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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by Iranian Thalassaemia Society, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 August 2024]

* Issued as received, in the language of submission only.



Lack of Access to Medicine and Medical Equipment for the Palestinian People

Introduction

The right to the highest attainable standard of health—often referred to as the right to health—provides the most explicit framework for access to medicines. The right to access medicine is considered a fundamental human right in the form of a more general right to receive medical care. The importance of access to medical care is such that the violation of the right to access medicine can be considered a crime of genocide, a crime against humanity, or a war crime, which can be seen in some international criminal procedures.

Lack of Access to Medicine and Medical Equipment in the State of Palestine

Despite 75 years of occupation and a 16-year blockade, which has severely limited access to medicine and medical equipment in this region. Most notably the diagnostic medical devices to diagnose and treat cancer patients, including interventional radiology and ultrasonography devices. The Israeli occupation authorities also ban the entry of spare parts necessary for the maintenance of inoperative medical devices, having serious repercussions on the lives of thousands of patients in the State of Palestine. After the October 7 attacks by the occupying power, the sick and injured from these attacks faced a severe lack of essential medicines and the risk of death.

.Palestinian people are facing a serious crisis of a severe shortage of most types of medicine, including pain relievers and antibiotics, and necessary facilities for first aid, special care, and the emergency department. More than 150,000 patients with chronic diseases are deprived of receiving any medical services, and the medicines they need are not found, and this is the reason for their gradual death. In addition, the occupation power's continuous prevention of the entry of basic needs, especially food and medical supplies for the besieged citizens in the State of Palestine, threatens the lives of more than 700,000 citizens. Since the beginning of these attacks, 436 Palestinians with cancer have died due to the continued siege and lack of medicine.

Violation of Human Rights and Humanitarian Rights

The right to access medicine and medical equipment is a fundamental human right and the cornerstone of the right to health. It is a right that is fully supported by human rights and humanitarian rules. Any act that prevents the entry of medicine or deprives Palestinian patients of essential medicines by the occupying power is a clear violation of human rights and humanitarian documents.

This right is mentioned in international documents in paragraph A of Article 55 of the United Nations Charter, paragraph one of Article 25 of the Universal Declaration of Human Rights, the preamble of the Statute of the World Health Organization, paragraph 2 of Article One of the International Covenant on Civil-Political Rights, Article 24 of the Convention on the Rights of the Child and Emphasis is placed on it.

Humanitarian law bridges the gap between military necessity and human dignity through principles such as the principle of separation and the prohibition of starving civilians, the principle of necessity and the principle of proportionality, and trying to make war more humane; it has also supported the right to health and access to medicine: 1- The principle of separation of military and civilians The principle of separation of military and civilians is mentioned in Articles 13 and 27 of the 1949 Geneva Convention; 2- Prohibition of starving civilians, for example Article 54 of the First Protocol of Irregular Wars and Articles 14 and 18 of the Second Additional Protocol of Internal Wars approved in 1977 specify that starving civilians cannot be used as a means of war. This principle is not limited to food. It includes all the necessities, such as medicine.

In this way, the right to access medicine can be applied even in international and domestic armed conflicts, and it cannot be suspended in these conditions. Therefore, for example, a general blockade that prevents the delivery of these necessities is a war crime. Even the Hague Conventions (1899 and 1907) respect this right during war.

Conclusions and Recommendations

Despite more than 75 years of occupation of the State of Palestine, the world is witnessing genocide in occupied Palestine territory. By preventing the occupying power from sending humanitarian and medical aid to the Palestinian people to continue the genocide and the destruction of women and children, the most unprecedented human disaster of this century is taking place.

Emphasizing that for millions of people around the world, the full enjoyment of the right to health remains an illusive goal, including due to the obstacles to access to medicines of good quality, affordable and in a timely fashion, mostly in countries engaged in conflict especially the people of the State of Palestine.

Reaffirming that this constitutes a challenge to human dignity, the basis of all human rights, including the rights to life, health and development of all persons. From a human rights perspective, access to medicines is intrinsically linked with the principles of equality and non-discrimination, transparency, participation, and accountability. We condemn all acts and violations that inhibit Palestinian patients from accessing the appropriate healthcare they need. We provide the following recommendations:

- We condemn all acts and violations that inhibit Palestinian patients from accessing the appropriate healthcare they need
- We call on multiple stakeholders to join forces to ensure that sick populations are treated with the quality healthcare they not only deserve but have due rights to receive.
- We call on civil society to collaborate on an international, regional, and national level to pioneer the needed research to assess the needs of the sick and develop solutions to improve their access to medicine.
- We strongly urge member states to ensure patients receive the necessary medicines or exit permits to access treatment outside the Palestinian.