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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 9 May 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

The continued perpetration of war crimes and crimes against humanity by Israel, the occupying Power, against the Palestinian people necessitates serious attention and responsible action by the international community to save human lives and to salvage the prospects for a just peace.

Despite the international community's increasing cognizance of the magnitude of these crimes, Israel carries on with impunity, clearly emboldened and enabled by the lack of accountability that has exempted it from the rule of law. Such an exemption must end forthwith, for it is clear that absent accountability, there is no deterrent to Israel's systematic colonization of the Palestinian land and gross human rights abuses against the Palestinian people. It is time to match the global calls for respect of international law with swift, concrete action to actually uphold and implement the law and bring an end to this illegal occupation.

The international community must not fall prey to Israel's distorted and false narratives, including its standard, offensive claim that everything it is doing in the Occupied Palestinian Territory, including East Jerusalem, is in "self-defence". It is absurd to posit that an occupying Power that is perpetrating constant violence, aggression and oppression against the occupied people is "defending itself" against this unarmed, defenceless civilian population.

Perhaps Israel is trying to defend its illegal presence and sovereignty claims in our land? To this, we reiterate: Israel is not the sovereign and has no sovereignty rights whatsoever in the Occupied Palestinian Territory, including in East Jerusalem. As per international law and the relevant United Nations resolutions, such sovereignty rests only in the Palestinian people and the State of Palestine. Moreover, Israel has no rights whatsoever to implement its illegal colonial designs on our land, including in Jerusalem's Old City and at its holy sites, including at Aqsa Mosque/Haram al-Sharif.

These are facts, despite Israeli officials' attempts to conceal the dark reality of Israel's presence and actions in the Palestinian land with "facts" of their own. In



reality, while Israel boasts about protecting holy sites and ensuring freedom of worship for “all people”, its occupying forces and extremist settlers are actually intensifying the assaults and incursions against Aqsa Mosque/Haram al-Sharif, gravely breaching international law and the historic and legal status quo and further inflaming religious sensitivities.

In this regard, on the heels of the repeated raids by Israeli occupying forces and attacks on Palestinian worshippers throughout the holy month of Ramadan, this past week, Israeli occupying forces again raided Aqsa Mosque, arrested dozens of Palestinians and expelled worshippers, including women and children, from the compound. At the same time hundreds of Israeli settlers and Jewish extremists, who continue to provoke and incite hatred and violence, have been enabled to be at the holy site under heavy Israeli military protection. Not only do such incursions expose the dangerous coordination between Israel’s military and extremist settler groups, but they also reveal Israel’s obvious intentions in the Old City: maximizing its control of Muslim and Christian holy sites while minimizing Palestinian presence and characteristics throughout City.

Also, this week, Israeli occupation courts approved the forced expulsion of more than 1,300 Palestinians, including 500 children, from multiple villages in Masafer Yatta, near Al-Khalil (Hebron). The international community, particularly the Security Council, is fully aware of Israel’s colonization campaigns in and around Al-Khalil, where Palestinian communities live under constant threats of mass dispossession and imminent forcible displacement.

The painful irony is that this decision by the occupying Power’s so-called “judiciary” comes at a time that the Palestinian people are somberly marking 74 years since the 1948 *Nakbah* that befell them when Israel was created atop the ruins of over 500 Palestinian towns and villages that were destroyed by Jewish settler militias and later Israeli military forces and led to the expulsion of hundreds of thousands of Palestinians from their homes and homeland, rendering them and their descendants refugees to this day.

Also, on 6 May, the Israeli occupation government announced plans to build 4,000 illegal settlement units across the Occupied Palestinian Territory, further fragmenting and shredding Palestinian territorial contiguity for the purpose of maintaining Israeli control over the territory in grave breach of international law and blatant contempt of Security Council and General Assembly resolutions.

Regrettably, international paralysis has enabled this real-time, ongoing *Nakbah* that is uprooting multiple generations of Palestinians from their ancestral lands and homes. While the Security Council remains silent and immobilized, unable to uphold any of its resolutions in this regard, including resolution [2334 \(2016\)](#), which demanded a halt to all such illegal land confiscation, demolitions and settlement activities, Israel continues to expand its settlements by the thousands, and now more Palestinian families in Masafer Yatta are facing imminent ethnic cleansing. For at least four families, this nightmare became reality when yesterday, 8 May, Israeli occupation forces delivered military orders for the demolition of their homes.

As reflected in our 16 March letter, Israeli attacks and judiciary intimidation against Masafer Yatta date back decades when Israel wiped out surrounding villages and expelled their residents en masse, forcing them to live in scattered, underdeveloped hamlets that rely on farming and livestock as the main sources of livelihood. Israel tries 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.

The mass expulsion campaign in Masafer Yatta demonstrates the cruelty of Israel's draconian laws in which the so-called judicial system is deliberately exploited and used as a tool to entrench the occupation and underpin its illegal annexation and settlement expansion on Palestinian land. However, we are witnessing broadening international awareness regarding Israel's attempts to legitimize the destruction and expulsion of Palestinian communities as United Nations officials, international courts, and independent human rights and humanitarian organizations warn about the magnitude of crimes and humanitarian consequences that the destruction of Masafer Yatta would have and demand a halt to these illegal decisions and practices.

In 2018, the International Criminal Court warned Israel, the occupying Power, that "extensive destruction of property without military necessity and population transfers in an occupied territory constitute war crimes under the Rome Statute". On 5 May, the United Nations Resident Coordinator and Humanitarian Coordinator for the Occupied Palestinian Territory, Lynne Hastings, warned that: "Any such evictions resulting in displacement could amount to a forcible transfer, contrary to resolutions of the United Nations Security Council and international law. I reiterate the calls of the United Nations Secretary-General on Israel to cease demolitions and evictions in the Occupied Palestinian Territory, in line with its obligations under international law."

Reacting to the mass dispossession in Masafer Yatta, the Office of the European Union Representative in Palestine warned that: "Under international law, individual or mass forcible transfers and deportation of protected persons from occupied territories are prohibited, regardless of their motive. As the occupying power, Israel has the obligation to protect the Palestinian population and not displace it." Moreover, highlighting the plight of thousands of Palestinians to be forced out of their homes, the Norwegian Refugee Council has also warned that "This is a dangerous step that must be reversed. If followed through, it would constitute a violation of international law which prohibits Israel as an occupying power from transferring members of the occupied population from their existing communities against their will."

As Israel invokes claims of antisemitism and one-sided bias to silence its colonial occupation and apartheid regime in Palestine, Israeli non-governmental organizations and human rights groups have also warned the international community of Israel's true motives in forcibly expelling thousands of Palestinians from their homes. Israeli human rights group B'Tselem has stated the following:

The decision, weaving baseless legal interpretation with decontextualized facts, makes it clear that there is no crime which the high court justices will not find a way to legitimize. Employing sugarcoated language, hypocrisy, and lies, the justices once again fulfilled their role in Israel's regime of Jewish supremacy and paved the way for the crime of forcible transfer to be committed, while reversing reality: the ruling cast Palestinian victims as the "unlawful" offenders, while portraying the apartheid regime as the victim. The international community must prevent Israel from forcibly transferring the Masafer Yatta communities and make sure, should this crime be committed, that those responsible for it – including government ministers, the military top echelons, and the supreme court justices – will be held accountable.

The State of Palestine reiterates its perennial demands for an end to such forced dispossession and displacement of the Palestinian people and an end to all Israeli colonial settlement activities in the Palestinian land. These crimes must be halted forthwith before it is too late. It is time for the Security Council to uphold its responsibilities in accordance with its duties under the Charter of the United Nations and its own resolutions, which are abundantly clear in this regard. Moreover, as stressed by Palestinian Minister of Justice, Muhammed Shalalkeh: "The international

community should act, particularly at the level of the international criminal justice represented by the International Criminal Court, to hold accountable and prosecute those who commit these crimes that amount to war crimes and crimes against humanity.”

This is the reality faced every single day in Occupied Palestine. It is a deplorable, unjust, inhumane reality that cannot be concealed or ameliorated but, rather, must be brought to an end.

Clearly, contrary to the praise expressed by some, this current Israeli government is following the path of all of its predecessors in doing everything possible to entrench Israel’s illegal occupation in Palestine. 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. Like its predecessors, the current occupation government proves time and again that the only peace it wants is another piece of Palestine.

The international community cannot allow this to continue. The demands for cessation must be clear and the consequences for defiance must be real. Moreover, Israel cannot continue to be rewarded for “reducing” or “easing”, not ending, its oppressive policies and grave violations. The mockery Israel is making of the international community and international law as it carries on with impunity, regardless of commendation or condemnation, makes it obvious that an actionable approach is needed to bring an end to Israel’s grave violations.

Neither impunity nor inaction should have a place in the twenty-first century. The international consensus on the Question of Palestine requires moving beyond statements to taking responsible, serious and concrete action at all levels aimed at ending Israel’s impunity, ending its colonial and apartheid occupation, and finally ensuring the realization of Palestinian rights, including to self-determination and independence, based on international law and the relevant United Nations resolutions. As we approach 55 years since the onset of the Israeli occupation in 1967, we call for an end to the practice of exceptionalizing Israel at the Security Council and a start to genuine efforts to advance a just solution to this longest-standing crisis in modern history.

The present letter is in follow-up to our 752 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 April 2022 ([A/ES-10/899-S/2022/361](#)) 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