*Unofficial Transcript by Human Rights Voices*

March 17, 2016

“Panel on Human Rights in the State of Palestine”, sponsored by Cairo Institute for Human Rights Studies

RICHARD ALAM, CAIRO INSTITUTE FOR HUMAN RIGHTS STUDIES: This session marks the 10th anniversary of the Human Rights Council, a body that has succeeded in bringing human rights violations in several of countries to the forefront. The real question, however, remains if this 10-year-old council can finally be able to solve a decades long conflict.

For 10 years, the Council has passed dozens of resolutions, endorsing hundreds of recommendations addressed to Israel. But for too long, Israel has acted above the law. This is not an overstatement. This is simply the reality.

In this very Council, you have heard numerous times from Palestinian, Arab, and international human rights organizations countless examples of how the very basic rights of Palestinians are being systematically violated. In this Council, you have seen time after another how accountability for violations of international law is not fully realized.

And so I'm very pleased today to be here among the panelists from international and Palestinian human rights NGOs. We have with us Mona Sabella from Al-Haq and Sari Bashi via Skype from Human Rights Watch. We will connect with her shortly. And then Nuriya Oswald from Al Mezan, Bob Jones from Medical Aid for Palestinians, and Yara Jalajel from the Cairo Institute for Human Rights Studies.

I will cut this introduction very short to allow the panelists to have time to speak to you, and I encourage everybody to be actively engaged and ask questions—in the end, though. So first, I'll give the floor to Mona from Al-Haq.

MONA SABELLA, LEGAL RESEARCH AND ADVOCACY OFFICER AT AL-HAQ: Thank you, Richard, and thanks to Cairo Institute for organizing this panel. I'll jump right in.

In the last five months, Israeli forces, including security guards and armed settlers as well, have killed over 184 Palestinians. So if we wanted to break that down, that's about 36 Palestinians per month and an average of one Palestinian per day. So one Palestinian per day has been killed for the past five months on average.

These killings have taken place in the context of demonstrations, but they've also taken place in the context of alleged attacks and other circumstances. Of most concern, these killings come following altered Israeli state policies to facilitate and encourage extrajudicial killings.

Many of the killings that we documented could have been avoided were it not for a change in the Israeli government's open fire policy. In September last year, the Israeli cabinet unanimously approved Prime Minister Netanyahu's proposal to lower the threshold for the use of live ammunition to a standard that violates international law.

And of course, this was part of the Prime Minister's war, as he called it, against stone throwing in Jerusalem. So previously, Israeli police were only allowed to use live ammunition in situations that are life-threatening. Now, however, Israeli police have permission to fire on individuals whenever there is an immediate and concrete danger to police or civilians, so quite a difference.

Research that we have looked at indicates that stone throwing does not meet the threshold of posing an imminent threat to life, nor a threat of serious bodily injury. So accordingly, the use of—the large-scale use of deadly force to respond to stone throwing, it's disproportionate, it's unnecessary, and it amounts to an arbitrary deprivation of life. So it's worthy to note as well that in September, the Israeli cabinet approved the use of Ruger sniper rifles. The rifles can cause serious bodily harm and injury as well as death, but were nonetheless used by untrained Israeli police against Palestinian protesters in Jerusalem.

So while the open fire regulation is race-neutral on its face, it has been employed in a discriminatory and in a racist manner, exclusively being applied against Palestinians. So for example, in one case, three Jewish Israeli boys, one of whom is a minor, were suspected of throwing stones at cars, including Israeli police cars. The boys were arrested by the Israeli police and were then released by the Israeli court on the same day, even before the court was presented with a charge sheet.

The court released the boys to house arrest and a fine of approximately USD 500 each with the fine not being a condition for their release. In contrast, three weeks ago, Israeli soldiers shot and killed 14-year-old Haitham Saada after they claimed that he and a friend were about to throw stones at cars near Route 60 in the West Bank. The Israeli soldiers saw the two boys, and before the boys could have even noticed, they were surrounded by soldiers and were fired at five times from behind in broad daylight.

Consequently, Haitham was hit by two of the bullets, one in is upper back, exiting through is mouth, and the other in his right elbow. Haitham died after being left for about two hours without medical care. Haitham's friend was apprehended after narrowly escaping death himself.

Beyond stone throwing, the change in Israeli open fire regulation has also resulted in the killing of at least 114 Palestinians in the context of alleged stabbings or car ramming attacks or attempted attacks since October 2015. In most cases that we are examining, it appears that many of the suspects involved could have been controlled without resort to the use of lethal force and live fire. In several of these killings, ample video footage has emerged, calling into question the actions of the Israeli forces involved. In fact, footage, as well as eye witness accounts, in several cases have confirmed that Israeli military or police used lethal force against Palestinians who did not pose a threat or no longer posed a threat.

The recurrence of these incidents or the circumstances surrounding the killings suggests an unofficial shoot-to-kill policy. Lethal force is being used against Palestinians allegedly involved in attacks as the first and only course of action and not as a last resort. International law permits the use of force to wound, following warnings, so as to apprehend the suspect and not use lethal force to kill. Lethal force may only be used after all measures have been exhausted.

In many of the cases we have looked at, Israeli forces appear to have acted by resorting to the use of lethal force as an alternative to attempting to apprehend suspects and even without issuing any warnings. In some cases, alleged attackers were already injured on the ground when Israeli soldiers shot at them once or more again. In an incident last October, Israeli soldiers shot and killed Mahdi al-Muhtasab as he ran away from them at Checkpoint 160 in Hebron after allegedly stabbing an Israeli soldier.

Video footage indicates that after Mahdi fell to the ground, an Israeli soldier opened fired on him once again and then approached him once more and shot him one final time. So I'll show a small clip of this incident.

[Video Clip—Foreign Language]

I think the video speaks for itself.

So several Palestinian and Israeli human rights organizations have requested opening investigations into several incidents of killings in the past few months. So far, Israeli authorities have disregarded these requests. Furthermore, several requests to conduct autopsies to assist in the investigations of some of these incidents were rejected by both Israeli authorities and Israeli courts, claiming that there is no need for an autopsy because the conduct of Israeli security forces was in self-defense and within the confines of the law, which is, of course, an inaccurate and illegitimate assessment.

Refusing to conduct autopsies suggests an unwillingness by both the Israeli authorities and the Israeli courts to perform transparent investigations into the recent killings and highlights the impartiality of the Israeli judicial system. At the same time, the Israeli authority has been carrying out a practice of holding bodies of killed Palestinians as a means of punishing their families. So as of last week, 13 bodies remained in Israeli custody, 11 of whom from Jerusalem.

Holding the bodies not only constitutes collective punishment under international law, but it also prevents verifying the circumstances of the killings and holding an impartial investigation. And as a consequence, Israeli soldiers, police, security guards, and settlers escape accountability through a judicial system in Israel that fails to hold perpetrators accountable for wrongful acts, particularly when they involve a Palestinian.

Looking at UN mechanisms more broadly, we find a long list of recommendations calling for Israeli compliance with international law and for accountability for those who violate the law. The recent report of the Commission of Inquiry on Gaza in 2014 highlighted that impunity prevails for violations of international law by Israeli forces and that significant changes are needed in Israel's justice system for it to meet international standards.

Numerous other recommendations by UN bodies have called for dismantlement of settlements, for the right of return, for Palestinian self-determination, including sovereignty over land and natural resources. These are basic rights and—these are basic rights that are necessary for any process moving forward, and the lack of accountability of such—or the lack of enforceability, sorry, for such basic rights has led to a public opinion by Palestinians deeming international law ineffective, and that's quite dangerous.

At this point, Palestinians need a restoration of hope that an end to occupation may be achieved through the rule of law and accountability. The Council's support for the accountability resolution under Agenda Item 7 last June was pivotal, but it is a slow process that must be accelerated. In the meantime, it's important for the Council to take immediate steps towards change on the ground by developing mechanisms towards the implementation of UN recommendations in accordance to—with international law.

Thank you.

RICHARD ALAM, CAIRO INSTITUTE FOR HUMAN RIGHTS STUDIES: Thank you very much, Mona. We will joined shortly via Skype by Sari Bashi. She is the Director of Israel and Palestine in Human Rights Watch. Apologies for the technical problems, but I'll have to—we'll have to call her. She may not be able to hear you in case you have questions in the end. Yes. Yes, please.

SARI BASHI, ISRAEL/PALESTINE DIRECTOR FOR HUMAN RIGHTS WATCH: Hello. So I understand that I should just start. And, Richard, if there's any problem, just send me a chat and then I can see that there's an issue. Okay.

Good afternoon, everybody. Thank you very much to the Cairo Institute and to Richard for hosting me despite technological difficulties. I can't see or hear anybody, but what I'll do is at the end, I'll check the chat if people have questions or comments.

So my name is Sari Bashi. I'm the Israel and Palestine country director for Human Rights Watch. And what I'd like to do is describe to you about a report we issued earlier this year called Occupation, Inc., in which we analyzed business activity in settlements in the West Bank from the point of view of corporate social responsibility and UN Guiding Principles on Business and Human Rights.

And I want to share this report because for Human Rights Watch, it's a foray into a field that others have been working in, including, especially Al-Haq, for some time. And I think that we are entering this field because we share the belief that there is tremendous potential in pressure, economic pressure, to stop the rights and IHL abuses in these settlements.

So I'll start with the question why we chose to focus on settlement businesses. So first of all, the settlements in the West Bank are at the heart of the human rights violations that Human Rights Watch and other groups have documented. They are rooted in the settlements, whether it's restrictions on free movement, arrests. A lot of the behavior of the Israeli military in the West Bank is designed to facilitate life for the settlers living there in ways that are abusive on Palestinian residents. Especially now, the violence that we're seeing in the West Bank within Israel, we believe it's rooted in the human rights violations of the occupationists. For us, this is a good time to be focusing on some of those root causes which include the settlements.

And especially as we begin to mark 50 years to the occupation of the Palestinian territory in 2017, I think it's hard to understand why the occupation has lasted so long unless we focus on the settlements because the settlement project makes this occupation not just about security, but also about colonialization and annexation. And I would suggest that if it weren't for the settlements and the project they represent, this occupation would probably have ended a long time ago. So we think it's an important, a key issue in understanding the human rights violations.

I think this report is—has the potential to be groundbreaking in that it laid out a framework that is a law-based, rights-based framework for any business activity in the settlements. And what I find by the hearings is a lot of energy toward global movements to either boycott all of Israel or parts of the settlements, and that's an important political initiative. What we're doing is joining those who are analyzing from a legal perspective the human rights responsibilities of businesses that are active in settlements, and the report provides a tool, a legal and factual tool, for analyzing business activity that goes beyond a company just producing in the settlements and includes any kind of business activity that would contribute to human rights violations and IHL abuses in the West Bank.

And the élan to this approach is that it has the ability to be communicative to companies who have no interest in getting involved in politics, but they are concerned about their human rights responsibilities, and they're concerned about them because consumers and shareholders are increasingly demanding that they comply with the UN Guiding Principles. And so this kind of analysis, I think, can be used for individual advocacy and engagement or for companies, something that actually we find quite a number of organizations are already doing and we are joining them on those activities.

Okay. So I want to kind of outline what we did in the report. What we did is we looked at case studies and really identified three types of violations that are inherent in doing business in or with the settlements. The first one is that, we show how businesses operating in the settlements are contributing directly of violations of human rights and IHL. And we're doing that mostly through a discriminatory business regime that subsidizes and encourages settlement businesses and practically paralyzes Palestinian businesses, and also through land confiscations, so businesses actually operating on land that belongs to Palestinian landowners.

One of the things we looked at are the ways in which settlement businesses are subjected to different administrative rules. To take an example of quarry in the Northwestern West Bank, part of the West Bank, that is a settlement quarry that is doing quite well. And then we looked at the Palestinian quarries in the same area, and the Palestinian quarries are struggling to continue to operate because since 1994, Israel has not issued a single new license for a Palestinian quarry in the West Bank and is actively enforcing rules against Palestinian quarries operating without a license.

So Human Rights Watch interviewed quarry owners who are operating the quarries just two or three days a week on the weekends in the hope that the Israeli military will be less likely to have enforcement actions during the weekend. And they're sleeping in their offices to prevent their equipment from being confiscated, in some cases, even damaging their own equipment so that it's harder to tow when they are confiscated. So it's very difficult, obviously, to do business in that environment.

Beyond the issue of licensing, the Israeli government is investing itself by subsidizing heavily the settlement businesses by providing tax incentives, building roads, providing infrastructure, which makes it easier for them to do well and it makes it harder for Palestinian businesses to compete.

In addition to the restrictions on licenses, Palestinians are very restricted from building in Area C, which represents about 60% of the West Bank. And so the refusal rate for Palestinian building permits in that part of the West Bank is about 94%. Just 6% of building permit requests are approved, and the army actively demolishes businesses and homes that are built without those permits. And so you get a sense of how this works by also looking at the success of settlement businesses. In terms of quarries, Palestinian quarries are producing just 25% of the output that some of the quarries are producing because of this discriminatory regime.

In addition to the discrimination, many of the settlement businesses are operating on land that has been confiscated from Palestinians, either directly or indirectly. And we give the example of two kinds of companies that are operating. One is the international company, RE/MAX, which is marketing land in the Israeli settlements and has operations in two settlements, Ma'ale Adumim and also Ariel.

In some cases, that land that is selling, these apartments actually are built on privately owned Palestinian land. And in other cases, it's built on land that belongs to the Palestinians broadly, the part of the West Bank, even if it doesn't have a private landowner, or land that has been declared off-limits because of settlements. So in some cases, land has not been formally expropriated, but Israel builds a fence around it because it's close to a settlement and says that you can't access this land for the Palestinian landowners.

Another example we looked at also in terms of land that's been confiscated is an Israeli bank financing a project called Green Ariel near one of the largest settlements in the West Bank. But again, the existence of that settlement is on land that has been taken from Palestinians.

In addition to those concerns about businesses, some businesses, like, for example, quarries, are actually operating in violation of IHL rules regarding the use of natural resources in occupied territory. So the very taking of stone from the ground not for the benefit of Palestinians, paying royalties not to the PA or some other Palestinian authority, but rather paying royalties to the Israeli military violates the rules governing an occupying power which says that any use of natural resources cannot be for the benefit of the occupying power, but rather must be used for the local population.

A second way in which settlement businesses run afoul of the law is the way in which they facilitate the existence of settlements themselves. So settlement businesses make it easier and more comfortable to have the settlements. They pay taxes to settlement municipalities in the form of municipal taxes of water use. Also, they provide jobs for settlers, making it more convenient to live in the settlements. Almost half of the settler work force, Israeli settlers who are working, they're working in settlements themselves, in settlements and settlement businesses. So in that way, it's perpetuating the system.

Another concern is that the settlements themselves, of course, are—or I should say because settlements themselves are inherently unlawful under the law of occupation. And there's no way to fix that. An occupying power is allowed to act only for security or for the benefit of the local population. There is no authority in the law of occupation to exploit an occupied territory for the benefit of the occupying power and there is an explicit prohibition against transferring the civilian population into occupied territory, and that provision is also considered a war crime under the Rome Statute of the International Criminal Court.

Another concern about the facilitation of settlements by settlement businesses is the discriminatory resource allocation. So while Palestinian towns and villages are not given proper access to water and other resources, the settlements are very generously supplied with water and other resources. And part of the restrictions on building in Area C can be seen in that context. The Palestinian towns and villages are being restricted from expanding while the government is actively working to expand settlements, and the business activity is what's making that more economically viable.

The last concern we document in the report are labor abuses that take place in settlement businesses. Although, in theory, Israeli labor law protections, which are quite good, are supposed to apply to settlement businesses, in reality there is almost no enforcement. The Israeli government doesn't send government inspectors to look at labor law violation. There's a huge disincentive for any Palestinian worker in the settlement to file a complaint because as soon as he or she does that, he or she loses his work permit.

And so the estimate is that about half of Palestinian workers in settlements are being paid less than minimum wage. In the report, we document a number of cases in which construction workers and other workers in the settlements are working overtime without being paid, getting vacation time, with less than minimum wage. They know it's against the law, but they also say they can't afford to file a complaint; as soon as they do, they'll lose their work permit.

One, I guess, objection we hear a lot is that ending settlement businesses would actually cost Palestinians jobs because 26,000 Palestinians work in settlement businesses. That's the official number. It's estimated that thousands more work unofficially without permits there. You know, one of the things that we would point out is the harm that the settlements are causing to the Palestinian economy. And the World Bank estimates that the Palestinian economy is losing $3.5 billion every year, which is a third of its GDP, just because of restrictions in Area C, in the part of the West Bank where the settlements are.

And in addition to that, the case finds about the discriminatory business regime shows that, yes, settlement businesses are offering jobs, but they're able to do that because the Palestinian businesses aren't being allowed to operate profitably. And so our recommendation is that for the good of the Palestinian workers would be to end settlement businesses and stop the discriminatory restriction on Palestinian businesses.

So that's what we've documented factually. Our recommendations are that businesses stop doing business in or with settlements. And just a word on the legal framework here; the UN Guiding Principles on Business and Human Rights state that businesses have an obligation to do due diligence to see if their business activities contribute to or benefit from serious violations of either human rights or IHL. And where such violation is found, businesses have an obligation to mitigate that harm.

In the case of settlements, we've come to the conclusion that there's no way mitigate it. The violation is inherent to the settlement project because settlements are inherently unlawful under IHL and because this settlement project is predicated on discriminating against Palestinians and using Palestinian resources to the benefit of settlers who have no right to be there.

We, therefore, recommend that businesses stop doing business with or in settlements, stop trading with, financing, administering or in any other way supporting the settlements or settlement businesses, and we recommend that governments review their policies to make sure that they are not recognizing Israeli sovereignty over the West Bank. That would include things like labeling products or requiring labeling of products from the settlements so that they're not allowing them to be marketed in foreign countries saying they were made in Israel. It also includes a whole host of other activities that may sound technical, but actually can be pretty significant. I'll give you an example.

The EU was asked to review its policy years ago regarding importing agricultural and veterinary products from settlements. And the concern was that if the EU were to recognize the authority of the Israeli Ministry of Agriculture to certify a particular product as either organic or veterinarily safe, it would be recognizing the authority of the Israeli Ministry of Agriculture to act in the West Bank, which is not part of Israel. And as a result of that concern we raised, there is now a functional ban on importing agricultural organic or veterinary products into European countries because the only way to do that is to recognize Israeli sovereignty over the West Bank. And there's a whole range of other areas in which a consistent application of the non-recognition policy, not recognizing Israeli sovereignty over the West Bank, would actually lead to significant restrictions on the ability to do business with these settlements, which view as a positive thing.

I'll just conclude with a note about what the advocacy results have been so far. So first of all, in the course of our research on the report, one of the companies that we researched, an Israeli textile company located in the industrial zone in the West Bank in a settlement actually left. We wrote to the Israeli company. We wrote to an American brand that was the primary client of this Israeli company and in November they moved the factory inside the Green Line. And we view—that's great. That's exactly the kind of due diligence we want businesses to be doing.

You've also, I'm sure, seen some of the other public discussions with groups like, companies like Airbnb, which is being pressured now to stop marketing apartments in the settlements for the United Methodist Church, which pulled its funds out of Israeli banks because of a concern they were involved in financing encroaching settlements. And I think we're going to be seeing a lot more individual businesses, first of all, pulling out of settlements and also refraining to get involved in settlements.

And one of the strengths of the report is that it sets out a framework, an analytic tool, that can be used beyond just a company that's manufacturing in settlements. And one of the examples, we give, for example, the banking industry. Under the framework that we laid out, we say that a foreign bank investing in an Israeli bank has an obligation to ensure that its funds are not involved in the Israeli bank's settlement activities. And that is—if one is accepted by the banking community, it would have huge implications for the Israeli banking industry. The requirements would be to segregate funds, which is a bit of a challenge when you talk about this kind of money.

And that's the kind of individual outreach that we're doing now with companies to investors, and we do this with a lot of gratitude to the other groups that have already been active in this field for quite some years and enjoying working with them and learning from them and contributing what we hope is a useful tool.

So thank you very much for your time, and I hope the technology didn't interfere too much in my meanings. And I'll close now.

RICHARD ALAM, CAIRO INSTITUTE FOR HUMAN RIGHTS STUDIES: Thank you. Thank you, Sari, and apologies again. As we said, if there were any questions directed to Sari, we may write her and then we'll have her again for a few minutes over Skype.

I'll give the floor now to Nuriya Oswald. She works with Al Mezan from Gaza. And Nuriya is the coordinator of international advocacy and projects. The floor is yours.

NURIYA OSWALD, PROGRAM COORDINATOR, AL MEZAN CENTER FOR HUMAN RIGHTS: I think it's on. Thank you, Richard, and thank you to Cairo Institute for organizing this as well.

So I'm from the Al Mezan Center for Human Rights in Gaza. If you haven't heard of us, we're a Palestinian human rights organization working in the Gaza Strip, and among other activities we carry out monitoring and documentation of violations by all sides in the Gaza Strip every single day. And we cover the violations carried out in the context of the major military operations on Gaza as well, and we represent the victims of those attacks in Israel with Israel's judicial mechanisms as well. And I'll give a bit of an update on where our cases stand in that regard.

So but Al Mezan also works on the day-to-day violations in the Gaza Strip, the violations that are either practices or policies that impact the entire population of the Gaza Strip on a day-to-day basis. And we've actually documented a huge escalation in attacks in the buffer zone in particular in the last six months, and these attacks are in line with what my colleague, Mona, from Al-Haq just described as well.

Now, typically, the attacks carried out in the buffer zone are targeting farmers on the side of the sea to the west, targeting the fisherman, or rubble collectors as well, people who are picnicking in the buffer zone. But in the last several months, we've seen attacks on peaceful demonstrators for the most part who are in the buffer zone. And the attacks are also carried out on the medical workers who are there, who are nearby, and also, the journalists who are covering the demonstrations. And the demonstrators are there in solidarity with the Palestinians who are under attack in the West Bank, which my colleague already described.

And the Israeli forces are targeting these individuals with excessive and intentional force without justification. And we consider these cases to be deliberate fatal shootings of individuals, individuals who pose no imminent threat to life and they amount to an appalling pattern of apparent systematic unlawful killings. And I'm going to give a few numbers from the last six months just to give you a picture.

So the Israeli forces launched 173 attacks using live fire and also shelling, but for the most part, shooting. And they killed 25 people in those attacks, including three children. And also, in those attacks, they injured 1,304 Palestinians in Gaza, including 138 children. And on the side of the sea, we also documented 48 cases of live fire used and there were nine fisherman who were injured. And of course, the—in the context of these attacks, the Israeli forces are also arresting the fisherman, confiscating their boats, the boats not to be returned, and also confiscating pieces of equipment, which are generally motors or generators for the lights on the boats. And these restrictions in the buffer zone are—they're arbitrary and they're illegally imposed restrictions and yet they're serving to facilitate Israel's practices of abuse.

Another example would be of the arrest and ill treatment of Palestinians in Gaza who are in the buffer zone who are attempting to cross into Israel. For the most part, the reports are that the people are attempting to cross over in search of work in Israel, and there's one case that comes to mind. It's of Yousef, a 16-year-old boy, who was with one of his friends and he was attempting to cross into Israel in search of work. This was just a few months ago. And Israeli forces spotted them and approached them. They arrested them.

They had them remove all of their clothing. And then a solider got out of a military jeep and he had a dog with him, an attack dog that had a muzzle on, but he took the muzzle off of the dog and he set the dog on the two boys, and the dog attacked Yousef and latched onto him. And Yousef wrestled with him for a while, but every time Yousef would free himself, the dog would attack him somewhere else. And of course, in the midst in all of this, the boys are screaming and the soldiers are laughing. Eventually, they pulled the dog off them and they proceeded to bring the boys to detention in Israel.

We had a case just after that as well where someone who actually had a permit, a resident of Gaza had a permit to access Erez Crossing. When they got to Erez Crossing with their permit, they were arrested and again, a dog was used to inflict physical pain on him within the course of his arrest and his detention in Israel.

And the point is that the conditions in the Gaza Strip, which are grown by Israel, should not be taken as an opportunity to implement practices of abuse, practices which in many instances amount to cruel, inhuman and degrading treatment and amount to torture. And it's clear that the law enforcement mechanisms that are being used are not being appropriately administered according to international human rights law. And the cases that we're looking at amount to an excessive use of force, similar to what Mona was describing for the West Bank. Of course, torture is completely prohibited under international law under any circumstances whatsoever.

But we need to zoom out and look at the closure of Gaza also for its time span, and that would be nine years right now at this point. And the movement restrictions, the movement and access restrictions, remain very much in place. They remain in place critically for patients who are seeking the appropriate and necessary medical care that is not available in Gaza, seeking this medical care in the West Bank and in Israel. And it's in place for human rights defenders. For example, our director, Issam Younis, is not here today because he was prevented from leaving the Gaza Strip by the Israeli authorities. And of course, students who want to study in the West Bank are not able to. Family members are not able to be reunited. All of these restrictions remain in place.

And at the same time, the restrictions on materials coming in are very much in place as well. Although I know there have been some cases of success with some material coming in in very small amounts, overall, we need to consider that this is a collective punishment that remains in place. And critically, the reconstruction of Gaza is way too slow and way to far behind. It's been more than a year-and-a-half, and I think there was just a handful of houses that were completely destroyed in the last war that have been rebuilt at this point.

In terms of accountability, Al Mezan continues to engage with the Israeli authorities and the judicial bodies in Israel on behalf of the victims of these attacks and the attacks from the full-scale military operations as well. We've been doing so, of course, for many years. As you can imagine, we have become extremely impatient with the functioning of both the criminal track and the civil track in Israel. The processes are too slow, and overall, I can just say they're ineffective.

We're actually not hearing much from the Military Advocate General right now at all. We haven't heard from them in a few months. And it does typically happen that a huge operation will be carried out on Gaza. We'll engage with the authorities. There will be some interaction for a few months. After, say, a year, the interactions will kind of die down and the communication will fully drop, leaving us to wonder what happened to the majority of our cases, if they were even received, for example.

There are a few cases where criminal investigations have been opened. There are four cases of robbery by Israeli soldiers. But these have been referred to as common crimes by Israel's defense minister. There are three cases of—these are just of Al Mezan's cases. There are three cases of torture and cruel inhuman degrading treatment by Israeli soldiers that are currently being investigated. But again, these could fall under measures of discipline for the Israeli soldiers, not necessarily criminal conduct, and there's a big difference there. And I know there are also some investigations being conducted into the attacks on three UNRWA schools.

There are some cases that I'm going to mention because my colleague will talk about the specific attacks, the details of attacks next. One, the Bakr case. I'm sure everybody knows of this case. The four Bakr children were with some of their other family members playing football on the beach. They were attacked and they were killed. And this criminal investigation was closed very quickly. It was closed in June 2015. But critically, it was closed without interviewing any of the eye witnesses, any of the witnesses who were there, the key witnesses, journalists, for example, who were filming and taking pictures of the attack. It was closed.

The case of Israel's attacks on Mabaret Palestine was very quickly closed as well. This is the case of the attack on the center for people with disability. It took place overnight and two people with disability were killed. And there was no criminal investigation that we even launched into that.

The case of al-Wafa hospital was closed. But two cases, al-Aqsa Hospital attack and Beit Hanoun Hospital attack, we actually didn't even hear from the Military Advocate General as to if they even received our request for opening a criminal investigation, and that's not rare. That's quite indicative of the MAG's interactions with us.

There were 63 other cases of ours where there was some indication from the MAG that they were opening some form of examination. This is an examination that can lead to criminal investigations. Usually, it does not. And in all of the rest of our cases, there have been no updates since November.

Let me move on. So the vast majority of our cases haven't—we either haven't received a response on or we've received response that they've been closed, leading us to see, as it was in the past, it remains right now that Israeli domestic investigations are unwilling or unable to genuinely carry out investigations or prosecutions in compliance with international standards. And I know I've said that before, but it remains the case now, and it's important for us to say that there's been no progress.

On the civil side, the restrictions remain in place, all of them also restrictions that we've talked about many times in our panel events, so I won't go through them, but statute of limitations remains in place, kind of a prohibitively short statute of limitations. There are very high court guarantees, which are essentially court fees. All of the movement restrictions remain in place and mean that our clients, for example, can't access the courts in order to sign over power of attorney or meet their lawyers or critically, to give witness testimony, which means that the cases are not going to be decided on their merits. They'll essentially be rejected for procedural barriers, financial barriers.

And most troubling is Amendment number 8, which remains in place, which essentially makes it so that Israel is not liable for actions that its forces carry out in the Gaza Strip during the military operations. And I do find it very surprising that there are still no proposals to amend Israeli law to allow for any potential reparations or compensations. We're continuing to engage with the Israeli system. We're continuing to report to the people that we are representing, but I have to say that it will not go on forever.

So what I'm saying here today, of course, is not new. Al Mezan very much supports the Commission of Inquiry recommendations and these recommendations are very clearly reflected as not having been implemented in the High Commissioner's report as well. And I suppose what we need to focus on right now, what Al Mezan is focusing on, I think what we're all considering, especially for Monday, is that there needs to be a follow-up mechanism. You know, the last resolution on accountability received very sturdy support, very sturdy endorsement, and that support needs to reflect the initiatives that are required right now, that are required on Monday and throughout next week.

And the follow-up mechanism, I couldn't give you a concrete outline of what it should look like, but just to say that it needs to be effective, that it needs to take developments on the ground into account and be flexible in that way, that it needs to be interactive and to work with the civil society organizations on the ground that interact with the Israeli justice mechanisms on a daily basis or represent these victims on a daily basis. And it has to look at current violations as well, the violations that my colleagues have talked about and will talk about today, the violations that I spoke about in the buffer zone, and of course, it has to look at the closure as well in addition to looking at the major operations, major operations, not just the last one, but of course, the ones before that.

So our message is a very broad one. It's in support of accountability and justice in order to bring an end to violations, and we think that perpetrators being held to account is the way forward. And I just want to say, because I'm out of time, but we are very much pushing support for UN Special Procedures and for the treaty bodies as well.

Thank you.

RICHARD ALAM, CAIRO INSTITUTE FOR HUMAN RIGHTS STUDIES: Thank you so much, Nuriya. I will give the floor now to Bob Jones who is the Campaigns and Research Officer at Medical Aid for Palestinians. The floor is yours.

BOB JONES, CAMPAIGNS AND RESEARCH OFFICER AT MEDICAL AID FOR PALESTINIANS: All right. Great. Well, thank you, first of all, to Richard and the Cairo Institute for organizing this event and thank you to all of you for coming. So it's obviously a very important topic. And as someone who works for a Palestinian organization, operating medical projects in our offices in Gaza, Ramallah and out of Beirut, as well, and also obviously engaging with processes here, and I also used to work here actually in the UN in Geneva, this is obviously an issue that is very close to my heart and very close to the work of my organization.

The operationalization of UN resolutions, as the topic of this event is, is what makes the Human Rights Council more than simply a talking shop. It's the impact that these decisions and discussions have for Palestinians living as refugees and under occupation that is the most important factor in discussions on the inclusion of certain wording or phrasing in a resolution.

Last July, we had the passing of a resolution supporting the recommendation of the UN Commission of Inquiry's report and calling for an investigation into the implementation of recommendations at this session by the High Commissioner, which we'll have on Monday. Such follow-up mechanisms are essential if operationalization of recommendations is to be a goal of the Council, and crucially, if follow-up finds that recommendations are not being implemented, as seems to be the apparent, then the process cannot end there, or here, in fact, as my colleague mentioned.

At MAP, we've been working with Al Mezan and Lawyers for Palestinian Human Rights to put together an update on a report we published last June. Copies are outside of that report. Copies of this update will be available on Monday. This update has been documenting the cases of attacks on ambulances and hospitals during the 2014 attacks on Gaza. In gathering these updated testimonies and meeting these people again, one thing was abundantly clear: none of these people have had any kind of access to justice and no one has been held accountable for these incidents.

What this has inevitably produced is a climate of fear where the perceived inevitability of future attacks is accepted, and as is the impunity that inevitably follows. So please do take copies of the report, and, yeah, watch out for the update on Monday. I will read a few excerpts from what the people concerned told my colleagues in Gaza last week.

So highlighting two cases in particular, the case that my colleague mentioned of the attack on the al-Wafa hospital, but also the death of Bader Qdeih. I’ll come to that in a minute. And so al-Wafa hospital. The al-Wafa hospital was bombarded on several occasions during the attacks on Gaza in 2014. The first few times, when the hospital was still occupied, and then completely destroyed when it was empty. The hospital was also previously damaged by attacks in 2012, and in fact the photo from the front of the report we have outside is what the hospital looks like now and what it looked like immediately after the attacks. Very little has changed in that regard, and, again, that reflects on the reconstruction, or lack of reconstruction, in many of these areas.

So we spoke to the director of the al-Wafa hospital, Dr. Basman Alashi, and here is part of what he said. “For safety reasons, we cannot rebuild in the same location. This is the second time the hospital has been targeted. We are not going to risk a third time. Human life is too precious. There is no safe space in Gaza. We are now based in the city center and far away from the border, so there should be less military activity, but there is no guarantee. Even for the old building, we had Israeli approval before we built it.”

And you can read more of what Dr. Basman said in our update briefing that will be on Monday, but for now I will quickly explain about Bader. Bader was seven years old in 2014. What happened to Bader is horrific and shameful. He was severely wounded by an artillery shell during the attack on Khuza’a and was separated from his family, wandering the streets, calling for help for hours. It took four hours for an ambulance to be permitted to enter the area, and even then they were stopped and delayed on the way to the hospital. Bader was pronounced dead at the hospital.

We spoke to Bader’s father last week, and he said, “The feeling of sadness gets worse every day, because it is a day longer that I have lived without my son. I have been to hardware shop after the war just to distract me and to escape from the house and the pain. We have not repaired anything in the house. I’m not looking for money or help. It does not matter. Bader is gone for good. One of the most difficult moments was when there was the graduation ceremony of Bader’s class. They invited me to come, but how could I witness all the other children celebrating and my son not being there? International laws on human rights are known everywhere, but they are not respected in Gaza by Israel, so why would anything be different this time? The situation is difficult now. Everybody is calm, but they hide a fear inside. There are a lot of rumors going around that there will be another war soon.”

And as I say, you can read more about all of those cases in our update on Monday, and the background of those cases is in the report outside.

As I say, like before, all the resolutions in the world mean nothing if there are—if they do not improve the situation for those whose rights are concerned.

Bader’s case was an extreme example of the impact of checkpoints on healthcare access, and my colleague previously mentioned the impact of checkpoints on access restrictions to healthcare earlier. Since this case here we’ve been focusing more on highlighting on how checkpoints impact the daily lives of Palestinians, and I think this demonstrates well the relationship between resolutions and reality. I’ll give one specific example to demonstrate this.

For the past few months, we’ve been working closely with the Palestinian Red Crescent Society and Physicians for Human Rights as well to document ambulance delays at checkpoints. The system of Israeli checkpoints and restrictions throughout the occupied Palestinian territory, with which we are all very well aware, currently means that Palestinian ambulances are not permitted to travel from, for example, Hebron to East Jerusalem. The availability of medical treatments obviously varies across the Palestinian territory, as it would in any country, so the need to travel easily between areas for non-emergency and also emergency cases is essential.

Where this becomes particularly problematic is the system that has been put in place around these transfers. It is currently required that emergency high-risk pregnancy patient needing expert services in East Jerusalem at Makassed Hospital, could face delays of up to an hour at a checkpoint as they are, first of all, held in the usual queue of vehicles, and then required to transfer from a Palestinian-registered ambulance into a Jerusalem-registered ambulance.

In relation to checkpoints, the local ICRC office has set a 15-minute delay as a guide. At this point, the PRCS staff would usually contact ICRC for assistance in getting through, putting pressure on the Israeli authorities. For non-back-to-back, so direct emergency transfers, this is 5% of cases that are more than 15 minutes, which is significant for those 5% of people, but when a transfer between two ambulances required a back-to-back transfer, this goes up to 41% for emergencies and 68% in non-emergencies. The average delay at checkpoint for a back-to-back emergency is 27 minutes, and when you consider that, for example, in the U.K. we have a trauma and stroke guideline at 30 minutes for transfers after which it becomes dangerous, most of those patients will suffer some kind of significantly due to these delays.

This time last year, the Human Rights Council voted by 43 in favor to pass the resolution on human rights in the occupied Palestinian territory. One of the resolutions, which is again presented at this session and has been presented previously, albeit with different wording. Although the content changes, this over last year, the resolution contained a paragraph stressing the need for the unhindered passage of ambulances through checkpoints, especially in times of conflict, and yet towards the end of last year we have this data collected by the Palestinian Red Crescent Society. At specific checkpoints, such as Qalandia, the average delay time for a non-emergency back-to-back and emergency back-to-back transfer is identical, roughly 20 minutes, meaning the urgency of the patient’s condition does not factor in at all on how long it takes for them to pass through a checkpoint.

This may be a very specific example, but what I mean to demonstrate is that if we are to have 91% of states on the Human Rights Council vote in favor of a resolution calling for something specific that it is possible to change, then steps towards operationalizing this resolution and its goals should be an inevitable consequence, not something unique. And all states should ensure that appropriate follow-up to UN resolutions is part of bilateral diplomacy as well as including the principling of the UN mechanisms, such as the universal periodic review.

After 10 years of Human Rights Council sessions, the key question is obviously what has it all achieved? The only way to know those achievements and to make them tangible is to take all possible steps to ensure the operationalization of recommendations and alternate options for accountability in instances of non-compliance.

Thank you.

RICHARD ALAM: Thank you very much, Bob. I’ll give the floor now to Yara Jalajel. She’s the researcher, the Legal Researcher at the Cairo Institute for Human Rights Studies.

The floor is yours.

YARA JALAJEL: Can you hear me?

UNKNOWN SPEAKER: Yes. Okay.

YARA JALAJEL: Okay. Thank you, everybody, for being here, and I thank all my colleagues for being here. As my colleague, Richard, has said, it’s the 10th anniversary of the Human Rights Council, but this 31st session is also an important date for a combination of several deadlines for Palestine for the oPt.

The Human Rights, the Office of High Commissioner was supposed to report—or he reported already on the implementation, or the follow-up on the implementation of the settlement report in 2013 and on the fact-finding mission on the Gaza War, 2008-2009; that was the fact-finding mission on Gaza. And then the Commission of Inquiry report that came out in 2014 on the Gaza report.

These three follow-ups come within a context that my colleagues have explained very well of an acute deterioration of human rights conditions coupled with also the consistent and constant challenge that human rights mechanisms are having when they deal with a situation of the oPt, which is lack of access. The resignation of the special reporter on the oPt will also be, I think, a subject of discussion in this 31st session.

The special reporter on the oPt was promised access to the occupied territory when he was appointed, and disappointment came from always denial of access. So we at Cairo Institute, along with also of course in consulting with partners, we thought this session— it’s also time to brainstorm and think how these hundreds of recommendations could actually be moved forward in order to be implemented.

I’m going to quote from the Office of High Commissioner’s report that—on the follow-up of the fact-finding mission on Gaza and the COI report on Gaza where it says on range of issues, “The situation continues to deteriorate on the follow—for the human rights situation, and certain measures adopted only increase violations of human rights and humanitarian law. Measures that are productive on paper are not sufficient, but a holistic approach in implementing recommendations should be taken, bearing in mind that the effects of such changes should be reflecting an improvement on the human rights situation of the people.”

So how do we get that these excellent recommendations, very important recommendations that could actually deal with root causes of the continuation of the conflict and that could enhance the human rights situation, can get implemented on the ground? CIHRS has divided four areas of recommendations that are not being implemented and has recommendation for each.

For us, the first is the lack of mainstreaming of international humanitarian law, IHL, and Israeli rules of engagement, including the lack of accountability when there are breaches of international humanitarian law. This includes both in military operations and in policing activity in occupied territory. This lack of mainstreaming of international humanitarian law has not been sufficiently investigated by the Human Rights Council in order to finally understand where the Israeli system is failing in integrating international humanitarian laws’ obligation within the system. The fact that this hasn’t been sufficiently underlined or highlighted makes it very difficult to address Israel with clear advocacy messages on how actually they should reform their system and reform their system not only based on, like, the written policies but also on the practices.

There has been a commission that already investigated Israeli domestic system, legal domestic system, when it comes to IHL that was an Israeli commission called the Turkel Committee that the COI report has called upon Israel to implement its recommendation, and so far it hasn’t been done. This Turkel Committee was formed in 2010 after the flotilla report and has actually concluded that the Israeli system does live up to its international standards when it comes to the implementation of IHL and accountability, something that has been actually—that has been denied or rejected by the Commission of Inquiry report. The Commission of Inquiry report has actually expressed concern on the lack of respect of international humanitarian law and the lack of accountability. The lack of accountability also was a main concern for the fact-finding mission on settlement where it said that continuous impunity from settler violence and discrimination when it comes to investigating and prosecuting settler violence versus Palestinian violence has been an area of major concern. Clear examples of this discrimination has been presented by my colleague, Mona.

So we call upon the Human Rights Council to create a commission that investigates where the Israeli system is failing in implementing international humanitarian law with its rules of engagement, both in policing activity like these extrajudicial killings that we’re speaking about in the West Bank, but also in military activities to also deter from or prevent another reoccurrence like the two wars that took place in Gaza.

This investigation also has to take into consideration the lack of accountability, domestic accountability, internal mechanism inside the Israeli domestic system.

The other area of concern, second area of concern, is the Israeli lack of implementation of the recommendations that were addressed. Obviously we wouldn’t be having this site event if there were implementation. It stands within the credibility of the Human Rights Council itself to actually works—to ensure that recommendations, or to follow up if these recommendations have been implemented or not. So the COI, the Commission of Inquiry, has already recommended for the Human Rights Council to work on a comprehensive review of the implementation of Israel of previous recommendation.

I’m actually going to quote the COI in its recommendation. They said, “The persistent lack of implementation of recommendations made by previous Commissions of Inquiry fact-finding missions, United Nations treaty bodies, special procedures, and other United Nations bodies, in particular the Secretary-General and Office of High Commissioner, lies at the heart of the systemic recurrence of violations in Israel and the occupied Palestinian territory. Bearing in mind this wealth of guidance, the Commission will not elaborate an exhaustive list, but it goes upon all duty bearers to implement fully all recommendations made by the above-mentioned bodies. The Commission recommends that the Human Rights Council consider conducting a comprehensive review of the implementation of the numerous recommendations addressed to the parties by its own mechanisms, in particular where the Commission of Inquiry fact-finding missions and explore mechanisms to ensure their implementation.”

So Cairo Institute following up on this recommendation at this time is calling upon the Council to actually create a mechanism in order to follow up on all previous recommendations, those 10-year-old recommendations. However, CIHRS believes that due to the complexity of the issues addressed by these recommendations, but also to the rich body of these recommendations that are very—that comes from specialized bodies, these type of recommendations needs to be discussed in a specific form where civil society also can be engaged with and should actually be able to be done thematically.

So we’re calling upon the Human Rights Council to actually following up on, like, previous trials in that sense. For example, the South Sudan example, where it was concluded that no need for further recommendations but more or less we need to see how to implement these recommendations to actually do more or less the same, working on a mechanism that looks at those recommendations thematically and then specifically address to duty-bearers how they should move forward in order to ensure implementation of these recommendations.

The third area of concern is the lack of access of Human Rights Council mechanisms to the oPt. Obviously the lack of access is not a problem that only the oPt is facing; actually many of the geographic other mandates are having issues to actually access the geographic areas that they are covering. However, when it comes to the oPt there’s a very—there is not only the oPt but in particular the oPt—there is a major difference, is that the oPt is an area of an international conflict that the civilians in the oPt are protected civilians, that Israel does not have the discretion to permit or not to permit Human Rights Council mechanisms to enter because it’s an effective control and it does not have the sovereignty over these areas.

So CIHRS argues that actually denying access to these Human Rights Council is illegal, because it defies the international logic for the Common Article I of the Fourth Geneva Convention where the international community has obligation also to ensure protection of civilian population that live under occupation.

So we strongly urge the Human Rights Council to think about referring this to the UNGA in order to address a question for the International Court of Justice to see if denial of access to human rights mechanisms to areas of international conflict could be considered as legal, whether states have discretion or they are internationally obliged to actually permit human rights mechanisms to access areas of international conflict where civilians need protection.

The fourth, of course, area of concern is the continuous building of settlement. My colleague, Sari Bashi, has done a tremendous job explaining how settlements are at the heart of violations of human rights in the occupied Palestinian territory. She also made an excellent job in explaining how these settlements live and sustain because there is a whole economic machine that supports them and permits them to sustain. So obviously in order to implement resolutions calling upon the State of Israel to cease settlement building, it seems the most effective is to actually tackle the cause that these settlements continue to sustain and to progress, which is the economic aspect of settlements. So Cairo Institute joins my colleagues and joins the Palestinian mission on its resolution calling upon the working group for business and human rights and the Office of High Commissioner for Human Rights to continue to engage on the issue of settlement as recommended by the fact-finding mission of 2013 and strongly supports the idea of actually starting to specify the businesses, the names—a list of these businesses that are breaching their due diligence duty by operating in the settlements in order to actually tackle the very root cause of the sustainability of these settlements.

And these are the four ideas: There’s a brief booklet explaining all these ideas that you can have a copy of, and thank you very much for your attention.

RICHARD ALAM: Thank you very much. Thank you very much, Yara and Mona, Nuriya, Bob, and Sari. We have just a few minutes for a couple of questions directed to any of the panelists. I don’t think—unfortunately we will not be able to put Sari again back on Skype at this stage, but if you have any questions directed to the panelists here, I give you the floor.

We have one question, yes?

ZIYAD PATEL: Good afternoon.

RICHARD ALAM: Good afternoon.

ZIYAD PATEL: Good afternoon. And I would like to thank all the panelists for their valuable contribution. Allow me to introduce myself. I am Attorney Ziyad Patel, and I am a practicing attorney in Johannesburg, South Africa. I would just like to request from the panelists if there was any consideration on the concept of lawfare as a mechanism in order to bring Israeli commanders and politicians to be held accountable for crimes that are committed against the Palestinians with impunity? That is my question, the reason being that an area of work that I’m involved in is lawfare, whereby we bring court applications utilizing the mechanisms of universal jurisdiction and the Rome Statute, whereby cases are brought before the South African prosecuting authorities and police in order to hold such commanders and politicians responsible. Thank you.

RICHARD ALAM: Thank you. We’ll take another question before we answer. Yes, sir?

MIKE DEEB: Good afternoon. I’m Mike Deeb from Dominicans for Justice and Peace, and thanks for all the talks, the speakers, what you’ve shared with us. The one thing that strikes me that is missing from this whole discussion is no one has mentioned the BDS campaign. And I’m just wondering why, because it seems to me from my own involvement in the whole Palestinian issue for many years, and looking at what has happened and not been implemented from the side here of all the UN resolutions, it seems to me and it seems to many of the people within Palestine as well, the only thing that will bring the Israelis to change is the BDS campaign in a non-violent way. And we know that from all the inputs that are given from Israel itself and all the organizations that support Israel, every time they speak they launch an attack on the BDS campaign. And that seems to be the only thing—or they realize that that is where the danger lies. That is what will eventually bring them down.

And I’ll also talk from a South African point of view. I’m from South Africa. But I think that that’s what eventually forced South Africa to change, and I think that if we’re serious about changing the situation in Palestine we have to try and get all states to realize that we must stop doing business, stop supporting, stop providing arms, stop all forms of economic collaboration with Israel as the only way to eventually force them to change, because Israel’s a law unto itself and they will —we know the disdain with which they hold the whole UN, and we cannot expect any other way to bring change. So I’m interested to know why no reference was made to that.

Thank you.

RICHARD ALAM: Thank you, sir. Indeed, we have a lot to learn from South Africa. For the first question, I’ll give the floor to Mona.

MONA SABELLA: I’ll try to make remarks about the two questions. So for the first one, indeed, Al-Haq as well as other Palestinian human rights organizations are engaged currently with the International Criminal Court. Palestine ratified last year the ICC Rome Statute and we’re following up very closely with the Office of the Prosecutor in The Hague on our submissions there. And I think my colleague, Nuriya, will talk a little bit more about that as well.

And in terms of the BDS campaign, I completely agree with everything that you have said. It’s a very important campaign. As Al-Haq and civil society organizations in Palestine, we’ve issued a statement recently in strong support of the right of the BDS movement to freedom of expression and not to be prosecuted, and we support the BDS movement in different legal consultations as well. We work specifically on the issue of divestment, and we work on the issue of sanctions as well, and that includes a banning of all settlement goods. So our work is quite complementary to the work of the BDS movement that, as you rightly mentioned and highlighted, is an important initiative.

NURIYA OSWALD: I’ll just quickly add to that. In reference to the first question, we actually have another side of it on Monday, where Al Mezan will be speaking specifically about our work at the ICC with the Office of the Prosecutor, and also regarding universal jurisdictions. But I can say just a few things very briefly now. Of course Al Mezan is looking up the hierarchical structure, we could say, at military commanders and of course government leaders as well. And we’ve submitted two communications, as Mona mentioned, with some partner organizations, Al-Haq being one of them, and we’re cooperating, of course, with the Office of the Prosecutor. On Monday I’ll give some more information as to the type of material that we’re submitting and some case studies as well. I’d be happy to do that.

In terms of universal jurisdiction, also we’ll cover that on Monday, but just to stress now because I don’t know if you’ll be there, but there is a shrinking space that we have to operate in in terms of universal jurisdiction. But we’re doing our best mostly in terms of civil issues, or the civil side rather than the criminal.

RICHARD ALAM: Thank you. Just one minute for Bob, and then Yara. One minute.

BOB JONES: Okay. I’ll very, very quickly make one point. So yes. As you mentioned, lawfare. So the importance of legal mechanisms in all of this work cannot be underestimated, alongside political solutions, obviously. As a medical organization we’ve been working in Palestine for around 30 years, but obviously you can’t only deliver medical projects, there has to be a legal side to this, and there has to be a longer-term goal, which obviously is the end of the occupation. And—yeah, so I’ll end there and give it to Yara.

YARA JALAJEL: Yes. I’m going to answer both questions as one. I think that there are many aspects into the advocacy for the oPt. There is obviously the popular and the activists on the street that are doing an amazing and extraordinary job every day into raising awareness on the issue of Palestine and pressuring duty-bearers to finally take up the responsibility for the protection of the rights of the people in the oPt. And there’s obviously of course all the legal work that can happen in different jurisdictions, whether it’s the international jurisdiction mechanisms, ICC, or universal jurisdiction in states where the space is shrinking, just like Nuriya said.

The third aspect, which was the aspect of this particular panel, is for this mechanism, this Human Rights Council mechanism to actually start thinking about also taking all these voyeurs of resolutions and of recommendations from behind offices to actually make them felt for the people on the ground in the oPt. Because we speak here in terms of legal terms, in terms of resolutions, but after all we always have to remind that everything that happens under the Council deals with people with names, with families, with suffering. With human suffering. And it would be useless if we don’t take all our work and make it actually implemented on the ground.

So that was more or less what we were hoping to actually think about and brainstorm in this side event.

RICHARD ALAM: Thank you all. I thank you for coming today, and I thank all panelists. Unfortunately, our time is up, and so we just thank you.