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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
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* 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.



The Apartheid in Israel Against Palestinians: A Cruel System of Domination and a Crime Against Humanity

Amnesty International's Damning Report on Apartheid in Israel

Leading global human rights organisation, Amnesty International has recently released a damning report on Israel, which categorically identified Israel as systemically committing the crime of apartheid upon the Palestinian people.

Amnesty International identifies apartheid as 'An institutionalized regime of oppression and domination by one racial group over another.'¹ Amnesty International's extensive research and legal analysis, carried out in consultation with external experts, demonstrates that Israel enforces such a system against Palestinians through laws, policies and practices which ensure their prolonged and cruel discriminatory treatment. The organisation has spent years investigating apartheid in Israel, and 'how Israel enforces a system of oppression and domination against the Palestinian people wherever it has control over their rights. This includes Palestinians living in Israel and the Occupied Palestinian Territories, as well as displaced Palestinian refugees in other countries'. Amnesty International's comprehensive report sets out how massive seizures of Palestinian land and property, unlawful killings, forcible transfer, drastic movement restrictions, and the denial of nationality and citizenship to Palestinians are all components of a system which amounts to apartheid under international law. This system is maintained by violations which Amnesty International found to constitute apartheid as a crime against humanity, as defined in the Rome Statute and Apartheid Convention.²

The Report Re-Iterates The Calls of Countless Global Human Rights Organisations

Amnesty International's damning report on Israel's apartheid acts, reiterate the findings of other global human rights organisations such as Human Rights Watch, and even Israeli human rights organisations like B'Tselem, who have both released extensive research and reports on apartheid in Israel, and the human rights abuses it systemically produces. In early 2021, Human Rights Watch released a thorough and detailed report on apartheid in Israel, and stated in this report that 'Israeli authorities are committing the crimes against humanity of apartheid and persecution. The Israeli government has pursued an intent to maintain the domination of Jewish Israelis over Palestinians throughout the territory it controls'.³

Human Rights Watch then ended its report with a series of calls to be undertaken by Israel and the international community, to end its apartheid against the Palestinian people. Human Rights Watch called upon Israel to dismantle all forms of systematic oppression and discrimination that privilege Jewish Israelis at the expense of Palestinians and otherwise systematically violate Palestinian rights in order to ensure the dominance of Jewish Israelis, to fully respect the human rights of Palestinians, to cease construction and expansion of settlements, dismantle existing settlements, to end the generalized ban on travel to and from Gaza, to provide equitable access to land, housing, and essential services for Palestinians, to dismantle the segments of the Separation Barrier, to repeal discriminatory laws and legal provisions in favor of legislation that is rooted in the principle of equality and conforms to international human rights standards, to remove arbitrary restrictions on residency rights for Palestinian residents of East Jerusalem, and to ratify the Rome Statute and incorporate crimes against humanity, including the crimes of persecution and apartheid, into national criminal law with a view to investigate and prosecute individuals credibly implicated in these crimes.

In the same year that Human Rights Watch published their report on apartheid in Israel, so did Israeli human rights organisation, B'Tselem. B'Tselem released a report entitled 'A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid', which contained incriminating research, evidence, and testimonies of apartheid in Israel. B'Tselem categorically recognised Israel as an apartheid state comparable to that of South Africa's, and stated: 'The Israeli regime's rationale, and the measures used to implement it, are reminiscent of the South African regime that sought to preserve the

supremacy of white citizens, in part through partitioning the population into classes and sub-classes and ascribing different rights to each. There are, of course, differences between the regimes. For instance, the division in South Africa was based on race and skin color, while in Israel it is based on nationality and ethnicity.’⁴

Does Israel’s Denial of the Right of Return Constitutes Apartheid?

The Palestinian Return Centre was created in 1996, and for 26 years has been advocating for Palestinian refugee rights, most notably the right of return. The Palestinian right of return is an inalienable right, that Israel has denied since the legally enshrined right’s inception, 74 years ago. The Palestinian Return Centre wishes to highlight Article II (c) of the International Convention on the Suppression and Punishment of the Crime of Apartheid, which states ‘Any legislative measures and other measures calculated to prevent a racial group or groups from the right to leave and to return to their country’⁵, is categorised as an act of apartheid.

Conclusion

The Palestinian Return Centre (PRC) is deeply concerned with the seeming impunity Israel is repeatedly dealt after countless reports from globally reputable human rights organisations, condemning apartheid practices. PRC is astonished by the deafening silence from democratic governments in Europe, as well as the tone deaf rejection of this damning report by the United States of America government. The attempts to protect and shield Israel’s apartheid acts by both American and Australian governments, is increasingly alarming.

The Palestinian Return Centre calls on the international community to take the necessary measures towards Israel, in order to ensure a categoric end to its cruel and callous apartheid upon the Palestinian people.

1 Amnesty International, Israel’s apartheid against Palestinians: a cruel system of domination and a crime against humanity. Amnesty.org. Available at:

<https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>

2 Amnesty International, Israel’s apartheid against Palestinians: Full Report. Amnesty.org. Available at: <https://www.amnesty.org/en/wp-content/uploads/2022/02/MDE1551412022ENGLISH.pdf>

3 Human Rights Watch, A Threshold Crossed. Hrw.org. Available at:

<https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>

4 B’Tselem: A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid. B’Tselem.org. Available at:

https://www.btselem.org/publications/fulltext/202101_this_is_apartheid

5 United Nations: International Convention on the Suppression and Punishment of the Crime of Apartheid. Un.org. Available at: https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.10_International%20Convention%20on%20the%20Suppression%20and%20Punishment%20of%20the%20Crime%20of%20Apartheid.pdf