



## Security Council

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### **Identical letters dated 15 July 2022 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council**

I am bringing to your attention recent developments regarding the continuous violation of international law surrounding two Israeli civilians, Avera Mengistu and Hisham Al-Sayed, who have been held in captivity in the Gaza Strip by the terrorist organization Hamas since 2014 and 2015, respectively.

Since their captivity, Hamas has not disclosed their whereabouts or allowed any contact between the captives and their families or the Israeli authorities. Nor has it provided information or made possible any visits by international organizations, including the International Committee of the Red Cross. Avera Mengistu and Hisham Al-Sayed are two persons with psychosocial disabilities whose years-long captivities are unfathomably cruel.

On 28 June, Hamas released video footage of Hisham Al-Sayed wearing an oxygen mask. Distributing such a video on social media of an ill hostage is a heinous and desperate act by a terrorist organization. Moreover, Hamas has also not updated any international organizations or Israeli authorities on the current condition of Avera Mengistu. As persons with psychosocial disabilities, these two individuals are deprived of the medical treatment that they require. Israel considers Hamas to be directly responsible for the well-being of the two Israeli civilians whom it is holding in violation of international law. It is extremely alarming that the International Committee of the Red Cross has yet to receive access to provide the most basic preliminary care. Hamas should allow immediate, unconditional access to the International Committee of the Red Cross to carry out a visit to these captives.

These captives, in particular as civilians with medical and psychosocial disabilities, under international law must be respected and protected under any circumstances.

I would also like to draw your attention to the excruciating situation in which Hamas is holding the bodies of two Israel Defense Forces soldiers, Oron Shaul and Hadar Goldin, since 2014. Hamas, a terrorist organization that is responsible for the suffering of so many Israelis and Palestinians, fundamentally violates core obligations of international humanitarian law and continues to display total disregard for universal humanitarian values that the international community and the Charter of the United Nations sanctify, such as humanity, protection of civilians and respect for international law. The actions of Hamas are in blatant violation of both Security Council resolution [2474 \(2019\)](#) and General Assembly resolution [73/178](#). This includes the relevant provisions in both of these resolutions regarding the primary



responsibility of parties to an armed conflict to respect, and ensure respect for, the rights of all individuals in their hands; the importance of allowing families to know the fate and whereabouts of their missing loved ones; the duty to allow missing persons the right to correspond with their families; the need to allow humanitarian personnel unimpeded access to search for and identify missing persons; and the critical importance of cooperating with the International Committee of the Red Cross and allowing it full access.

I call upon the international community, including you in your capacity, to condemn Hamas for its inhuman behaviour and to demand the immediate return of our civilians and the bodies of our fallen soldiers. The State of Israel will continue to do all that it can to bring Avera, Hisham, Oron and Hadar home.

I would be grateful if you would distribute the present letter as a document of the Security Council.

*(Signed)* Gilad **Erdan**  
Ambassador of Israel to the United Nations

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