**Questionnaire in relation to the General Assembly Res.68/268:**

The State of Palestine responds to the questionnaire related to the implementation of General Assembly resolution **68/268** on **“Strengthening and enhancing the effective functioning of the human rights treaty body system”** adopted on 9 April 2014 and **General Assembly resolution 73/162** on **“Human right treaty body system”** adopted on 17 December 2018.

The State of Palestine welcomes and appreciates the efforts undertaken by the UN Human Rights treaty body system to develop a global understanding of human rights by monitoring the implementation of the treaties and conventions.

In this regard, the replies of the State of Palestine’s on the questionnaire are the following:

1. **Comments by States on the implementation of GA 68/268, Including those provisions addressed to states :**

* In the context of the occupied territory of the State of Palestine (OPT) and in accordance with the Advisory Opinion of the International court of Justice (ICJ) *on the Legal Consequences of the Construction of the Wall,* treaty bodies, and peremptory norms of international law; Israel, the Occupying Power, is responsible for the implementation and fulfillment of human rights treaties in the OPT.
* Israel, the Occupying Power, is fully responsible for the protection of Palestinian human rights, including reporting to treaty bodies the situation of human rights in the OPT.
* Israel, has willfully violated its duties vis-à-vis the Palestinian people and publicly refuses to comply with the recommendations of treaty bodies or include its systematic violations against the Palestinian people in its treaty bodies’ reports.
* Unfortunately, treaty bodies have not held Israel, the Occupying Power, accountable for not reporting on the situation of human rights in the OPT. Especially that Israel constantly threatens and intimidate Palestinian human rights defenders, who work directly with the treaty bodies and committee members.
* Despite Israel’s dereliction, the State of Palestine remains fully committed to the realization of the Palestinian human rights by acceding to human rights treaties and fulfilling its obligations from State reports to constant cooperation with treaty bodies.
* The State of Palestine has accessed to core human rights treaties and protocols and proceeds to establish a national mechanism to monitor the implementation of treaties in accordance with standards approved by treaty bodies and UN specialized agencies.
* As part of its obligations arising from the accessions, the State of Palestine has submitted the initial reports of CEDAW, CERD and CRC, and currently in the process of submitting the rest of the reports by mid 2019.
* The State of Palestine, represented by a governmental delegation composed of all relevant ministries, had its first constructive dialogue with the CEDAW Committee in July 2018. As a result, the State of Palestine received recommendations from the Committee on strengthening the implementation of the convention, and improving women’s rights in the State of Palestine.
* The State of Palestine views its interaction with the CEDAW Committee as a highly positive experience which indicated the Committee’s understanding of the special circumstances surrounding the implementation of CEDAW in the State of Palestine as an occupied State.
* The State of Palestine lodged an interstate complaint against Israel, the Occupying Power, for its violations of the ICERD. The State of Palestine still awaits the outcome of the submission. The State of Palestine would like to reiterate the importance of activating these mechanisms to improve monitoring violations of human rights.
* The State of Palestine usually participates in the election process and had nominated a candidate in the 2018 elections of the UNCRC committee.

1. **Comments by States on the state of human rights treaty body system in view of the upcoming review by 9 April; of the effectiveness of the measures taken in order to ensure their sustainability, and, on any further action to strengthen and enhance the effective functioning of the human rights treaty body system.**

* The State of Palestine finds that the procedures undertaken by the UN treaty body system to be effective. Moreover, communication with all Committee members is accessible and interactive.
* The State of Palestine recommends that all treaty bodies simplify the reporting procedures, under which the relevant Committee would send State Parties a list of issues prior to reporting, and consider their written replies in lieu of a periodic report. Committees should take into consideration that the process of training and preparing governmental delegations on the discussion of the reports will take a longer time.
* The State of Palestine is concerned with the ineffectiveness of treaty body recommendations relevant to human rights violations, especially recommendations in regards to prolonged occupation. The State of Palestine recommends the development of the capacity of the Special Rapporteurs especially those mandated with the issues of racial discrimination, torture and extrajudicial killing, in order to enforce their recommendations and conclusions recommendations and conclusions.
* The State of Palestine reaffirms the importance of Special Procedures, as a mechanism for transmitting individual complaints, to reach out to the government and not limit their work with NGOs.

The end