

UN Human Rights Council 47th Session – Item 3 – July 2021

ID with Special Rapporteur on the rights to Freedom of Peaceful Assembly and of Association

Adv. Merav Marks Legal Adviser, Permanent Mission of Israel to the United Nations in Geneva

Madam President,

Israel wishes to thank the Special Rapporteur for highlighting the important role that lawyers play in preserving the right to access to justice.

The State of Israel attaches great importance to freedom of expression and the rights to associate and protest. Israel strongly upholds these fundamental democratic rights. Furthermore, the Israeli High Court of Justice recognized the right to demonstrate as a basic right, either as derived from the freedom of expression or as a distinct liberty of itself.

Madam President,

The promotion and protection of human rights are obligations of the State, which should take all necessary measures in order to fulfill its international human rights obligations. However, the full enjoyment of human rights relies also on the ability to criticize the Government, and in that regard to allow individuals and groups to bring States policies and decisions under judicial review.

Therefore, lawyers are a key element in the right to access to justice, and in Israel they regularly participate in peaceful assemblies, and bring cases relating to violations and abuses of the right to freedom of peaceful assembly before the relevant judicial instances.

The exercise of rights to peaceful assembly and association, which naturally entail gatherings of groups, was challenged by the pandemic and the need to impose social distancing measures. Numerous legal cases were brought before Israeli courts since March 2020, ensuring that limitations to these and other fundamental freedoms would only be imposed to the extent strictly necessary and proportionate to the public health needs.

Israel as a democracy, is committed to protect and promote these freedoms, which are cornerstones of any democratic system. We will continue working on preserving them, and protecting lawyers as key actors to achieve it.

Thank you.