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## Human Rights Council

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

**Joint written statement\* submitted by Association Ma'onah  
for Human Rights and Immigration, Arab Organization for  
Human Rights, Forum for Development and Human Rights  
Dialogue, Human Rights Information and Training Center,  
Human Rights Solidarity Organization, International  
Organization for the Elimination of All Forms of Racial  
Discrimination, International-Lawyers.Org, Union of Arab  
Jurists, non-governmental organizations 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.

[11 February 2024]

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\* Issued as received, in the language of submission only.



## **The Situation of Human Rights in the Occupied Palestinian Territory**

The ongoing situation in the Occupied Palestinian Territory (OPT), particularly in Gaza, has evolved into a pressing humanitarian crisis that warrants global attention. In this statement, we aim to provide a comprehensive exploration of the multifaceted dimensions surrounding the issue. Focusing on the human rights violations, we illuminate the sustained and impactful consequences of these transgressions. Our analysis encompasses a detailed examination of the current state of affairs. Drawing from our organisation's insights, research findings, and collaborative inputs from non-governmental organisations (NGOs), we aim to offer a thorough understanding of the situation at hand.

### **Humanitarian Crisis in Gaza**

The humanitarian crisis in Gaza is evident from the statistics provided by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA): As of the 8th of February 2024, 27,708 Palestinians killed and more than 67,147 injured, with 1.7 million internally displaced, constituting 75% of Gaza's population. Infrastructure destruction is rampant, with 70,000 housing units destroyed and 290,000 partially damaged. Educational facilities, bakeries, water, sanitation, hygiene facilities, and mosques have also suffered severe damage, exacerbating the daily struggles of the Palestinian population.

Additionally, the withdrawal of funding by nine key countries from the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in January 2024 further compounds the crisis. Allegations of UNRWA workers' links to Hamas, lacking factual grounds, have jeopardised critical aid provision amidst Gaza's worst humanitarian disaster, threatening millions reliant on UN assistance amid the risk of disease and famine.

### **Right to Life**

Throughout the conflict in Gaza, the Israeli government has made it a point to target all the Palestinian population whenever they are. Besides the heavy bombardment to the intense residential areas, Israeli army wages continues attacks on major refugee camps, havens where Palestinians sought refuge. The devastation wrought by Israeli airstrikes has been boundless, extending its impact across cities and camps throughout Gaza. Furthermore, the conflict has resulted in thousands of injuries and thousands of individuals reported missing, potentially trapped amidst the rubble of demolished structures. The UN warned Israel from attacking civilian population, but Israel continued its collective punishment against the Palestinian people in violation of the Convention on the Prevention and Punishment of the Crime of Genocide.

The densely populated environment of refugee camps, coupled with precarious living conditions, raise significant concerns about the impact on the right to life for those residing in the camps. The death toll from Israeli airstrikes highlights the severe consequences faced by the civilian population. The targeting of essential facilities, such as hospitals, further compounds the threats to life, as seen in the deliberate strike on the maternity department of Al Nasser hospital. The indiscriminate nature of these attacks, without prior warnings, underscores the challenges to safeguarding the right to life in these conflict-ridden regions.

The devastating impact on families, with entire lineages being disrupted and annihilated, is a stark manifestation of the toll on the right to life. Specific families, such as the al-Stals, Hassounas, al-Najjars, al-Masrys, and Al-Kurds, have borne the brunt of Israeli Defense Forces (IDF) actions, resulting in the loss of dozens – and sometimes hundreds – of family members. The tragic targeting of the family members of a Hamas fighter, including children as young as 9, exemplifies the far-reaching consequences on innocent lives. The alarming reports of executions by the IDF in Gaza City, with at least 11 unarmed Palestinian men fatally shot in front of their families, point to potential war crimes and further compound the challenges to ensuring the right to life in this conflict.

## **Treatment of Palestinian Prisoners**

### **Administrative Detention:**

A grave human rights concern arises from Israel's policy of administrative detention, especially regarding Palestinian women and children. Despite a temporary humanitarian ceasefire in late November 2023, numerous detainees, including over 200 individuals without formal charges, remain in custody, casting a shadow over the principles of justice and fairness.

Administrative detention, a quasi-judicial process allowing indefinite extensions without charge or trial after an initial six-month term, is applied to the majority of Palestinian prisoners. This policy, as exemplified in late November 2023, raises questions about the adherence to international norms and standards, particularly in relation to the treatment of vulnerable groups.

### **Treatment of Palestinian Juvenile Prisoners:**

The treatment of Palestinian juvenile prisoners in Israeli detention is deeply troubling. Children, some as young as nine, face physical abuse, restricted family visits, and are subjected to military courts with limited due process. As per the General Assembly resolution 45/113 (1990), child imprisonment should be used as a last resort, and the juvenile justice system must uphold the rights and safety, as well as the physical and mental well-being of juveniles. The pervasive pattern of enduring beatings, torture, and mistreatment over decades reveals a deeply rooted issue.

### **Decades of Torture:**

Historical accounts from prisoners outline a pervasive pattern of enduring beatings, torture, and mistreatment over decades. Reports as recent as January 2024 document the mistreatment of Palestinian captives by Israel. On 31 January 2024, the Palestinian Prisoner Society, a Palestinian non-governmental organisation, reported that the Israeli army executed 30 Palestinians in the Gaza Strip. The bodies of the victims, who were found handcuffed and blindfolded inside a school in Beit Lahia in northern Gaza, had allegedly been detained by Israeli forces prior to their deaths. The NGO asserted that the Israeli Occupation forces had conducted field executions.

The practice of torture in the case of Arab prisoners in Israel can be seen in a letter dated back to June 30, 1977, from the Permanent Representative of Sudan (the) to the UN addressed to the Secretary-General, demonstrating Israel's historical use of torture as a punitive measure, further underscoring a deeply entrenched practice within its legal and security frameworks. The inquiry revealed that Israeli interrogators routinely mistreated and often tortured Arab prisoners, implicating all of Israel's intelligence services. While torture is used to gather information and maintain control in occupied territories, it also serves the purpose of justifying Israel's claim of administering justice through the rule of law.

## **Withholding of Palestinian Detainees' Bodies**

The situation becomes more intricate as Israeli authorities retain the bodies of Palestinian detainees. Seventeen Palestinian detainees, whose bodies have yet to be returned to their families back home, highlight the lack of transparency surrounding detainees from Gaza. The prolonged withholding of bodies raises concerns about the extent of casualties and the treatment of deceased individuals.

On 20 December, 2023, the Palestinian Prisoners Club (PPC) reported that Israeli authorities are withholding the bodies of 17 Palestinian detainees, with Anis Dawla's body being held for the longest period — over 43 years since his detention in 1980; he died during a prison hunger strike in the same year.

The PPC highlighted Israel's lack of transparency regarding detainees taken from Gaza, concealing information on the number of prisoners and the extent of casualties. Recent reports from Haaretz revealed that detainees from Gaza, kept at the Sde Teman army camp in Beersheba, died in custody under unclear circumstances. The total number of Palestinian detainees in Israeli jails now exceeds 7,000, with thousands being detained in the West Bank.

## **Recommendations**

In light of the aforementioned concerns, we put forth the following recommendations for the Human Rights Council:

**Ensure Unrestricted Access for Humanitarian Aid:**

Call for unrestricted access of humanitarian aid into Gaza. Immediate and unimpeded access is essential to addressing the urgent needs of the Palestinian population.

**Urge Compliance with International Law:**

Urge Israel to comply with international law, particularly regarding the treatment of civilians, prisoners, and journalists. The international community must hold the occupying power accountable for its actions and work towards a just and lasting resolution that end the occupation.

**Promote Accountability:**

Establishing accountability mechanisms is crucial for fostering a culture of respect for human rights and preventing future violations.

**Diplomatic Efforts for Conflict Resolution:**

Facilitate a just and lasting peace in the region through international diplomatic efforts. The international community must engage in constructive dialogue to address the root causes of the conflict and work towards a sustainable and equitable solution.

## **Conclusion**

In summary, the urgency of the situation in the Occupied Palestinian Territory necessitates swift and unified international intervention. The complexity of the situation, spanning from the humanitarian challenges in Gaza to the systematic infringement upon the rights of prisoners and journalists, demands a thorough investigation and a consequent nuanced approach. We call upon the Human Rights Council to earnestly consider these recommendations and to take resolute actions in addressing the pressing human rights concerns affecting the Palestinian population. Emphasising the gravity of the issues at hand, it is crucial for the international community to collaborate in addressing these challenges. Only through collective efforts and an unwavering commitment to justice can a pathway towards a more equitable and peaceful future be forged in this troubled region. The call for action is not just an appeal for change but a recognition of the shared responsibility to cultivate a brighter future for the people of the Occupied Palestinian Territory.

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Euro-Med Human Rights Monitor Association mondiale des blogueurs – Genève Advocacy for Human Rights and Justice-Sierra Leone (ADHRJUST-SL) Alliance internationale pour les droits et le développement (IAHRD) Brussels Tribunal Investigation Organization for Development and Human Rights– Yemen. Association of Victims of Torture – Geneva The Yemeni Coalition to monitor Human Rights Violations- YCMHRV Women Journalists Without Chains Organization Geneva International Centre for Justice (GICJ) Missing Persons Families Group (MPFG) Worldwide Lawyer Association AFDI International Rights Radar for Human Rights. Association Pont- Genève Tawasol Organization for Human Rights Local Development Organization (LDO) SAM Organization for Rights and Liberties Defense Foundation for Rights and Freedom Abductees Mothers Association Human Rights Solidarity Free Voice Organisation for Human Rights Egypt Organisation for Human

Rights (EOHR) Justice For Human Rights Solidarité des Organisations d'Appui à la Paix (SOA-P) Ethiopian Lawyers with Disabilities Association, (ELDA). Association mondiale des blogueurs – Genève Arab Council Foundation - Geneva Advocacy for Human Rights and Justice-Sierra Leone (ADHRJUST-SL) Alliance internationale pour les droits et le développement (IAHRD) Advocacy for Human Rights and Justice-Sierra Leone (ADHRJUST-SL) The National Organization for Defending Rights and Freedoms (HOOD) Assoc of Detainees and The Missing in Southern Syria The National Forum for Defending Freedoms Jordan. ALKARAMA\_ Geneva Al-Marsad Society for Human Rights Salam for Democracy and Human Rights-London. Center for My Right for Support the Rights and Freedom The Iraqi Centre for Human Rights Principle Society for Human Rights The Bahraini Society of Jurists International Association of Syrian Jurists in Türkiye American Center for Justice (ACJ) European Palestinian Council for Political Relations- Brussels, NGO(s) without consultative status, also share the views expressed in this statement.