



Human Rights Council, 16th 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, Al-Haq, Badil Resource Center for Palestinian Residency and Refugee Rights and the Civic Coalition for Defending Palestinians' Rights in Jerusalem, welcomes 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.

As Palestinian organizations, we welcomed the WGAD's focus on the application of international human rights law to situations of armed conflict in 2010, but we regret that this focus has not resulted in a decision by the WGAD to visit Israel. 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.

Today, more than 5,800 political prisoners and detainees remain in Israeli prisons and detention centers. Hundreds of Palestinians continue to be arrested by Israeli authorities every month, many of them in circumstances that qualify as arbitrary detention. In particular, we would like to draw the WGAD's attention to Israel's use of administrative detention. More than 200 Palestinians are currently held in this form of detention without charge or trial, including 6 members of the Palestinian Legislative Council. Their detention orders are based on secret evidence and can be renewed indefinitely. Their right to an effective defense is severely restricted and the possibility of resorting to legal procedures is quasi-inexistent. This use of administrative detention violates international humanitarian and human rights norms relating to detention and the right to a fair trial and should be considered to constitute arbitrary detention. We would also like to highlight the drastic increase in the number of Palestinian children arrested and detained in East Jerusalem in the past few months under circumstances that violate Israeli and international law. It is imperative that the situation of Palestinian prisoners and detainees be effectively monitored by the WGAD. A country visit would provide the best starting point for such monitoring.

We look forward to the events planned for the WGAD's 20th anniversary in November 2011 and hope that non-governmental organizations regularly submitting case information to the WGAD will be included in any discussion of the WGAD's work and jurisprudence.

Thank you for your time.