

**SUBMISSION TO THE OFFICE OF THE HIGH COMMISSIONER FOR  
HUMAN RIGHTS**

**15<sup>TH</sup> SESSION OF THE UNIVERSAL PERIODIC REVIEW**

**ISRAEL**

**Joint Submission**

**By**

**Arab NGO Network for Development**

**Mossawa Center- *The Advocacy Center for Arab Citizens in Israel***

## **I. GENERAL BACKGROUND AND FRAMEWORK**

1. The violation of international humanitarian and human rights law and the continuous violation of related legal obligations by Israel as the occupying power are the core reason of human rights abuses and persistent suffering that Palestinian people is facing today.

2. The Advisory Opinion made on 9 July 2004 by the International Court of Justice, as the United Nations' principal judicial body, which tackled the obligations of Israel in application of international Covenants with regard to Occupied Palestinian Territory (OPT) and especially with regard to International Covenant on Economic, Social and Cultural Rights, clearly stated that Israel should also not raise any obstacle to the exercise of such rights in those fields where competence has been transferred to the Palestinian authorities. Along that, the calls from that international community has been constant for Israel to respect humanitarian and human rights law, honor its obligations and give an end to occupation.<sup>1</sup>

3. Nevertheless, while the calls from various international human rights monitoring mechanisms remained valid, Israel has been in constant negligence of its obligations alongside continuation of its unlawful occupation and its discriminatory policies and practices towards Palestinians.

4. The first cycle revision in 2008 was another forum for various states to remind Israel of its obligations, call for end of occupation and recommend ensuring cooperative actions. Yet the stance of Israel, through no clear response to 161 recommendations and only accepting 3 recommendations in total, demonstrated basically its non-cooperative approach. This has been further proved by Israel's decision to cut-off ties with UN Human Rights Council in 2012.

5. The following submission is presented by the Arab NGO Network for Development and the Mossawa Center (*The Advocacy Center for Arab Citizens in Israel*)<sup>2</sup> recalling that the major challenge and obstacle that the Palestinian society has, and which obstructs its development, remains the Israeli occupation. The basic right of security, peaceful existence and self determination for the Palestinian people, as well as its right to exist in an independent Palestinian State within the areas occupied in 1967 continues to be violated, resulting in deteriorating human rights conditions in the country, including poverty, unemployment, health care, education. The submission addresses as well the institutional and systematic discrimination implemented against Palestinian Arab citizens in Israel.

### **a) SCOPE OF INTERNATIONAL OBLIGATIONS**

6. Israel continues to refuse to recognize the applicability of its international obligations, deriving from treaties that Israel is party to, to the OPT. Indeed, Israel has been invited to honor its obligations under international humanitarian and human rights law and to comply with them in multiple spaces, including during the 2008 UPR Working Group session, in their respective meetings by UN treaty bodies, by the UN General Assembly and by the Security Council. However, basing its stance on "security threat", Israel refuses to meet its obligations and remains the cause of the grave human rights violations faced by the Palestinians.

7. Since May 1948, Israel has been under a State of Emergency. Under article 38(b) of the amended Basic Law, a state of emergency can be declared for a period of one year after which it must be reviewed. If the situation demands, it can be extended.

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<sup>1</sup> <http://www.icj-cij.org/docket/files/131/1677.pdf>

<sup>2</sup> Please see the ANNEX for the full contact of the organizations listed

The Israeli Knesset has routinely extended the state of emergency, without seriously considering whether Israel's situation warrants such an extension. In May 2012, the Supreme Court upheld the state of emergency in Israel, which has remained under such a constant state for the last 64 years. This has enabled Israel to make reservations to international human rights treaties, including, *inter alia*, ICCPR and CAT.

8. The cooperation with UN mechanisms is considered by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 “as a fundamental legal obligation incident to membership in the Organization”<sup>3</sup>. Yet, the refusal of Israeli government to fulfill its obligations is permanent.

9. The Government of Israel follows its non-cooperation with its lack of implementation of resolutions by the Human Rights Council, General Assembly and Security Council on the Occupied Palestinian Territories and other Arab territories, alongside its obligations deriving from international human rights treaties that Israel is party to.

**We urge the Working Group and the members of the Human Rights Council to call upon the Israeli government to:**

10. Respect all United Nations resolutions and its obligations under international human rights law and international humanitarian law, with a view to guaranteeing fundamental rights and freedoms to all Palestinians in the Occupied Palestinian Territories

11. Put an end to the state of emergency and to fully ratify all international treaties without reservation.

12. Fully comply with Article 104 of the Charter of the United Nations, which declares that the Organization “shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes”.

13. Fully implement its obligations under international law, including international humanitarian law, in particular the Fourth Geneva Convention of 1949.

#### **b) INSTITUTIONAL AND HUMAN RIGHTS INFRASTRUCTURE**

14. Although the recommendation on establishment of a national human rights institution in accordance with the Paris Principles was received in the first cycle revision in 2008, the Government of Israel chose to give “no response”. This is in line with Israeli government’s neglectful and unconstructive stance regarding its human rights obligations.

15. Nevertheless, an independent national human rights institution in accordance with the Paris Principles is compulsory to ensure monitoring the implementation of the Conventions that Israel is party to.

**We urge the Working Group and the members of the Human Rights Council to call the government of Israel to:**

16. Establish a national human rights institution in accordance with the Paris Principles that will principally monitor the implementation of the Conventions.

## **II. PROMOTION AND PROTECTION OF HUMAN RIGHTS OBLIGATIONS**

### **A. COOPERATION WITH HUMAN RIGHTS MECHANISMS**

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<sup>3</sup> A/HRC/16/72, The report of the the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 2011.

17. Whereas the pattern of lack of cooperation with the treaty bodies, with Special Procedures alongside recently established fact finding missions and the Human Rights Council is clear in Israeli actions and stance, the Special Rapporteur points out that in order “to call appropriate attention to the effects and implications of these unambiguously unlawful patterns, and their somewhat perverse ex post facto attempted “legalization” and “normalization” requires stronger expository language to better understand the unbridled assault upon Palestinian rights and prospects for meaningful self-determination.”<sup>4</sup>

18. Indeed, as used by the Special Rapporteur the non-cooperative approach of Israel requires international community to “employ terms as “annexation”, “ethnic cleansing”, “apartheid”, “colonialist” and “criminality” as more adequately expressing the actual nature of the situation in the OPT”<sup>5</sup>. Thus, the referral of the situation to the International Court of Justice is compulsory.

**We urge the Working Group and the members of the Human Rights Council to call upon the government of Israel to:**

19. Comply with its obligations as a member of United Nations and cooperate with the human rights mechanisms.

## **B. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS**

### **a. Equality and non-discrimination**

20. Despite Israel's ratification of the International Covenant on Civil and Political Rights and its guarantee to protect all of its citizens against discrimination, due to lack of genuine implementation of conventional obligations and politically motivated practices, Palestinian Arab citizens in Israel face institutional and systematic discrimination.

21. The legal system in Israel does not provide for the concept of constitutional equality, and accordingly encourages the discriminative policies and practices of the Israeli government. Indeed, even in 2008 UPR review and during the treaty body meetings, Israeli government has been called to “ensure equality and non-discrimination and to eliminate any distinction, exclusion or preferential treatment among groups of population in all the territories under State jurisdiction, particularly in the areas of access to justice, employment, education, health services, property rights, housing rights, family reunification, freedom of expression, belief and religion”.

22. Israel’s self definition of a ‘Jewish state’ not only exacerbates the inequality among Jewish and Palestinian and other non-Jewish citizens of Israel but as well proves the political reality of inequality and discrimination towards the latter.

**We urge the Working Group and the members of the Human Rights Council to call upon the government of Israel to:**

23. Follow and implement the recommendations received from relevant treaty bodies including CERD and CESCR regarding ensuring equality and discrimination

24. End discriminative and politically motivated policies towards the Arab population and ensure equality in the application of the law and counter discrimination against persons belonging to all minorities.

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<sup>4</sup> A/HRC/16/72, The report of the the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 2011

<sup>5</sup> A/HRC/16/72, The report of the the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 2011

## **b. The right to adequate standard of living**

**25.** Systematic Israeli policies towards expropriation of Palestinian resources, deinstitutionalization of Palestinian economy and imposition of closure, results in severe socio-economic deprivation for Palestinians, hinders Palestinian development, creates increasing dependency on international aid and causes isolation and impoverishment.<sup>6</sup> This indeed becomes the root cause of the violation of Palestinians right to adequate standard of living, whereby current figures show that approximately 70% of the Palestinian population continues to work to alleviate this alarming trend.<sup>7</sup>

**26.** As of latest statistics by Palestinian Central Bureau of Statistics, the poverty rate among Palestinian households was 25.7% (18.3% in West Bank, and 38.1% in Gaza Strip). Whereas data shows that 14.1% of the households in the Palestinian Territory were suffering from deep poverty in 2010 according to consumption patterns. (8.8% in West Bank, and 23.0% in Gaza Strip).<sup>8</sup>

**27.** In Gaza Strip, which continues to be under Israel blockade in violation of international law, the humanitarian situation is getting worse, as of “44% of Gazan’s are food insecure, about 80% are aid recipients and 34% of Gaza’s workforce, including over half of its youth, is unemployed.”<sup>9</sup>

**28.** Furthermore, inside Israel, the Israeli poverty reduction policies “disproportionately target Jewish citizens, with the result that poverty rates have fallen far more sharply among Jewish citizens than among their Arab counterparts, and inequalities have consequently persisted.”<sup>10</sup>

**29.** The Israeli occupation, its unlawful control on land and natural resources violate the self-determination of Palestinians and create grave human rights abuses. In this respect access to sufficient and safe drinking water and adequate sanitation and adequate housing are of critical importance.

**30.** In addition to unequal control and direct restrictions on water resources, the continuing destruction of the water infrastructure in Gaza and in the West Bank, including in the Jordan Valley, under military and settler operations since 1967 is highly alarming.<sup>11</sup> Between 2009 and 2011, Israel demolished 57 rainwater-harvesting cisterns and 40 wells Palestinians depend on for their lives and livelihoods.<sup>12</sup>

**31.** The unequal access between Palestinians and Israelis to daily water consumption is a clear violation of human rights, as Palestinian daily water consumption barely reaches 70 liters a day per person whereas Israeli daily consumption is more than 300 liters per day.<sup>13</sup> Whereas access to water is more

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<sup>6</sup> PNGO Submission for the CESCR 19th session, <http://www.cesr.org/downloads/CESCR%20Israeli%20Violations.pdf>

<sup>7</sup> See UNDP estimates, available at <http://www.undp.ps/en/focusareas/poverty/povred.html>

<sup>8</sup> Data by 2011, <http://www.pcbs.gov.ps/DesktopModules/Articles/ArticlesView.aspx?tabID=0&lang=en&ItemID=1841&mid=12235>

<sup>9</sup> UN OCHA-OPT, Five Years of Blockade, The Humanitarian Situation in the Gaza Strip, June 2012

<sup>10</sup> The Inequality Report, The Palestinian Arab Minority in Israel, 2011, Adalah, [http://www.adalah.org/upfiles/2011/Adalah\\_The\\_Inequality\\_Report\\_March\\_2011.pdf](http://www.adalah.org/upfiles/2011/Adalah_The_Inequality_Report_March_2011.pdf)

<sup>11</sup> as noted by CESCRs in its Concluding Observations 2011, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/477/95/PDF/G1147795.pdf?OpenElement>

<sup>12</sup> <http://www.fame2012.org/en/2012/04/10/declaration-palestine/>

<sup>13</sup> Noted by the League of Arab States, General Secretariat, Economic Affairs Department of Environment, Housing and Sustainable Development for the World Water Forum 5 that took place in 2011, available at <http://www.google.com/url?sa=t&rct=j&q=General+Secretariat+Economic+Affairs+Department+of+Environment,+Housing+and+Sustainable+Development&source=web&cd=1&ved=0CE8QFjAA&url=h>

problematic for rural communities and that the Palestinians survive on scarcely 20 liters per day and some 180,000-200,000 Palestinians living in rural communities have no access to running water.<sup>14</sup>

**32.** Continuing expansion of Israeli settlements, together with confiscation of properties not only constitute a breach of international law but also violates economic, political, social and cultural rights of Palestinians. In fact, as noted by the Special Rapporteur “the unlawfulness of the settlements has been confirmed over and over again by reference to the textual language of article 49(6), of the Fourth Geneva Convention, by decisions and resolutions of the General Assembly and the Security Council and by numerous statements on the part of respected world leaders.”<sup>15</sup>

**We urge the Working Group and the members of the Human Rights Council to call upon the government of Israel to:**

**33.** Give an immediate end to occupation and illegal settlements that stand as the root cause and obstacle for the self-development of Palestinian society and give an immediate end to the discriminatory “Israeli planning, development and land system which violates the right to adequate housing not only of Palestinians under Israeli control, but also of low income persons of all identities”<sup>16</sup>.

**34.** Fully respect the rights and dignity of the Palestinian people, including their rights to life, to live in dignity, adequate food and housing, together with their freedom of movement.

**35.** Fully comply with its obligations to ensure the availability of sufficient and safe drinking water and adequate sanitation for Palestinians living in the OPT, initially starting with giving an immediate end to discriminative policies that limit the accessibility of these rights.

### **c. The right to work**

**36.** Access to employment in the Occupied Palestinian Territories (OPT) is restricted through restrictions on movement, work permits and unequal and discriminative policies undertaken by Israel. Thus, the unemployment rate in the OPT currently stands above 21%.<sup>17</sup> In West Bank and Gaza, unemployment rate for female is %38.6 and 17.7% for men.<sup>18</sup> Moreover, despite the Equal Opportunities in Employment Law (1988) and amendments to this law in 2010 noted as a welcome step by the CESC<sup>19</sup>, a selective approach to employment opportunities is implemented within Israel to the interest of Jewish population while discriminating the Palestinian Arab minority<sup>20</sup>, and overall through the illegal occupation by Israel.

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ttp%3A%2F%2Fportal.worldwaterforum5.org%2Fwwf5%2Fen-us%2Fworldregions%2FMENA%2520Arab%2520region%2FConsultation%2520Library%2FRight%2520to%2520Water%2520In%2520Arab%2520Occupied%2520Territories.doc&ei=P6DyT73XMI-DhQfPq7HPCQ&usg=AFQjCNE96gFQGaNvKmm9ntZj8QhJx-8vqg

<sup>14</sup> *ibid*

<sup>15</sup> A/HRC/16/72, The report of the the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 2011

<sup>16</sup> Noted as well by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, available at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11815&LangID=E>

<sup>17</sup> <http://www.alhaq.org/advocacy/topics/civil-and-social-rights/566-occupied-livelihoods-palestinians-striving-for-their-right-to-work>

<sup>18</sup> World Bank data, latest available by 2009 at <http://data.worldbank.org/>

<sup>19</sup> E/C.12/ISR/CO/3, CESC<sup>19</sup> Concluding Observations 2011

<sup>20</sup> As noted in Adalah report on equality, “Only 2.4% of all industrial zones in Israel are located in Arab towns and villages.”

37. Given the restricted conditions under Israeli occupation, several Palestinians' quest to enjoy right to work has been further exploited by the working conditions provided to Palestinians working for the settlements. Around 35,000 Palestinians work for the illegal settlements, whereby they receive low wages and more importantly pay around 23 Israeli shekels (US\$6) daily for special permits in order to enter the settlements and work there.<sup>21</sup>

38. The discriminative Israeli policies continue as well on wage gaps, whereas approximately 12 per cent of Palestinian Arab citizens of Israel are paid below the minimum wage noted as well by CESCR.<sup>22</sup>

39. Highlighted by the CESCR, the killings and injuries of the workers in buffer zones stand at alarming levels, whereas the victims remain without any adequate remedy.<sup>23</sup>

40. Impoverishment among Palestinian families consequently increases the child labor among Palestinians<sup>24</sup> whose rights are violated including through low discriminatory wages and harsh working conditions.<sup>25</sup>

**41. We urge the Working Group and the members of the Human Rights Council to call upon the government of Israel to:**

42. Given the importance of agriculture for Palestinian economy, give an immediate end to Israeli policies that hinders Palestinians' access to their agricultural lands in all their territories.

43. Take immediate measures to implement the recommendations of the CESCR regarding right to work, that continuously call Israel to eliminate policies of inequality and discrimination in the enjoyment of right to work by Jews and Palestinian Arab citizens of Israel<sup>26</sup>.

44. Put an immediate end to all kinds of obstacles such as restrictions on movement, work permits and unequal and discriminative policies undertaken by the occupying forces in the OPT, which hinder the right to work of the Palestinians.

#### **d. Right to education**

45. In stark contrast to its obligations under the Covenant on Economic, Social and Cultural Rights (Article 13) and violating its obligations under Article 50 of the Fourth Geneva Convention, Israel violates the access, quality and equal enjoyment of the right to education through systematic policies and through its illegal occupation.

46. As noted by CESCR, "restrictions of movement, regular harassment by settlers of children and teachers on their way to and from school, attacks on educational facilities, and sub-standard school infrastructure" leads to inability of Palestinian children living in the Occupied Palestinian Territory (OPT) to enjoy their right to education.<sup>27</sup> Moreover "inability to repair and build schools and physical safety further hampers accessibility and quality of primary education in OPT."<sup>28</sup>

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<sup>21</sup> <http://english.al-akhbar.com/node/4272>

<sup>22</sup> E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>23</sup> E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>24</sup> [http://www.unicef.org/infobycountry/oPt\\_50318.html](http://www.unicef.org/infobycountry/oPt_50318.html) and <http://unispal.un.org/unispal.nsf/47d4e277b48d9d3685256ddc00612265/0ba12323d393de3f85257a210063c7cc?OpenDocument>

<sup>25</sup> <http://www.ipsnews.net/2012/05/palestinian-children-labour-for-little-in-israel/>

<sup>26</sup> E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>27</sup> E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>28</sup> PCHR report, "Education Denied: Israel's Systematic Violation of Palestinian Children's Right" to Education

47. The right to education of Palestinians is further hampered by infrastructural challenges deriving from shortage of classrooms in schools for Arab Israeli children and lack of qualified teachers in available schools.

48. In addition to high dropout rates in Arab schools, those unregistered Palestinian children cannot enjoy schooling. Noted by CESCR, “there are as many as 10,000 unregistered children in East Jerusalem, out of which around 5,500 are of school age but do not attend school due to their lack of registration.”<sup>29</sup>

**We urge the Working Group and the members of the Human Rights Council to call upon the government of Israel to:**

49. Comply with the recommendations received from the CESCR during the consideration of Israel’s compliance with the Covenant, particularly regarding right to education, including “take measures so as to enable the Palestinian Authority to exercise its functions and powers emanating from the 1995 Interim Agreement, ensuring the right to education for Palestinian children living in the Occupied Palestinian Territory. The Committee also urges the State party to address violations of the right to education, including those stemming from restriction on movement, incidents of harassment and attacks by the Israeli military and settlers on school children and educational facilities, as well as non-attendance caused by a lack of registration”<sup>30</sup>

#### **e. The right to health**

50. “Restrictions on importation of medical supplies, equipment and spare parts; limitations on movement of patients and health staff; interruptions of power supply and impurities of water supply; insecurity; and the permit regime” evidently limits the access of Palestinians to health services, as well as of the professional development of staff.<sup>31</sup>

51. As clearly stated by WHO, whereas the right to health of Palestinians is compromised, “the only way to remove the restrictions on access to healthcare is to remove the occupation itself.”<sup>32</sup>

52. In violation of its obligations to respect the right to health, Israel severely hampers the enjoyment of right to health through denial or limits to equal access.

53. Deriving from the discriminative policies and restrictions on equal enjoyment of the right to health, the life expectancy among Arabs and Jews in Israel differs significantly. Whereas for Arab males the life expectancy is 76.3, for Jewish males the number stands at 80.5. The same differentiation is as well valid for women, as respectively the ages stand at 80.7 for Arab women and 83.9 for Jewish women.<sup>33</sup>

54. Although the infant mortality rate has decreased for both Arabs and Jews, the gap between the two populations (around 7.2 for Arabs, 3.0 for Jews)<sup>34</sup> remains critical.<sup>35</sup>

55. As noted by the Special Rapporteur on the enjoyment of the highest attainable standard of physical and mental health “despite a slight increase in the average rate of approval for patient referrals outside Gaza in the second half of 2010, one out of five

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<sup>29</sup> E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>30</sup> E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>31</sup> <http://www.emro.who.int/pse/palestine-news/5-years-gaza-blockade.html>

<sup>32</sup> Stated by WHO Head of Office for the OPT, Tony Laurance, <http://www.map-uk.org/regions/opt/news/view/-/id/1116/>

<sup>33</sup> 2009 data available at Central Bureau of Statistics-Israel, <http://www1.cbs.gov.il/ts/ID8f37b24ff60ec2/>

<sup>34</sup> <http://www.arabhra.org/HraAdmin/UserImages/Files/Health%20Discrimination-%20English.pdf>

<sup>35</sup> [http://www1.cbs.gov.il/shnaton62/diag/03\\_05.pdf](http://www1.cbs.gov.il/shnaton62/diag/03_05.pdf)



patients still missed hospital appointments because their permits were denied or delayed.”<sup>36</sup>

**56. We urge the Working Group and the Human Rights Council to call upon the government of Israel to:**

**57.** Give an immediate end to Israeli policies that hinders the Palestinian Authority to exercise its functions and powers emanating from the 1995 Interim Agreement regarding right to health

**58.** Bring to a halt to discriminative health policies to ensure universal access to affordable primary health care for all.

**59.** Given the high infant and maternal mortality rates among Palestinian Arab citizens of Israel as well as Bedouin populations, ensure that health policies directed to infant mortality cover all, without any discrimination.

**60.** Ensure the accessibility of health facilities, goods and services for Palestinians living in the OPT and particularly “take disciplinary action against checkpoint officials who are found responsible for unattended roadside births, miscarriages, and maternal deaths resulting from delays at checkpoints, as well as maltreatment of Palestinian ambulance drivers.”<sup>37</sup>

#### **f. The rights of minorities and indigenous people**

**61.** Over 35 discriminatory laws violate the rights and freedoms of the 1.587 million Palestinian Arab citizens in Israel, comprising approximately 20.5% of the Israeli population, and covering a wide-spectrum of topics ranging from television broadcasting and cinema, to land and housing, to civil and political freedoms. Ironically, legislative measures are employed as the primary tool to further anti-democratic laws and to deepen discrimination. A wave of discriminatory legislation has been introduced since the 2009 election of the extreme right-wing government and this trend looks set to continue. In 2011 alone, the Knesset introduced and passed four discriminatory legislative measures, which severely harm human rights, alienate the Arab minority and undermine community cohesion.<sup>38</sup> Moreover, Arab civil society organizations in Israel have come under increased legislative and public attack.

**62.** The Arab Bedouin, who constitute 200,000 citizens, has lived in the Negev desert since before the time of the Ottoman Empire. They have a historical, ancestral attachment to the land, which the State of Israel is attempting to sever. According to the Israeli government, the Bedouin are “trespassers on state land”.<sup>39</sup> On September 8 2011, the Israeli government approved the Praver’s Committee plan, which aims to forcibly dispossess and displace up to 70,000 Bedouins from their unrecognized villages to settlements recognized by the State.<sup>40</sup> The plan was put together without first consulting the Bedouin community, a strong signal that self-determination was not a high priority, and was entirely unacceptable to those that it directly affects.

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<sup>36</sup> <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11363&LangID=E>

<sup>37</sup> As recommended by the CESCR, E/C.12/ISR/CO/3, CESCR Concluding Observations, 2011

<sup>38</sup> The four laws are: The NGO Foreign Funding Law (*Law on Disclosure Requirements for Recipients of Funds from Foreign Entities* - 2011); The Nakba Law (*Law to Amend the Budgets Foundations Law, Amendment No. 40 - 2011*); The Admissions Committee Law (*Law to Amend the Communal Societies (Admission Committees in Galilee and Negev Communal Settlements – 2011)*); The Anti-Boycott Law (*Law for Prevention of Damage to the State of Israel through Boycott – 2011*). For further information on discriminatory legislation, see Mossawa, Newsletter. Available at: [www.mossawa.org](http://www.mossawa.org).

<sup>39</sup> Attorney General’s response to petition HCJ 2887/04, *Salem Abu Medeghem, et al. v. The Israel Land Administration, et al.*

<sup>40</sup> Ehud Praver headed the Committee and is a former chair of the National Security Council.

Implementation of this plan means transfer of tens of thousands of citizens of the State of Israel against their will, and amounts to forced urbanization and represents a continuation of the State's policy of displacing Arab Bedouins from their historical lands. Moreover, the plan reverses many of the significant admissions of the recommendations of the Goldberg Commission. Goldberg stated that the Bedouin are not "squatters" but rather citizens entitled to equal rights, and that unrecognized villages should be recognized to the extent possible." Justice Goldberg went on to say that "[t]here is no justification for the State to treat the Bedouin residents in these communities differently from the way it treats the rest of the citizens of the State."<sup>41</sup>

**We urge the Working Group and the Human Rights Council to call upon the government of Israel to:**

**63.** Abrogate all discriminatory laws and rescind all discriminatory bills.

**64.** Revoke the Praver Plan, and in its planning in the Negev, respect the Bedouin's right to their ancestral land and their traditional agricultural livelihood.

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<sup>41</sup> Eliezer Goldberg "The Committee for Proposing Policy for Regulating Bedouin Settlement in the Negev", Jerusalem: Ministry of Construction and Housing, 2008.

**ANNEX:**

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