

45th Regular Session of the United Nations Human Rights Council

Item 3&5: Interactive dialogue with the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) - Interactive Dialogue

Joint Oral Intervention by

Al-Haq, Law in the Service of Man and Cairo Institute for Human Rights Studies, NGOs in special consultative status with the United Nations Economic and Social Council¹

Date: 24 September 2020

Speaker: Ms. Bdor Hassan in behalf of Al-Haq, Law in the Service of Man

In the past five decades, Israel has imposed a practice of withholding bodies of deceased indigenous Palestinians, and imposing restrictions on their funerals. This violates the Palestinian right to dignity, to family life, and Israel's obligation to repatriate the bodies under the declaration on indigenous peoples' rights.

In 2015, Israel began to use this policy as part of its collective punishment regime and its apartheid regime against Palestinians as a whole.

In March 2018, Israel amended its Counterterrorism law, to impose severe restrictions on Palestinians' funerals.

In 2020, Israel adopted a broad policy to withhold the bodies of all alleged Palestinians attackers regardless of their political affiliation or the severity of the attack they carried out.

Since 2015, Israel has withheld the bodies of over 250 Palestinians, releasing the majority of whom under severe restrictions. By August 2020, Israel continues to withhold the bodies of 65 Palestinians as bargaining chips in potential negotiations, a policy which the Israeli High Court has approved.

It also continues to withhold the bodies of over 253 Palestinians in cemeteries of numbers, where they continue to languish and where they have been buried without proper documentation.

We urge EMRIP to call on Israel to immediately end this policy, to lift all restrictions on Palestinian funerals, and to return the bodies of all Palestinians it withholds.

¹ The Jerusalem Legal Aid and Human Rights Center also endorses this statement.