

# **Al-Haq Parallel Report to the UN Committee on Economic, Social and Cultural Rights for its List of Issues on The State of Palestine’s Initial Report**

69<sup>th</sup> Pre-Sessional Working Group

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## 1. Introduction

1. Immediately following the *Nakba* of 1948, Israel ensued discriminatory laws, policies, and practices, forming the foundation of its institutionalized regime of racial domination and oppression over the Palestinian people as a whole,<sup>1</sup> amounting to the crime of apartheid.<sup>2</sup> In 1967, Israel occupied the West Bank, including East Jerusalem, and the Gaza Strip; in what constitutes the occupied Palestinian territory. Until present, the *Nakba* continues as a continual process of erasure, displacement, and dispossession of the Palestinian people, with them enduring the prolonged denial of their inalienable rights, including *inter alia*, the right to self-determination and to return, and being subjected to systematic and widespread human rights violations on a daily basis.
2. Seven decades on, Israel's settler-colonial and apartheid regime, and prolonged illegal belligerent occupation remains a reality. While Israel, as Occupying Power, is the main duty bearer, this does not absolve the State of Palestine (SoP or 'the State') from its obligations under international law, including the highest realization of human rights protected under the United Nations (UN) Covenant on Economic Social and Cultural Rights ('the Covenant'), to which it acceded to on 2 April 2014.
3. Following the initial report submitted by the SoP ('State report' or 'official report'),<sup>3</sup> to the UN Committee on Economic, Social and Cultural Rights ('the Committee') on 16 November 2020, Al-Haq submits this parallel report for the Committee's 69<sup>th</sup> Pre-Sessional Working Group, as part of Al-Haq's commitment to the protection and promotion of human rights of the Palestinian people, including the rights within the Committee's monitoring mandate. In this report, Al-Haq aims to shed light over a number of gaps the SoP needs to bridge, and the necessary steps to take to achieve the full enjoyment of the Covenant rights.

## 2. The Legal Value of the Covenant in the Palestinian Legal System and its Justiciability

4. In conformity with its legal obligations under the Covenant, the SoP must ensure supremacy of the core international human rights treaties, including the Covenant, over the Palestinian national legislations. However, the Palestinian Supreme Constitutional Court (SCC) put general reservations to these treaties, which led the Covenant's invalidity with the Palestinian legal system until present. This is where the SCC decision No. (4) of 2017

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<sup>1</sup> Al-Haq, Palestinian, "Regional, and International Groups Submit Report on Israeli Apartheid to UN Committee on the Elimination of Racial Discrimination," 12 November 2019, available at: <http://www.alhaq.org/advocacy/16183.html>.

<sup>2</sup> Rome Statute of the International Criminal Court (adopted 17 July 1998, entry into force 1 July 2002) 2187 UNTS 3, Article 7(1)(j).

<sup>3</sup> UN Committee on Economic, Social and Cultural Rights, the Initial Report Submitted by the State of Palestine according to Article (16) and (17) of the Covenant, which was due in 2016, 3 February 2021, UN Doc E/C.12/PSE/1. (hereinafter 'State report').



decided the precedence of international conventions over domestic legislation if these international conventions were “consistent with the national, religious and cultural identity of the Arab Palestinian people”, while SCC decision No. (5) of 2017 decided that “[i]nternational treaties are not in themselves applicable in Palestine but must gain strength by going through the formal stages required to pass specific domestic legislation to enforce them”. These decisions contradict with the Covenant provisions, the amended Basic Law and the Supreme Constitutional Court Law No. (3) for the year 2006 and its amendments, as they further mean the inability of Palestinians to utilize the Covenant, and the rights protected and stipulated by it, as a legal base before national courts.

- 5. Against this background, Al-Haq urges the Committee to request information on the measures taken by the SoP, and/or is planning to take, to insure the validity, effectiveness and justiciability of the Covenant within the Palestinian legal system. We further recommend that the Committee requests information on the steps taken by the SoP to ensure the spread of awareness and understanding of Palestinians, including those living in rural areas, of their rights, which are enshrined and protected by the Covenant.**

### 3. Issues of General Concern

6. The division between the two main Palestinian political parties (The Palestinian National Liberation Movement “Fatah” and The Islamic Resistance Movement “Hamas”) since 2007 has led to an internal Palestinian division between the West Bank and the Gaza Strip, including a division in the three state powers as well as the legislations. Due to this, Palestinians in the West Bank governed by the “Fatah” led government and Palestinians in the Gaza Strip governed by the *de-facto* government of “Hamas” do not necessarily enjoy equal human rights, as they are subjected to different legislations, and governed by different governments, despite living within the same jurisdiction of the SoP.
7. Submitting its official report in 2020, four years later than the date the Covenant accession obliges, the SoP failed to present updated data, as most of the information, statistics, and indicators are limited to 2016. Limiting the reflection on the progress made for the realization of the Covenant rights to 2016 indicates a lack in the measures taken by the State to ensure the maximum use of the available resources, within clear agendas, and workplans and reasonable timeframe that take circumstances and emergencies into consideration and guarantee the progressive and full realization of rights.
8. While the Palestinian Basic Law highlighted equality and nondiscrimination between Palestinians before the law and judiciary, this remains far from reality for Palestinians. The invalidity of the Covenant within the Palestinian legal system and its enforcement before courts within the SoP jurisdiction allows for a high scale infringement of human rights without drawing the road for accountability for perpetrators, nor justice for victims.

9. Accordingly, Al-Haq recommends that the Committee requests information on the measures taken by the SoP to revise and harmonize all national legislations and policies with the Covenant and international human rights standards. We further recommend the Committee to request information on the measures taken by the SoP to ensure the unification of legislations and policies enforced both in the West Bank and the Gaza Strip, to guarantee equality and nondiscrimination for all, and to request information on steps taken by the SoP on the realization of the Covenant rights without discrimination of any kind, including religion, sex, political opinions and living standards. This extends to the right to education (especially opportunities for higher education), scholarships, work, and health services, among other rights.

#### 4. Everyone's Right to Work in Just and Favorable Conditions

10. Until present, Palestinians face violations relating to their rights to work and to just and favorable work conditions. Many statistical indicators show that numbers of workers do not receive the minimum level of their rights,<sup>4</sup> including with regards to wages, leaves, end of service indemnities and retirement rights. Such violations intensify through the lack of a legislative system for insurance and social security, as well as weak inspection policies and practices in workplaces. Further, the SoP has yet failed to establish specialized labor courts, negatively affecting workers' access to justice.<sup>5</sup> As such, some employers disregard legislations imposed regarding child labor and women's equal right to work, as well as health, safety and professional standards.
11. The latest unemployment statistics provided by the SoP's report were for 2015 and rated 25.9%.<sup>6</sup> According to the Palestinian Central Bureau of Statistics (PCBS), the unemployment rate of 2019 was 25%, and total labor underutilization was 33%.<sup>7</sup> While the highest unemployment rate was among youth graduates (19-29) reaching 52%, 68% of that were females, compared with 35% for males.<sup>8</sup> In 2020, amid the COVID-19 pandemic outbreak, the unemployment rate in the SoP increased to 27.4%.<sup>9</sup> Among other factors, the COVID-19 outbreak led to the unemployment of one thousand workers in the first quarter of 2021, compared to the last quarter of 2020.<sup>10</sup>

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<sup>4</sup> Palestinian Central Bureau of Statistics, "The Labour Force Survey Results 2019", available at: <https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=3666>.

<sup>5</sup> Al-Haq, "Al-Haq's Letter on International Workers day", 1 May 2021, available at: <https://www.alhaq.org/ar/advocacy/18263.html>.

<sup>6</sup> State report, para 56.

<sup>7</sup> "The Labour Force Survey Results 2019".

<sup>8</sup> *Ibid.*

<sup>9</sup> Palestinian Central Bureau of Statistics, "Press Report on Economic Forecasts for 2021", available at: <https://www.pcbs.gov.ps/postar.aspx?lang=ar&ItemID=3880>.

<sup>10</sup> *Ibid.*



12. The current standard of minimum monthly wage in the SoP is NIS 1,450 (approximately USD 440). On 21 January 2021, the Palestinian Minister of Labor issued a decision raising the standard of minimum monthly wages to NIS 1950 (approximately USD 590) starting from 1 January 2022.<sup>11</sup> Nonetheless, the new standard is still below the absolute poverty line, which is 1974 NIS (approximately USD 600).<sup>12</sup> The minimum monthly wage is constantly ignored by employers, due to, as aforementioned, *inter alia*, weak inspection policies and lack of access to justice. In 2019, 30% of those working within the private sector did not meet the current standard of minimum wage.<sup>13</sup>
13. There's a necessity to revise the minimum wage for workers in the SoP and take all appropriate and necessary measures to ensure its conformity with the provision of an adequate standard of living for workers and their families. **In this regard, Al-Haq urges the Committee to request information on plans and steps taken by the SoP to decrease the level of unemployment, increase the standard of minimum wage to meet with the provisions of the Covenant, ensure fair wages and adequate standard of living, and ensure accountability for those who disregard their employees' rights.**
14. In April 2018, over 62 thousand public civil employees and military personnel in the Gaza Strip had their salaries unpaid without any clarifications or statements issued by the SoP (Ministry of Finance). This treatment had not been extended to those in the West Bank and was translated as part of a series of sanctions against Palestinians in the Gaza Strip, which had started in 2017. These sanctions included salary cuts, and deduction of some rights and benefits, which were later followed by the mandatory retirement of hundreds of employees without providing them with correct legal basis. This reflects a series of violations of Covenant rights against Palestinians, including the right to work, as well as it constitutes discrimination between Palestinians on basis of geographical location of residence.<sup>14</sup>
15. Article (25) of the Amended Palestinian basic law of 2003 stipulated that the right to work is a public right for every citizen, and that the PA shall endeavor its fulfilment for everyone capable of working. Article (9) of the aforementioned law further provided that Palestinians shall be equal before the law and the judiciary, without distinction upon sex or disability, among other basis. For the purpose of ensuring persons with disabilities right to work, Article (13) of the Palestinian Labor Law No. (7) of 2000 as well as Article (10) of the law No. (4) of 1999 on the Rights of Persons with Disabilities, stipulated that employers shall employ a number of qualified persons with disabilities to perform work, which fit their

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<sup>11</sup> Palestinian Labor Minister decision No. (549), "Draft tripartite agreement on raising the minimum wage in Palestine", issued on 21 January 2021.

<sup>12</sup> Palestinian Central Bureau of Statistics, "Do you know?", available at: <https://www.pcbs.gov.ps/faqsAr.aspx>.

<sup>13</sup> "The Labour Force Survey Results 2019".

<sup>14</sup> Al-Haq, "Al-Haq demands the Minister of Finance to pay the salaries of Gaza employees", 25 April 2018, available at: <https://www.alhaq.org/ar/advocacy/2264.html>.





disabilities. The percentage of workers with disabilities shall be no less than 5% of the total labor force in the institution.

16. While Article (9) of the Labor Law No. (7) of 2000 stipulated that “[t]he Ministry of Labor shall develop regular quantitative and qualitative statistics related to unemployment and employment”, the Ministry, jointly with the PCBS, lack periodical reporting, information and statistical indicators on the right to work for marginalized groups and those deprived from the right to work in dignity. This includes precise reports about persons with disabilities, particularly women with disabilities who face compounded discrimination in accessing a decent work. In particular, it is vital to tackle the clear disregard for issuing statistical indicators that highlight the work situation of persons with disabilities on the ground, noting that the last comprehensive statistical reporting on persons with disabilities was carried out in 2011.<sup>15</sup> These statistics are valuable and necessary to examine the situation on the ground, including analyzing the dysfunction and discrimination against those groups, and to build appropriate and effective policies and legislations, based on precise indicators and that are periodically updated.
17. Law No. (4) of 1999 on the Rights of Persons with Disabilities and its executive regulation stipulated the establishment of a “[f]inancial fund for persons with disabilities”. According to the aforementioned legislations, when companies or organizations fail to employ persons with disabilities, with a percentage of at least 5% of their overall workers, they shall pay an equivalent of the minimum wage of the persons with disabilities that should be employed to that fund. Despite this fund’s importance in supporting the employment of persons with disabilities and reducing the discrimination and marginalization in work markets, the Palestinian consecutive governments, including different ministers of the Ministry of Social Development, have failed to establish it until present.
18. **With this in mind, Al-Haq recommends the Committee to request information on the steps taken by the SoP to reduce and eliminate any discrimination against persons with disabilities and women in work opportunities and to guarantee their right to work, including by providing periodical reporting, and establishing and implementing appropriate and effective policies and legislations.**

## 5. Ensuring the Highest Attainable Standard of Physical and Mental Health

19. Since 2007, Israel has imposed a comprehensive land, sea, and air closure of the occupied Gaza Strip, in what constitutes an unlawful collective punishment of two million Palestinians living therein. The closure has led to profound levels of poverty, food insecurity, unemployment, aid-dependency, and the collapse of essential services, including the healthcare system. The Israeli-imposed closure had led to, *inter alia*, severe

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<sup>15</sup> Palestinian Central Bureau of Statistics, Ministry of Social Affairs, “Survey on persons with disabilities, 2011 Key Results Report”, December 2011, available at: <https://www.pcbs.gov.ps/Portals/PCBS/Downloads/book1812.pdf>.



shortages of medicine, equipment and medical supplies, as it further impedes the professional development of health workers, who are commonly denied travel permits by Israel to take up opportunities outside Gaza, adding to shortages of doctors and nurses in key specialists.<sup>16</sup> This de-development of health infrastructure is a key reason for a large number of patients that must be referred out of Gaza for treatment in the West Bank, including East Jerusalem, or abroad. Nonetheless, medical referrals are regularly obstructed by the Occupying Power through a bureaucratic permit regime the in which the World Health Organization has termed “neither transparent nor timely.”<sup>17</sup> The chronic power outage and contamination of most of the Strip’s water stock have further exacerbated the challenges.<sup>18</sup>

20. While the Palestinian Basic Law stipulates the respect and protection for basic human rights, it fails to include the right to everyone to the enjoyment of the highest attainable standard of physical and mental health. Rather, it only addresses health in the limits of Article (16), which states that “[i]t is unlawful to conduct any medical or scientific experiment on any person without prior legal consent. No person shall be subject to medical examination, treatment, or surgery, except in accordance with the law. Transplantation of human organs and new scientific developments shall be regulated by the law in order to serve legitimate humanitarian purposes.”
21. The assessment on the capacity of the Palestinian healthcare sector, including both governmental and non-governmental facilities, indicates insufficiency of infrastructure. This includes, *inter alia*, the lack of human resources, small number of beds availability, as well as shortage of needed medical equipment, medications and sometimes, expertise. With Israel’s limitations imposed on what equipment and medications can be entered, as well as its control over the quantity, a high number of Palestinians patients are medically referred to Israeli hospitals,<sup>19</sup> receiving treatment that Palestinian hospitals do not have the resources to provide. The Ministry of Health’s actual expenditure on medical transfers outside governmental hospitals constituted about 53% of the budget of the Ministry in

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<sup>16</sup> Recent materials on the Gaza closure were compiled by Al-Haq, Al Mezan Centre for Human Rights, the Palestinian Centre for Human Rights (PCHR), and Medical Aid for Palestinians in a blog that marks 13 years of illegal Israeli closure. The blog, part of the Gaza2020 campaign, calls for the immediate lifting of the Gaza closure: <https://medium.com/@lifttheclosure/its-2020-lift-the-gaza-closure-c3f586611c11>. The blog also contains a page on health and healthcare in Gaza: <https://medium.com/@lifttheclosure/health-and-healthcare-in-gaza-ba6e28405b76>.

<sup>17</sup> World Health Organization, “Referral patients vulnerable to delay, denial and conditions in accessing right to health,” 2011, available at: <http://www.emro.who.int/palestine-press-releases/2011/referral-patients-vulnerability.html>.

<sup>18</sup> Al-Haq, “Joint Statement: Israeli Apartheid Undermines Palestinian Right to Health Amidst COVID-19 Pandemic,” 4 July 2020, available at: <https://www.alhaq.org/advocacy/16692.html>.

<sup>19</sup> Palestine Economic Policy Research Institute – Mas, “Palestinian Health Sector Evaluation: Macro Level Analytical Study”, Bilal Falah and others, 2020, page 87, available at: <https://www.mas.ps/files/server/2021/Health%20Evaluation%2016%20dec.pdf>.



2018.<sup>20</sup> While acknowledging the legal obligations of Israel, the Occupying Power, as well as the limitations it imposes in this regard, establishing well-equipped hospitals is one of the measures that can be taken to ensure the reduction of this financial burden of transfers, enabling more Palestinian patients to be treated in Palestinian hospitals and medical facilities.<sup>21</sup>

22. In addition, due to the lack of periodic and comprehensive inspection on healthcare services, as well as the deteriorated hygiene standards in hospitals, especially governmental ones, health services constitute an issue of concern for many Palestinians.<sup>22</sup>
23. The SoP's healthcare governmental expenditure is insufficient and inadequate, as it faces financial challenges in providing health services, including the financial coverage of medical referrals. Allocated budget for the Ministry of Health did not increase with population growth nor with the necessity for developing the quality of healthcare services provided by the Ministry, especially primary healthcare.<sup>23</sup> Also, the low revenues from governmental health insurance is a major factor in increasing the financial burden of medical referrals. Economic challenges, which are worse in the Gaza Strip, expansion of the informal sector, and inadequate health insurance management by the Ministry are the main causes for low health insurance revenues.<sup>24</sup>
24. The Palestinian pharmaceutical sector's ability to meet local demand is limited to the production of generic drugs. This leads the Palestinian healthcare sector to remain dependent on importing medications for the treatment of patients usually referred outside the Ministry of Health hospitals.<sup>25</sup>
25. **As such, Al-Haq urges the Committee to request information on the measures taken by the SoP, including any legislative means, to ensure the protection of the Palestinians' highest attainable standard of health, and information on the steps taken to increase the needed human resources and equipment in this field, and improving the infrastructure of the Palestinian healthcare system.**
26. Acknowledging that those subjected to situations of institutionalized oppression, discrimination, and injustice are disproportionately impacted by COVID-19, Israel's

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<sup>20</sup> *Ibid*, page 44.

<sup>21</sup> *Ibid*, page 87.

<sup>22</sup> Al-Shabaka – The Palestinian Policy Network, “The Conditioned Right to Healthcare in Palestine”, Yara Assi, 30 June 2019, available at: <https://al-shabaka.org/briefs/the-conditional-right-to-health-in-palestine/>.

<sup>23</sup> “Palestinian Health Sector Evaluation: Macro Level Analytical Study”, page 87.

<sup>24</sup> *Ibid*.

<sup>25</sup> *Ibid*.





apartheid regime was brought to the frontline, as it became more evident, including due to its discriminatory roll-out of COVID-19 vaccine, in an unlawful and racist manner.<sup>26</sup>

27. On 5 March 2020, the SoP declared a State of Emergency, to combat the spread of COVID-19. Although taken as a step to tackle a highly concerning health issue, the State of Emergency has been unconstitutionally extended until present.<sup>27</sup> The State of Emergency was also used in non-compliance with the purposes it had been declared for and violated many human rights of the Palestinians including the right freedom of opinion and expression, liberty and security of person, among other rights. High concerns were raised among the Palestinians regarding the basis used for the distribution of Covid-19 vaccinations, and its conformity with the principles of transparency and non-discrimination. **Al-Haq urges the Committee to request information on the steps taken by the SoP to administrate the emergency; addressing how transparency, non-discrimination on any basis, equality and no misuse of power were present in their legislations, policies and practices, especially in matters relevant to vaccine transactions between suppliers and governments and vaccine dissemination and distribution among the Palestinian population.**

28. While the outbreak of COVID-19 pandemic put high risks of everyone's health globally, it has imposed increased level of physical and psychological risk over those working within the healthcare sector. **For that, we further recommend the Committee to request information on the measures taken by the SoP to ensure the protection, safety, and health of the medical teams and workers, and the steps taken by the SoP to provide support for them, especially at a time of emergency.**

## 6. Rights in Relation to Trade Unions

29. Article (3) of the Law by Decree No. (11) of 2017 Regarding the Regulation of the Exercise of the Right to Strike in the Public Service prohibits security forces personnel from their right to strike. Article (4) of the aforementioned law by decree prohibits Palestinians working in the governmental healthcare sector (except those working in administrative departments), and in public radio and television, and employees on the presidency level and cabinet, diplomats, as well as judges and prosecutors from their right to strike. Further, Article (5) of the aforementioned law by decree holds those violating the provisions of the law by decree, including for exercising their right to strike, accountable, before the national laws, in violation of Article (8/d) of the Covenant.

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<sup>26</sup> Al-Haq, "Joint Statement: Racism and Institutionalized Discrimination in the Roll-Out of the COVID-19 Vaccine", 18 January 2021, available at: <https://www.alhaq.org/advocacy/17767.html>.

<sup>27</sup> Al-Haq, "Al-Haq Visits the Detainees Arrested for Preparing to Participate in a Peaceful Protest, in the Palestinian Police Center of Ramallah and Al-Bireh" 29 July 2020, available at: <https://www.alhaq.org/advocacy/17173.html>.



30. Accordingly, Al-Haq urges the Committee to request information on the measures taken by the SoP to ensure the full realization of Article (8) of the Covenant in regards to Palestinians' right to strike, and especially in light of the latest infringement through issuing the Law by Decree No. (9) of 2021 Regarding the Postponement of Elections for Trade Unions, Federations and Popular Committees.<sup>28</sup>

## 7. On the Right to Social Security

31. Promulgated in disregard to the principles of governance, transparency, and disclosure, the Law by Decree No. (19) of 2016 regarding Social Security received massive criticism by the Palestinian society. The civil society, professional syndicates and private sector was not consulted prior to issuing this legislation in the Palestinian Official Gazette on 20 October 2016. The aforementioned law by decree shows weakness in the institutionalization of social security management and lack of organizational structure and financial and administrative regulations needed to govern the work of the Social Security Corporation (SSC). Where the aforementioned law by decree emphasizes the full financial and administrative independence from the government, the performance of the SSC Board's Chairman contradicts with this decree as there is a confusion between his role as a Minister of Labor and his position as the Chairman of the SSC board.<sup>29</sup>

32. Even when the aforementioned law by decree addresses a gradual approach considered for applying social insurance benefits, some vulnerable groups will still be excluded from the comprehensive coverage of social insurance. For this, it is necessary that a comprehensive national strategy is developed, to lay out the perception of SSC Board to realize the right to social security and ensure the full enjoyment of all insurance benefits. This strategy should ensure international standards and best practices, provide relevant timeframes, be publicly available and explicate that everyone will be able to enjoy their right to social security.<sup>30</sup>

33. In addition to the necessity for publishing the Covenant in the Palestinian Official Gazette and ensuring its legal value and enforcement throughout the State's jurisdiction, there is further urgency for a comprehensive awareness plan for the Palestinian society with regards social security, to raise awareness on the importance of the human right to social security as a national net for social protection. This should highlight its protection against the day-by-day risks, vitality for insuring health, life and decent standard of living, as well as its importance for income redistribution and reduction of poverty and unemployment.

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<sup>28</sup> Al-Haq, "Al-Haq calls for the immediate halt of issuing laws by decrees and condemns the assaults on Trade Unions, Federations and Popular Committees right to decide on Election Dates", 6 March 2021, available at: <https://www.alhaq.org/ar/advocacy/17982.html>.

<sup>29</sup> Al-Haq, "Al-Haq's Comments on the Law by Decree on Social Security and its Complementary Regulations and Instructions", 2 January 2019, available at: <https://www.alhaq.org/advocacy/6117.html>.

<sup>30</sup> *Ibid.*



34. Following the Palestinian society's campaign against the enforcement of the Law by Decree No. (19) of 2016 regarding Social Security, the Palestinian President issued the Law by Decree No. (4) of 2019 regarding the Social Security. The later halted the enforcement of the former and provided that continuous dialogue with all the relevant actors shall be ensured, in order to reach a national consensus on its provisions and enforcement date. Until today, no clear measures, or a strategy, nor an action plan were invested for the objectives mentioned.
35. **Accordingly, Al-Haq urges the Committee to request information on the measures taken by the SoP to fully realize Palestinians' right to social security.<sup>31</sup> Al-Haq further recommends the Committee to request the SoP to wholly revise the Law by Decree No. (19) of 2016, and tackle the gaps needed for reaching a legislation that goes in line with the rights provided by the Covenant and Palestinians consensus within a clear set timeframe. In addition, Al-Haq encourages the Committee to request the SoP to adopt a national strategy and action plan that reasonably conceive the circumstances, take into account equality and the rights of most disadvantaged and marginalized groups, and has a clear timeframe for implementation and continuous monitoring.<sup>32</sup>**

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<sup>31</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 19 on Article 9 of the International Covenant of Economic Social and Cultural Rights, on the right to social security, 4 February 2008, UN Doc E/C.12/GC/19 (General Comment No. 19), para. 4.

<sup>32</sup> *Ibid*, para.68.