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

Security Council
Seventy-seventh year

Identical letters dated 16 March 2022 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

In the light of recent developments, I must once more draw the international community's attention to Israel's escalating illegal policies and practices in Occupied Palestine. More Palestinians are being killed and more Palestinian land is being stolen as the persistent lack of justice emboldens Israel to press on with its colonial occupation and apartheid policies, secure in the knowledge that it will not be held to account.

As cautioned most recently in our letter, dated 8 March 2022, Israel's repression and attacks against the defenceless Palestinian civilian population are intensifying, including the murder of Palestinians in breach of basic morality and international law. Since the start of this year, Israel has killed 20 Palestinians, with March being the bloodiest month so far, as nine Palestinians, including three children, were killed in less than two weeks.

Yesterday, the Palestinian people awoke to yet another day of aggression by Israeli occupation forces as three Palestinians were killed just hours apart. In the early hours of 15 March, Israeli occupation forces launched a predawn raid on Balata refugee camp near Nablus, killing a Palestinian teenager and injuring three others, including one who remains in critical condition. Nader Rayan, age 17, was killed by Israeli occupation forces after being shot multiple times in the head, chest and hand. Israel's systemic killing of Palestinians demonstrates a clear and cruel pattern of extrajudicial killings as most Palestinians killed in 2022, including children, have been targeted with direct gunshots to the head or chest.

Hours later, another young Palestinian was shot and killed by Israeli occupation forces in Qalandiya, near Jerusalem. Alaa Shaham, age 20, was killed after being shot directly in the head during a raid on Qalandiya refugee camp, where Israeli occupation forces shot at residents in a grossly negligent and indiscriminate manner, intent on harm. Despite Israel's attempts to justify its killings on the pretext of "self-defence", Israeli occupation forces deliberately raid Palestinians towns, villages and refugee



camps on a daily basis to provoke residents and instigate chaos and violence in order to justify the premeditated and cold-blooded killings of Palestinians, including children.

In Rahat, near Al-Naqab Desert, Israeli occupation forces shot and killed yet another Palestinian at point-blank range during an arrest campaign. Sanad al-Harbad, age 27 and a father of three, was shot and killed by Israeli forces dressed in civilian clothes. The mayor of Rahat condemned Sanad's killing and refuted Israel's "self-defence" claims, stating that "Sanad had nothing to do with the people the Israeli police were pursuing. He may not have even known they were police, as they were dressed in civilian clothes, and then they shot him."

The institutionalized culture of impunity that has prevailed for too long has given the green light to Israel's deliberate and excessive use of lethal force against civilians, unarmed, defenceless and confronted with daily violence by this ruthless illegal military occupation. This fact is readily apparent in any review of Israel's record over just the past 20 years, in which Israeli occupation forces have killed more than 10,000 Palestinians, including over 2,000 children. The international community cannot continue to overlook or justify Israel's shoot-to-kill policy and must hold the perpetrators accountable, ceasing Israel's exemption from the rules of international law that all are obligated to uphold and respect.

Not only does Israel's shoot-to-kill policy give perpetrators a licence to kill, but also it transforms Israeli soldiers and settlers into judges and executioners, bestowing these killers with a "right" to decide the fate of innocent people simply because they are born Palestinian.

For decades we have warned about Israel's criminal policies and lethal aggression against the Palestinian civilian population under its occupation and have called for accountability for these war crimes. Here, we once again make that call for international action to hold Israel, the occupying Power, accountable and to bring a halt to its crimes against the Palestinian people. This must include support for the mobilization of internationally endorsed accountability mechanisms, including the implementation of Security Council resolutions and legal action in courts such as the International Criminal Court and the International Court of Justice, all aimed at stopping this aggression, protecting the Palestinian people, bringing an end to this illegal occupation and apartheid system, and ensuring the realization of Palestinian rights, including to self-determination and freedom.

In this regard, accountability efforts must specifically target Israel's colonization of the Palestinian land, including the decades-long, deliberate and ongoing forced displacement campaign. In addition to illegal settlement construction and the transfer of Israeli settlers to our land, this has included escalating home demolitions, theft of land and private property, settler violence, exploitation of natural resources and other coercive measures in grave breach of international humanitarian law and United Nations resolutions.

In recent days, the occupying authorities have announced the construction of yet another 730 units in an illegal settlement in occupied East Jerusalem to which thousands more settlers will be transferred in an ongoing attempt to alter the demography of Occupied Palestine and to Judaize the city of Jerusalem, in flagrant breach of international law and United Nations resolutions, including Security Council resolution [2334 \(2016\)](#), and with disrespect for the status of Jerusalem and its Christian, Muslim and Arab heritage and character.

Israel also carries on with its dispossession campaign throughout the rest of the Occupied Palestinian Territory, including its incessant targeting of the hamlets and villages of Masafer Yatta, near Al-Khalil (Hebron), where nearly 1,500 Palestinians,

including hundreds of children, are threatened with forced displacement from their homes in the coming weeks. This encroachment on Masafer Yatta dates back decades to when Israel wiped out surrounding villages and expelled their residents en masse, forcing them to live in scattered and underdeveloped hamlets that rely on farming and livestock as the main sources of livelihood. Israel has tried to justify this ethnic cleansing by declaring Masafer Yatta a so-called military “firing zone”, all aimed at one objective: entrenching its control of the land, but without its people.

As a result, Masafer Yatta’s defenceless residents constantly endure threatening military exercises where Israeli tanks and heavily armoured vehicles literally show up on their doorsteps, turning these agricultural hamlets into scenes of war zones, as roads and properties are destroyed time and again after each military exercise. Children must walk alongside manoeuvring tanks and face constant harassment by Israeli soldiers and settlers just to reach their schools. And today, a court serving this illegal occupation will decide on the mass expulsion of nearly 1,500 Palestinians in what would undeniably be an act of ethnic cleansing.

Regardless of Israel’s attempts to justify such unlawful and cruel policies, Israeli courts have proven to be part and parcel of this illegal occupation and mass dispossession. In this regard, it is necessary to restate the facts that Israeli courts have no jurisdiction in Occupied Palestine and that the forced displacement of people in occupied territory and the colonization of that territory constitute war crimes under the Rome Statute.

As stressed by United Nations special rapporteurs regarding Israel’s draconian “firing zone” law, “Justifications by Israel do not satisfy its strict obligations under international law. An occupying Power cannot use the territory under occupation to conduct military training operations without ample justification. We note that Israel has plentiful grounds for military training within its own borders.” We also reiterate the warning made in this regard by Sven Kühn von Burgsdorff, the European Union Representative to Palestine: “The residents, many of whom are also exposed to settler violence, are at risk of forcible transfer. Beyond a devastating impact on children, women and families, expulsion would be in breach of Israel’s obligations as the occupying Power, a violation of international law and basic human rights.”

Israel’s so-called “temporary” occupation will soon mark its fifty-fifth year, exposing Israel’s intentions to impose a colonial and apartheid regime that maximizes its seizure and control of Palestinian geography with the minimum Palestinian demography. The United Nations has spent over seven decades addressing the question of Palestine, adopting countless resolutions calling for an end to this injustice inflicted on the Palestinian people after the United Nations partition of Palestine. And yet, Israel has yet to bear an ounce of accountability for decades of impunity, as not a single Security Council resolution on Palestine has been respected or implemented, as though the principles of international law and the Charter of the United Nations are voluntary and selective, rather than obligatory for all States.

This vicious cycle of violations and unaccountability has not only emboldened Israel’s disregard for international law, but also greatly protracted this injustice and weakened the rule of law globally, as the message sent is that some are exempt from the law and some are deprived of its protection, totally undermining its universality and respect. As such, Israel, the longest belligerent occupying Power in modern history, has been placed on a pedestal, exempting it from international law and entrenching its belief that it is a State above the law and that the world will not accord the Palestinian people their rights under the law, including to protection under international humanitarian law. It is time to right this wrong. The Security Council must act now to end such double standards and to implement its resolutions, sending

a clear message: international law and Security Council resolutions apply to all States, no matter how big or small, no one is exempt.

Lastly, as the international community has observed International Women's Day and honours the role of women throughout this month, we salute the resilience and courage of Palestinian women, who remain at the forefront of our struggle. We salute also all women who have made sacrifices for the rights of the Palestinian people in the face of injustice, and recall that today marks the nineteenth anniversary of the death of Rachel Corrie, a selfless 23-year-old American who was crushed to death by an Israeli armoured bulldozer while protecting the home of a Palestinian family from demolition, an illegal and barbaric practice that persists to this day. Rachel's legacy remains in the hearts and minds of all peoples of conscience who seek an end to this grave and historic injustice that the Palestinian people have suffered for far too long.

The present letter is in follow-up to our 745 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 8 March 2022 (A/ES-10/892-S/2022/199) 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