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

Security Council
Seventy-fifth year

Identical letters dated 15 April 2020 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

As the situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate, I am compelled to write in follow-up to the critical concerns raised in our recent letters about the human rights violations and crimes being perpetrated by Israel, the occupying Power, against the Palestinian people, even amid the coronavirus disease (COVID-19) pandemic.

As the public health emergency persists in Palestine, with 369 confirmed cases (291 in the West Bank, 78 in East Jerusalem and 13 in the Gaza Strip) and two deaths as of 15 April, Israel continues to cynically exploit the international community's focus on the life-and-death circumstances imposed by the COVID-19 pandemic to entrench its illegal occupation, advance annexation and escalate its repression of Palestinians. It is estimated that in one month alone, from 5 March to 5 April 2020, Israel demolished or confiscated 47 Palestinian structures, conducted 267 arrests and 238 raids, killed 3 Palestinians and injured another 52.

In the West Bank, including East Jerusalem, Israel's land grab and settlement and Wall construction continue unabated, as do provocative calls for annexation. In fact, annexation plans have become the centrepiece of negotiations to form the next Israeli Government. Some, like former minister Ayelet Shaked, have gone as far as to declare that "the government that is being formed has no right to exist unless it applies sovereignty over Judea and Samaria and the Jordan Valley".

This proves yet again that those in Israel's political establishment, regardless of political leanings, do not differ in their pursuit of permanent colonization, annexation and apartheid-like policies. Moreover, this reconfirms that Israel has abandoned all pretence of commitment to the internationally agreed solution of two States on the basis of international law and relevant United Nations resolutions. Clearly, for Israel, the peace process was always a short-term tactic, never a long-term strategy.

We are grateful for the strong statements recently issued by countries around the world, including Arab and European States, reaffirming their firm opposition to



Israeli annexation of Occupied Palestinian Territory. We also recognize the opposition of members of the United States Congress, who expressed concern about reports that Israel intends to move forward with unilateral annexation of Palestinian territory, and emphasized that such annexation “runs counter to decades of bipartisan U.S. foreign policy and to the will of the House of Representatives as recently expressed in H.Res.326, which opposes unilateral annexation and explicitly warns against the dangers of such an effort for peace in the region and Israel’s security”.

We reiterate, however, that statements alone about the threat to peace and about international obligations will not avert the looming destruction of the two-State solution and peace prospects. Serious, deterrent action is required to stop Israeli actions and plans. The international community must act to hold Israel accountable for its illegal actions and perverse impunity before the two-State solution is permanently undercut, perpetuating the conflict and the immense human suffering it is causing.

In this regard, extremist Israeli settlers, emboldened by the spectre of imminent annexation since the presentation of the United States Administration’s “plan” for the Israeli-Palestinian conflict, have intensified attacks against Palestinians. According to a United Nations report, between 17 and 30 March, the number of attacks reflected “a 78% increase compared to the bi-weekly average of incidents since the start of 2020”. In addition to physical assaults on civilians, the stoning and torching of vehicles, the uprooting of olive trees and crops, and the unleashing of dogs on Palestinian herders, settlers have also flooded Palestinian farms with sewage near the town of Bayt Ummar and vandalized tombstones in the village of Burqah. The aim of such violence and terror is clear: intimidating Palestinians and pressuring them to leave their lands.

In addition to these deplorable developments, while Governments around the world work tirelessly to limit the spread of COVID-19 in their countries, Israel continues to undermine Palestine’s efforts in this regard. While coordination efforts continue in this regard, the occupying Power has simultaneously obstructed Palestinian efforts to ensure the orderly return and health testing of workers from Israel, disinfect neighbourhoods, raise awareness and provide assistance to families financially affected by the virus. Below are just a few examples of recent Israeli actions.

On 3 April, Israeli forces stormed the home of the Palestinian Minister of Jerusalem Affairs, Fadi al-Hidmi, physically assaulting him, confiscating around \$2,750 directly from him, forcing him to wear a dirty, bloody mask and then detaining him. This outrageous act was carried out as punishment for the Palestinian Government’s efforts to provide Palestinian residents of East Jerusalem with assistance and health care, a human and moral prerogative, especially as the occupying Power has deliberately neglected its obligations to carry out vigorous testing of the Palestinian population under its illegal control in and around the city. Two days later, undeterred by condemnations of its actions, Israel arrested the Palestinian Governor of Jerusalem, Adnan Ghaith, after storming his house in Silwan.

Since 6 March, when a state of emergency was imposed in Palestine to control the outbreak of COVID-19, Israeli forces have carried out more than 207 military incursions across the West Bank, including East Jerusalem. Such actions are directly undermining Palestinian containment efforts. Moreover, on 6 April, in an appalling attempt to spread fear and panic among Palestinian civilians, Israeli soldiers spat on doorsteps, cars and homes of residents of the village of Bayt Ummar, and dumped contaminated trash, needles and used gloves between village homes. Also, despite the risks that Palestinian workers returning from Israel are bringing the virus to their home towns – estimated to be the cause of at least one third of confirmed coronavirus

cases in the West Bank – and despite directives by the Palestinian Ministry of Health that all Palestinians returning from Israel must undergo testing before being quarantined, the occupying Power opened several wastewater tunnels near the city of Qalqilyah to smuggle Palestinian workers back into the West Bank without testing or proper health precautions.

Such reckless and negligent behaviour by the occupation authorities is similarly being witnessed in Israeli prisons. At a time when the United Nations High Commissioner for Human Rights is appealing to Governments to “examine ways to release those particularly vulnerable to COVID-19”, including “every person detained without sufficient legal basis, political prisoners and others detained simply for expressing critical or dissenting views”, and the Secretary-General’s envoys to the Middle East are jointly calling for “special attention to the plight of the detained”, Israel is continuing its arrest and detention campaign in the Occupied Palestinian Territory, including East Jerusalem.

In the month of March, Israel arrested 250 Palestinians, including 54 children and 6 women and girls. It has likewise refused to take measures to improve the provision of health care and hygiene for Palestinian prisoners and detainees in line with World Health Organization guidance for preventing COVID-19 outbreaks in prisons, in addition to refusing to sterilize detention facilities. Instead, despite the fact that two Israeli prison officers and a recently released Palestinian prisoner have tested positive for the virus, Israel continues denying prisoners access to adequate soap and hygiene materials, heightening the risk of contagion.

As stressed in a statement issued on 8 April by the Organization of Islamic Cooperation’s Independent Permanent Commission on Human Rights, “in view of the global health emergency, precarious hygienic conditions, inadequate health services and overcrowded Israeli prisons constitute perfect conditions for catastrophic spread of pandemic, putting lives of inmates at grave risk and creating environment for major unrest in the prisons”. We reiterate our call upon Israel to release the Palestinian civilians whom it is imprisoning, starting with the most vulnerable, among them older and infirm Palestinian detainees and women and children, in accordance with international law.

Israel, as the occupying Power, is under a legal obligation to ensure the physical and mental health and well-being of Palestinian prisoners and detainees. In article 10 of the International Covenant on Civil and Political Rights, it is mandated that “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”. Moreover, in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), it is stipulated that prisoners “shall have access to necessary health-care services free of charge without discrimination on the grounds of their legal status”.

In the Gaza Strip, where 2 million Palestinians, most of them refugees, have been forced to live under appalling conditions as a result of Israel’s 13-year blockade and repeated military aggressions, the situation remains precarious and the risks are enormous. Gaza is densely populated; its water resources largely contaminated; its population mostly unemployed and living below the poverty threshold; its health-care system severely weakened and overstretched, with between 80 and 90 per cent of its few ventilators already in use; its electricity supply sporadic; and its coping capacities already exhausted.

Based on epidemiological estimates and given the near impossibility of effective sanitation practices and physical distancing in Gaza, if the virus spreads, approximately 80 per cent of Gaza’s population could become infected, meaning that at least 100,000 hospital beds would be needed, when there are at present only about 2,500 beds, of which only 120 are in intensive care units. Moreover, the needed

hygiene kits, ventilators, drugs and other essential medical supplies are largely unavailable to the population. As stated by the Director of Operations in Gaza of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Matthias Schmale, an outbreak would be “a disaster of gigantic proportions”.

While the Palestinian Government, with the support of the World Health Organization, UNRWA, the Office for the Coordination of Humanitarian Affairs and other United Nations partner agencies, is working diligently to quarantine and to prepare for and avoid a worst-case scenario, as the occupying Power, Israel bears ultimate responsibility for the inhumane conditions in Gaza. As per its Fourth Geneva Convention obligations, Israel must, at the very minimum, allow humanitarian access and the needed medical supplies to enter Gaza. It must suspend the requirement for transit permits for those who require hospitalization outside Gaza. It must also facilitate the entry of medical personnel willing to volunteer their services, and develop a plan for treating Palestinians from Gaza who need urgent medical attention in Israel.

As stated by the Secretary-General in his remarks to the Security Council on 9 April, two of the priority actions where further action is needed are “ensuring humanitarian access and opening corridors for the safe and timely movement of goods and personnel” and “protecting the most vulnerable populations and those least able to protect themselves”. Moreover, he reminded the Council that “international humanitarian, human rights and refugee law continue to apply, even – and especially – in challenging times like these”. On 11 April, in a joint appeal, the Secretary-General’s envoys to the Middle East also underscored the need to facilitate humanitarian access and assistance, including to refugees and “communities under siege”.

Yet humanitarian measures alone are insufficient. Fulfilling its legal obligations requires that Israel act forthwith to end its illegal occupation, including the full lifting of its blockade of Gaza. As long as Israel refuses to abide by its obligations, it is the responsibility of all States to adopt effective measures to uphold international law and ensure accountability, as well as to protect the Palestinian civilian population under Israeli occupation, and alleviate the human suffering and insecurity caused by this situation, inter alia, by providing humanitarian support.

As stated by the Minister for Foreign Affairs of Norway, Chair of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, in light of the great risks posed by the pandemic, “we need to work together to prevent this from being a bigger humanitarian and health disaster than we think it can be, especially in Gaza, but also in the West Bank”. In this regard, we reaffirm our gratitude for the humanitarian support being extended to the Palestinian people. We thank the Chair for consulting with the international donor community on how to best coordinate the efforts to counter the spread of the virus in Palestine and mitigate its impact on the extremely fragile Palestinian economy. We appeal for and welcome increased or accelerated international donor support, including to UNRWA, which requires funds not only for its emergency COVID-19 appeal but also, critically, for continuation of its core operations, including the provision of education and health services as well as food assistance.

Estimates that the UNRWA budget for core capacities will be depleted by the end of May are deeply worrying. We urge the necessary support to ensure the continuity of UNRWA services as per its General Assembly mandate in order to ensure the well-being of Palestine refugees and regional stability, including in this time of global crisis. Further, as underscored by the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, in his statement

on 12 April, “the Palestinian Government will also require generous external support and technical assistance that is targeted directly to the recovery process”, support that is urgent in light of the fiscal deficits already affecting the Government.

It is our deep hope that such global cooperation and solidarity will be forthcoming and accompanied by concrete measures by the international community to uphold international law and compel Israel to end its violations and end the illegal occupation and the deprivation and denial of the rights of the Palestinian people, including the rights of self-determination and freedom. This is a time to act to save human lives, but it is also a time to stop conflict, stop human rights violations and work together for a just peace.

The present letter is in follow-up to our 684 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 2 April 2020 (A/ES-10/837-S/2020/271) 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 of the State of Palestine
to the United Nations