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Human rights situation in Palestine and other occupied Arab territories

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.

[6 February 2024]

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



The Ongoing Genocide in Gaza and International Complicity

The Palestinian Return Centre Ltd is submitting a written statement on Item 7 to the Human Rights Council, which will focus on detailing the latest updates from Israel's genocidal attack on Palestinians in Gaza (October 2023–January 2024). The Israeli campaign began after a Hamas-led attack that led to killing of approximately 1,200 soldiers and civilians, and the capture of 240 people as hostages. The written statement will also shed light on the complicity of international governments who have not only failed to call and implement a ceasefire but are also actively supporting the Israeli government in its attacks and may themselves be in contravention of the Genocide Convention's regulations on preventing genocide.

Since the start of Israel's current attacks after October 7, the Gaza Strip has become the target of mass killings, displacement and destruction. An estimated 33,000 people have been killed, including 12,660 children and 7,000 missing and likely dead under the rubble. The reported death toll currently stands at more than four times the combined toll of all past Israeli military operations since 2007.¹ According to Save the Children, the number of children reportedly killed in a little over the first three weeks of bombing in Gaza has exceeded the combined total number of children killed in armed conflicts in more than 22 countries since 2019.² More than 65,000 Palestinians have been injured, many have been maimed and other permanent disabilities. The Israeli army has targeted doctors, humanitarian workers, artists, scientists and professors, along with their families. The scope, scale and speed of Israel's destruction is unprecedented since the Second World War.³

The north part of the Gaza Strip has been virtually completely destroyed and depopulated. Approximately 85 percent of the population—1,955,000 people—has been displaced. This constitutes a campaign of mass displacement against the Palestinian people. Nearly 1.72 million of these internally displaced persons were registered in severely overcrowded facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), while the rest took shelter in schools, hospitals, wedding halls, offices and community centres, and some camped in open space near shelters.

The majority of Palestinians are now concentrated in the south in Rafah and recent reports warn of an impending Israeli military campaign.⁴ The United Nations has raised the alarm that Israel's unrestrained destruction of Palestinian homes constitute "domicide". According to the UN special rapporteur on the right to housing, Balakrishnan Rajagopal, "It is necessary to address hostilities being carried out in the knowledge that they will systematically destroy and damage civilian housing and infrastructure, rendering an entire city – such as Gaza City – uninhabitable for civilians."⁵ According to the United Nations Satellite Centre (UNOSAT), from 7 October to 26 November, the Israeli bombardment damaged 37,379 buildings, or 18 per cent of the total structures in Gaza.⁶ There has also been a deliberate targeting of Palestinian education, which includes the obliteration of 326 schools, and all of Gaza's universities have been destroyed.⁷

For over a decade and a half Gaza has been largely removed from the development agenda and has been rendered a humanitarian disaster area with 80 per cent of the population dependent on international aid. The latest level of destruction from the Israeli military operation has rendered it uninhabitable. To rebuild Gaza and render it habitable once again the international community must immediately demand a ceasefire along with a comprehensive plan to end the Israeli military occupation and system of apartheid over the Palestinian people.

Some Western governments have played an increasingly damaging role through their full support for the Israeli military assault on the Gaza Strip. The United States of America, Israel's major ally and supporter, was accused of enabling the ongoing genocide in Gaza. The Center for Constitutional Rights, a non-profit legal organization, filed a lawsuit on behalf of two Palestinian human rights organizations and Palestinians in Gaza and in the United States of America, which accused President Joe Biden and senior administration officials of complicity in and failure to prevent Israel's genocidal acts, as required by both international and the United States of America's law.⁸

The United Kingdom of Great Britain and Northern Ireland's has failed to call for a ceasefire to the war. In light of the International Court of Justice's ruling under the Genocide Convention the United Kingdom of Great Britain and Northern Ireland may be violating its obligation of preventing the unfolding genocide. In particular, the United Kingdom of Great Britain and Northern Ireland government continues to support to the sale of arms to the Israeli government. According to the Campaign Against Arms Trade, in the last 10 years the United Kingdom of Great Britain and Northern Ireland has licensed at least £486 million worth of arms sales to Israel.⁹

Germany's flagrant suppression of Palestinian solidarity initiatives should also raise increased concerns. Germany has been accused of silencing Palestinians and thus contributing to Israel's attacks on Gaza.¹⁰ It has also recently pledged to continue to provide Israel with military equipment and armaments that may be used on Palestinians in Gaza.¹¹

Along with the United States of America, the United Kingdom of Great Britain and Northern Ireland and Germany many other international governments may be complicit through their defunding of UNRWA. The Lemkin Institute for Genocide Presentation has released a statement that noted the decision to freeze funding "represents a shift by several countries from potential complicity in genocide to direct involvement in engineered famine. It is an attack on what remains of personal security, liberty, health, and dignity in Palestine." The Lemkin Institute has further warned that withdrawing funding for UNRWA functions as a fulcrum by which genocidal acts against Palestinians will spread from Gaza to other critical, endangered zones for Palestinian life. During a period of famine, to implement either permanent cancellation or a pause of funding potentially puts states that have previously committed funds in violation of the Genocide Convention."¹²

1 Preliminary assessment of the economic impact of the destruction in Gaza and prospects for economic recovery (2024) UNCTAD. Available at: https://unctad.org/publication/preliminary-assessment-economic-impact-destruction-gaza-and-prospects-economic-recovery?utm_content=buffer324b0&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer&s=03 (Accessed: 03 February 2024).

5 Widespread destruction in Gaza puts concept of 'domicide' in focus (2023) The Guardian. Available at: <https://www.theguardian.com/world/2023/dec/07/widespread-destruction-in-gaza-puts-concept-of-domicide-in-focus> (Accessed: 03 February 2024).

6 UNOSAT (2023). Gaza Strip Comprehensive Damage Assessment - 26 November 2023.

8 Speri, A. (2024) After historic ruling, lawyers vow to keep fighting Biden over complicity in Gaza genocide, The Intercept. Available at: <https://theintercept.com/2024/02/01/gaza-biden-genocide-lawsuit-ruling/#:~:text=A%20federal%20judge%20dismissed%20a,for%20Israel's%20war%20on%20Gaza.&text=February%201%202024%2C%202%3A59%20p.m.> (Accessed: 03 February 2024).

9 Campaign against arms trade (no date) Campaign Against Arms Trade. Available at: https://caat.org.uk/data/exports-uk/overview?region=Israel&date_from=2014 (Accessed: 03 February 2024).

10 (2024) Gaza and Germany's departure from reason, Al Jazeera. Available at: <https://www.aljazeera.com/opinions/2024/1/22/gaza-and-germanys-departure-from-reason#:~:text=In%20an%20open%20letter%2C%20300,and%20contributing%20to%20Israel's%20genocide.> (Accessed: 03 February 2024).

11 Obermaier, L. (2024) Germany is complicit in Israel's war crimes in Gaza, Jacobin. Available at: <https://jacobin.com/2023/10/germany-israel-war-crimes-gaza-palestine-international-law> (Accessed: 03 February 2024).

12 Statement on recent threats to UNRWA and the shift between potential complicity and direct involvement in the crime of genocide against Palestinians by several nations (2024) Lemkin Institute. Available at: <https://www.lemkininstitute.com/statements-new-page/statement-on-recent-threats-to-unrwa-and-the-shift-between-potential-complicity-and-direct-involvement-in-the-crime-of-genocide-against-palestinians-by-several-nations?s=03> (Accessed: 03 February 2024).