



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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30 April 2021

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 103rd session, considered the follow-up report submitted by the Government of the State of Palestine, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 10 (a), 14 (a) and (c) and 20 (b) of the Concluding Observations CERD/C/PSE/CO/1-2 adopted following the consideration of the State party's combined 1st and 2nd periodic reports, at its 99th session, held in August 2019.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its combined 3rd to 5th periodic reports, to be submitted in a single document, by 2 April 2023.

Paragraph 10 (a) of the Concluding Observations

The Committee notes the information provided by the State party, including that it was unable to obtain an original copy of the Convention in Arabic, and requests the State party to provide information on measures planned to ensure the publication of the Convention in the Gazette even in the absence of such an original copy. The Committee reiterates its recommendation to the State party to fully and expeditiously incorporate the provisions of the Convention into its national law. It requests the State party to provide, in its next periodic report, information on measures taken to ensure this. Noting the establishment of the National Team formed to monitor the implementation of the Convention, as well as the challenges the State party faces in implementing the Convention throughout its territory, the Committee requests the State party to also include, in its next periodic report, information on its efforts to take all possible measures at its disposal to ensure the implementation of the Convention throughout its territory. The Committee considers the response to this recommendation unsatisfactory.

Paragraph 14 (a) and (c) of the Concluding Observations

The Committee notes the information provided by the State party, including on efforts to achieve national reconciliation, described as prerequisite for the fulfillment of CERD's recommendation 14 (a) of its concluding observations. It requests the State party to include, in

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its next periodic report, an update on the results of these efforts and on progress towards addressing the current rule of law deficit by reinstating a democratically elected parliamentary legislative body, such as the Palestinian Legislative Council.

The Committee welcomes the information that the process of identifying elements in the domestic legal order that need harmonization with the Convention, and the subsequent harmonization process itself, should be finished within a year. The Committee also welcomes that the 'Committee for the Harmonisation of Domestic Legislation with International Treaties and Standards' works in partnership with civil society organizations, and that the revised draft of the Palestinian Criminal Code will be submitted for consultation with civil society organizations. The Committee requests the State party to provide, in its next periodic report, information on the progress made to harmonize the needed legal domestic elements with the Convention, and details regarding the collaboration with, and involvement of civil society organizations in this process.

The Committee considers the response to this recommendation partially satisfactory.

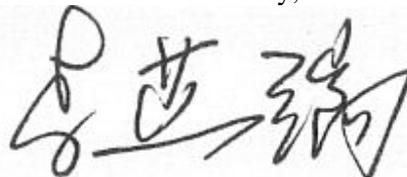
Paragraph 20 (b) of the Concluding Observations

While noting the information submitted by the State party, the Committee requests it to provide, in its next periodic report, more information on specific measures taken to ensure that the laws referred to in paragraph 20 (a) of its concluding observations (CERD/C/PSE/CO/1-2), and the overly broad and vague character of some of the provisions of such laws, are not used to intimidate, harass, arrest, detain or prosecute journalists, human rights defenders or political opponents for exercising their right to freedom of opinion and expression. The Committee would appreciate receiving a timeline for the revision of the above-mentioned laws. The Committee considers the response to this recommendation unsatisfactory.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of the State of Palestine, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Yanduan Li
Chair

Committee on the Elimination of Racial Discrimination