



General Assembly Security Council

Distr.: General
7 October 2021

Original: English

General Assembly
Tenth emergency special session
Agenda item 5

Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-sixth year

Identical letters dated 7 October 2021 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write once more to draw the international community's attention to the countless crimes that continue to be perpetrated by Israel, the occupying Power, in Occupied Palestine. Israel is intensifying its colonization and annexationist measures in our land, while persisting with its regime of systematic repression, openly demonstrating its intent to maintain domination over the Palestinian people and their land.

For decades, the Security Council has witnessed and documented grave violations of its own resolutions, yet without enforcement action in the face of non-compliance. The result has been an ever-growing culture of impunity. As Israel's grave violations and contempt for the Council's authority escalate, it is clear that only measures of accountability can break the cycle of impunity and salvage the prospects for peace.

Just yesterday, 6 October, in grave violation of the Security Council's repeated demands for the cessation of acts aimed at altering the demography, character and status of the Holy City of Jerusalem, the Israeli Government granted Jewish extremists a so-called "right" to enter the Aqsa Mosque/Haram al-Sharif and perform silent prayers there under Israeli police escort. This is yet another dangerous step in the ongoing attempts by Israel, the occupying Power, to temporally and spatially divide the Aqsa Mosque/Haram al-Sharif, which constitutes a grave violation of the historic and legal status quo at this holy site and blatant disrespect for the authority of the Islamic Waqf and the custodianship of the Hashemite Kingdom of Jordan over the Muslim and Christian holy sites in the City.

Such a provocative act comes only months after the Israeli aggression against the Aqsa Mosque in May, which inflamed tensions, triggering the most serious escalation of hostilities in years. Israel is clearly intent on such reckless provocations as it persists with its attempts to Judaize the City of Jerusalem, disregarding the City's holiness for the three monotheistic religions, and its attempts to assert control over



occupied East Jerusalem, in grave breach of international law. We recall once again that Israel is the occupying Power and has no sovereignty rights whatsoever in occupied East Jerusalem, including the Old City and its holy sites, regardless of any unilateral declarations, so-called “Basic Law” or otherwise.

We call upon the Security Council to urgently address this critical matter to avert a further destabilization of this volatile situation and a religious conflagration with grave and unforeseen consequences. We call upon the Council to uphold its relevant resolutions, including resolutions [476 \(1980\)](#), [478 \(1980\)](#) and [2334 \(2016\)](#). Moreover, we reiterate the imperative of full respect for the historic and legal status quo at the Aqsa Mosque/Haram al-Sharif.

In this regard, we must draw attention to the continuing incitement and inflammatory rhetoric by Israeli politicians, extremist religious leaders and far-right settler groups, including on news networks and social media, with their constant calls for the storming of the Aqsa Mosque in the coming days and weeks. We appeal once again to the international community, including the Security Council, to heed our repeated warnings in this regard. Such State-sponsored incitement and intrusions are provoking religious sensitivities and emboldening extremists and will ignite further violence.

Moreover, Israel persists with illegal settlement campaigns across Occupied Palestine, announcing just this week its decision to resume plans to construct 10,000 settler housing units in the Qalandiya area north of occupied Jerusalem. So, while it distracts the international community with diplomatic ploys, the reality is that the Israeli Government remains unrelenting in its grave breaches of international law and its violations of United Nations resolutions and the 2004 International Court of Justice advisory opinion, racing to alter demographic and geographic facts on the ground and further entrench its illegal presence on the Palestinian land and actively destroying the two-State solution based on the pre-1967 borders.

The muted reaction by the international community to such illegal actions – in addition to the continued, near-daily demolition of Palestinian homes and the forced displacement of Palestinian families, including yesterday in occupied East Jerusalem, where occupying forces tore down a home belonging to the Matar family in Silwan, where hundreds more Palestinian families are under threat of expulsion in a blatant ethnic-cleansing campaign – calls into question the professed commitment to uphold international law and to the two-State solution. Criticisms without consequences are permitting Israel to run roughshod over all norms, rules and rights, and making impossible the internationally crafted solution to the Israeli-Palestinian conflict. Our urgent question to the Security Council and to the international community at large is this: if the two-State solution is irreversibly destroyed, then what is the alternative?

This is a serious question that must be answered by all those who refuse to take measures of accountability at the national and international levels and who also continue to refuse to recognize the State of Palestine based on the 1967 lines, and yet recognize Israel in spite of its grave breaches and in the absence of any clarity regarding its actual borders.

This double standard has only amplified the green light for Israel, allowing it to swallow up the Palestinian land, piece by piece, and treating the Palestinians killed under its occupation as simply numbers, as if they had no names, family or loved ones and no right to a life free from oppression and protected by principles that the international community so generously speaks about, yet fails to act upon. The consequences of this double standard have been immense, inflicting greater suffering on an occupied population while encouraging the occupier’s impunity.

For instance, the increased number of Palestinians killed at the hands of trigger-happy Israeli soldiers and settlers in 2021 should have raised alarms and a will to act. However, the sad reality is that the loss of Palestinian lives is simply and routinely noted in briefings and reports, yet never leads to action and accountability. Had the Security Council treated Israel like any other State – and not a State above the law – its soldiers and settlers would likely think twice about their actions, crimes and violations. The Palestinian people are thus compelled to ask: what is a Palestinian life worth? A number to reiterate or a principle to act upon?

As we have cautioned in the past, Israel's shoot-to-kill policy has become a systematic practice of the occupation, amounting to war crimes against the occupied population. According to the Office for the Coordination of Humanitarian Affairs, this year alone Israel has shot and killed at least 60 Palestinians in the occupied West Bank alone, with the number of killed victims increasing every month, in addition to the more than 260 Palestinians, including 66 children and 41 women, who have been killed in Gaza thus far this year, with thousands more injured.

On 30 September, Israeli occupation forces shot and killed a 41-year-old Palestinian man in the Bureij refugee camp in the besieged Gaza Strip. Mohammad Abu Ammar, a quail hunter from Gaza, was killed while hunting birds using nets during the season of bird migration. Bird-hunting in Palestine is a temporary source of food and income, especially for those suffering under Israel's brutal, illegal and prolonged blockade of Gaza. The killing of this man and the devastation of his family – left without a father, a husband and an income-earner – should remind the international community of the level of impoverishment and deprivation being deliberately imposed by Israel as collective punishment of the Palestinians under its occupation and blockade.

Also last week, Israeli occupation forces killed a Palestinian woman in the Old City of Jerusalem under the pretext of her carrying out an alleged attack, for which the Israeli occupation forces have yet to provide any evidence to support these false claims. Israa Khuzaimia, a 30-year-old Palestinian mother-of-four, was shot and killed in cold blood after Israeli occupation forces fired numerous rounds of live ammunition, leaving her to bleed to death. Where is the accountability for the sake of Israa's four children? Perhaps Israa's name may be uttered in a future Council meeting? That is not enough. There are no words that can fill the void that Israa's loss has left behind for her children and family, and words will never be enough to prevent the next tragedy.

On the same day, Israeli occupation forces shot and killed 22-year-old Alaa Zayoud in Birqin, near Janin. Israeli occupation forces prevented paramedics from providing care to Alaa, as they have done in so many other cases. Alaa's killing occurred a few days after Israeli occupation forces killed five Palestinians and kidnapped their bodies in line with Israel's necroviolence campaign of withholding the bodies of Palestinians killed by its occupying forces, tormenting the dead and the families that they have left behind. We mourn the loss of these men and call upon the international community, particularly the Security Council, to act immediately to bring an end to the occupation's cold-blooded killing of Palestinian civilians and its decades-old necroviolence policy, which violates the dignity of the dead and is tantamount to collective punishment, as families are prohibited from burying their loved ones in accordance with cultural and religious rituals.

Repression, torture and collective punishment are undeniably central tools of this illegal occupation. Ignoring this reality only normalizes and emboldens this criminal behaviour to the detriment of the victims of the occupation, including thousands held captive in its jails. Hundreds of Palestinian political prisoners in Israeli jails have begun non-violent protests, including hunger strikes, in response to

the intensification of such policies. In particular, they seek to end Israel's widespread and unlawful practice of "administrative detention", by means of which the Israeli occupation forces detain Palestinians indefinitely without charge or fair trial.

According to a report by Amnesty International, entitled "Starved of justice: Palestinians detained without trial by Israel", "administrative detention is used regularly by the Israeli authorities as a form of political detention, enabling the authorities to arbitrarily detain political prisoners, including prisoners of conscience, and that the practice is used to punish them for their views and suspected political affiliations when they have not committed any crime".

In this regard, we must draw urgent attention to the plight of political prisoners on hunger strike, among them Kayed Fasfous at 85 days, Miqdad Qawasmeh at 79 days, Alaa Al Raj at 59 days, Hisham Abu Hawash at 52 days, Rayeq Bisharat at 46 days and Shadi Abu Aker at 43 days, all peacefully protesting against their detention without charge and at great risk to their lives. We echo the grave concern stressed by the International Committee of the Red Cross regarding the deteriorating health of Palestinians administratively detained by Israel, and recall that, as the occupying Power, Israel is responsible for the lives and well-being of Palestinian prisoners, whether they are held in Israeli jails in the Occupied Palestinian Territory or in Israel, which further violates the Fourth Geneva Convention prohibition on transferring prisoners outside of occupied territory.

Moreover, since the start of Israel's 54-year colonial occupation, Palestinians in Israeli prisons have been subjected to inhumane treatment, including physical and psychological torture. This has been widely documented, including by Human Rights Watch, which has reported that "about 1,300 complaints of torture against Israeli authorities have been filed with Israel's Justice Ministry between 2001 and June 2020, which have resulted in one criminal investigation and zero prosecutions". This is yet another stark indication of the absence of any genuine accountability measures by the occupying Power, making it incumbent on the international community to act on its legal obligations and responsibilities in this regard.

No country should be above the law: Israel must be held to the same international standard as every State. Despite the abundance of existing tools to ensure accountability, including provisions elaborated in relevant United Nations resolutions, as well as other diplomatic, political and legal mechanisms widely available to States, inaction has only fuelled Israel's impunity, allowing it to reap rewards even as it tramples on the law. It is time to reverse this negative and destructive trend.

It is time to stop the rote treatment of the Palestine question in the Security Council and the General Assembly and in capitals around the world. It is time to stop trying to "manage the conflict" instead of doing the hard work of trying to justly resolve it.

It is time to address the root causes of this historic injustice and to do so in accordance with universal principles enshrined in international law. No other approach will bring the peace and security that we all seek. Crafty and catchy concepts like "shrinking the conflict" will only distract from treating the festering wounds and underlying issues at the heart of this conflict, prolonging the suffering of millions of Palestinians who yearn to be free and fuelling more cycles of instability, violence and loss, taking us farther away from the goal of a just peace that we should all be working towards.

This letter is in follow-up to our 732 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000

(A/55/432-S/2000/921) to 27 September 2021 (A/ES-10/879-S/2021/829) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) Riyad **Mansour**
Minister
Permanent Observer