



Human Rights Council, 19th session

Oral Statement

Agenda Item 3: Interactive Dialogue with the Working Group on Arbitrary Detention

Mr. President, Distinguished members of the WGAD, Distinguished Delegates,

Addameer Prisoner Support and Human Rights Association and Badil Resource Center for Palestinian Residency and Refugee Rights welcome the report of the Working Group on Arbitrary Detention and in particular its work on cases of arbitrary detention of Palestinians by Israel and the Palestinian Authority.

During the 16th session of the Human Rights Council, we were informed by the WGAD that a decision had been made to visit Israel, however in the WGAD's 2011 report, there is no mention of such a request being put forth. We are aware of the WGAD's stance on visits to countries for which a special procedure already exists. However, given Israel's continued refusal to grant access to Israel to the Special Rapporteur on the situation of human rights in the occupied Palestinian territories, we call on the WGAD to revise its stance in this case and request an official invitation from Israel as soon as possible.

Approximately 4,500 Palestinian political prisoners and detainees remain in Israeli prisons and detention centers. Israeli authorities continue to arrest hundreds of Palestinians on a monthly basis, many of them in circumstances that qualify as arbitrary detention. In particular, we would like to draw the WGAD's attention to Israel's policy of administrative detention, which violates international humanitarian and human rights norms relating to detention and the right to a fair trial. More than 300 Palestinians are currently held in this form of detention without charge or trial, including 24 members of the Palestinian Legislative Council and one woman. Detention orders can be renewed indefinitely and are based on secret material, resulting in the severe restriction of one's right to an effective defense. The structure and legal framework of the Israeli military court system do not conform to international standards in guaranteeing protected persons due process of law and are staged to give the illusion of legitimacy while in effect ensuring that predetermined outcomes are reached.

Khader Adnan, who recently ended his hunger strike after 66 days, and Hana Shalabi, still on hunger strike since 16 February, are administrative detainees who have been willing to risk their lives in protest of Israel's policies. Though Khader Adnan's case brought increased attention from the international community on Israel's use of administrative detention, intervention was insufficient and did not result in changes in policy. It is imperative that the situation of Palestinian prisoners and detainees be effectively examined by the WGAD. A country visit would provide the best starting point for such monitoring.

We look forward to continued communication with the WGAD. Thank you for your time.