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

Security Council
Seventy-sixth year

Identical letters dated 5 November 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 malicious campaign being perpetrated by Israel, the occupying Power, against Palestinian civil society organizations and its intensifying colonial policies aimed at solidifying its control and the apartheid reality in Occupied Palestine.

Israel's attacks against Palestinian civil society organizations are escalating by the day, with baseless and unfounded claims aimed at suffocating the exposure of its crimes and silencing any and all advocacy on behalf of the Palestinian people. Despite the international community's broad support for the work of the targeted civil society organizations, Israel persists in its malign attempts to discredit human rights defenders and humanitarians as it continues to spread distortions, misinformation and lies about both the organizations and the individuals serving in them.

We reiterate our appreciation to the international community for the broad support extended to Palestinian civil society organizations, including those being targeted by the Israeli government, and urge countries to remain steadfast in their principled support for the Palestinian, Israeli and international human rights groups working tirelessly on documenting Israel's repeated crimes and violations.

At this point, Israel's smear campaigns should come as no surprise and should be summarily dismissed, as the occupation has continually targeted organizations, United Nations officials, academics, judges of international courts and almost anyone who dares to affirm the need to hold Israel accountable for its violations of international law. Such repressive measures include harassment, deportation, the issuance of travel bans, defamation, libellous claims of antisemitism and even imprisonment. Such Israeli campaigns constitute a form of aggression against the freedoms of expression, opinion, association and assembly, amount to outright intimidation and threats against human rights defenders and humanitarians, and pollute and divert the international community's efforts towards ensuring accountability.



By silencing Palestinian civil society and humanitarian organizations, Israel aims to maximize its impunity, as the objective is, and has always been, to entrench its unlawful occupation and control of the Palestinian land and people, amounting to a regime of apartheid. As stressed in a joint report published by the six targeted Palestinian civil society organizations, “Israel’s arbitrary designation of Palestinian human rights organizations as ‘terrorist organizations’ under its domestic legal regime shall clearly be analysed as another attempt to discredit, delegitimize, and undermine their work for the furtherance of justice and accountability. As such, it falls within the prohibition of inhumane acts listed under Article II(f) of the 1973 Apartheid Convention as the ‘persecution of organizations and persons by depriving them of fundamental rights and freedoms, because they oppose apartheid’. Thwarting resistance and opposition to its discriminatory laws, policies and practices is an essential mainstay of the maintenance of its regime of colonial domination and systematic oppression over the Palestinian people and their lands.”

It is no coincidence that, in a coordinated move, Israel has also announced the further expansion of its illegal settlements in the Occupied Palestinian Territory, including East Jerusalem. The brazenness of the latest plans to construct another 3,144 settlement units to which the occupying Power intends to transfer thousands more Israeli settlers, in grave breach of international law, is a clear indication of how accustomed it has become to the Security Council’s inaction; emboldened to carry on its impunity without a shred of concern for accountability and the consequences that this could bring.

The aim for Israel has always been and remains: more Palestinian land, but without its people. Israel’s mass dispossession campaign against the Palestinian people has been long in the making through colonial settlements, annexation, the Wall and other expansionist policies designed to uproot Palestinians from their land and change the demography of the Occupied Palestinian Territory, especially in and around Jerusalem, and to obstruct the self-determination of the Palestinian people. As stressed in a joint statement issued by United Nations special rapporteurs on 3 November: “Most seriously, the purpose of settler implantation – rupturing the relationship between a native people and its territory – is the denial of the right to self-determination, which is at the very core of modern human rights law.”

Israel’s settlement expansion has been driven by the Prime Minister, who is blatantly copying his predecessor’s playbook, exploiting international inaction and using every opportunity to entrench this illegal occupation before the world’s eyes. There have been 11 Israeli Prime Ministers since the occupation began in 1967, and the establishment of colonial settlements across the Occupied Palestinian Territory, including East Jerusalem, has not stopped for a single minute. The accompanying non-stop transfer of settlers, privileged legally, physically and demographically, has made apartheid a reality for the millions of Palestinians under this cruel occupation and exposes Israel’s true intent and rejection of peace.

Today, there are nearly 700,000 illegally transferred Israeli settlers living in nearly 300 illegal settlements and outposts scattered throughout the Occupied Palestinian Territory, including East Jerusalem, in spite of the clear prohibitions under the Fourth Geneva Convention, Additional Protocol I and the Rome Statute. As stressed in the joint statement of United Nations special rapporteurs: “An occupying power that initiates and expands civilian settlements in defiance of international law and the Rome Statute cannot be serious about peace. Equally, an international community that does not impose accountability measures on a defiant occupying power contrary to international law cannot be serious about its own laws.”

Where is international accountability in the face of such systemic violations and grave breaches of international law? When will the Security Council realize that the

long-running practice of exempting Israel from the rules, allowing it to carry on as though it were a State above the law, is not only obstructing peace but undermining the foundations of international law and the credibility of the United Nations?

The international community must admit that, absent measures of accountability, statements and condemnations, even if repeated endlessly, will not bring a halt to Israel's addiction to stealing, expropriating, exploiting and colonizing Palestinian land. Only action, in line with international law, to impose consequences for such grave breaches can make a difference, protecting the Palestinian people and their patrimony and reclaiming and advancing the prospects for peace.

The international community, particularly the Security Council, must demand that Israel cease its illegal policies and practices forthwith and comply with its legal obligations and, in case of continued non-compliance, must enact serious enforcement measures, including in line with the responsibilities as High Contracting Parties to the Fourth Geneva Convention. Moreover, we underscore the call by United Nations special rapporteurs for the international community to support the current investigation into Israeli settlements by the Office of the Prosecutor of the International Criminal Court and to ensure that corporations and institutions under respective jurisdictions have no involvement in aiding, assisting or investing in settlements.

Given the scale and span of Israel's expansionist policies and repeated violations, this is a moment for the international community to pause and reflect on the United Nations we want. A United Nations that only debates endlessly, or actually implements its resolutions? Enables impunity, or ensures accountability? One that talks the talk, or walks the walk? As established by the Charter of the United Nations, the Security Council has the primary responsibility of maintaining international peace and security and implementing its resolutions, and this must include the longest-standing item on its agenda: the question of Palestine.

The Security Council has spent over seven decades addressing the Palestine question and yet been unable to achieve the desired results despite the established, principled international consensus. The tools exist to ensure accountability, as per the provisions elaborated in international law and the corresponding diplomatic, political and legal mechanisms available for States, to compel Israel to cease its war crimes and human rights violations and to end its colonial occupation and apartheid policies. It is time to invoke the moral and legal responsibility to act to bring an end to all of the violations being perpetrated by Israel against the Palestinian people and to chart a way forward to achieve a just solution based on international law and the relevant United Nations resolutions, including Security Council resolution [2334 \(2016\)](#).

There is no ambiguity as to what living in freedom and dignity truly entails. Without respect for fundamental human rights, including to self-determination, neither is possible. In closing, I must therefore once again draw urgent attention to the dignified yet extremely painful hunger strikes by Palestinian political prisoners in protest of Israel's unlawful policy of "administrative detention", by which it holds Palestinians captive indefinitely without charge or fair trial: Kayed Fafous at 114 days, Miqdad Qawasmeh at 107 days, Alaa Al-Araj at 89 days, Hisham Abu Hawash at 80 days, Ayyad Hiraimi at 44 days and Loay Al-Ashqar at 26 days. We salute their heroic steadfastness and resilience in persisting in their just and dignified struggle for freedom and justice. They are proud symbols of the Palestinian people's inherent right to self-determination in their homeland, a right that the Palestinian people will not forgo.

This letter is in follow-up to our 735 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 28 October 2021 (A/ES-10/882-S/2021/904) 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 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