

**United Nations Human Rights Council
23rd Regular Session, 27 May to 14 June 2013
Agenda Item 7**

**ICJ Oral Statement in the General Debate under Item 7: Human rights situation in
Palestine and other occupied Arab territories**

ARBITRARY DETENTION AND ILLEGAL SETTLEMENTS

10 June 2013

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Mr President,

The International Commission of Jurists (ICJ) calls on the Human Rights Council to support the recommendations of the Special Rapporteur and to take all effective measures at its disposal to address the serious human rights and international humanitarian law violations committed in the context of the prolonged occupation of the Palestinian territory, including the adverse impact of the activities of business enterprises in the Occupied Palestinian Territory (OPT) on the rights of Palestinians.

For decades, Israel has implemented a widespread policy of arbitrary detention affecting thousands of Palestinians, including the abusive use of administrative detention. Unless detainees jailed in Israel and the OPT without charge or trial are immediately charged with criminal offences recognizable under international law, and then tried in accordance with fair trial standards, they must be unconditionally released. This Council must ensure that Israel fully complies with its obligations under international law, including by ending its policy of arbitrary detention and ensuring that all detainees are treated humanely and not subjected to torture or other ill-treatment.

Mr President,

Through the construction, expansion and encouragement of settlements in the OPT, Israel continues its de facto annexation of Palestinian land and illegal exploitation of its natural resources. This violates Israel's obligations under international law and seriously undermines the right of Palestinians to the exercise of self-determination and their efforts towards that end to establish a contiguous and viable State.

Several business enterprises have enabled, facilitated and profited from this settlement policy. In so doing, their activities have had adverse impacts on Palestinians' rights, including the rights to property and to housing. It is the responsibility of this Council to investigate such activities and assess their compliance with international law, with a view to taking meaningful action to hold to account the perpetrators of human rights violations and abuses.

I thank you.

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