health situation during the military aggression on the Gaza Strip in May 2021*, Gaza, May 2021.

Various types of violations were committed against schools. Israeli troops raided school compounds, fired tear gas canisters, stun grenades, live ammunition, and rubber-coated steel bullets on students and school buildings, threatened to close down schools, and physically assaulted students and teachers. At least 231 schools were subjected to a variety of impingements. Of these, 10 schools received demolition and stop work notices, including four in Bethlehem, two in Jerusalem, and two in Yatta. Some 10,739 students and 1,184 teachers and administrative personnel experienced various abuses.<sup>10</sup>

The IOF killed 15 school students, arrested 90 on arbitrary grounds, and placed 31 others in administrative detention. In comparison to 70 school teachers and administrative staff, a total of 3,450 students were injured by live ammunition and as a result of tear gas inhalation. Israeli troops detained 423 students as well as 99 school teachers and administrative staff. Safe access to school was either delayed or banned for 6,759 students and 983 teachers and administrative staff.<sup>11</sup>

During the military aggression on the Gaza Strip, 184 schools sustained damage due to Israeli military attacks, including 39 schools of the United Nations Works and Relief Agency (UNRWA), 10 private schools, and 135 governmental schools. Israeli attacks resulted in the killing of 57 students, additionally, 12 education workers and a female kindergarten teacher were slain.<sup>12</sup>

### **1.3 Labour**

Approximately 200,000 Palestinian workers are employed in the Israeli labour market. In view of limited work permits, others access Israeli workplaces by smuggling through openings into the Separation Wall. A number of Palestinian workers are employed in Israeli settlements, constructed illegally on the Palestinian territory occupied in 1967. The occupying Power is fully responsible for failing to regulating their employment and depriving them of the most basic social rights guaranteed under law.

The Israeli occupying authorities continued to fail to apply occupational health and safety requirements to Palestinian workers in workplaces inside the Green Line. this brought the number of fatalities among these workers to 37, compared to 23 in 2020, Israeli employers do not provide occupational protective equipment. More than 378 work injuries were also reported.

---

<sup>10</sup> Directorate General of Field Monitoring, Ministry of Education, *Annual Report on Israeli Violations against the Educational Process*, 2021, Ramallah, January 2022.

<sup>11</sup> Directorate General of Field Monitoring, Ministry of Education, *Annual Report on Israeli Violations against the Educational Process*, 2021, Ramallah, January 2022.

<sup>12</sup> Al Mezan Centre for Human Rights, *The Reality of Economic, Social and Cultural Rights in the Gaza Strip*, 2021, Gaza, 2021.

The Israeli occupying authorities continue to fail to apply occupational health and safety requirements to Palestinian workers in workplaces inside the Green Line. They also continue to violate Palestinian workers' social rights. Israeli employers continue to manipulate salary slips of Palestinian workers in the formal employment sector inside the Green Line. Employers do not write down actual, but record fewer, monthly working days, depriving a worker and his family of health insurance services. While their due amounts are reduced, workers' social rights are abused.

The Israeli occupying authorities deliberately continue to assimilate informal (smuggled) Palestinian workers and support the sale of work permits in the black market through permit brokers. Hence, cheap labour is used without any due rights. All the more so, Israeli employers themselves have sold permits to Palestinian workers, who have never held to account by Israel. According to the International Labour Organization (ILO) estimates, as a result of this practice, losses incurred by the Palestinian national economy exceeded ILS 1.2 billion in 2019.<sup>13</sup>

#### **1.4 Water**

The majority of Palestinian governorates suffers from significant water shortages as the Israeli occupying authorities continue to seize control of more than 85 percent of Palestinian water sources in the West Bank. Shortfalls are compounded ever year due to growing water demand driven by natural population growth. The Israeli occupying authorities continued to block Palestinian access to and use of the Jordan River and Dead Sea, exclusively benefiting from their economic value and natural resources.<sup>14</sup>

The Israeli occupying authorities impeded infrastructure projects, particularly in Area C. Israel continued to prevent Palestinians from developing artesian wells, destroyed agricultural wells, and seized control of a large number of water springs. Water wastage from the Mekorot water company pipelines is high because Palestinians are unable to rehabilitate these pipelines, which are all installed in Area C. To do so, complex Israeli approvals are required and costs the Palestinian Public Treasury over ILS 30 million per annum. Additionally, some 10 MCM of water is lost every year at a time Palestinians are in dire need for this quantity to meet their basic needs.

---

<sup>13</sup> Letter from the MoL to ICHR, January 2022.

<sup>14</sup> Letter from the Palestinian Water Authority (PWA), March 2022.



In May 2021, the Israeli military aggression on the Gaza Strip caused extensive damage to water, sanitation, and hygiene infrastructure. The IOF systematically targeted water and sanitation facilities. Direct bombardment and destruction of water structures caused heavy losses to the water sector.

During the Israeli aggression, the water desalination plant in Northern Gaza had to suspended operation as a result of risks posed to personnel and damage caused to local power lines, affecting some 250,000 people's access to drinking water. Electricity shortages also impacted water, sanitation, and hygiene facilities across the Gaza Strip, including water wells, reservoirs, and wastewater treatment stations. in the Gaza water and sanitation sector were estimated at US\$ 14.2 million. According to OCHA, more than 290 water, sanitation, and hygiene facilities were damaged during the most recent Israeli attack on Gaza

## **2. Recommendations**

Israel have fully ignored the recommendations received during previous UPR cycles, including ending the closure of the Gaza Strip, guaranteeing freedom of movement to the entire population, here are recommendations to be addressed to Israel:

- Uphold its moral and legal obligations vis-à-vis protected persons in the (oPt) and abolish any constraints on the freedom of movement of Palestinians.
- respect the International Covenant on Economic, Social and Cultural Rights (ICESCR) and international humanitarian law
- Uphold its moral and legal obligations, recognize and respect the right of Palestinians to self-determination guaranteed by the principles of International Law and have access to their natural resources and to exploit them freely.
- Fully and unconditionally lift the illegal closure and blockade of the Gaza Strip and end all associated restrictions imposed on the movement of people in Gaza Strip, particularly medical patients.

