



General Assembly

Distr.: General
30 September 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by ADALAH - Legal Center for Arab Minority Rights in Israel, 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.

[22 August 2021]

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



Adalah Intervention

In July 2021, in a ten-to-one ruling, the Israeli Supreme Court upheld the Jewish Nation-State Basic Law, which constitutionally enshrines Jewish supremacy and racial segregation as foundational principles of Israel, in complete violation of absolute prohibitions under international law, to which Israel as all other states is bound.

As you may recall, the Nation-State Law, passed in July 2018, not only sanctions systematic and institutional discrimination and domination of Palestinians, but also legally obligates the state and its authorities to implement and enforce such laws, policies, and practices designed to deny Palestinians their collective right to self-determination and their right to equality. As such, the Court's decision reopened the debate about Israel's apartheid characteristics, including related aspects of its laws, policies and practices of domination and control over Palestinians in the Occupied Palestinian Territory (OPT) and in Israel. The law has grave implications for the legal status of Palestinian citizens of Israel, Palestinians living in Jerusalem and in the wider West Bank and in Gaza, as well as Syrians residing in the Golan Heights.

The Supreme Court delivered its decision against the backdrop of heightened violence and human rights violations against Palestinians perpetuated by the state authorities and by organized extremist Israeli Jewish groups with state protection and collusion, since May 2021. The Nation-State Law directly expresses core root causes of systemic racial discrimination, which we expect that the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel, mandated by the UN Human Rights Council at its Special Session in May, will closely examine.

Numerous UN human rights bodies, including the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights, as well as UN Special Rapporteurs and the Human Rights Council have expressed grave concern about the Nation-State Law. We ask that the Council reiterate its grave concern about the law and its implications, and demand that Israel cancel the law.
