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

**Joint written statement* submitted by International
Organization for the Elimination of All Forms of Racial
Discrimination, Association Ma'onah for Human Rights and
Immigration, International-Lawyers.Org, Meezaan Center
for Human Rights, Union of Arab Jurists, non-governmental
organizations in special consultative status, International
Educational Development, Inc., World Peace Council, non-
governmental organizations on the roster**

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

[28 May 2023]

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



Israeli Apartheid Continues with Impunity

Introduction

The dire human rights situation in the occupied Palestinian territories (OPT) is an understatement for the current reality of Palestinians in 2023. For over 75 years, the occupied Palestinian territories, including the West Bank, East Jerusalem, and Gaza, have been under brutal and violent Israeli occupation by its security forces. The institutional and systemic discrimination, coupled with the erasure of the Palestinian people and their culture, has been considered an act of apartheid by many due to Israel claiming to be the sole governor throughout this area. Under this occupation, Palestinians have faced arbitrary arrests, unlawful killings, and forced displacement, giving Israeli authorities inhumane control over Palestinian livelihoods and enjoyment of their fundamental human rights.

The United Nations International Convention on the Suppression and Punishment of the Crime of Apartheid declares apartheid as a crime against humanity, meaning that inhumane acts resulting from policies and practices of apartheid and policies and practices of racial discrimination are international crimes. However, regardless of the violations of international law and the international community's resentment towards these crimes, Israel continues to create policies and harm Palestinians with impunity.

Over 270 Israeli settlements which encroach on Palestinian land have been established, and Israel shows no signs of ceasing its activities in this area. Moreover, the Separation Wall divides Palestinians from each other, further restricting their freedom of movement and right to self-determination. Those who attempt to cross the wall, mainly Palestinian workers, are met with lethal force and violence from the Israel Security Forces (ISF).

Recent Civilian Casualties and Arrests

In 2022 alone, over 150 Palestinians were killed by ISF in the context of law enforcement, most being unarmed or not engaged in any attacks. More recently, on the morning of January 26th 2023, ISF conducted a raid in the Jenin Refugee Camp. They fired live ammunition killing at least 9 Palestinians, including an elderly woman and two children. On that day, 20 people were also injured, including four Palestinians who remain in critical condition. UN experts declared that it was the highest number of people killed in one operation in the West Bank since 2005. The Jenin Refugee Camp is known to be targeted by the ISF, with frequent raids resulting in arbitrary arrests and unlawful killings among 14,000 Palestinian residents.

On May 23rd 2023, ISF conducted another raid in Sandala 8 days after Nakba, a day in which Palestinians marked the day of Zionists establishing control over Palestine, creating the first Israeli-Arab war. The predominantly Palestinian village was brutally searched, and at least 13 Palestinians were arrested. Forces claimed that those arrested were suspected of participating in a protest that occurred on May 6th, 2023, in response to the murder of a 19-year old Palestinian, Diyar Omari, by an armed Jewish-Israeli settler. Police claimed that an extension of detention was necessary for the detainees due to a fear of collaboration with other detainees. The attorneys representing one detainee explained that the military response and arbitrary arrests were made to establish fear and deter protestors from demonstrating.

Reports indicate that up until May 15th 2023, 108 Palestinians have been killed by ISF in the West Bank. There is concern about the trajectory of violence already in 2023. Regardless, victims must have justice to circumvent increasing tensions within the region.

The Destruction of Palestinian Infrastructure

Israeli authorities demolished 950 Palestinian homes and expropriated 113 pieces of land in 2022. The destruction of infrastructure is an attempt at altering the demographic ratio in the area to have fewer Palestinians. Israeli authorities have been demolishing Palestinian homes because they do not have a permit in East Jerusalem, among other territories. Additionally, permits are impossible to obtain due to discrimination.

Because of these housing policies, one-third of all Palestinian homes in East Jerusalem lack Israeli-issued building permits, and 100,000 residents are at risk of forced displacement in the area.

On May 20th 2023, Israeli authorities recently demolished 42 structures in East Jerusalem and Area C of the West Bank. Structures that were demolished included 17 homes, resulting in the displacement of 50 Palestinians, including 23 children and impacting 600 livelihoods. In addition, two structures located in East Jerusalem were residential buildings that housed seven households, including 22 children.

Additionally, on May 2nd and 3rd, ISF conducted raids in Hajja and Haris and demolished multiple-story homes under punitive grounds. Fourteen people, including eight children, were displaced. So far, in 2023, ten homes and one agriculture-related structure have been demolished under punitive grounds. Punitive demolitions are a form of collective punishment executed by the Israeli government to target families of an accused perpetrator or an alleged perpetrator, which is illegal under international law.

Forcible displacement is unlawful under international law, particularly when it is based on the policies of apartheid or ethnic cleansing aimed to alter the ethnic, religious, or racial composition of a population.

Settler Violence

In Ein Samiya, the demolition and continuous settler attacks on their school forced 172 people and 78 children to flee their homes on May 23rd 2023. Since March 2022, the community has been harassed by Israeli settlers who have created an outpost only metres away from the community. Furthermore, there have been reports of rocks being thrown at Palestinian vehicles, vandalising and stealing agricultural equipment, arson to land, uprooting crops, running over livestock, and blocking roads.

In addition to the settler violence in Ein Samiya, on May 19th 2023, in the Old City of Jerusalem, hundreds of settlers stormed the Bab al-Sahira chanting racist slogans at Palestinians and Arabs as they made their way to the mosque for Friday prayers. Violence also clashed when settlers stormed the area of the Lions' Gate, smashing windows of vehicles and intimidating those who were there for worship.

These are a few examples of many in which supremacist settlers have imposed violence and intimidation on Palestinians without provocation. As a result, Israel's narrative to erase Palestinians from the region has spread to their civilians resulting in them taking action upon themselves. The outcomes of the actions of settlers are that Palestinians cannot practise their right to movement and self-determination because of the oppression by Israeli settlers compounded with the oppression by authorities.

Institutional Racial Discrimination

In April 2023, as Palestinians gathered for Ramadan at the Al-Aqsa Mosque, Israeli police violently attacked worshippers they suspected had barricaded themselves inside the mosque. Videos of the brutal violence were released, showing police using stun grenades and tear gas. At the same time, women and the elderly were beaten with batons and rifles. At least 450 people were arrested and detained that day.

165 Jewish-Israelis were reported entering the Haram Al-Sharif even though it is in violation of the Status Quo Agreement. Moreover, paramedics were prevented by police from reaching and treating the wounded and injured. Raids continued at the mosque until April 5th, when police officers were once again seen assaulting and pushing Palestinians out of the mosque compound.

Regrettably, this is one of many acts of discrimination towards Palestinians that occur regularly without accountability to the perpetrators. Moreover, Israel's refusal to implement Human Rights Council recommendations to end violence and uphold international law is one of the underlying causes of instability and resentment growing in the region.

The International Convention on the Suppression and Punishment of the Crime of Apartheid in Article 2 defines apartheid as denying a racial group the right to life and liberty by murder, arbitrary arrests, bodily and mental harm, and imprisonment. The definition also includes the direct imposition of a racial group's living conditions and any means of dividing a racial group within a population. Within this context, the Israeli government is directly violating international law and committing crimes against humanity through apartheid rule.

Conclusion and Recommendations

Our organisations continue to stand in solidarity with the plight of Palestinians and will continue to advocate for their basic rights. We regret that the progress made by the Israeli government and the international community to end these crimes and violence has fallen short of the international standard. Therefore, our recommendations are as follows:

We call on the international community, especially Western nations, to acknowledge and speak out against the violence and discrimination that Palestinians face daily. It is time that, along with the West, the international community fully recognises that the Israeli occupation is an apartheid rule by definition.

The international community must take further actions to ensure the Israeli authorities conform to international standards and are held accountable for crimes committed against Palestinians.

We urge UN Member States to implement effective countermeasures to pressure Israel to end its illegal occupation and its continuing de facto annexation of the Palestinian territories.

Geneva International Centre for Justice (GICJ), Just Atonement Inc., Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organization for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.