



General Assembly

Distr.: General
XX August 2023

English only

Human Rights Council

Fifty-fourth session

11 September–13 October 2023

Agenda item 7

Human rights situation in Palestine and other occupied Arab territories

Written statement* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2023]

* Issued as received, in the language of submission only.

Apartheid in the Occupied Palestinian Territories (OPT)

For more than six decades, Israel has established a system of governance in the Occupied Palestinian Territories, which can amount to apartheid. As stated in the report of the Human Rights Council A/HRC/49/87, the ruling political system in the Occupied Palestinian Territories (OPT) has given fundamental rights to one ethnic group while another group lives behind walls, checkpoints and under a permanent martial law. They live without equality, without dignity and without freedom, and the duality confirms the common standards for the existence of apartheid.

Torture, arbitrary and extrajudicial killings, violent deaths of children, a flawed military court system and lack of criminal due process, arbitrary detention, collective punishment along with repetition of these acts over long periods of time under the approval of the Israel Knesset and the Israeli judicial system show that these acts are not accidental, but a part of the Israeli ruling system.

We believe that Israel has imposed apartheid on Palestinians in the post-apartheid world, what the international community is witnessing without taking meaningful action.

Israeli authorities destroy the houses, confiscate the lands and property of the Palestinians under various pretexts. In January 2023 alone, Israeli authorities demolished 132 Palestinian buildings in 38 neighborhoods in the occupied West Bank, including 34 residential buildings and 15 buildings built with donated funds. This figure shows a 135% increase compared to the same period in 2022 that included five punitive demolitions (1).

It seems that there is no limit to Israel's tactics for the displacement and forced eviction of the Palestinian population. In the occupied East Jerusalem, dozens of Palestinian families also face imminent risks of forced eviction and displacement due to discriminatory zoning and planning policies that support Israeli settlement development; an action that is illegal under international laws and is considered as a "war crime" (2). UN reporters consider the systematic destruction of Palestinian homes, the construction of illegal Israeli settlements, and the systematic denial of building permits for Palestinians in the occupied West Bank as "domicide" (3).

Since the beginning of 2023, Israeli forces have displaced 136 families, a total of 796 people, including 174 women and 352 children following the destruction of 136 houses by the occupying forces (4).

On July 27, 2023, Israeli court authorized forced eviction of 500 Palestinian Bedouins in the Negev region, highlighting the deep discrimination faced by Palestinian citizens of Israel under apartheid. The ruling shows how Israel's highly discriminatory land and property ownership laws are used to enforce apartheid against Palestinian citizens of Israel, who are systematically denied the same rights as Jewish Israelis.

Throughout the past decades, Israel has used three main methods of land confiscation:

- 1) Allocating land to "military requirements" and turning them into Jewish civilian settlements;
- 2) Designation of land for "public needs" for the primary or exclusive use of Israeli Jews;
- 3) Declaring "State land" with the ultimate goal of using these lands mainly for Israel purposes;

In 2018, 99.76 percent of government land was allocated for the exclusive use of Israeli settlements (6).

Israel recklessly continues to build illegal Jewish settlements in the Occupied Territories and evict Palestinians from their ancestral lands. Israeli settlements are illegal under international

law. These settlements increase the Palestinians humanitarian needs due to their impact on people's livelihoods, food security and access to essential services. In May 2023, the European Union condemned the permission of the Israeli authorities to build 600 residential units in illegal settlements in the West Bank and demanded the cancellation of the decision.

The UN Security Council has condemned Israel's settlement activities in the Occupied Territories in several resolutions, including Resolution 2334 (2016). In Feb. 2022, the UN Secretary-General Antonio Guterres declared that Israeli-built settlements are "illegal" and they "must stop".

"All settlement activity is illegal under international law, and it must stop, ...at the same time, incitement to violence is a dead end. Nothing justifies terrorism. It must be rejected by all (7) ."

However, Israel has never paid attention to similar remarks, continues its 17-year illegal and inhumane siege in the Gaza Strip and imposes restrictions on freedom of movement. In addition to their 110 permanent checkpoints, Israeli law enforcement authorities also set up 134 temporary military checkpoints in the West Bank, including East Jerusalem where they arrest Palestinians.

Israeli rule requires continued violence and increasing imprisonment, which has led to the deprivation of the right to life and freedom of Palestinians. Also, Israel does not accept any responsibility regarding the continuation of confirmed illegal killings, including the killing of civilians. On the other hand, it detains thousands of Palestinians, following trials in military courts, on security charges through a justice system with little international monitoring and in contradiction with principles of fair trials.

Until August 9th, 2023, attacks of Israeli forces killed 208 Palestinians, including 103 civilians, among them 37 children, 6 women and one person with disability (8) .

It is deeply regrettable that Palestinians do not have a voice to respond to Israel's oppressive actions and cannot participate in the affairs of their society. They are deprived of their fundamental rights such as freedom of expression, association and assembly and freedom of movement in their country and the right to vote. These are clear examples of Israel's apartheid and it is only a small part of the anti-human rights behavior of Israeli officials who have insisted on their policy without paying attention to the international requests and at the same time have raised a loud voice against the international community and considered themselves under global discrimination while the pain and sufferings of the Palestinian people continues.

Settlers continue to commit violence with impunity. In the first six months of 2023, the UN recorded 591 settler-related incidents that resulted in Palestinian casualties, property damage, or both, a monthly average of 99 incidents this year(9) .

Only since 2022, at least 8 resolutions and 44 statements have been issued in the Human Rights Council, the General Assembly and the Security Council against Israel's actions and policies, none of them accepted by Israel. The disregard for international community is continuing with the supports of the United States, for example by vetoing 40 resolutions against Israel.

Israel uses anti-terrorism laws and military orders to restrict and criminalize human rights and humanitarian activities, does not issue visas for the UN staff and international NGOs, uses Pegasus spyware on phones of Palestinian human rights defenders, arbitrarily arrests and prosecutes human rights defenders.

Recommendations

Under Israeli occupation, generations of Palestinians have endured widespread and systematic arbitrary deprivation of liberty and a decent life. We ask the Human Rights Council, the monitoring mechanisms and the Fact Finding Commission, as well as the

International Criminal Court, to define conditions for the protection of Palestinians rights based on international law. Support for International human rights of Palestinians should be reflected in the international media more than before.

We remind members of the United Nations of their obligation under the Charter of the United Nations and the international law, particularly the laws of state Responsibility, not to participate in Israel's settler-colonial apartheid, which criminalizes the Palestinians support got their collective right to exist. We call on the member states not ignore Israel policies and take action to realize all the conditions that allow the Palestinian people to protect their rights, including the inalienable right to self-determination.

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1. <https://www.ohchr.org/en/press-releases/2023/02/un-experts-say-israel-should-be-held-accountable-acts-domicide>
 2. Ibid.
 3. Ibid.
 4. <https://pchrgaza.org/en/israeli-human-rights-violations-in-the-occupied-palestinian-territory-weekly-update-03-09-august-2023-2/>
 5. [https://www.amnesty.org/en/latest/news/2023/07/israel-opt-500-palestinians-facing-forcible-eviction-displacement-and-segregation/#:~:text=In%20a%20judgment%20issued%20on,USD\)%20to%20cover%20legal%20expenses.](https://www.amnesty.org/en/latest/news/2023/07/israel-opt-500-palestinians-facing-forcible-eviction-displacement-and-segregation/#:~:text=In%20a%20judgment%20issued%20on,USD)%20to%20cover%20legal%20expenses.)
 6. A/HRC/49/28
 7. <https://english.almayadeen.net/news/politics/eu-condemns-israel-over-illegal-homesh-settlement-order>
 8. <https://pchrgaza.org/en/israeli-human-rights-violations-in-the-occupied-palestinian-territory-weekly-update-03-09-august-2023-2/>
 9. <https://www.ochaopt.org/content/increase-settler-violence-remarks-provided-press>