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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by Human Rights Now, 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.

[11 February 2024]

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

The systematic destruction of civilian areas and blockading of humanitarian aid in Gaza, occupied Palestinian territory, must end

Human Rights Now (HRN) expresses grave concern over the Israeli military's violations in Gaza, occupied Palestinian territory, including bombardments of civilian areas, military blockade and aid restrictions, systematic destruction of infrastructure, and other violations, which may constitute serious war crimes, crimes against humanity, and genocide. We request states to take urgent measures to pressure the government of Israel and leadership of Hamas to implement an immediate ceasefire, take measures to protect civilians within their control, and end the humanitarian catastrophe.

1. Attacks on Civilians

The Israeli military's systematic bombardment and siege of Gaza has reportedly killed over 27,947 people, injured more than 67,459, and displaced 1.7 million,[1] with another 8,000 missing.[2] Over 16,000 killed were women or children.[3] On average one child is killed and two injured every 10 minutes, turning Gaza into a "graveyard for children" in the UN Secretary-General's words.[4] More than 300 medics,[5] 152 UNRWA staff,[6] and 85 journalists have been killed[7] and dozens of multigenerational families extinguished.[8] The revised death toll in Israel from the October 7 Hamas attack stands at 1,139, mostly Israeli and foreign nationals.[9]

Satellite imagery has revealed destruction in Gaza of more than 98,000 buildings,[10] 70% of civilian housing,[11] all 36 hospitals,[12] 390 schools,[13] public buildings including Palestine's main court and Legislative Council in Gaza,[14] water and sanitation buildings, 167 places of worship,[15] and orchards and farmlands, leaving Gaza largely in ruins. Hundreds of thousands have endured winter temperatures in makeshift shelters, while others survive in destroyed homes.[16] Many have also "resorted to selling off their possessions and other extreme measures to afford a simple meal." [17] The Special Rapporteur for Housing stated that: "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." [18]

While the government of Israel claims self-defense, the Special Rapporteur for the OPT has emphasized that the right involves threats from other states, not occupied territory, referring to the ICJ's 2004 "Border Wall" advisory opinion; [19] and in no case does it permit the targeted, indiscriminate, or grossly disproportionate destruction of civilians and civilian infrastructure.

2. The ICJ Genocide Case

On 26 January, the International Court of Justice issued an interim ruling in the case brought by South Africa against Israel's government under the Genocide Convention, finding claims of convention violations "plausible" and ordering the government of Israel to take measures preventing violations under Article 2 and their incitement and to provide humanitarian assistance, among other orders.[20] The ruling came after preliminary examination of physical acts committed in Gaza and of the rhetoric of Israeli political and military officials indicating intent to target Palestinians in Gaza for attacks based on their status as Palestinians.

These include the statements by Defense minister Yoav Gallant that Israel is fighting "human animals...we will eliminate everything," [21] by President Isaac Herzog that "It is an entire nation out there that is responsible...we will fight until we break their backbone", [22] and by Deputy Speaker of the Knesset Nissim Vaturi that "Now we all have one common goal—erasing the Gaza Strip from the face of the earth." [23]

3. Deepening Humanitarian Crisis

After over four months of Israeli bombardments of civilian areas, at least 1.9 million of Gaza's 2.2 million population has been displaced, and 90% face acute food, water, and health insecurity, while Israeli forces deliberately impede and block critical humanitarian aid.[24] According to the Integrated Food Security Phase Classification system, Gaza's entire population is in Crisis, 40% in Emergency, and 15% in Catastrophe.[25]

Infrastructure damage and lack of fuel have made safe drinking water and sanitation inaccessible. Displaced children can only access 1.5 to 2 liters of water a day, below the 3 liter level for basic survival.[26] The WHO reports only one shower per 4500 people and one toilet per 220, creating conditions for the inevitable spread of infectious disease,[27] and the HDI has stated that Palestinians will be set back "11 and 16 years" by the conflict.[28]

Public statements of Israeli officials also demonstrate intent to deny basic necessities, such as the Defense Minister's October 9th statement: "There will be no electricity, no food, no fuel, everything is closed... We are fighting human animals... We will eliminate everything"[29] and the National Security Minister's post on X (formerly Twitter): "The only thing that needs to enter Gaza are hundreds of tons of explosives... not an ounce of humanitarian aid."[30]

4. Ending the Discrimination and Dispossession of Palestinians

It is important to recognize that at the conflict's root is systemic discrimination and dispossession of Palestinians by the Israeli government. This includes discriminatory rules that transfer Palestinian land to Israelis and arbitrarily evict them and restrict their movement and activities,[31] as well as the 16-year long blockade in Gaza restricting essential goods and services, destroying the economy, and leading to poverty levels over 50%.[32] For sustainable peace to be achieved, it is essential that the rights of Palestinians be guaranteed with the repeal of discriminatory laws or their discriminatory elements and with a political solution fulfilling their right to a nationality and sustainably ending the discrimination, dispossession, and social, economic, and humanitarian crises that Palestinians face.

5. Recommendations

HRN is gravely concerned about the Israeli government's indiscriminate attacks in civilian areas in Gaza and its use of starvation, deprivations of necessities, and continued blockade as a form of collective punishment, and we call on the Israeli government to:

- Implement an immediate humanitarian ceasefire;
- Lift its blockade and restore access in Gaza to food, water, medical supplies, fuel and electricity;
- Allow the unimpeded flow of humanitarian aid and provide safe passage for displaced persons in Gaza;
- Repeal discriminatory laws that arbitrary restrict or dispossess Palestinians.

HRN further calls on Hamas leadership to:

- Implement an immediate humanitarian ceasefire;
- Release all civilian hostages.

HRN requests the international community to:

- Urgently apply appropriate measures, including sanctions and a comprehensive arms embargo, to pressure the Israeli government and military and Hamas leadership to implement an immediate ceasefire and to end all violations related to the conflict;
- Support appropriate international actions and mechanisms to bring accountability for violations committed by Israeli and Hamas forces.

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