

10 Israeli, Palestinian and international health and human rights organizations: Israel must provide necessary vaccines to Palestinian health care systems

As the Israeli healthcare system begins the distribution of the COVID-19 vaccines to the Israeli public, we, the undersigned organizations, urge the Israeli authorities to live up to their legal obligations and ensure that quality vaccines be provided to Palestinians living under Israeli occupation and control in the West Bank and the Gaza Strip as well.

The Israeli Ministry of Health has not yet publicly formulated an allocation policy that includes reserving specific amounts for Palestinians in the occupied Palestinian territory (OPT), nor has it established a timeline for the transfer of these vaccines. However, Article 56 of the Fourth Geneva Convention specifically provides that an occupier has the duty of ensuring “the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics”. This duty includes providing support for the purchase and distribution of vaccines to the Palestinian population under its control.

We express grave concerns about media reports that the Russian-developed vaccine will be delivered to the Palestinian Authority (PA). The PA has not indicated which vaccine it aims to purchase and distribute, although it has made clear that it does not have sufficient funds and capabilities to purchase the necessary vaccinations. Israel cannot transfer a vaccine which is not approved for its own citizens. Such a step would violate the Paris Protocol on Economic Relations and the long-standing policy of the Israeli Ministry of Health to only allow the distribution of medicines in the OPT which have undergone the necessary scientific and regulatory procedures. Although the Paris Protocol has come under criticism in the past for, *inter alia*, obliging the PA to import medications that are beyond its financial reach, as long as it is binding, Israel cannot import a vaccine that it has not approved for its own population and send it to the occupied population. Israel must ensure that the vaccines delivered to Palestinians in the OPT, also meet the approvals of the Israeli health system, and that these vaccines be purchased and delivered as soon as possible.

Where budgetary shortages resulting from the long-term restrictions imposed by the occupation and blockade limit the ability of the Palestinian Authority to purchase and distribute vaccines, Israel must provide the necessary funds, as part of its legal obligations. As such, the Israeli authorities must not deduct the vaccine costs from the tax revenues it collects on behalf of the PA.

We call on relevant international stakeholders to urge Israel to fulfill its duties and moral responsibilities to assist the Palestinian health systems and Palestinians in the Gaza Strip and the West Bank, including:

1. Publishing the quantity of vaccinations reserved for the Palestinian population and providing a specific timeline for their transfer.
2. Ensuring that the vaccines provided for the Palestinian population meet the same standards of approval as those distributed to the Israeli population.

3. Ensuring smooth entry of vaccines and other medical equipment to the oPt, including preserving a 'cold chain' to keep vaccines refrigerated during transit if necessary.
4. Where the PA cannot fund vaccines and their distribution among the Palestinian population, Israel must provide full financial support that is not deducted from the PA's tax monies.
5. Lifting the closure on the Gaza Strip to enable the proper functioning of its health system in the face of the coronavirus pandemic.

Signing organizations:

Adalah – The Legal Center for Arab Minority Rights in Israel

Al Mezan Center for Human Rights

Amnesty International Israel

B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories

Gisha – Legal Center for Freedom of Movement

Lawyers for Palestinian Human Rights

Medical Human Rights Network IFHHRO

MEDACT

Physicians for Human Rights Israel

The Palestinian Center for Human Rights