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To: Members of the United Nations Security Council

Re: The UNSC must act according to Chapter VII to protect the Palestinian residents of the West Bank from the widespread attacks and pogroms

1. I appeal to you on behalf of the Israeli human rights organizations and movements that support the Palestinian communities in the Occupied Palestinian Territories and their urgent need for the UNSC's protection:

Looking the Occupation in the Eye, Machsom Watch, New Profile, Combatants for Peace, Jahalin Solidarity, Jordan Valley Activists and Jewish-Israeli Dissent (JID) Leipzig.

2. The Palestinian communities in the West Bank are suffering from the severe impact of decades of illegal Israeli occupation, from the policy of ethnic cleansing and apartheid by the State of Israel, and from the systematic and widespread violations of their rights by Israeli security forces, far-right militias and settlers. These rights are recognized in the core humanitarian law treaties such as the Geneva Conventions and especially in the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949), and the Regulations Respecting the Laws and Customs of War on Land, annexed to the Hague Convention (II) of 1899 and (IV) of 1907; The core human rights treaties<sup>1</sup> as the International Convention on Civil and Political Rights (1966), the International Convention on Economic, Social and Cultural Rights (1966), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989), and the International Convention on the Suppression and Punishment of the Crime of Apartheid (1976); Also, a long list of UN Security Council Resolutions (242 (1967), 338 (1973), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 1397 (2002), 1515 (2003), and 1850 (2008), 2334 (2016)).

According to the ICJ's Wall Advisory Opinion, "the protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation." (Legal Consequences of the Wall, para. 106)

- 3. Israel continues the illegal and unjustified war of aggression against Palestine, the Palestinian people and refugees; In the last decades Israel's forces have conducted indiscriminate attacks against residential areas and civilian infrastructure, have killed thousands of Palestinian civilians and carried out acts of terror throughout the occupied Palestinian territories targeting various elements of civilian infrastructure such as residential areas, public and cultural buildings, schools, hospitals, roads, and water and electricity networks; These brutal and inhumane acts have caused and are causing death, suffering, destruction and displacement;
- 4. Israeli security forces and their proxies in the settlements and far-right movements have committed summary executions, abductions, torture and other atrocities in Palestine, including the massacres of civilians in cities, towns and villages, and are implementing a policy of ethnic cleansing and apartheid.
- 5. Israel continues to persistently violate the principles of the UN Charter through its acts of aggression against the sovereignty, independence and territorial integrity of Palestine, and to blatantly and grossly violate international humanitarian law, inter alia by deliberately targeting civilian structures that should not be the object of attack according to Article 52(1) of the 1977 Additional Protocol I to the Geneva Conventions of 1949; These crimes reflect a grotesque indifference to the rules and laws of war that constrain the exercise of military power, as seen for instance in the inhumane treatment of prisoners of war, the widespread use of torture and the summary executions of Palestinians, as well as the denial of free access for international humanitarian organizations and journalists to the West Bank, to the Israeli military courts and to prisons.
- 6. Israel's repeated attacks have caused extensive destruction to residences and public buildings such as hospitals, health care clinics, public and cultural buildings, schools, roads, water and electricity facilities, mosques and cemeteries, in spite of the fact that some of those structures were financed by the international community.
- 7. The purpose of Israel's attacks is to terrorize the Palestinian population, to extend the ethnic cleansing and to force the Palestinians to accept the occupying power and agree to the illegal Israeli annexation of several parts of Palestine or all of it, under one apartheid regime.
- 8. As part of its policy of ethnic cleansing and apartheid Israel's deliberate actions are causing a food crisis in Palestinian farming and pastoral communities in the West Bank, and especially in the areas of the Jordan Valley and southern Hebron hills, where many grazing and agricultural areas were declared closed to Palestinians for the benefit of the expansion of the Jewish-only settlements.
- 9. Israel carries out mass surveillance of the Palestinian population, including lawyers, human rights activists and journalists, with the aim of destroying the social fabric and preventing any independent or oppositional thought and movement. Israel is also waging an active information war, spreading disinformation about the Palestinian people and political leadership, and conducting special operations to destabilize society in Palestine and discredit

Palestine's relations with its international partners, including by the Israeli Minister of Defense's declaration that six Palestinian human rights organizations are terrorist organizations.

- 10. Israel has illegally annexed East Jerusalem and implemented there a policy of ethnic cleansing and apartheid; Israel's illegal actions in East Jerusalem include extensive house demolitions, the mass deportation of Palestinian families from their homes as well as the cancelation of residence permits for tens of thousands of Palestinians.
- 11. The Israeli security forces and their proxies in the settlements and in the farright militias have repeatedly targeted Palestinian civilians; violent groups of the settlers and the far-right receive significant political, economic and logistical support from the State of Israel, in particular from the Israel Ministry of Defence, the Israel Defence Forces (IDF) and Israel Police.
- 12. For many years Israel has supported and financed, directly and indirectly, terrorist groups of the settlers and the far-right, and it allowed them to operate freely. Supporters of genocide, ethnic cleansing, crimes against humanity, war crimes and of the "Kach" movement (which was recognized as a terrorist organization by the US, EU, Canada, Japan and Israel itself) are senior ministers in Prime Minister Netanyahu's new government and are members of its coalition in the Knesset.
- 13. Because of the nature of the Israeli apartheid regime, but also because of Prime Minister Netanyahu's political alliance with the far-right, since his second government in 2009 there has been an exponential growth in Israeli-Jewish terrorist incidents in the West Bank. Among other things, dozens of churches and mosques were set on fire or vandalized, hundreds of residences and businesses and thousands of vehicles were set on fire, and tens of thousands of olive trees were cut down. In addition, as described, countless Palestinian civilians have been attacked, beaten, shot, kidnapped, tortured, threatened and even murdered by far-right Israeli terrorist operatives.
- 14. Until the establishment of the sixth Netanyahu government, at the end of 2022, there were countless acts of terrorism by Israeli far-right terrorists, but they were usually carried out in small groups and many times by masked people under the cover of darkness. Because of the composition of the current government and coalition, the terrorists of the far-right no longer have a reason to hide and they carry out a chain of pogroms with the participation of between several dozen to several hundred in each pogrom.
- 15. For example, on February 26, 2023, there was a pogrom in Hawara in which approximately 400 terrorists from the Israeli far-right participated. They even received support from Knesset members in the coalition and senior ministers in Netanyahu's government. Although we submitted a demand to the Attorney General to open a criminal investigation against those politicians who incited the pogroms and called for "the erasure of the Hawara village", with the exception of one MK, no criminal investigation was opened and thus the incitement continued in the chain of pogroms since then. Last week, pogroms were carried out in Turmus Ayya, in Al-Lubban ash Sharqiya and other

villages, when crowds of terrorists from the Israeli far-right carried out their plot openly without the Israeli security forces intervening or arresting them. This is despite the fact that the Israeli security forces received reports upon the arrival of the hundreds of Israeli terrorists in the Palestinian villages, and the area is also covered with a dense network of security cameras.

- 16. Meanwhile in the chain of pogroms there were only a few incidents of killing, but it seems that the State of Israel is on its way to being responsible again for the Sabra and Shatila massacre only this time it will not be done by armed militias of the Christian far-right in Lebanon, but by armed militias of the Israeli far-right.
- 17. On the basis of the aforementioned, we ask the UNSC to act according to Chapter VII of the Charter of the United Nations:
  - a) To decide that the present situation with regard to the West Bank is likely to threaten international peace and security and may further deteriorate unless additional measures are promptly taken to maintain peace and to seek out a durable solution.
  - b) To establish a mission of the UN to ensure effective protection for the civilian Palestinian population from targeted attacks by the State of Israel, Israeli security forces and Israeli far-right militias and settlers, with respect for the rule of law, human rights and international humanitarian law.
  - c) To fight impunity and bring the Israeli perpetrators to justice and provide medical, humanitarian and other assistance to the victims of the pogroms and human rights violations in the West Bank.
  - d) To impose sanctions, including travel bans and assets freeze on Israeli individuals and entities that are responsible for, or complicit in, or having engaged in directly or indirectly violations of human rights and international humanitarian law in the West Bank, and especially during the pogroms.
- 18. We would be grateful for your prompt action and response.

Eitay Mack, Adv.