Human Rights Council 42nd Session

Agenda Item 3 – Clustered ID with: WG on enforced disappearances and SR on truth, justice and reparation

NGO: IAJLJ - The International Association of Jewish Lawyers and Jurists

Representative delivering the statement: Adv. Ido Rosenzweig

Mr. Vice President, exactly 5 years ago, in September 2014, Mr. Avraham Mengistu, an Israeli citizen, crossed into the Gaza Strip and has been held incommunicado by Hamas authorities ever since. The same happened with Mr. Hisham al-Sayed in April 2015, and Mr. Joma'a Abrahim Abu-Enima in July 2016.

Mr. Mengistu, Mr. Al-Sayed, and Mr. Abu-Enima, all suffer from mental health conditions and they must receive proper medical treatment.

These are not the only persons that have disappeared in the Gaza Strip. In the summer of 2014, two Israeli combatants were taken during the armed conflict between Israel and Hamas. Staff Sargent Oron Shaul and Lt. Hadar Goldin are presumed dead, but due to the complete lack of information about their status and whereabouts, this presumption has not been confirmed.

Enforced disappearance is one of the most serious violations of international human rights law. Without information about the status and conditions of the disappeared persons, there is a grave concern to their right to life. Enforced disappearance is considered cruel and inhuman treatment to the disappeared persons and to their families, and an international crime. It also involves a violation of the right to liberty, to access to health services and to recognition as a person under the law. Moreover, holding the remains of fallen combatants is also a violation of international humanitarian law.

We call the Working group on Enforced Disappearances to take this matter into its attention, and act to ensure that Avera Mengistu, Hisham al-Sayed and Joma'a Abrahim Abu-Enima are alive and treated well.
We need to ensure that the families of all disappeared persons are immediately informed of their status and conditions.

It is the time that the international community, member states and the working group will act to release Avera, Hisham, and Joma'a, and to bring the remains of Oron, and Hadar back home.

Thank you Mr. Vice President