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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by The Palestinian Return Centre Ltd, 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.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Israeli Forces Attacks and Israeli Settler Intrusions of Al Aqsa Mosque

Israeli Forces Attacks of Al Aqsa Mosque Compound

Throughout the month of Ramadan this year, Israeli Forces have regularly raided the Al Aqsa Mosque Compound and attacked Palestinian worshippers, with over 300 Palestinians sustaining injuries and dozens being arrested.¹ The most violent raid during this period was on Friday 29th April, the final Friday in the Muslim holy month of Ramadan. With Israeli forces smashing windows at Al Aqsa Mosque, throwing tear gas and stun grenades inside the mosque at Palestinian worshippers. At least 42 Palestinians were left injured in the raid by Israeli police forces on the Al-Aqsa Mosque compound in occupied East Jerusalem. Most of those injured suffered “upper-body injuries”, additionally with 22 people having to be taken to hospital, due to Israeli Forces using tear gas and rubber bullets. Israeli forces raids on the Al Aqsa Mosque compound is heightening already high tensions in Occupied Jerusalem’s Old City, as not only are Israeli forces attacking Al Aqsa Mosque and its Palestinian worshippers, but they are simultaneously denying Palestinians living in the occupied West Bank from visiting the Al-Aqsa compound, a national symbol for Palestinians, with travel being almost totally restricted for most of the year, and only allowed for certain age groups during Ramadan.¹ In effect, this means that many Palestinians who live only miles away from East Jerusalem have never been able to visit, whilst at the same time Israeli forces are allowing any and all Jewish settlers to invade the compound and perform religious rituals that are not permitted.²

Israeli Settler Intrusions of Al Aqsa Mosque

There has been a vast increase of the number of groups of Israeli settlers intruding the Al Aqsa Mosque compound, under the protection of Israeli soldiers and Israeli Police, especially in recent months, and especially during the Muslim holy month of Ramadan. Most recently Israeli settlers stormed the Al Aqsa Mosque on the 15th May 2022, which is also the 74th anniversary of the Palestinian Nakba (catastrophe), a very sensitive day and day of mourning in the Palestinian calendar. Israeli settlers stormed the Al-Aqsa Mosque compound in Jerusalem on Nakba Day, as Israeli security forces imposed heavy restrictions on Palestinian worshippers entering the mosque. The settlers were led by some extremist rabbis, who openly called for Al Aqsa Mosque’s destruction whilst encroaching on the compound. The settlers’ storming of the mosque came in response to calls by Jewish extremist groups including “The Temple Mount Faithful”. The groups seek to demolish the Al-Aqsa Mosque – Islam’s third most holy site – and rebuild a Jewish temple which is believed to have existed on the mosque’s current site in ancient times. The settlers storm the mosque’s courtyard on a regular basis and often perform religious practices which are not permitted there. With more recent settlers trying to heighten and stir up religious tensions by encouraging performing animal sacrifice on the grounds of the compound.

Both Israeli Forces Attacks & Israeli Settler Intrusions of Al Aqsa Mosque Are Considered Violations of Human Rights & War Crimes

The frequent attacks on Palestinian places of worship such as Al Aqsa Mosque and its Palestinian worshippers, by Israeli forces (including both Israeli Military & Police), is considered to be a war crime. According to the Rome Statute of the International Criminal Court, where Article 8, B, ix clearly states that ‘Intentionally directing attacks against buildings dedicated to religion’ is considered a war crime.³ Both the State of Palestine and the Israeli government have signed the Rome Statute. However after signing, the Israeli government decided it did not wish to be a state party, and denied the ICC has any right to investigate alleged crimes it has committed and is still committing. In addition to the Rome Statute, the 1954 Hague Convention - the first international treaty focusing entirely on the protection of sites of cultural significance during armed conflict - obliges occupying forces to protect cultural heritage. The convention - which has been signed by the state of Israel - is

intended to protect culturally significant sites from destruction, looting or unnecessary military use. Underpinning the convention is the principle that "damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind". A further convention, the World Heritage Convention, followed in 1972. Under this, the Old City of Jerusalem and its walls were designated as a world heritage site at the request of Jordan. In 1982, the site was placed on Unesco's endangered list as a result of tensions within the city.⁴ However despite UNESCO listing, Israeli forces still continue to attack and desecrate Jerusalem's Al Aqsa Mosque.

Israeli forces restricting Palestinian worshippers access to Al Aqsa, attacking Al-Aqsa and its worshippers, and Israeli forces shutting down the compound to protect Israeli Settlers whilst they invade the compound are all flagrant violations of Palestinian human rights, most notably violating Article 18, of the UN Declaration of Human Rights which clearly states 'Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.'⁵

Conclusion

The Palestinian Return Centre (PRC) is deeply concerned with the continuous violent attacks on Al Aqsa Mosque and its worshippers by Israeli forces and unequivocally condemns such desecration of places of worship by both Israeli forces and Israeli settlers.

The Palestinian Return Centre calls on the international community to publicly condemn the State of Israel's actions in relation to Al Aqsa Mosque but we also call on the world's governments and leading human rights institutions to take the necessary measures towards the State of Israel, in order to protect all places of worship in Jerusalem, and the worshippers practicing their right to freedom of religion. We call on all international institutions and governing bodies to hold the state of Israel accountable in its continuous violations of human rights, and its war crimes.

1 Al Jazeera: Israeli forces raid Al-Aqsa mosque, over 40 Palestinians injured. Aljazeera.org.

Available at: <https://www.aljazeera.com/news/2022/4/29/dozens-injured-in-israeli-raid-on-al-aqsa-mosque-compound>

2 Al Jazeera: Israeli Forces Storm Al Aqsa as Hundreds of Settlers Gather. Aljazeera.org. Available at: <https://www.aljazeera.com/news/2022/5/5/israeli-forces-storm-al-aqsa-as-hundreds-of-settlers-gather>

3 United Nations: War Crimes. Un.org. Available at: <https://www.un.org/en/genocideprevention/war-crimes.shtml>

4 Middle East eye: How Israeli Raid on Al-Aqsa Mosque Could Constitute a War Crime.

Middleeasteye.net. Available at: <https://www.middleeasteye.net/news/how-israeli-raid-al-aqsa-mosque-could-constitute-war-crime>

5 United Nations: UN Declaration of Human Rights. Un.org. Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>