



# General Assembly

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## Human Rights Council

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21 June–9 July 2021

Agenda item 7

**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, Union of Arab  
Jurists, United Towns Agency for North-South Cooperation,  
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.

[30 May 2021]

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\* Issued as received, in the language(s) of submission only.



## **The Shocking Realities of the Israeli Occupation of Palestine**

Beginning on 10 May 2021, Israeli forces launched an act of aggression against the occupied people of Palestine that was the deadliest since 2014. The horrifying images in the media of deadly airstrikes exposed once again Israel's blatant disregard for human rights and humanitarian law. Hundreds of defenseless Palestinian civilians were killed, including 67 children. Thousands of Palestinians were injured, and hundreds of Palestinian homes were destroyed. Over seventy thousand Palestinians were displaced in Gaza, the West Bank, and East Jerusalem. In contrast, thirteen Israelis were killed and 117 wounded. The disproportionate casualties and damages recorded during the recent confrontations contradict Israel's claim that it was acting in proportional self-defense.

Israel as an occupying power has the responsibility to ensure the safety of those it occupies and to end its occupation of Palestine. Israel has a legal obligation to respect Palestinians' right to self-determination. Until the Palestinians' right to self-determination is fully realized there can be no equivalence between the act of people struggling for self-determination, and the acts of an unlawful occupying power.

The recent atrocities add up to decades of discrimination, intimidation, inhumane treatment, and violence by Israeli authorities against Palestinians in their own land. In East Jerusalem, nearly a thousand Palestinians remain at risk of forced eviction. In Gaza, almost two million Palestinians have been denied the most basic necessities of life for prolonged periods of time and have been subjected to attacks from high-powered military weapons provided to Israel by, among others, European countries and the United States. Israel's attack on Al Aqsa Mosque in Jerusalem on Friday, 7 May 2021, during the holy month of Ramadan, and without legitimate security grounds, reflects a callous disregard for the religion of others. Palestinians' fundamental rights are increasingly undermined by the racist policies of the Israeli government, and ethnic cleansing is a reality that can no longer be denied. These actions taken as a whole are now widely recognized as constituting the crime of apartheid and amount to the international crime of genocide.

The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), International-Lawyers.org, Association Ma'onah for Human Rights and Immigration (AMHRI), and Geneva International Centre for Justice (GICJ) welcome the Human Rights Council's decision during its 30th Special Session to establish an Independent Commission of Inquiry to investigate international law violations committed in the Occupied Palestinian Territory (OPT). We call on the international community not to remain passive, indifferent, and silent observers in the face of the daily crimes by the Israeli occupation. The international community must uphold the jus cogens right of the Palestinian people to self-determination, and it has an erga omnes obligation to end apartheid and genocide wherever they take place. Israel must stop the illegal occupation of Palestinian territories, including the forced evictions of Palestinian families from their homes. Israel must end its policy of apartheid. We urge the Council to encourage the International Criminal Court (ICC) to ensure accountability for the atrocities committed for decades in Palestine, including the determination of whether those acts amount to genocide.

Building on racial and religious discrimination that has been festering for years, on April 19, dozens of young Israeli Jews stalked the streets of Jerusalem, chanting "Death to Arabs" and physically assaulting Palestinians in the city.

On the last Friday of Ramadan, May 7th, the most sacred time of year for Muslims – Israeli forces were shooting rubber bullets and stun grenades at Palestinians inside Al Aqsa Mosque in Occupied Jerusalem, effectively trapping the victims inside. Over 200 Palestinians were wounded, including 88 who were hospitalized. One Palestinian lost an eye, and yet, medics were not allowed through to treat the injured.

On May 9, Miriam Alafifi, a Palestinian woman, was brutally dragged by her hijab, beaten, and arrested by Israeli forces while defending Palestinian families in the Sheikh Jarrah neighborhood of Jerusalem, where Israeli courts ruled that Palestinians can be evicted from their homes so that Israeli settlers can take them. Once again, on May 10, Israeli forces invaded Al-Aqsa Mosque, firing sponge-tipped bullets, tear gas, and stun grenades. On that

day, they injured more than 300 Palestinians, and 228 were taken to hospitals. The mosque invasion and violence carried out against Palestinians was a brutal reminder of how Israeli apartheid works in Jerusalem. On that same day, Israel had fired missiles into Gaza, killing 20 people, including 9 children, and injuring 65.

Israel has intensified its assault on Gaza with air raids, artillery shells and missiles from the sea, and stepped up the deployment of troops and tanks near the besieged enclave. Casualties in Gaza, as of 21 May 2021, have reached more than 247 people killed, including 67 children and 39 women. As for the wounded, 1,417 injured including 277 women and 412 children. These numbers are yet another proof that the attacks are mostly directed against innocent civilians. Thousands of Palestinians started to flee to the border with Israel as shells were indiscriminately destroying civilian houses and buildings, killing them and separating them from their families. Israeli forces have also committed other attacks, such as the bombing of an international media association, which Prime Minister Netanyahu declared a “legitimate target”.

The humanitarian situation in the occupied Palestinian territories has seriously deteriorated. The Gaza Strip's economy has buckled, resulting in shortage of water, electricity and medicine for the victims. Every minute, different kinds of targets, such as schools, companies, factories, cars, and homes are under threat of a strike. Unfortunately, local news are not widespread enough to reach the outside. Victims have names, faces, and dreams that are being butchered by war and guns. From those who are 50 years old, such as Ayman Abu Elouf, Hazem Alqamie, and Fawwaz Alkolak; to those who have not yet reached the age of 10, such as Adam Alkolak, Dana Ishkontana, and Zeid Alkolak; the scale of terror, death, and destruction inflicted by one of the strongest militaries in the world against the refugee population it has controlled for decades must be the most terrifying oppression one can witness. We stay abreast of the current situation and are appalled by these horrifying actions, which defy international humanitarian law, especially the Geneva Conventions (1949). International humanitarian law is based on the principles of the distinction between civilians and combatants and the prohibition of attacks against those hors de combat, a distinction which Israel has failed to take into consideration, given that a large number of children were brutally murdered along with their families.

We regret the absence of accountability and are appalled by the Security Council's inaction with respect to the situation in the OPT, as well as, deplore the ineffectiveness of its three meetings, which failed to make a fair statement serving security and peace.

We look forward to the investigations by the Independent Commission of Inquiry as well as by the International Criminal Court and call on the prosecutor to start taking action with regards to the serious crimes contemplated in the Rome Statute: (I) Genocide, (II) Crimes against humanity, (III) War crimes, and (IV) Crime of aggression. We urge the international community to seek justice and accountability for the attacks against the Palestinian people. Collective punishment is the clear intention of the Israeli brutal attacks. International criminal law has recognized two crimes against humanity for situations of systematic discrimination and repression: apartheid and persecution. Article 7 of the Rome Statute defines crimes against humanity and, more specifically, apartheid as “inhumane acts... committed in the context of an institutionalized influence of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that system”. As the State of Palestine is a party in the Rome Statute and the Apartheid convention, the ICC ruled that it had jurisdiction over crimes committed in the OPT. Therefore, we exhort the ICC Office of the Prosecutor to enhance its formal investigations over the situation in Palestine and seek accountability for the crimes that are being committed.

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Geneva International Centre for Justice (GICJ), Just Atonement Inc., The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, The 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), Organisation 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.