



## **ANNEX-H**

### **REPORT ON THE OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION (IPHRC) VISIT TO PALESTINE 4-9 APRIL 2016**

#### **I- BACKGROUND:**

The longest military occupation in the world is entering its 68th year amidst a deafening international silence. Indeed, the Palestinians are one of the last remaining people in the world who lack an independent state. Yet there is one fundamental difference between the Israeli occupation of Palestine and any other occupation in modern times. Usually, the occupying power annexed the territory at hand and turned the people living in it (sometimes against their will) into its citizens, but Israel never did that. Instead, it killed thousands, displaced millions of civilians from their homeland, and it let its army run the occupied territory. The Israeli occupation is also different from any other occupation, because Israel has indeed imported its claimed 'citizens', or in reality, illegal settlers from across the world to the land it conquered, and has been using the natural resources of this land, at the expense of the native population.

The Israeli occupation of Palestine is, therefore, a unique phenomenon. The majority of the Palestinian population under Israeli control does not enjoy the most basic of civil rights or any political representation within the regime that controls it. And while Israel claims to be the only decent democracy in the region (for its Jewish citizens), for Palestinians, it's a brutal dictatorship.

As an occupying power, Israel has an obligation, under international law in particular the 4<sup>th</sup> Geneva Convention, to protect the civilian population in the occupied territory and administer it while taking into consideration the best interests of that population. However, Israel continues to defy international law by systematically carrying out destruction and confiscation of Palestinian private properties, including homes, as well as the transfer of settlers into occupied territories. Indeed, the situation is getting worse every day, with escalation in Israeli violence against Palestinians, including undermining of their basic rights of worship and movement, especially in Al-Aqsa Mosque.

While the Israeli occupation of Palestine, continue to be the root cause of all human rights violations and sufferings of the Palestinian People, it is time to take practical steps not just to highlight but also to end this longest-running military occupation of modern times.

#### **II- MANDATE:**

The "Situation in Palestine and other occupied Arab territories" forms a permanent item on the agenda of the IPHRC since its inception. During its previous sessions, the Commission



reiterated the gravity and persistence of human rights violations of the Palestinian people, condemned the ongoing escalation of aggression by the Israeli security forces and illegal settlers against innocent Palestinians, and emphasized that Israeli occupation is the primary cause of all human rights violations, which impacts on the full range of civil, political, economic, social and cultural rights of Palestinians.

In addition to the specific mandate given by the 39<sup>th</sup> OIC Council of Foreign Ministers (CFM) and 12<sup>th</sup> Islamic Summit, the Commission, since its inception in 2012, had decided to carry out a field visit to the occupied territories of Palestine. The visit was aimed at giving moral support to Palestinians as well as to physically observe the human rights situation on ground i.e. the impact of the illegal Israeli occupation since 1967 on the daily life of Palestinians, with a view to providing concrete recommendations to the CFM on how to address these severe human rights violations.

### **III- GENERAL POINTS:**

After three years of logistical difficulties in arranging and acquiring permission for the visit, the Commission finally undertook its long awaited visit to Palestine from 6 - 9 April 2016. Six IPHRC members namely Amb Ilham Ahmed, Dr. Egrin Ergul, Dr. Siti Ruhaini Dzuhayatin, Mr. Mohamed Raissouni, Dr. Mamdouh Aker and Mr. Adama Nana participated in this visit. In Palestine the delegation was facilitated by Dr. Ahmed Al Ruwaidi, head of the OIC Office in Palestine and his team.

Despite the feelings of insecurity, uncertainty and apprehension, and the psychological barrier that prevailed at the beginning, especially at the Israeli immigration checkpoint, the visit turned out to be very informative and provided the opportunity to physically observe the situation on ground.

### **IV- MEETINGS:**

The visit started with paying respect to the mausoleum of the late Palestinian leader Yasser Arafat in Ramallah. In addition to visiting different places such as refugee camps, new Israeli settlements and areas affected by the occupation wall, the Commission also had the opportunity to meet with a number of Palestinian officials as well as representatives of civil society, national institutions, NGOs and families of Palestinian prisoners and martyrs.

During the visit, the delegation called on President Mahmoud Abbas. He regretted the lack of interest on the part of the Israeli government and the relevant actors in the international community to come to the negotiating table to put an end to the suffering of the Palestinian people. He expressed despair, as no viable political settlement was appearing in the new future. On a practical note, President Abbas considered the visit as an ideal opportunity to observe the continued suffering of Palestinians under the inhuman occupation regime and urged the delegation to focus on its human rights impact, which could be conveyed to all OIC Member States for appropriate use at relevant regional and international human rights mechanisms. He also informed that Palestine was currently in the process of referring



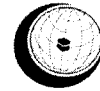
individual human rights violations in Palestine to ICC and other relevant international institutions and legal mechanisms.

The delegation also met with Mr. Riyad Almalki, the Minister of Foreign Affairs of the State of Palestine, who besides conveying gratitude on the IPHRC initiative to acquire first-hand information on the human rights situation, also took the opportunity to brief the delegation on the current political and human rights situation. He further elaborated on various discriminatory policies imposed by Israel, in particular in Al-Quds, the separation wall, the forced eviction of Palestinian population from their homes and replacing them with Jewish settlers, which were practically and forcibly changing the demographic composition of Palestinian cities and towns. In his view, the unabated occupation, in itself represented the most egregious violation of Palestinian's human rights and considered the apartheid practices imposed by Israel against the Palestinians as much worse than the past apartheid regime in South Africa.

To reiterate Palestine's commitment to upholding international human rights law, the Minister conveyed that they have ratified four OIC treaties, including the Covenant on the Rights of the Child in Islam, the Statute of the Women Development Organization, and the International Islamic Court of Justice as well as ratified, without reservation, nine UN human rights treaties. He explained that relevant ministries, in consultation with civil society organizations, were also in the process of presenting seven reports to different treaty bodies. He further indicated that a national committee was established by the President to assess Palestine's commitments to the international treaties.

The delegation also met with the representative of the Ministry of Women Affairs and got a briefing on the ministry's main functions, which included promotion of gender equality and eight major sectors, with priority to sectors of democracy, human rights, health, early marriage and reproductive health, food security and violence against women. The impact of the continued occupation on Palestinian women was tackled through the National Committee on the UN Security Council Resolution 1325. An executive plan was being prepared for the implementation of the said resolution. The situation of women and children in the West Bank and in Gaza, in particular, was also explained, who continue to face serious violations of their human rights, including daily attacks by the Israeli forces against Palestinian students, and the appalling situation of women prisoners whose number has reached 51, among them many girl children.

IPHRC delegation also met with the Head of the Office of the High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory (OPT) in Ramallah, who welcomed the visit of IPHRC, and apprised the delegation with the mandate and activities of the office. The mandate included monitoring and reporting at all levels, technical assistance and capacity building. In 2009 a protection cluster was added to the mandate to guarantee respect for human rights during emergencies, however he indicated that the situation in Palestine represented 'a long term chronic humanitarian emergency' as a direct result of the continuation of the Israeli occupation. The OHCHR office submits periodic reports to the Human Rights Council and the General Assembly, and informed discussions at other United Nations bodies.



OHCHR representative expressed specific concerns on a recent development related to the forced Israeli relocation of Bedouin in East Jerusalem in order to build new Jewish settlements. He feared that these Bedouin groups would be forced soon to leave their places of residence, and add to the already aggravated situation of relocation of Bedouins. OHCHR representative also gave details of the human rights violations by the Israeli forces, in particular recent cases of violence since October 2015, which included grave violations such as mass demolition of houses to inflict punishment, deportations, excessive use of force and extra judicial killings. He asserted that a general climate of impunity prevailed in several cases of killings of Palestinians by Israeli forces and settlers, including in Gaza where excessive use of force was predominant. Thousands of Palestinian continue to be held in administrative detention for prolonged periods and imprisonments and torture cases, in addition to severe limitations to the freedom of movement, were also reported widely, he added.

As a part of its interaction with human rights actors, IPHRC delegation met with the Palestinian Independent Commission on Human Rights (ICHR). The meeting was attended by members of the Commission and representatives of some Palestinian civil society organizations. Ms. Farseen Shaheen, the General Commissioner of ICHR, briefed the delegation on the current situation stating that the major cause of human rights violations is the occupation. She also stated that one of the major challenges facing Palestinians was existing political divisions between the West Bank and Gaza, which continued to hamper political and democratic processes resultantly, there was not even a national Parliament to monitor the functioning of the State, including possible violations of human rights.

#### **V- OBSERVATIONS:**

Just by taking a walk in any of the Palestinian city or village, one observes that Palestinian people continue to suffer on daily basis from limitations imposed by the occupying power. Al-Quds has been blocked by the separation wall and settlements from all directions, and the city is suffocated to an extent that it was extremely difficult to gain access to enter. Violations on daily basis, imprisonment, house demolitions and imposition of policies to create new demographic realities on the ground has also made it impossible to enter into political negotiations on the proposed two State solution.

In addition to meeting various officials from national and international human rights machinery, IPHRC delegation visited numerous sites within the West Bank and interacted with various individuals, families and organizations, including civil society and human rights actors, and actual victims of Israeli violations, as well as former prisoners and detainees. Observations made in this report are based on firsthand information acquired through on situ visits, direct contact with victims and inference from statistics provided by the Palestinian authorities and civil society organizations. Some of the observations relating to specific topics are given below:



## **i- Palestinian prisoners and detainees**

The condition of Palestinian prisoners and detainees, as a result of the 'administrative detention' imposed by the Israeli forces, continue to deteriorate. This abhorrent practice is carried out without due process of law and without any recourse to justice. There were numerous cases of such detentions, including of parliamentarians and children. Issues of administrative detention and prisoners represent core problem for Palestinian families. A sad reality observed by IPHRC delegation was that at least there was one prisoner in every Palestinian family. Many detainees are transferred to prisons in Israel, in violation of the Fourth Geneva Convention. Excessive force, permitting torture to certain limits, violent handling and difficulty to identify places and reasons of detention of prisoners were major causes of continued torment to the families of prisoners.

The Palestinian Commission of Prisoners' Affairs also briefed the IPHRC delegation on the dire situation of Palestinian prisoners in Israeli prisons. It was explained that Jewish settlers in the OPT are subject to civil law regime, while military regime applies to Palestinians in the West Bank, including East Jerusalem. The Palestinian Commission called for an immediate end to Israel's discriminatory policy of administrative detentions, which constitutes 'arbitrary detention' under international human rights law.

On average, around 700 children are detained and prosecuted every year, most commonly on charges of throwing stones. The number of Palestinian children arrested by Israeli forces has more than doubled since October 2015. Interviews with children who have been detained and video footage and reports from lawyers revealed that Israeli security forces were using brute force in arresting and detaining children, in some cases beating them, and holding them in unsafe conditions. In November 2015, the Israeli Knesset passed a law that authorized longer prison sentences up to 4 years for children convicted of throwing stones, and that allowed the government to suspend social welfare payments to their families while the children served their sentences.

Israeli security forces routinely interrogate children in the absence of parents, violating international and domestic Israeli laws that provide special protection for detained children. Protection included certain requirements that in order to arrest or detain a child, that should be only as a last resort, and to take precautions to ensure that children are not forced to make any confession. The Convention on the Rights of the Child requires security forces to make the best interests of the child a primary consideration in all aspects of the juvenile justice system. There were also cases of women prisoners in Israeli prisons, including 68 prisoners among them being mothers and girl children.

Excessive use of force by Israeli Security Forces and a lack of accountability for violations of international human rights Law (IHL) continued unabated in the OPT. Despite absolute prohibition of torture in international human rights law, Palestinians detained by Israel continued to be subjected to torture and ill-treatment, which included sleep deprivation; excessive use of handcuffs; beatings; verbal abuse; stress positions; solitary confinement; humiliation and threats of killing, sexual assault and house demolitions of the detainee's, his or her family.



The situation of the dead bodies of Palestinians resisting the Israeli forces, or who died while in Israeli detention places, continue to be another worst manifestations of the cruelty of the Israeli occupation. The families were forbidden from receiving the bodies, and even when bodies were handed over to families, they were given very short time for burial and in very odd hours at the night when it would be difficult to perform religious rituals and gather relatives and friends for the funeral. In most cases, families have been refusing to take the bodies until proper investigation is conducted, and in the process, bodies were kept for prolonged periods in morgues thus becoming hard to recognize due to excessive freezing. Civil society organizations also complained that all Israeli practices were pre-meditated and structured to inflict punishment.

The situation of sick prisoners is yet another issue of concern, which continues to deteriorate. Sick prisoners are regularly kept in prisons including tens of prisoners with disabilities. As per reports, about 85 have died in prison as a result of lack of medical treatment. The World Health Organization (WHO)'s request to have access and visit to these prisoners has been regularly denied since 2010.

**ii- Restrictions on the right of movement and travel:**

Freedom of movement is not only a right in itself, but is essential for the enjoyment of the many other human rights. IPHRC delegation observed many and severe barriers to freedom of movement faced by Palestinians on daily basis. The restrictions on freedom of movement imposed by Israel in the occupied Palestinian territory, include both the physical restrictions such as barrier checkpoints, roadblocks as well as bureaucratic delays in issuance of permits and closure of check points etc. Such restrictions impede Palestinians' access to their land and resources and in general, these policies undermine the opportunities for the development of a viable and contiguous Palestinian state.

IPHRC delegation was further briefed on restrictions on movement and travel. It was explained that Palestinians were prohibited from travel through Al- Karama Crossing, Hebron and Tulkarm, which was causing tremendous difficulties and absolute restriction of movement in all regions of the West Bank including affecting their travel to Makkah for pilgrimage (Hajj). These restrictions were also affecting the population of the Gaza strip, where approximately 1,800 000 people continue to suffer on every aspect of daily life. Since the war on Gaza in 2014, there was no re-construction whatsoever and the houses were still in rubble since then due to the blockade by Israel of construction materials from entering the strip. As a result of severe restrictions, the UN estimates that there would be no clean drinking water by 2020.

**iii- Separation Wall and illegal settlements:**

Israel continues to support the expansion of illegal settlements in the West Bank. Demolishing the homes of Palestinians who are protected under the Geneva Conventions, is a clear violation of international humanitarian law. Intimidations and attacks by Israeli settlers against Palestinians are increasing. Settlers have been responsible for most of the violence committed against Palestinian men, women and children as well as their homes and



properties<sup>12</sup>. The violence from illegal settlers is reinforced by lack of accountability and failure of Israeli law enforcement forces to protect vulnerable Palestinian communities.

The expropriation of Palestinian land is an obvious part of the expansion of settlements and of the construction of the separation wall. The fragmentation of Palestinian land and creation of separate reserves and enclaves, including plans threatening to cut off East Jerusalem from the rest of the West bank stand as a stark proof of Israel's plans and policies to change realities on the ground. In this regard, the European Union and the United States now require labeling of products manufactured in territories that came under Israeli control in 1967 during the Six Day War as not made in Israel. It is a positive development, which must serve as a source of encouragement for other countries to adopt similar policies.

IPHRC delegation met with the Commission of the Separation Wall and Settlement Resistance, which gave a comprehensive overview of the situation with illustrated maps showing the expansion and mushrooming of Jewish settlements in the West Bank and Jerusalem. The negative impact of the Separation wall on the daily life of Palestinians, and the ongoing violations of their human rights of freedom of movement was also explained in detail. This Commission documents on regular basis (monthly and annually) violations committed by Israel against the Palestinians, in terms of houses demolitions, village demolitions, confiscation of land and expansion of settlements.

There are 413 settlements including colonial sites, which are residential, service and military installations established and seized by the Israeli Jewish settlers in the occupied territories since 1967. According to the Commission, latest data indicated that the number of colonial sites in the West Bank has reached 505, ranging from colonies, colonial outposts, military sites, service sites, industrial areas, tourist sites and seized buildings in whole or in part, in Jerusalem. The estimated number of total settlers' amounts to 612.000, out of which 246.000 are in Jerusalem and the remaining 60% of settlers are in the surroundings of the Green Line between the 1948 and 1967 border.

The separation wall was erected by Israel, the occupying power, in 2002 inside the lands of the West Bank, on the pretext of preventing the Palestinians from 'threatening the security of Israel'. It is built of cement blocks ranging between 6-9 meters with observation towers and cameras on the top wherever the wall passes across or close to Palestinian residential areas.

Under the occupation, the Israeli military governor (commander of the Israeli army) has been in total control of the land in Palestine. Law was imposed to confiscate a large percentage (18%) of the land amounting to 1,300.000 denims. The Separation Wall extends to 754 kilometers, separating 10.5% of the remaining Palestinian land in the West Bank, and the settlements took away another 9.8% of the land.

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<sup>12</sup> The creation of Israeli zones for settlers and the resulting segregation was noted in the 2013 Human Rights Council report by the Independent Fact-Finding Mission on Settlements (A/HRC/22/63).



Palestinians firmly believe that the underlying objectives of building the wall were: to separate large areas of the West Bank and to annex these to Israel to divide the West Bank into entities (cantons) that would prevent the establishment of the Palestinian State; to control the Palestinian population in the West Bank by imposing security control on all of the West Bank; to limit the freedom of movement of Palestinian citizens and to control their economic resources to Judaize the West Bank.

The wall constitutes the worst manifestation of violation of Palestinian's right to freedom of movement. It has made their daily lives untenable and forces them to abandon their lands and possessions. A simple visit of the affected areas by the wall reaffirms the Advisory Opinion of the International Court of Justice, which concluded that the construction of the wall in occupied Palestine, including East Jerusalem, and its associated regime, was contrary to international law. In this regard, the Court rightly stated that Israel had a continuing duty to comply with its international obligations and was obliged to end the illegal situation, cease construction and dismantle the wall in the OPT, and to make reparations for all damage caused as a result of the wall.

#### **iv- Houses demolitions on grounds of collective punishment:**

Based on official Palestinian and UN sources, between September 13<sup>th</sup> 2015 and April 4<sup>th</sup> 2016, Israeli Occupation Forces have demolished 157 houses in occupied Palestine. This constituted an act of collective punishment committed by Israel against the Palestinian civilian population in violation of international law and Israel's obligations as the occupying power. Figures collated by the UN's office for the Coordination of Humanitarian Affairs (OCHA), which operates in Gaza, the West Bank and East Jerusalem, show from an average of 50 demolitions a month in 2012-2015, the number rose to 165 since January 2016, with 235 demolitions in February 2016 alone.

The increase in demolitions is raising alarm among diplomats and human rights groups over what they regard as a sustained violation of international law. Israeli military, which has occupied the West Bank since 1967, cites the reasons of demolitions as being illegal structures, which were either built without a permit or were in a closed military area or firing zone, or they violated other planning and zoning restrictions. But the UN and other human rights groups point out that permits are almost impossible for Palestinians to acquire; that firing zones are often declared but seldom used; and that many planning restrictions date from the British Mandate in the 1930s.

The hardest hit are Bedouin and Palestinian farming communities who are at risk of forcible transfer, which is a clear violation of international law. The risk of forcible transfer of Bedouin communities was raised on many occasions in different meetings during the visit. The structures include houses, Bedouin tents, livestock pens, outhouses and schools. In an increasing number of cases, they also include humanitarian structures erected by the European Union to help those affected by earlier demolitions. On 7 April 2016, while IPHRC delegation was in Ramallah, the Israeli Civil Administration (ICA) carried out demolitions throughout the occupied West Bank, including in five Bedouin communities affected by the E11 illegal settlement plan, and in Khirbet Tana, which has been the location of multiple demolitions in 2016, most recently on 23 March 2016.





**v- The situation in Al-Quds/East Jerusalem:**

Jerusalem remained one of the most contentious issues in the Israeli-Palestinian conflict. United Nations Security Council resolution 478 (1980) affirmed that Israel's Basic Law proclaiming Jerusalem, including the annexed area, as the capital of Israel constituted a violation of international law and did not affect the application of the Fourth Geneva Convention in Palestine, including East Jerusalem.

Palestinians living in East Jerusalem are regarded as 'permanent residents' not Israeli citizens and have been subjected to a gradual and bureaucratic process of ethnic replacement or elimination. These measures included revocation of residency permits, demolition of residential structures built without Israeli permits (virtually impossible to obtain) and forced eviction of Palestinian families, in violation of the basic right to adequate housing, enshrined in the International Covenant on Economic, Social and Cultural Rights. Israeli policies have impeded the natural growth of the Palestinian economy in East Jerusalem. Palestinians were obligated to pay high municipal taxes in return for poor services and disproportionately low public expenditure in East Jerusalem. Israel actively seeks to undermine the Palestinian presence to serve its goal of preserving a Jewish majority in East Jerusalem. This has been a decades old policy of Israel, acknowledged by the Jerusalem Municipality, to maintain a demographic balance of approximately 70% Jewish to 30% Palestinians in Jerusalem. Israel is also putting in place huge development plans in East Jerusalem for the expansion of settlements and infrastructure to cut off East Jerusalem from the rest of the West Bank.

IPHRC delegation also met with the Palestinian Governor of the Governorate of Jerusalem, Mr. Adnan Alhuseini who confirmed the above facts and affirmed that Israeli authorities were determined to create a Jewish majority in occupied East Jerusalem through the policy of confiscation and annexation of Palestinian lands and in turn expelling them out of their ancestors' lands. He also gave a gloomy picture of the prevailing situation of Al-Aqsa Mosque, stating that the Israeli authorities implanted around the Mosque 75 settler outposts in order to change the demographic reality on the ground. These Israeli policies were gradually and effectively forcing the Palestinians away from the area, leaving the Mosque surroundings totally under the control of the Israelis with the de facto presence of settlers at the expense of the Palestinians, the real owners of the land. IPHRC delegation also met Archbishop Atallah Hanna, the Archbishop of the Church of Jerusalem who stressed that it is the duty of all Muslims and Christians to regain Al Quds from the occupiers. He welcomed the visit of IPHRC and called for cooperation between the OIC and the Christian institutions in Palestine.

**vi- Situation in the refugee camps:**

IPHRC delegation was able to visit two out of 19 refugee camps, namely Al-Jalazoun in north Ramallah and Aida in Bethlehem. These camps were established to accommodate people who were forcibly expelled from their land by Israel to build new Jewish settlements in the nearby areas. Al-Jalazoun Camp, which was established in 1949, is only 30 meters from Beit El Jewish settlement. Aida camp, which was established in 1950, is less than 15 meters from the Israeli checkpoint and the separation wall. It is located between the municipalities of Bethlehem, Beit Jala and Jerusalem. Refugee camps are under the responsibility of the



United Nations Relief and Works Agency for Palestine (UNRWA), which started its work in 1950.

The IPHRC delegation observed on the spot that the camps were very crowded with an estimated population density of 15000 inhabitants per square kilometer. Since 1967, the population has been multiplying to the fourth generation. Livelihood within the camps was very poor with very limited access to water and electricity. There was only one health facility in Al-Jalzoun, while in Aida camp there was no health center. This was also coupled with the scarcity of work opportunities and limited financial support from the UN and other bodies. The birth rate appeared to be relatively high.

Inside Al-Jalazoun Refugee Camp, IPHRC delegation was briefed extensively by representatives of refugees. Emotionally, it was moving to observe that refugees insisted on their right to return to their original homes and lands. Al Jalazoun is a refugee camp with narrow alleys through which raw sewage was running openly, and garbage was piling up, uncollected. There are 15,000 people crowded in this camp of 256 denims (63 acres), situated on the slopes below Ramallah, with the houses of the Beit El settlement spreading across the hilltops opposite the camp. Life in Al-Jalazoun refugee camp is punctuated by regular incursions of Israeli soldiers who arrest the youth population. About 30 inhabitants of this camp have been killed since the end of the second Intifada, 16 of them were children, while there were 135 detainees. While in the camp, IPHRC delegation visited the house of Atta Muhammad Atta Sabah, a 12-year-old Palestinian boy who was shot by an Israeli soldier on 21 May 2013 as he attempted to retrieve his school bag, which he had lost on the other side of the camp's wall while he was playing with his friends. The injury left him paralyzed below the waist and damaged his liver, lungs, pancreas and spleen.

Despite the dire condition in the camp, the percentage of education among refugees is high, however, unemployment among the youth is 45% as there are no available jobs. The dire conditions in the camps frequently create many social problems and internal tensions especially among the youth who usually have no jobs. Often, these tensions lead to frustration that at times is vented through protests against the Israeli forces, which subsequently trigger deadly conflicts. Women also become the target and victim of the vicious cycle of violence; from Israeli soldiers on the one hand, and the community and family on the other. Israeli soldiers viciously target women in public spaces to inflict humiliation and embarrassment. This in turn leads to protective mechanisms that tend to restrict and control women's movement by the community and the family to protect the honor, thus further limiting women's free movement, access to education, work and social activities. IPHRC delegation observed with concern other serious challenges cited by representatives of refugees, who claimed that UNRWA's assistance diminished considerably in its desire to push the Palestinian Authority to assume the responsibility of refugees, while the Palestinian Authority maintained that it was UNRWA's responsibility to cater for the needs of Palestinian refugees.



## **VI- CONCLUSION:**

The prolonged occupation by Israel of the Palestinian territories continue to pose legally unacceptable characteristics of “colonialism”, “apartheid” and “ethnic cleansing” in modern times, and it is a reflection of the root cause of all forms of violations of human rights of the Palestinian population.

The Israeli government frantically continues to intensify building of settlements on the territory of the State of Palestine. Settlement activities embody the core of the policy of colonial military occupation of the land of the Palestinian people and brutal aggression and racial discrimination against the Palestinians, which is much worse than any of the apartheid regimes. This policy constitutes a breach of international and humanitarian law, and United Nations relevant resolutions. The occupation is racing against time to redraw the borders and impose a fait accompli on the ground, which undermines the potential for the very existence of a viable state of Palestine.

Israel continues unabatedly to execute its colonial policies, through the systematic confiscation of Palestinian land and construction of thousands of new settlement units in various areas of the West Bank, particularly in East Jerusalem. In addition, it continues to accelerate construction of separation Wall that is eating up large tracts of land, dividing it into separate and isolated islands and cantons, destroying family life and communities and the livelihoods of tens of thousands of families.

The IPHRC three-days visit seemed to be not enough to estimate the deep complexities resulting from the continuation of the Israeli occupation of the Palestinian territories, and dilemma faced by the Palestinian people in their daily struggle for self-determination and full independence as a viable state. The internal issues and political conflicts between the West Bank and Gaza also represent a major challenge in this regard. Unless this intricate situation is untangled and cleared up between the two sides, the gap will continue to widen and a lasting solution to the Palestinian problem will further prove unattainable. Additionally, the gaps between the elites and the normal people still overshadow the struggle against Israeli occupation.

The sustainable socio-economic support for the affected people in the occupied territories pose a major challenge to the Palestinian authority due to the limited resources. As complicated and delicate the visit was, this should in no way be construed as normalizing relations with Israel. Palestinian interlocutors at the highest level asserted that ‘visiting the prisoner’ did not, and should in no way imply establishing any type of relations, or normalizing relations with the ‘guard’.

It was observed during different meetings with Palestinian officials that there was a sense of deep frustration that the Palestinian issue has been ‘forgotten’, or left behind amid so many challenges facing the OIC Member States. While appreciating the political support from the OIC, Arab League and the United Nations, the Palestinian officials, as well as normal citizens in refugee camps and occupied cities, regretted that there have been no mechanisms to translate this support into concrete actions. Accordingly, they maintained that Israel had a carte blanche to commit severe atrocities and crimes against Palestinians on daily basis with impunity, recognizing that it is immune against any kind of accountability.



The wide spread mushrooming of Jewish settlements in East Jerusalem and the West bank stand is a stark reminder of the colonial policies and actions undertaken by the Israel to annex Palestinian lands. These policies aim at changing the demographic and geographical realities on the ground, and have been pursued with impunity, as a result, the Palestinian territories diminished considerably to less than 22% of the overall area of the once was called the 'West Bank'.

The situation in Al-Quds (Jerusalem) remains a source of grave concern. IPHRC delegation shared the concern of Palestinian interlocutors that, with the passage of time, inattention and laxity towards the question of Al-Quds, under the Israeli occupation, has permeated among the Muslim countries and the international community in general. Israel, the Occupying Power, continues to undertake excavations in Al-Aqsa Mosque and other similar sites that pose serious threats to the holy places. Israeli military checkpoints prevent Palestinian citizens from getting access to their mosques and churches. Israel also continues to blockade the Holy City with a ring of settlements to separate it from the rest of the Palestinian cities.

## **VII- RECOMMENDATIONS:**

While reaffirming the right of the Palestinian people to self-determination, including the right to their independent State of Palestine, with Al-Quds Al-Shareef as its capital, IPHRC proposes the following Recommendations:

1. The OIC and its Member States need to consider further action at the UN General Assembly and the Security Council, in order to push Israel to stop the construction of and to dismantle the Separation Wall, and to make reparations for all damage caused to affected Palestinian population.
2. OIC and its Member States should urge the UN Security Council to address the question of illegal Israeli settlements, and in this regard OIC Member States, in particular the members of the Security Council should strengthen their efforts.
3. Regular contacts between IPHRC and the Palestinian Authority's relevant human rights bodies, including the National Human Rights Commission and civil society organizations are important for updates on violations of human rights. IPHRC may invite, as appropriate, relevant Palestinian government and civil society representatives to brief IPHRC sessions in the course of the agenda on Palestine.
4. OIC and its Member States to consider convening an international symposium, with the support of the UN and other stakeholders, to focus on the situation of Al-Quds, and the apartheid policies of Israel, the occupying power.
5. OIC Member States should consider imposing strict ban on import of products from Israeli settlements, thus validating Boycott, Divestment and Sanctions (BDS) regime. National laws and regulations on commercial tenders in OIC Member States need to



ensure that records of commercial entities presenting such tenders are free from any transactions with Israeli activities in settlements.

6. The political separation between Palestinians in the West Bank and Gaza need to be addressed as soon as possible, including through supporting reconciliation efforts. The political limbo currently existing between the two sides will continue to weaken Palestinian position in any possible future talks.
7. IPHRC welcomes, and fully subscribes to the outcome of the 5th Extraordinary OIC Summit on Palestine and Al-Quds Al-Sharif held in Jakarta on 7 March 2016, and calls for its full implementation.
8. OIC Member States should encourage their national human rights institutions and civil society organizations to strengthen networking with Palestinian human rights counterparts in order to enhance observance of and reporting on violations of human rights in the Palestinian territories.
9. Recognizing the important role of the UN Human Rights Council, IPHRC, with the support of the OIC group of Member States in Geneva, to consider organizing an event in collaboration with the Office of the High Commissioner for Human Rights, and other stakeholders, on the human rights situation in Palestine, with particular reference to the suffering of women and children under Israeli occupation.
10. IPHRC should continue to focus on the Palestinian question and regularly update the CFM on the state of Palestinians' human rights violations by Israel the Occupying power. In order to have a comprehensive picture of the state of affairs of these human rights violations, it is recommended that the next IPHRC visit should be focused on Gaza strip that continues to suffer some of the worst human rights violations of present times.

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