



# HOUSING AND LAND RIGHTS NETWORK

## Habitat International Coalition

Cairo, 14 January 2019

Committee on Economic, Social and Cultural Rights (CESCR)  
Office of the UN High Commissioner for Human Rights  
Palais Wilson, 52 rue des Pâquis  
Geneva 1201, Switzerland

Dear CESCR Chairperson and Members:

Habitat International Coalition (HIC) takes this opportunity to support the Committee on Economic, Social and Cultural Rights in reviewing and further encouraging the implementation of the Covenant by state party Israel at its fourth periodic review. In doing so, HIC also recognizes the importance of both (1) considering interim developments since Israel's third review and (2) maintaining coherence of the Committee's focus on fundamental issues and structural problems, including continued violations of the Covenant that remain unaddressed in the state party's present report and its annexes.

This parallel report reviews acts and omissions affecting the human rights guaranteed under the Covenant's Article 11: adequate housing, food and water as components of the human right to an adequate standard of living, continuous improvement of living conditions within the context of the Covenant's over-arching principles of self-determination and non-discrimination (Articles 1 and 2, respectively).

Since Israel joined the Covenant on 3 October 1991, the state party's laws and institutions have operated to derogate or violate each of the treaty's enshrined human rights for persons not recognized as holding the uniquely constructed status of "Jewish nationality." This approach to statecraft consequently has created a system that denies the corresponding rights to self-determination and non-discrimination of persons within the state's jurisdiction and territory of effective control not recognized under that classification. A review of the Covenant's application in this context brings these contradictions into high relief.

Each of the state party's previous CESCR reviews has rendered observations as to how the resulting governmental system, policies and practices negate the principle of equal justice and protection under the Covenant. The state party's present report does not address those issues, while this fourth review follows an interim (2011–19) marked by dramatic material and legislative developments deepening the state party's breach of the Covenant's foundational principles of implementation and obligations corresponding to enshrined human rights. As mentioned above, this report focuses on those related to Article 11 as performed with the over-riding principles in Articles 1 and 2.

This exercise also recalls the cumulative findings of the Committee since its first review of Israel (1998) that the state has failed to address to date, in particular, the structural dimensions and root causes noted by the Committee in its previous Concluding Observations and other communications with the state party. The state party's continued dismissal of the Committee's observations and

recommendations over time has coincided with the uninterrupted dispossession and displacement of the Palestinian people, and denial of their inalienable human and national rights both inside and outside the state party's jurisdiction and territory of effective control. This pattern of treaty performance by a state party notably undermines the Covenant and its global purpose.

The broad scope of these concerns returns at a time when continuity and coherence in treaty monitoring is as important as ever, simultaneous with a decline in resources available to the Committee to carry out its monitoring and interpretive functions. Meanwhile, these functions are vital to achieving human rights, world peace and security, and sustainable development, consistent with the three pillars of the UN Charter. While history has taught that these together are indispensable to uphold regional and international order, HIC notes that this fourth review of Israel under the Covenant converges also with the same state party's review of its progress toward the Sustainable Development Goals (SDGs) at the 2019 High Level Political Forum. Like the pillars of the UN Charter, these processes are functionally interdependent and indivisible.

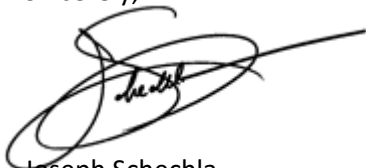
This review coincides also with the current trend among certain states to evade their legal obligations in favour of voluntary mechanisms and politicized peer reviews enjoying far greater political attention and other resources. Nonetheless, the Committee's forthcoming list of issues bear particular relevance system wide.

Habitat International Coalition submits the present review with a view to achieving, instead, the integrity and policy coherence called for in United Nations reform, the Transforming Our World resolution (A/RES/70/1) and the longer-term positioning of the UN Sustainable Development System. The promised integral approach envisages the legal findings of the treaty bodies forming essential references in the UN's political, security and development forums. The many lessons derived from this fourth periodic review of the state party Israel also inform the coming General Assembly's 2020 treaty body review and strengthening process.

Nothing less than the very promise of human rights remains at stake in this timely review of Israel's performance under the Covenant. HIC trusts that this parallel report contribute to the Committee's important work toward realizing the vision that inspired the Covenant on Economic, Social and Cultural Rights and is so needed in our time.

Please accept the attached submission and, in the meantime, be assured of our highest consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph Schechla', written over a large, stylized circular flourish.

Joseph Schechla  
Coordinator  
Housing and Land Rights Network  
Habitat International Coalition