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IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”

**Written statement* submitted by the International Federation of Human Rights
Leagues (FIDH), a non-governmental organization in special consultative status**

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

[28 February 2007]

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

Occupied Palestinian Territories

FIDH remains deeply preoccupied by the grave human rights and humanitarian law violations in the Occupied Palestinian Territories and deplores the refusal by Israel to let the mission mandated by the Human Rights Council investigate the human rights violations perpetrated in Beit Hanoun.

Restrictions on Movement

The Israeli Army has continued to impose a tightened siege on the OPT and imposed severe restrictions on the movement of Palestinian civilians in the Gaza Strip and the West Bank, including occupied East Jerusalem.

Rafah International Crossing Point has remained under closure since 25 June 2006, even though it has been opened for few hours during the last few weeks. FIDH, informed by its member organization the Palestinian Center for Human Rights, notes that commercial crossings, especially al-Mentar (Karni) crossing were partially reopened, but many goods and medical supplies are still missing in markets in the Gaza Strip.

On Friday, 16 February 2007, IOF opened the new Erez International Crossing Point under new procedures. Yet, according to Palestinians who traveled through the new crossing point, the Army imposes the same restrictions on their movement as in the past.

FIDH recalls that the closure of the border crossings amount to a form of collective punishment against the civilian Palestinian population. These measures constitute violations of the right to freedom of movement as enshrined in the UDHR and the ICCPR.

Annexation Wall

The construction of the wall, has been accompanied by the creation of a new administrative regime, the "permit regime", regulated in a series of orders issued by the Israeli Military Command in the Occupied West Bank, turning the lives of Palestinians living near the wall and those who make a living from farming, into a bureaucratic nightmare.

The construction of the Wall inside the West Bank has continued since the last session of the Human Rights Council. The Israeli Defense Forces (IDF) issued a new military order seizing 44600 square meters of land in Brouqin and Kufor al-Dik, southwest of Nablus, for alleged military purposes to establish a security fence. The IDF plan to initiate a new stage of the construction of the Wall in the area. The construction of this section of the Wall will isolate large areas of land in the two villages, and will deprive them of their need for expansion. Additionally, the IDF issued 17 military orders concerning areas of land isolated by the Wall to the west of Ethna village, west of Hebron. According to the orders, 11 Palestinian families would be forced to leave their houses and not to build any structure in the area.

Around Occupied East-Jerusalem, the length of the wall will be 180km, out of which 5km only will follow the Green Line. The construction of the wall multiplies the surface of East-Jerusalem by 2.3 by including big new settlements together with their development zones.

The construction of the wall is resulting in the destruction of large amount of property and is in violation the right to property as enshrined in article 17 of the Universal Declaration of Human Rights and in customary international law. Israel is also depriving the Palestinians from enjoying their most basic rights granted by the ICESCR and violates the right to work, the right to an adequate standard of living, including the right to food, the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the right to education.

Settlement Activities

The settlement activities have continued and worsened all over the West Bank and in East Jerusalem, since the Israeli disengagement from the Gaza Strip.

Israeli settlers living in the West Bank continued their systematic attacks on Palestinian civilians and property. The Israeli army also continued to destroy civilian property for the purpose of settlement expansion.

As an example, over a period of 7 days, between 15 and 21 February 2007, the IDF demolished 12 houses and a number of animal farms, claiming that they were built without licenses. IDF also

demolished a house in Qutna village, northwest of Jerusalem, for the same reason. Additionally, IOF confiscated 21 donums of land in Tulkarm, and 665 square meters in Beit Ummar village, north of Hebron. Israeli settlers launched 5 attacks on Palestinian civilians, which injured 3 Palestinian civilians (two children and an old man).

On 28 February 2007, Israeli governing bodies unveiled a preliminary plan to build a new settlement of 11000 units near the East-Jerusalem's Airport, that would be connected to another settlement in Beit El area by a tunnel. If approved, it would be the largest Israeli settlement project in East Jerusalem since 1967.

FIDH recalls that the establishment of settlements violates international humanitarian law. Article 49 of the Fourth Geneva Convention prohibits the occupying power to transfer citizens from its own territory to the occupied territory (Article 49). The Hague Regulations prohibit the occupying power to undertake permanent changes in the occupied area, unless these are due to military needs in the narrow sense of the term, or unless they are undertaken for the benefit of the local population.

Moreover, the settlements lead to the infringement of international human rights law it leads to the violation of the rights of the Palestinians to self-determination, equality, property, an adequate standard of living, and freedom of movement.

Furthermore, FIDH stresses on the necessity to intervene to put an immediate end to Israeli destruction of Islamic holy sites in Occupied Jerusalem, around Al Aqsa Mosque. Israel was officially planning to replace a damaged wooden bridge leading to Al Aqsa Mosque with a stone ramp. Following protests of Palestinians, the mayor of Jerusalem has decided to stop these works. Nevertheless, separate excavations will continue, which may endanger Al Aqsa foundations. FIDH, following its member organization the Palestinian Center for Human Rights, recalls that these works constitute a violation of cultural and religious rights of the Palestinian population as well as the entire Muslim community. Moreover, the destruction of Islamic holy sites by the Occupying power constitutes a flagrant violation of international humanitarian law.

Serious violations of economic and social rights

As previously stated by FIDH, following its mission in the OPT between 25 June and 2 July 2006, poverty and unemployment have risen in dramatic proportions in the Gaza strip and in the West Bank. According to the World Bank's previsions in March 2003, it was estimated that by the end of 2006, the average personal income would decrease by 30 percent in real terms, that unemployment would increase to 40 percent (from 23 percent in December 2005) ; and that poverty levels would climb from 44 percent to 67 percent. The financing plan proposed by the European Union and adopted by the Quartet is a step forward in the humanitarian support to the Palestinian population.

Unfortunately, it does not guarantee the payment of salaries to the Palestinian civil servants, notably in the education and health care departments. The interim funding mechanism proposed by the World Bank on May 7, 2006 would have enabled the payment of these salaries.

Deplorably, the Quartet did not choose to provide so.

Consequently, the salaries of the civil servants of the PA have not been paid since March 2006. The Palestinian Authority has 152,000 civil servants, an average of 6 persons depend on each one of those civil servants. Thus, over 900,000 persons, almost one quarter of the total population of the OPTs, are affected by the nonpayment of salaries to the civil servants in the OPTs, and are currently essentially without any financial resources. The recent transfer of Tax payment by Israel has not benefited the Palestinian population that remains in an extreme dire financial situation.

FIDH therefore calls upon to the Human Rights Council to adopt a resolution which, inter alia:

- strongly condemns the violations of international humanitarian law and human rights perpetrated by all the parties in Israel and in the Occupied Palestinian Territories;
- requests the United Nations Security Council to deploy an interposition force in the OPTs granted with the mandate to halt the worsening of the humanitarian crisis by ensuring the supply of food, water, medicine, fuel and electricity to the Palestinian population, and to ensure protection of the Palestinian civilian population;
- demands that the Quartet reviews the mechanism of humanitarian aid aimed at the Palestinian

population, following the World Bank propositions, in order to enable the payment of salaries to the Palestinian public servants, notably in the education and health care departments, and requests the Israeli government to stop withholding the taxes which are the property of the Palestinian Authority;

- requests the government of Israel, the occupying power, to respect international humanitarian law and human rights and consequently to stop immediately any current military operation in the OPT;
- requests the government of Israel to free unconditionally the Palestinian ministers, the members of the Palestinian Legislative Council currently detained , and the Palestinian Armed Groups to release the Israeli soldier captured in the Gaza Strip.
