

## **Urgent Appeal to the United Nations Secretary-General**

Geneva, 19 March 2017

### **Report of the Economic and Social Commission for Western Asia (ESCWA) on the Israeli Practices towards the Palestinian People and the Question of Apartheid**



[ESCWA Report Concerning Israeli Practices towards the Palestinian People and the Question of Apartheid](#)

Following the publication of the ESCWA's Report E/ESCWA/ECRI/2017/1 on the Israeli Practices towards the Palestinian People and the Question of Apartheid, the Office of the Secretary General of the United Nations had rapidly intervened to order its withdrawal from the ESCWA website and stopped its submission for adoption by the General Assembly. Protesting such an unwarranted intervention, Ms. Rima Khalaf, Head of the ESCWA, presented her resignation.

“This report concludes that Israel has established an apartheid regime that dominates the Palestinian people as a whole”. The highly qualified authors of the report led by the American Professor Richard Falk, all known for their integrity, impartiality and professionalism concluded “that available evidence establishes beyond a reasonable doubt that Israel is guilty of policies and practices that constitute the crime of apartheid as legally defined in instruments of international law”.

To stakeholders who have witnessed Israeli actions on the ground, the finding of the report was unequivocal. The evidence that Israel collectively submits Palestinians, regardless of their residency, to an entrenched system of apartheid and institutionalized discrimination is overwhelming: Among other measures, Israel employs excessive and often lethal force and fails to hold perpetrators accountable; conducts large-scale arbitrary arrests and detention under untenable conditions of imprisonment and under the use of torture; imposes sweeping restrictions on the freedom of movement through the imposition of curfews on entire areas, the construction of the Wall, the system of checkpoints and other physical obstacles and the associated permit regime; deprives Palestinians of essential services; destroys homes and vital infrastructure on the basis of an apartheid zoning and planning regime for the benefit of Jewish Israelis; and enacts discriminatory laws governing entry and residence as well as family reunification and

perpetuates practices that discriminate against the Palestinian population, *inter alia*, the denial and revocation of residency statuses.

By publishing this report, the authors hoped that it will assist United Nations Member States in making responsible and full use of their national legal systems in the service of the global common good. The signing civil society organizations fully align their agendas and priorities with the findings of the report and call upon Israel to comply with international criminal law. “Apartheid as an international crime is now viewed by jurists as a peremptory norm (*jus cogens*) of international customary law, which creates obligations *erga omnes*. In other words, it is an overriding principle, from which no derogation is permitted, and which is therefore binding, regardless of the consent of sovereign States, and cannot be renounced by national Governments or their representatives” and indeed by the United Nations organs and agencies.

The undersigned human rights organisations urge the Secretary General of the United Nations to give full consideration to the findings of the report of ESCWA and reinstate Ms. Khalaf in her position as Head of the ESCWA.

#### Signatories:

- Geneva International Centre for Justice (GICJ)
- International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)
- International-Lawyers.Org
- The Arab Lawyers Association-UK
- The BRussells Tribunal
- Human Rights Defenders (HRD)
- The Iraqi Commission for Human Rights (ICHR)
- Association of Humanitarian Lawyers (AHL)
- Association of Human Rights Defenders in Iraq (AHRD)
- Alliance to Renew Co-operation among Humankind
- General Federation of Iraqi Women (GFIW)
- Organisation for Justice & Democracy in Iraq (OJDI)
- The Iraqi Centre for Human Rights
- International Anti-Occupation Network (IAON)