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Human rights situation in Palestine and other occupied Arab territories

Written statement* submitted by Human Rights & Democratic Participation Center "SHAMS", 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.

[29 January 2024]

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



The Ongoing Genocide in the Gaza Strip

The ongoing Israeli attack on the Palestinian people in Gaza

Since 7 October 2023, Israel has been carrying out its genocidal military campaign against the Palestinian people within the occupied territory of the Gaza Strip. Since the start of the assault, Israel has launched one of the most intense bombing campaigns in modern history. It was reported that mid-December Israel had dropped over 29,000 bombs, with munitions used by Israel including “bunker buster” 2000lb bombs, which were used even in densely populated urban areas.¹ At the time of writing, the Ministry of Health in Gaza has reported at least 25,700 Palestinians have been killed, with as many as 70 percent of those killed being women and children. Up to 1.7 million Palestinian residents of Gaza have been displaced from homes, representing more than 75 percent of the population.² This ongoing genocide, which has been recognised as potentially amounting to genocide in the recent International Court of Justice ruling³, coincides with record levels of settler and state violence against Palestinians within the occupied West Bank, illegally annexed East Jerusalem and against Palestinians within Israel’s internationally recognised borders.⁴

The situation in Gaza

The circumstances in Gaza is ongoing and constantly evolving. As of now the Israeli military are killing an average of 250 Palestinians in Gaza a day, a number which exceeds the average death toll of any other major conflict in the 21st century.⁵

Palestinians in Gaza have been killed, amongst other places, in hospitals, refugee camps, schools and UN shelters.⁶ Martin Griffiths, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, has underlined the fact that UN facilities and civilian infrastructure are under constant attack, asserting that “[t]here is no safe place in Gaza”.⁷ Houses and apartments of the Palestinian civilian population have been under constant bombardment and large parts of the housing infrastructure have already been partly or fully destroyed. On this, Griffiths said, “Even if people were able to return home, many no longer have homes to go to”.⁸

The bombs dropped by the Israeli military on civilian infrastructure often include the 2000lbs heavy US-made Joint Direct Attack Munitions (JDAM), bombs that cause a wide-scale blast radius.⁹ The repeated choice and actual deployment of such heavy and massively destructive explosives in densely populated areas in the Gaza Strip has led to the direct killing of an enormous number of civilian. These blasts have wiped out entire multi-generational Palestinian families in Gaza, sparing no one and often killing parents, children and extended family in a single blow.¹⁰ An eyewitness, Mahmoud Ashour, said:

“My daughter and her children came here to seek safety because this area was relatively safe in previous attacks. But I couldn’t protect them, I have no trace left of my daughter. I’m talking to you now as I’m trying to remove the rubble with my hands. We cannot even count our dead.”¹¹

Next to the constant barrage of bombardment, reports are increasing of summary executions perpetrated by the Israeli military of unarmed Palestinians in Gaza.¹² Amongst other reports, the case of 11 unarmed men being summarily executed in front of their women and children in the Al-Rimal neighborhood, Gaza City, has been reported to the OHCHR OPT.¹³ Recently uncovered evidence and eyewitness reports also exposed the summary execution of 15 men in a Gaza apartment.¹⁴

Additionally, Palestinian civilians in Gaza have been killed after being forced to evacuate, both on their way to the south along the so-called ‘safe routes’¹⁵, as designated by the Israeli military, as well as in the areas where it ordered the Palestinian civilian population to move to for their supposed security.¹⁶ Further, there have been recorded incidents of the direct targeting and killing of civilians waving a white flag along the ‘safe routes’.¹⁷ On this, Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, has said:

“Humanitarian sites have been struck on numerous occasions, despite their identification and notification to the Israeli Defense Forces. More and more people are being crammed into an ever-smaller sliver of land, only to find yet more violence and deprivation, inadequate shelter and a near absence of the most basic services. There is no safe place in Gaza.”

On January 26, 2024, the International Court of Justice ordered Israel to undertake all necessary actions to prevent death, destruction and any acts of genocide in Gaza. The court explicitly directed Israel to promptly facilitate the delivery of essential aid to Gaza and to take punitive actions against any incitement to genocide, among other specified measures. Implementing these measures will prove challenging for Israel without a ceasefire. Importantly, the court's rulings hold legal binding status for Israel and all state parties to the Genocide Convention.

Conclusions and recommendations

Israel's actions in Gaza violate Palestinian rights, constituting war crimes, crimes against humanity, and genocide under international law. Despite clear evidence of these violations and continued impunity, we see some third-party states, including some UN Security Council members, ignore or even support Israel's crimes. All states must act to prevent and punish genocide, including complicity in the crime, ensuring justice and accountability. The UN, Human Rights Council, and states must address Israel's blatant crimes against the Palestinian people.

Accordingly, we call upon the Council and all UN member states to:

1. Call for an immediate halt to the Israeli assault on the Palestinian people in the Gaza Strip. Implement effective measures to ensure Israel's compliance with the International Court of Justice's order, including considering economic sanctions if Israel fails to comply. Cease the supply of weapons immediately.
2. Support the International Criminal Court and call on it to investigate potential crimes against humanity and genocide, as well as war crimes, for actions that may have occurred or be ongoing in the Gaza Strip.
3. Support the Palestinian population in Gaza by ensuring that needed humanitarian relief is provided to prevent a further humanitarian crisis, including by ensuring that states that have withdrawn funding from UNRWA reverse this decision immediately.

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- Law for Palestine - The Independent Commission for Human Rights - ICHR, NGO(s) without consultative status, also share the views expressed in this statement.

1 The Wall Street Journal, The Ruined Landscape of Gaza After Nearly Three Months of Bombing (30 December 2023); AP News, Israel's military campaign in Gaza seen as among the most destructive in recent history, experts say (11 January 2024).

3 Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) (Request for the Indication of Provisional Measures: Order) 2024

6 UN OCHA, Hostilities in the Gaza Strip and Israel | Flash Update #45 [EN/AR/HE] (20 November 2023); Stephen Farrell, Aditi Bhandari, Prasanta Kumar Dutta, Clare Trainor, “No place of refuge: Israeli strikes hit Gaza refugee camps”, and Reuters (18 January 2024); UNRWA, The Gaza Strip: UNRWA schools sheltering displaced people constantly hit [EN/AR] (19 November 2023)

7 United Nations Meetings Coverage and Press Releases, As Israel's Aerial Bombardments Intensify, ‘There Is No Safe Place in Gaza’, Humanitarian Affairs Chief Warns Security Council (12 January 2024)

8 Ibid.

9 Amnesty International, Israel/OPT: US-made munitions killed 43 civilians in two documented Israeli air strikes in Gaza – new investigation (5 December 2023),

10 Ibid.

11 Ibid.

12 United Nations The Question of Palestine, Unlawful killings in Gaza City – OHCHR Press Release (20 December 2023)

13 United Nations The Question of Palestine, Unlawful killings in Gaza City – OHCHR Press Release (20 December 2023)

15 OHCHR, UN Human Rights has “grave fears” about toll on civilians in Gaza (17 October 2023);

16 The New York Times, A Times Investigation Tracked Israel’s Use of One of Its Most Destructive Bombs in South Gaza (21 December 2023)