

## **14 Israeli and Palestinian organisations warn of far-reaching consequences of Israel's for obstructions of UN human rights mechanisms**

**29 January 2013**

**Ref. No.: 20/2013**

14 Israeli and Palestinian human rights organisations today warned of the far-reaching consequences of Israel's refusal to fully cooperate with the United Nations (UN). On the morning of Israel's second Universal Periodic Review (UPR), scheduled for Tuesday 29 January, it remains unclear whether it intends to participate.

This lack of transparency will not only mean that Israel avoids rigorous criticism of its violations of international law, but that the entire UPR system will be undermined by the loss of its two fundamental principles: equality and universality.

In May 2012, Israel formally announced its decision to "suspend its contact with the Office of the High Commissioner for Human Rights (OHCHR), the Human Rights Council (the Council) and its subsequent mechanisms".

Israel reportedly met with the Council President His Excellency Remigiusz A. Henczel in January 2013 and discussed a postponement of its UPR. However, as no formal request has yet been made, the Council agreed to proceed as scheduled and to consider on the day what steps to take if the Israeli delegation does not attend.

These exceptional circumstances have created uncertainty and forced some civil society organisations to revise or limit their engagement with the review process due to the risk of investing necessarily significant resources into a process that may not take place. Thus, a key component of the UPR process – civil society engagement – has been severely hampered.

Through this uncertainty, Israel and the Council are setting a dangerous precedent on the international stage, one that could be followed by other States refusing to engage with the UN in order to avoid critical appraisals. Israel's decision to disengage from core mechanisms of the United Nations human rights system has, in effect, resulted in preferential treatment. All but one of the 193 UN Member States have attended their UPR as scheduled; in that single instance the State of Haiti was unable to attend due to the humanitarian crisis caused by the 2010 earthquake. Israel should not receive any benefits or concessions for its efforts to undermine the system of the UN and, in particular, its human rights system.

To the contrary, the Council should ensure the unobstructed process of Israel's UPR in accordance with the principles and standards set in the UPR mechanism, thereby reasserting the condition that human rights are more important than political or diplomatic considerations.

Moreover, Israel's move to suspend cooperation with the Council and the OHCHR must be viewed within the context of its ongoing refusal to respect the decisions, resolutions and mechanisms of the UN. Consecutive Israeli governments have refused to recognise the State's obligations under international human rights law with regard to the Palestinian population of the occupied Palestinian territory (oPt), obligations repeatedly reaffirmed in statements by UN treaty bodies.

Israel also rejects the *de jure* applicability of the Fourth Geneva Convention, incumbent upon it as the Occupying Power, in defiance of numerous UN resolutions, the 2004 International Court of Justice Advisory Opinion on the Legal Consequences of the Construction of a Wall in the oPt, and countless statements issued by governments worldwide.

In 2009, Israel declined to cooperate with the UN Fact-finding Mission on the Gaza Conflict, headed by Justice Richard Goldstone. Justice Goldstone repeatedly called on Israel to engage, to no avail. More recently, in 2012, the UN Fact-finding Mission on Israeli Settlements in the oPt was denied entry into the territory to collect testimonies. The Mission joined a long list of UN Special Rapporteurs and the Deputy High Commissioner for Human Rights, to whom Israel has also refused entry. Furthermore, since his appointment as Special Rapporteur on the situation of human rights on Palestinian territories occupied since 1967, Mr. Richard Falk has not been allowed to enter the oPt to carry out his work.

Within this context, 14 human rights organisations call on the Council to take a firm stand consistent with the seriousness of Israel's obstructive actions to date.



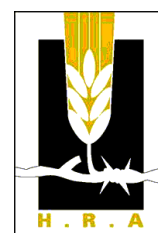
**Adalah - The Legal Center for Arab Minorities in Israel**



**Addameer Prisoners' Support and Human Rights Association**



**Aldameer Association for Human Rights**



**Arab Association for Human Rights**



**Al Haq**



**Al Mezan Center for Human Rights**



**Badil Resource Center for Palestinian Residency and Refugee Rights**



**Defence for Children International Palestine Section**



**Ensan Center for Human Rights and Democracy**



**Hurryyat - Centre for Defense of Liberties and Civil Rights**



**Jerusalem Center for Legal Aid and Human Rights**

רופאים לזכויות אדם - ישראל (ע"ר)  
أطباء لحقوق الإنسان-إسرائيل  
**Physicians For Human Rights - Israel**



**Physicians for Human Rights - Israel**



**Ramallah Center for Human Rights Studies**



**Women's Centre for Legal Aid and Counselling**

