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General Assembly Tenth emergency special session Agenda item 5 Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council Seventy-ninth year

Identical letters dated 7 February 2024 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

While the Security Council wavers and parses words, continuing to fail its solemn mandate, more Palestinian children, women and men have fallen victim to Israel's genocidal war, now entering its fifth month.

Lives that could have been saved if obligations under international law were upheld, not least the obligation to protect civilians in time of war, have instead been left to the mercy of a ruthless occupier that has not hidden its hatred for the occupied people and its desire to be rid of them. Whether by killing them, forcibly displacing them or imposing life conditions imperilling their survival, including conditions of starvation and disease, Israel has methodically pursued this desire, its savage assault on the Gaza Strip the culmination of decades of illegal policies and practices against the Palestinian people.

In the over 10 days since the International Court of Justice indicated provisional measures for Israel to, inter alia, prevent commission of acts of genocide, prevent and punish incitement to genocide, prevent destruction of evidence and enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in Gaza, Israel has flagrantly violated every single measure.

Disrespecting the binding effect of the Court's order, Israel, the occupying Power, carries on with total impunity, still confident it will never suffer the consequences of its criminal actions, not even when it is committing genocide. On the contrary, those suffering the consequences of these criminal actions are the innocent Palestinian civilians under Israel's ruthless, illegal military occupation.

To Israel and its ruthless, immoral army, every single Palestinian girl or boy, woman or man, is a legitimate target. Whether in Gaza or anywhere else in the rest of the Occupied Palestinian Territory, no home, hospital, school or United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) shelter is off limits; there is no sacred space, not even religious sites, churches or mosques, including the Aqsa Mosque, not under constant attack. As before the International





Court of Justice order and ever since, the Israeli occupying forces continue attacking civilian areas in Gaza and violently raiding Palestinian towns, villages and refugee camps in the West Bank, including East Jerusalem.

On 26 January, when the International Court of Justice issued its order, it observed that "25,700 Palestinians have been killed, over 63,000 injuries have been reported". Since then, nearly 2,000 more people have been killed by Israel in deliberate, indiscriminate attacks, shocking figures that will only rise without a ceasefire.

As of today, Israel has killed at least 27,585 Palestinians in Gaza, more than 12,100 of whom are child victims, and injured over 67,000 people, many suffering life-altering and life-threatening wounds. In the West Bank, Israeli occupying forces and Israeli settlers have killed 374 Palestinians, including 96 children, since 7 October, with 65 of these victims murdered since the start of this year.

This horrific toll, which does not yet include the thousands of bodies that have yet to be recovered from under the ruins, increases by the minute and should bring shame on all who are watching this genocide unfold and yet failing to stop it.

This horrific toll should have long ago compelled the Security Council to demand a ceasefire. But the Council continues to betray its Charter mandate and the expectations of nearly the entire international community demanding an immediate humanitarian ceasefire for months now.

Even after the International Court of Justice acted to uphold its duties, the Security Council continues to equivocate, allowing this savagery to go on, compounding an already catastrophic situation. It has knowingly allowed thousands more civilians to be killed and maimed, thousands more to be detained and tortured, more destruction and havoc to be caused, and is knowingly jeopardizing the lives of over 2 million people struggling to survive without life's essentials, deprived of adequate food, water, medicines, fuel and shelter, children and youth deprived of schooling, left hungry, sick, cold, traumatized and scared, with nowhere else to flee for safety.

In the past week alone, Israel has repeatedly bombed Rafah, Deir al-Balah and Khan Younis, all supposedly "safe areas" to which it forcibly displaced over 1 million Palestinians from northern Gaza. Among the many attacks was a strike massacring 30 people in Deir al-Balah on 4 February. It has continued attacks on hospitals, besieging Amal and Nasser hospitals in Khan Younis, endangering the lives of patients, medical staff and the 10,000 displaced who sought refuge at the hospital compounds.

Israel has also continued killing journalists and Palestine Red Crescent paramedics, Israeli occupying forces have fired on desperate people standing in line for food aid and struck a United Nations humanitarian convoy, and Israeli snipers and drones continue to target and kill civilians for sport, including those fleeing for their lives, among them children. Hundreds more Palestinians, particularly men and male youth, have been detained and disappeared, subjected to abuse and dehumanization, including torture.

Palestinian homes, residential apartment blocks and universities continue to be blown up and destroyed, with some Israeli soldiers gleefully recording themselves doing so, boasting that they will "leave nothing for them [Palestinians] to come back to", by some estimates destroying or damaging upward of 70 per cent of housing in Gaza. Demolitions of Palestinian homes and other civilian structures in the West Bank, including in the Silwan neighbourhood of East Jerusalem, carry on unabated as part of Israel's decades-long settler-colonial ethnic cleansing campaign in Occupied Palestine.

In recent days, the occupying Power has forced the evacuation of at least another 8,000 already displaced civilians in Khan Younis, pushing most of them towards the Rafah area, where there are now over 1 million people with nowhere to stay but in

the streets or makeshift tents near the border with Egypt. As humanitarian needs and pressures mount in Rafah and Israeli attacks escalate, the risks are growing for a mass exodus of desperate families or forced transfer of the Palestinian population by Israel.

This is a real and present danger that continues to be threatened by Israeli government officials who do not hide their aims to depopulate and settle Gaza. To this end, their malign attacks on UNRWA have ramped up, seeking to deprive Palestine refugees and other vulnerable civilians in Gaza of its life-saving assistance, targeting their ability to withstand and survive this catastrophe.

How can the Security Council allow Israel to continue with these atrocities? When will it demand a halt to this murderous rampage and ethnic cleansing campaign? What pretext could possibly justify this onslaught when nothing, not 7 October or any other attack, can justify genocide?

Every effort must be made to achieve a ceasefire; every responsible action must be taken to save the millions of lives that are in danger for as long as this war continues, with the situation in the region becoming more volatile by the day.

Even as diplomatic efforts are under way, the Security Council must still play its role and fulfil its Charter duties. There are simply no justifications for the Council to sit on the sidelines as an impotent observer when war crimes, crimes against humanity and genocide are being perpetrated and regional and international peace and security are so directly threatened.

We thus reiterate our appeals to the Security Council to demand an immediate ceasefire and to act forthwith to bring a halt to Israel's campaign of death and destruction and siege in Gaza and the rest of the Occupied Palestinian Territory.

Only a ceasefire can ensure implementation of the International Court of Justice provisional measures order and resolutions 2712 (2023) and 2720 (2023) to protect the Palestinian civilian population, prevent their further forced displacement and ensure the delivery of urgently needed humanitarian assistance to them, including through UNRWA, to prevent starvation and illness from spreading further.

We once again implore the Security Council, the General Assembly and all States and organizations to uphold their obligations in accordance with international law, including humanitarian and human rights law. All must act without delay to stem this catastrophic crisis and ensure accountability, including through the International Court of Justice and the International Criminal Court, to finally bring an end to Israel's abhorrent colonial occupation and apartheid regime and this grave injustice against the Palestinian people.

This letter is in follow-up to our 825 letters on the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 31 January 2024 (A/ES-10/981-S/2024/118), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations against our people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

> (Signed) Riyad Mansour Minister Permanent Observer