



QUICK GUIDE
Joint Report by Adalah, Al Mezan and Physicians for Human Rights-Israel
(Palestinians in the OPT)

Response to the List of Issues to be Taken Up in Connection with the Consideration
of the Third Periodic Report of Israel

NGO Report to the UN Human Rights Committee
Submitted 23 June 2010

Issue	New information provided in June 2010	Information provided in August 2009 (ANNEX)
1. Home demolitions and building permits	<ul style="list-style-type: none"> ◦ New data on house demolitions and permits in West Bank, including East Jerusalem ◦ New data on house demolitions in Gaza ◦ Methods of demolition and the lack of compensation ◦ Housing in Gaza since Operation Cast Lead ◦ The psychological impact of home demolitions on children <p style="text-align: right;"><i>Report pp. 1-6</i></p>	<ul style="list-style-type: none"> ◦ Punitive home demolitions in East Jerusalem and in the context of military operations in Gaza (Rainbow, Days of Penitence and Cast Lead) <p style="text-align: right;"><i>Annex pp. 43-45</i></p>
8. The Incarceration of Unlawful Combatants Law	<ul style="list-style-type: none"> ◦ New data on unlawful combatants ◦ The legal status of unlawful combatants ◦ Unlawful combatant status used as additional punishment after completion of sentence <p style="text-align: right;"><i>Report pp. 6-8</i></p>	<ul style="list-style-type: none"> ◦ Basic provisions of the Incarceration of Unlawful Combatants Law <p style="text-align: right;"><i>Annex pp. 50-51</i></p>

<p>10. Fundamental requirement of distinguishing between civilians and military objectives; extra-judicial executions (EJEs); status of investigations into alleged violations of international law by Israeli military forces</p>	<ul style="list-style-type: none"> ◦ New data on EJEs ◦ Lack of remedies for Palestinians in Gaza in Israeli courts ◦ Update about status of Israeli investigations and prosecutions initiated in relation to Cast Lead <p><i>Report pp. 8-12</i></p>	<ul style="list-style-type: none"> ◦ The continuation of EJEs, after the Supreme Court’s decision of 2006 imposing certain restrictions on their use <p><i>Annex pp. 42-43</i></p>
<p>11. Operation Cast Lead</p>	<ul style="list-style-type: none"> ◦ Violations of international human rights and humanitarian law during Operation Cast Lead, including the right to life ◦ Main findings of the UN fact Finding Mission (Goldstone Mission) ◦ Obstruction of medical access <p><i>Report pp. 13-16</i></p>	<ul style="list-style-type: none"> ◦ The Israeli military’s use of Palestinians as human shields during and prior to Operation Cast Lead <p><i>Annex pp. 45-46</i></p>
<p>12. Provision of supplies to Gaza since Operation Cast Lead; water supplies to Gaza</p>	<p>The blockade on Gaza:</p> <ul style="list-style-type: none"> ◦ Provision of food to Gaza ◦ Provision of medical supplies ◦ Denial of entry of Palestinian doctors from the West Bank ◦ Access to Water in Gaza <p><i>Report pp. 16-20</i></p>	<ul style="list-style-type: none"> ◦ The near total closure of Gaza, tightened in June 2006 <p><i>Annex pp. 47-48</i></p>
<p>13. Designation of torture as a criminal offence; amendment to Criminal Procedure (Interrogation of Suspects) Law – 2002</p>	<ul style="list-style-type: none"> ◦ No provision in the Israeli Penal Code that specifically outlaws torture <p><i>Report pp. 20-21</i></p>	<ul style="list-style-type: none"> ◦ The Criminal Procedure (Interrogation of Suspects) Law and the exemption on making recordings of the interrogations of security detainees <p><i>Annex p. 55</i></p>
<p>14. The “necessity defence”; complaints of torture and ill-treatment in “ticking bomb” cases</p>	<ul style="list-style-type: none"> ◦ Lack of investigations into complaints of torture ◦ Issue of investigations by Israeli Health Ministry and Israel Medical Association ◦ Prohibition on meeting with 	<ul style="list-style-type: none"> ◦ The ISA inspector as a non-independent figure ◦ Lack of independent visits to ISA detention cells ◦ The “dual loyalty” of prison doctors

	<p>lawyers</p> <p><i>Report pp. 21-23</i></p>	<p><i>Annex pp. 46-47</i></p> <ul style="list-style-type: none"> ◦ The Israeli Supreme Court's 1999 decision: use of the "ticking bomb" scenario and the "necessity defence" <p><i>Annex pp. 53-54</i></p>
<p>16. Administrative detention; arrests and detentions during Cast Lead in Israel, including detainees held in sand pits</p>	<ul style="list-style-type: none"> ◦ New data on administrative detention ◦ Treatment of Palestinian detainees during Operation Cast Lead <p><i>Report pp. 23-25</i></p>	<ul style="list-style-type: none"> ◦ Indefinite administrative detention <p><i>Annex pp. 50-51</i></p>
<p>17. The Criminal Procedure (Detainee Suspected of a Security Offence) Law – 2006; conditions of detention for security detainees; safeguards against torture during detention; data on security prisoners</p>	<ul style="list-style-type: none"> ◦ New data on security prisoners ◦ Update on the Criminal Procedure (Detainees Suspected of Security Offenses) Law ◦ Lack of preventative mechanism or effective safeguards against torture <p><i>Report pp. 25-27</i></p>	<ul style="list-style-type: none"> ◦ Main provisions of the Criminal Procedure (Detainees Suspected of Security Offenses) Law that render security detainees vulnerable to torture. <p><i>Annex pp. 41-42</i></p> <ul style="list-style-type: none"> ◦ Incommunicado detention <p><i>Annex p. 51</i></p> <ul style="list-style-type: none"> ◦ Solitary confinement as a means of discipline; conditions of solitary confinement <p><i>Annex pp. 51-52</i></p>
<p>18. Restrictions on movement in the OPT</p>	<ul style="list-style-type: none"> ◦ The Israeli military "buffer zone" in Gaza <p><i>Report pp. 27-28</i></p>	<ul style="list-style-type: none"> ◦ The near total closure of Gaza, tightened in June 2006 <p><i>Annex pp. 47-48</i></p>
<p>19. Regulations governing travel between Gaza and West Bank; exit of medical patients from Gaza</p>	<ul style="list-style-type: none"> ◦ New military orders allowing deportation and forcible transfer ◦ Denial of exit of patients from Gaza for medical treatment ◦ Coercive interrogation and arrest and detention of patients by the ISA <p><i>Report pp. 28-33</i></p>	<ul style="list-style-type: none"> ◦ The denial of access to medical care and training outside Gaza <p><i>Annex p. 48</i></p> <ul style="list-style-type: none"> ◦ The medical coercion of patients from Gaza by the ISA <p><i>Annex pp. 49</i></p>

<p>27. Ban on family visits to Palestinian prisoners from Gaza.</p>	<ul style="list-style-type: none"> ◦ Supreme Court decision to uphold ban on family visits ◦ Ban on telephone calls for security prisoners ◦ The proposed “Shalit” laws imposing further restrictions on security prisoners <p><i>Report pp. 33-35</i></p>	<ul style="list-style-type: none"> ◦ The blanket ban on family visits to prisoners from Gaza <p><i>Annex pp. 49-50</i></p>
<p>30. Detention of members of the Palestinian Legislative Council (PLC)</p>	<ul style="list-style-type: none"> ◦ Imprisonment of PLC members ◦ Revocation of Jerusalem residency status and deportation of PLC members <p><i>Report pp. 35-37</i></p>	<p style="text-align: center;">—</p>
<p>Supplementary issue: The Israeli naval attack on the Gaza Freedom Flotilla</p>	<ul style="list-style-type: none"> ◦ Information on dead, detained, hospitalized and deported passengers ◦ Emergency habeas corpus Supreme Court petition ◦ Arab political leaders from Israel detained ◦ Investigations into the attacks <p><i>Report pp. 38-40</i></p>	<p style="text-align: center;">—</p>