

# UNHRC STUDY GUIDE



## Topic A

Human Rights violation in Palestine• International Responses

## Topic B

Recognition of women rights over the globe

## **"Human Rights violation in Palestine· International Responses"**

The Palestinian Human Rights Monitoring Group was founded in December 1996 in response to the deteriorating state of democracy and human rights under the newly established Palestinian Authority. The group was founded by a diverse group of well-established Palestinians, including Palestinian Legislative Council (PLC) members, newspaper editors, journalists, a union leader, veteran human rights activists and religious leaders. The political composition of its founders is diverse - including members of many Palestinian organizations and institutions - thereby ensuring the non-partisan character of the organization.

### **Historical and Recent Developments**

Serious violations of international human rights and humanitarian law continued in 2012 in Israel and in the West Bank and Gaza. Renewed armed conflict between Israel and Hamas and armed groups in Gaza from November 14-21 involved unlawful attacks on civilians by both sides. At least 103 Palestinian civilians and 4 Israeli civilians died during the fighting, which ended after a ceasefire brokered by Egypt and the United States. Israeli forces killed at least four Palestinian civilians during the year off Gaza's coast and in the "no-go" zone on the Gaza side of the boundary fence. Israeli authorities destroyed homes and other property under discriminatory practices, forcibly displacing Palestinian residents of the West Bank, as well as Bedouin citizens of Israel.



<http://sabbah.biz/mt/archives/2011/09/24/palestine-israel-map-2011/>

Torture allegations against the treatment of Palestinians detainees in Israeli prisons make headlines again. Few days after his arrest, Arafat Jaradat died in Israeli custody. On 27 February 2013, the United Nations Special Rapporteur for human rights in the Occupied Palestinian Territories, Richard Falk, called for an international investigation of the death of Jaradat while undergoing interrogation in an Israeli facility. Falk stressed that "the death of a prisoner during interrogation is always a cause for concern, but in this case, when Israel has shown a pattern and practice of prisoner abuse, the need for outside, credible investigation is more urgent than ever. The best approach might be the creation of an international forensic team under the auspices of the UN Human Rights Council."

The violations of the human rights of the Palestinians by the Israeli occupying forces have not decreased despite the peace process and there is no difference between the Labor Party and the Likud bloc. The list of the offenses is long, torture, arbitrary killings and arrests, the demolition of houses, the severe restrictions imposed on the freedom of movement by hundreds of check points, violence against Palestinians, land confiscation and the construction of illegal settlements, the "ethnic cleansing" of the Palestinians from East Jerusalem, collective punishments, such as the total closure of the territories like Gaza and curfews, and the bombardments of the people of the Gaza Strip.



<http://english.al-akhbar.com/node/11485>

In the aforementioned report, Lea Tsemel, a leading Israeli human rights lawyer, gives a rundown on the history of torture in Israel. The two main bodies that carry out torture are the GSS, which continues to do so up till now, and Military Intelligence. The latter is involved in the interrogation of detainees kidnapped abroad or had infiltrated the country. The vast majority of the interrogation takes place in GSS centers. According to advocate Tsemel, the Israeli public was first informed of torture practices in 1977, after the New York Times published an article containing testimonies by young and old Palestinians who were subject to torture. After the Nafso case in 1980 and the Bus 300 affair in 1984, the Israeli government established the Landau Commission, named after a former High Court Judge David Landau. It came up with a list of authorized and prohibited methods of coercion. Despite these recommendations, torture continued unabated till 1999, when the Israeli High Court found that torture was practiced, and stated that it was illegal. It suggested, however, that torture could be permitted in situations of "necessity".

According to Lea Tsemel, torture was sub-contracted to Palestinian collaborators. These

Palestinian "friends" are known as "birds" [Asafeer]. The results of their violent interrogations are recorded and later taken to the GSS agents. The detainee is later confronted with this

"evidence". These "friends" have an advantage over GSS interrogators, because they remain secret and do not fall under the direct jurisdiction of Israeli law.

Torture permission is required in cases of the "ticking bomb" doctrine of "necessity", as envisaged by the High Court, writes Lea Tsemel. In so-called "military investigations" the definition has been broadened to justify torture of a person who merely "knows someone who may know something" about an upcoming danger. No permission is needed in cases that are not regarded as "soft" torture, like shouting, threats against the detainee and his or her family, or spitting at their faces. Another mechanism is the lie detector machine and the total isolation of the suspect. In this surreal world people are totally lost.

Israel has been the largest overall recipient of foreign aid from the US since World War II, receiving US\$3 billion in military aid in 2011. In February the US vetoed a United Nations Security Council resolution that sought to reaffirm that Israeli settlements are illegal under international law, even though the US and virtually every other government has found such illegality.

**VIOLATIONS OF UN RESOLUTIONS.** Israel has violated 28 resolutions of the United Nations Security Council (which are legally binding on member-nations), and almost 100 resolutions of the United Nations General Assembly (which are not binding, but represent the will and understanding of the international community). And Israel is now in violation of the advisory opinion of the International Court of Justice of 2004, condemning the separation wall Israel is building throughout the occupied West Bank



<http://www.bbc.com/news/world-middle-east-14628835>

### Countries with possible Bloc formation

In 2000, Israeli and Palestinian authorities met to discuss critical final status issues, a one-state versus a two-state solution, the status of Jerusalem and Palestinian refugees' right of return. During the negotiations, Israel offered the Gaza Strip, a territory of mostly Palestinian people, a significant portion of the West Bank, and Islamic guardianship of significant sites in Jerusalem, along with a promise to contribute finances to a fund for Palestinian Refugees. Yasser Arafat offered Israeli control of the Jewish quarter of Jerusalem in exchange for the "right of return" for Palestinian refugees.

However, in the end, neither side was satisfied, nor was any agreement reached. During these negotiations, the issues discussed were more precise than ever, and it brought to light the key themes of conflict that are still on the table today. In 2003, the U.N., along with Russia, the United States, and the European Union, established the "Roadmap to peace" process, which called for the creation of a Palestinian State along with recognition of Israel's right to exist (the two-state solution). The Roadmap to Peace proposed a 3-phased process:

"1) Both sides would issue statements supporting the two-state solution, the Palestinians would end violence, act against 'all those engaged in terror', draw up a constitution, hold elections and the Israelis would stop settlement activities and act with military restraint. 2) Would see the creation, at an international conference, of a Palestinian state with 'provisional borders.'

3) Final agreement talks." The plan was originally designed to be implemented in 2005, but has yet to have any effect. The "Roadmap to peace" was a plan initiated by U.S. president George W. Bush that was meant to be completed in 2005. However, these attempts were largely diverted by the international community and the United States by the war in Iraq. This also generated a general mistrust in the United States intentions in the Middle East.

Today the Roadmap to Peace functions as a basis for Palestinian-Israeli negotiations. The Israeli government has claimed that the Palestinians have failed to subdue suicide bombers and gunmen of Hamas and other extremist groups that claim to represent the Palestinian cause, the Palestinians argue that Israel was never genuinely committed to ending its expansion of settlements despite having promised to do so. The death of Yasser Arafat in 2004, his replacement by Mahmoud Abbas, and Israel's withdrawal from the Gaza Strip in 2005 has raised mild hopes that the road map process may potentially be revived. In 2006, Hamas won a majority of seats in parliamentary elections, but failed to take control of the Palestinian Authority, led by current President Mahmoud Abbas, a member of Fatah, the main rival party, and representative of the PLO. Since June 2007, Hamas has been in control of the Gaza Strip after winning a majority of seats in Parliamentary elections.

The United Nations continues to recognize the PLO as the representatives of the Palestinian people. Since the election of Hamas in 2006, the United States and the European Union halted financial assistance to the Gaza Strip.

The Arab Spring in 2011 led many Palestinians to express a desire for the two groups to consolidate. In May, 2011 the two rival parties signed a reconciliation accord in Cairo, recognizing the removal of Israeli occupation of Palestinian lands as a common cause.

### **What needs to be addressed/Policy options**

- Israel must, in compliance with article 49 of the Fourth Geneva Convention, cease all settlement activities without preconditions. In addition it must immediately initiate a process of withdrawal of all settlers from the OPT. The Mission further urges Israel to ensure adequate, effective and prompt remedy to all Palestinian victims for the harm suffered as a consequence of human rights violations that are a result of the settlements in accordance with Israel's international obligation to provide effective remedy. Where necessary, steps must to be taken to provide such remedy in concurrence

with the representatives of the Palestinian people and with the assistance of the international community.

- Israel must put an end to the human rights violations that are linked to the presence of settlements.
- The Mission calls upon all Member States to comply with their obligations under international law and to assume their responsibilities in their relationship to a State breaching peremptory norm of international law – specifically not to recognize an unlawful situation resulting from Israel's violations.
- Private companies must assess the human rights impact of their activities and take all necessary steps – including by terminating their business interests in the settlements – to ensure they are not adversely impacting the human rights of the Palestinian People in conformity with international law as well as the Guiding Principles on Business and Human Rights.

#### **Questions for Delegates to research.**

1. How the world community should bring the powerful nations of the world to bring the Palestine/Israel serious situation on the table and find viable solutions?
2. What should be the mechanism of rehabilitation process and how it will be funded?
3. Discuss the role of countries supporting Israel to cut down the military and financial aid against Palestine?
4. Role of Human Rights Organizations of the world, UNDP for the development of war affected areas in Palestine?
5. How the violation of Human Rights be put to an end by any nation of the world in general and Israel in particular and proper implementation of the Geneva Convention and UN Resolutions (been violated by Israel)?

## TOPIC B

### "Recognition of women rights over the globe"

Today women enjoy equal legal access to health care, education, civic participation, and economic justice as a result of generations of advocacy on behalf of women. However, despite gains in gender equality over the past century, women are still victims of harassment, assault, and discrimination in the workplace and at home. There are many who have dedicated their lives to the furthering of women's rights, yet advocates are still needed in the field of women's rights to continue important this work.

This guide will mainly focus on the traditional "women's rights" areas, and discuss the variety of

opportunities, issue areas, and practice settings to advocate for women's rights. So far a large number of countries have shown their commitment and have put their efforts to fight against gender discrimination and to give women their rights but there are an infinite number of women's issues to fight for, and an equally large number of avenues in which to advocate for equal justice. Be creative in your thinking, spread wide your research, and find the issue and practice area in which you can most effectively achieve your goals.

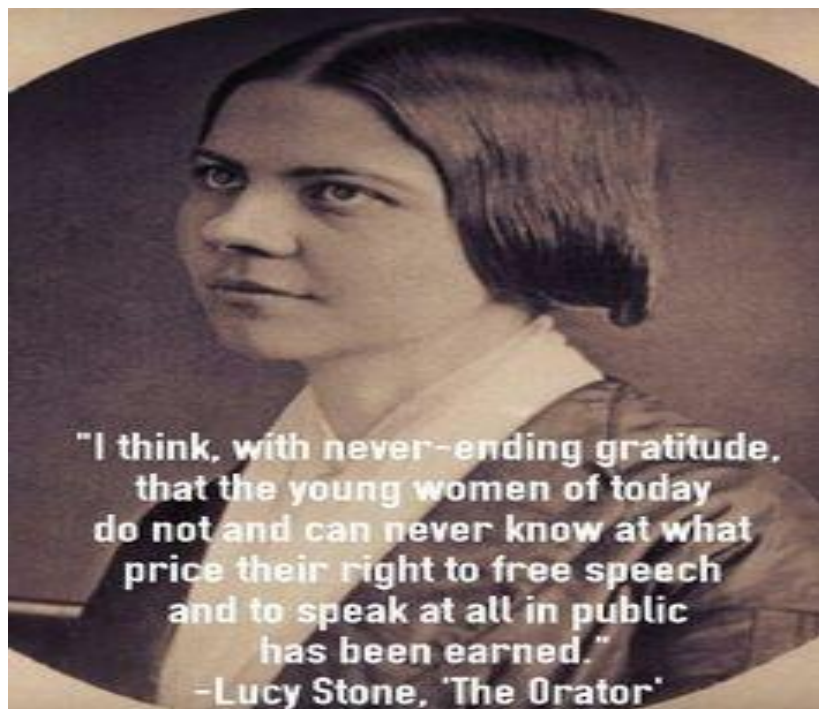
### Historic Developments and Situation So Far

The movement marks its beginning as July 13, 1848. This movement didn't just happen because someone thought that it was time for women to have the same rights as men, women of all ages came together at the start of it in order to fight for equality among the sexes. Women have affected changes in laws and human nature by holding meetings, petition drives, lobbying, public speaking, and also by demonstrating nonviolent resistance. Leaders of the movement fought for freedom in family life, government, religion, employment, and education. Over the years, they have successfully gained access to these freedoms and luxuries because a group of women never gave up and fought for the things that they believed in.



*American woman suffrage advocates speak before the U.S. House Judiciary Committee in 1871.*

As a leader of the Women's Rights Movement, Elizabeth Cady Stanton drafted the "Declaration of Sentiments" which drew its inspiration from the Declaration of Independence. Through this declaration, Stanton enumerated areas of life where women were treated unjustly compared to the treatment of men. By using this writing, Stanton campaigned for women's rights by paralleling them to the "American Symbol of Liberty." The most famous arguments from the writing that are heard over and over again throughout the duration of the movement was: "We hold these truths to be self-evident by their Creator with certain inalienable rights that among these are life, liberty, and the pursuit of happiness."



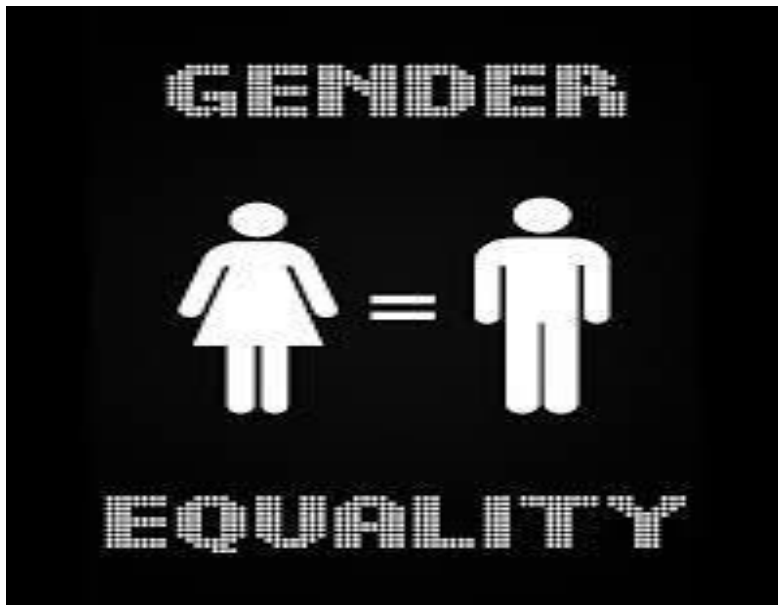
<http://thewomensresourcecentre.org.uk/>

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has," commented Margaret Mead after a lifetime of observing diversity in cultures from around the world. After 160 years of fighting for equality among the sexes, people today have no idea of the struggle that women went through so that women of future generations could have the same privileges as men. Seven generations have come since the women's rights movement and the women of these generations have different opportunities in family life, religion, government, employment, and education that women fought for. The

Women's Rights Movement began with a small group of people that questioned why human lives, especially those of women, were unfairly constricted. These women also worked deliberately to create a better world.

Women's rights around the world are an important indicator to understand global well-being. A major global women's rights treaty was ratified by the majority of the world's nations a few decades ago. Yet, despite many successes in empowering women, numerous issues still exist in all areas of life, ranging from the cultural, political to the economic. Gender discrimination affects women throughout their life, and women often are the ones that suffer the hardships most.





<http://nhlabornews.com/tag/womens-rights/>

Some may think that women's rights are only an issue in countries where religion is law, such as many Muslim countries. Or even worse, some may think this is no longer an issue at all. But reading this study about the United Nation's Women's Treaty and how an increasing number of countries are lodging reservations.

### **Committee on the Elimination of Discrimination against Women (CEDAW)**

#### **Introduction**

The Committee on the Elimination of Discrimination against Women (CEDAW) is the body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

CEDAW Committee consists of 23 experts on women's rights from around the world.

Countries who have become party to the treaty (States parties) are obliged to submit regular reports to the Committee on how the rights of the Convention are implemented. During its sessions the Committee considers each State party report and addresses its concerns and recommendations to the State party in the form of concluding observations.

In accordance with the Optional Protocol to the Convention, the Committee is mandated to (1) receive communications from individuals or groups of individuals submitting claims of violations of rights protected under the Convention to the Committee and (2) initiate inquiries into situations of grave or systematic violations of women's rights. These procedures are optional and are only available where the State concerned has accepted them.

## **International Women's Day (IWD)**

Originally called International Working Women's Day is marked on March 8 every year.

### **Timeline of international women's rights agreements**

Some landmarks in the recent history of women's human rights, at the global level, include:

1946 – The UN Commission on the Status of Women established with mandate to set standards of women's rights, encourage governments to bring their laws into line with international conventions and to encourage global awareness of women's rights

1948 – Adoption of Universal Declaration of Human Rights, which forms the basis for action for promoting equal rights and freedoms

1975 – First International Women's Year, first global United Nations' Women's Conference held in Mexico City and beginning of the UN Decade for Women

1979 – Adoption of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the only international treaty on women's human rights

1993 – Adoption of the Declaration on the Elimination of Violence Against Women, women successfully promote the message that women's rights are human rights at the World Conference on Human Rights in Vienna

1994 – Women secure another major step forward for women's and girl's right to control their own lives and bodies at International Conference on Population & Development in Cairo

1995 – Women mobilize again at the World Summit for Social Development in Copenhagen to ensure that the problems they face are central to the global agenda, women achieve massive success both in terms of results and turn-out, at the Beijing Fourth World Conference on

Women, resulting in global Platform for Action for women's equality, empowerment and justice

2000 – UN Security Council Resolution 1325 on Women, Peace and Security adopted

2005 – Women defend their gains at the ten year review of implementation of the Beijing Platform for Action and successfully defeat a proposal led by the U.S government for an antiabortion amendment to the declaration

2008 – UN Security Council Resolution 1820 adopted, recognizing that sexual violence can be categorized as a war crime, crime against humanity, and act of genocide and demanding protection and prevention measures from parties of armed conflict, protection from violence in refugee and displaced person camps, and affirming the need for women's full participation in peace-building processes.

2009 – The UN commits to completely overhauling the systems and structures through which it supports women's rights

2010 – 15-year review of the Beijing Platform for Action

2011 – UN Women, the new UN agency focusing on women and bringing together the previously fragmented 'gender machinery' starts work on 1st January.

These are remarkable achievements, and even more so given the lack of resources and access to power structures at the disposal of most ordinary women.

However, the gap between governments' commitments and the reality of women's lives, particularly those of women in the South, has not reduced and, if anything has widened in some parts of the world. This is largely due to the backlash against women's human rights that is taking place on every continent and in many different forms today, including.

- Religious or cultural fundamentalisms of different kinds
- Power of ultra-conservative forces within governments and their influence on foreign and domestic policies
- Backlashes in the media, judiciary, public opinion
- An increase in violence, conflict and war

The current global economic crisis and climate change are also responsible for current erosions of women's rights. These are huge threats to the work of Womankind and our partners.

It is very important that we confront these challenges, both old and new, and continue to push for change at all levels. This means continuing to ensure that the concerns, interests and aspirations of the women we work with are foremost in the solutions we advocate.

### **Malala Yousafzai's Services for Human Rights Recognized Internationally**



<http://www.independent.co.uk/news/uk/home-news/malala-yousafzai-shines.html>

- Malala Yousafzai wins European human rights prize.
- Malala Yousafzai among winners of 2013 UN human rights prize.

**What needs to be done?**

- Understanding gender equality and women’s empowerment.
- Adopt a workable strategy
- Make sure they are implemented
- Educate and sensitize the society
- Collective efforts must be put in
- Show strong commitment to achieve target
- Establish a sound institutional framework to overlook (follow-up) the process whether it is going in the right direction or not.

**Countries Those Do or Do Not Recognize Gender Equality and Women's Rights fully or partially**

<u>Western Countries</u>	<u>Arab Countries</u>	<u>Asian Countries</u>	<u>African Countries</u>
European and all western countries recognize women's rights and assure gender equality.	Arab countries like Oman, Kuwait, Bahrain and Qatar are those who give women their right of equality while Saudi Arabia hesitates to give women their rights. For example, women are not allowed to vote or even drive a car.	Some of Asian nations recognize women rights i.e. Russia, China and Japan. other Asian nations do not put sufficient resource in women's empowerment and rights.	African countries are far behind on this page. Only South Africa up to some extent follows women's rights rules and regulations.

## Possible Bloc Formation

Women's rights around the world are an important indicator to understand global wellbeing. A major global women's rights treaty was ratified by the majority of the world's nations a few decades ago. Yet, despite many successes in empowering women, numerous issues still exist in all areas of life, ranging from the cultural, political to the economic. For example, women often work more than men, yet are paid less, gender discrimination affects girls and women throughout their lifetime, and women and girls are often the ones that suffer the most poverty. Many may think that women's rights are only an issue in countries where religion is law, such as many Muslim countries. Or even worse, some may think this is no longer an issue at all. But reading this report about the United Nation's Women's Treaty and how an increasing number of countries are lodging reservations will show otherwise. Gender equality furthers the cause of child survival and development for all of society, so the importance of women's rights and gender equality should not be underestimated. On the 30th anniversary of CEDAW Inter

Press Service (IPS) listed a number of benefits the women's right treaty has provided around the world, for example, Morocco gave women greater equality and protection of their human rights within marriage and divorce by passing a new family code in 2004. India has accepted legal obligations to eliminate discrimination against women and outlawed sexual harassment in the workplace. In Cameroon, the Convention is applied in local courts and groundbreaking decisions on gender equality are being made by the country's high courts. Mexico passed a law in 2007 toughening its laws on violence against women. And the CEDAW committee in Austria decided two complaints against Austria concerning domestic violence in 2007. UN Secretary-General Ban Ki-moon also noted that within the UN itself, the number of women in senior posts has increased by 40 percent "The Convention has been used to challenge discriminatory laws, interpret ambiguous provisions or where the law is silent, to confer rights on women," Navi Pillay, U.N. High Commissioner for Human Rights, said. Ban Ki-moon also described the treaty as "one of the most successful human rights treaties ever", according to IPS.

## Questions for Delegates

- How to attribute an effective policy on gender equality and women's rights?
- What does the woman's suffrage 19th amendment mean to us today?
- Propose amendments in the human rights bill giving special importance to women rights?
- How to bring the world giants to discuss and formulate policies for women rights and given equal importance to this area, same as education, poverty, health been given and effective policy implementation by world nations?

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