

## Joint Statement

### **On Land Day Civil Society Urge Accountability and End to Israel's Illegal Closure of Gaza**

Date: 30 March 2020

For the past two years,<sup>i</sup> Palestinians in the occupied Gaza Strip have gathered on a near-weekly basis to participate in the Great Return March demonstrations at the Gaza perimeter fence, calling for an end to Israel's illegal closure of the Gaza Strip and the realisation of Palestinian refugees' right of return to their homes, lands, and property, as mandated by international law.<sup>ii</sup> The Great Return March started on 30 March, a central date in Palestinian collective memory, marking Land Day, which commemorates the killing of six Palestinians citizens of Israel in 1976 and the injury of 70 others by Israeli police, while protesting Israel's expropriation of thousands of dunums of Palestinian land in the Galilee.<sup>iii</sup> The 1976 wave of land dispossessions epitomized Israel's consistent and ongoing practices to deprive the Palestinian people of its homes, lands, water and other natural resources.

Rooted in institutionalised oppression, displacement, and dispossession of the indigenous Palestinian people since 1948, Land Day has come to symbolise Israel's systematic appropriation of Palestinian land and property as part of its prolonged settler-colonial endeavour,<sup>iv</sup> which has continued amidst the novel coronavirus (COVID-19) pandemic.<sup>v</sup> While COVID-19 continues to spread in Palestine and around the world, with nine confirmed cases in the Gaza Strip as of 29 March 2020,<sup>vi</sup> the organisers of the demonstrations in Gaza have cancelled commemorative events over concerns for Palestinians' health and safety.<sup>vii</sup> On both sides of the Green Line, Palestinians have called for a 'digital demonstration' to mark Land Day,<sup>viii</sup> whereas civil society groups are organising a livestreamed [rally and Twitter storm](#) between 8–10 pm (Palestine time) on 30 March to call for an end to the Gaza closure.

Since 2007, against the backdrop of 52-years of brutal Israeli military occupation, Israel has imposed a comprehensive land, sea, and air blockade and closure, considered an unlawful collective punishment of two million Palestinians in the Gaza Strip. The closure has led to the collapse of essential services, profound levels of poverty, food insecurity, unemployment, and aid-dependency, and the contamination of most of Gaza's water supply.<sup>ix</sup> Movement and access restrictions, now a state of exception imposed globally by the pandemic, have been a daily reality for Palestinians in Gaza for nearly 13 years. Compounded by Israel's active de-development of the Strip and repeated military bombardments, the closure has undermined all aspects of life in the Strip, crippled Gaza's healthcare system, and violated Palestinians' right to health, thereby weakening Palestinians' capacity to adequately prevent and mitigate the impacts of what could be a catastrophic COVID-19 outbreak.<sup>x</sup>

Despite repeated warnings by the United Nations (UN) that the Gaza Strip will become uninhabitable by 2020,<sup>xi</sup> third States have consistently failed to take action to lift Israel's illegal closure. Instead, the past two years have seen further bloodshed and suffering for the Palestinian people in Gaza, the result of Israel's widespread and systematic resort to lethal and other excessive force to suppress the Great Return March. Since 30 March 2018, the Israeli occupying forces have killed 217 Palestinians in the context of the demonstrations, including 48 children, nine persons with disabilities, four paramedics, and two journalists, reflecting Israel's widespread and systematic disregard for Palestinian life, health, and bodily integrity, and a deliberate shoot-to-kill and shoot-to-maim policy.<sup>xii</sup>

Last February, the UN Commission of Inquiry on the 2018 protests in the occupied Palestinian territory, found “reasonable grounds to believe that Israeli snipers shot at journalists, health workers, children and persons with disabilities, knowing they were clearly recognizable as such.”<sup>xiii</sup> The Commission called on Israel to lift its blockade on Gaza with immediate effect and to align its rules of engagement for the use of live fire with international human rights law, urging all parties to uphold the right to health of Palestinians and ensure the treatment of protest-related injuries, while calling on third States to activate universal jurisdiction mechanisms to ensure accountability for suspected war crimes and crimes against humanity committed in the Gaza Strip.<sup>xiv</sup> Yet, since the adoption of these recommendations by the Human Rights Council on 22 March 2019,<sup>xv</sup> no effective measures have been taken to implement these urgent calls.

On Land Day, the undersigned organisations call for effective measures to uphold international justice and accountability for widespread and systematic human rights violations committed against the Palestinian people. Our organisations urgently call on the UN and third States to bring an end to the Gaza closure, to take effective measures to implement the recommendations of the Commission of Inquiry, and to call for the opening of an investigation by the International Criminal Court (ICC) into the Situation in the State of Palestine.<sup>xvi</sup> Finally, we urge the ICC’s Pre-Trial Chamber to immediately recognize the occupied Palestinian territory, comprising the West Bank, including East Jerusalem, and the Gaza Strip, as being within the Court’s jurisdiction, so that the Prosecutor may begin her long-awaited investigation into suspected war crimes and crimes against humanity committed against the Palestinian people, including within the context of the Great Return March in the Gaza Strip.

As we commemorate Land Day, our organisations stress that, in the absence of accountability, third States have allowed Israel’s pervasive impunity to prevail, while the root causes driving the demonstrations in the Gaza Strip over the past two years have remained unaddressed.<sup>xvii</sup> Seven decades since the Nakba, it is long time for third States to adopt effective measures to uphold the inalienable rights of the Palestinian people.

### **Signatory organisations:**

- Members of the Palestinian Human Rights Organizations Council (PHROC), including:
  - Al-Haq – Law in the Service of Mankind
  - Al Mezan Center for Human Rights
  - Addameer Prisoner Support and Human Rights Association
  - Palestinian Centre for Human Rights (PCHR)
  - Defense for Children International Palestine (DCIP)
  - Jerusalem Legal Aid and Human Rights Center (JLAC)
  - Aldameer Association for Human Rights
  - Ramallah Center for Human Rights Studies (RCHRS)
  - Hurriyat – Center for Defense of Liberties and Civil Rights
  - The Independent Commission for Human Rights (Ombudsman Office) – Observer Member
  - Muwatin Institute for Democracy and Human Rights – Observer Member
- Palestinian Counseling Center (PCC)
- Palestinian Non-Governmental Organizations Network (PNGO)
- Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)
- The Palestine Institute for Public Diplomacy (PIPD)
- Women’s Center for Legal Aid and Counseling (WCLAC)
- Habitat International Coalition – Housing and Land Rights Network

- <sup>i</sup> Al-Haq, “30 March: 15 Palestinians Killed, more than a Thousand Injured, as IOF Violently Suppress Palestinian Protestors in the Gaza Strip,” 31 March 2018, available at: <http://www.alhaq.org/advocacy/6252.html>; Middle East Monitor, “Gaza halts Great March of Return for Three months,” 27 December 2019, available at: <https://www.middleeastmonitor.com/20191227-gaza-halts-great-march-of-return-for-three-months/>.
- <sup>ii</sup> For more information, see Al-Haq, “Q&A The Great Return March: One Year On,” 25 May 2019, available at: <http://www.alhaq.org/advocacy/6044.html>; and Al-Haq, “Al-Haq Reaffirms Rights-Based Root Causes of Great Return March at its One-Year Commemoration in the Gaza Strip,” 30 March 2019, available at: <http://www.alhaq.org/advocacy/6078.html>.
- <sup>iii</sup> Al-Haq, “The Nakba 70 Years On: Israel’s Failure to Erase Palestinian Collective Memory,” 15 May 2018, Rania Muhareb, available at: <http://www.alhaq.org/advocacy/6215.html>.
- <sup>iv</sup> Al-Haq, “Palestinian Land Day Observes Decades of Israeli Land Expropriation,” 30 March 2005, available at: <http://www.alhaq.org/publications/7367.html>.
- <sup>v</sup> See, e.g., Mondoweiss, “Israeli military confiscates Palestinian field clinic for virus victims — B’Tselem’s ‘shocking’ report,” 28 March 2020, available at: <https://mondoweiss.net/2020/03/israeli-military-confiscates-palestinian-field-clinic-for-virus-victims-btselems-shocking-report/>.
- <sup>vi</sup> Al Jazeera, “‘Catastrophe’: Fears over outbreak of coronavirus in Gaza,” 26 March 2020, available at: <https://www.aljazeera.com/news/2020/03/fears-outbreak-coronavirus-gaza-20032611450748.html>.
- <sup>vii</sup> Middle East Monitor, “Gaza halts Great March of Return for Three months,” 27 December 2019, available at: <https://www.middleeastmonitor.com/20191227-gaza-halts-great-march-of-return-for-three-months/>; Al Jazeera, “Palestinian groups cancel mass Gaza rallies due to coronavirus,” 28 March 2020, available at: <https://www.aljazeera.com/news/2020/03/palestinian-groups-cancel-mass-gaza-rallies-due-coronavirus-200328172443167.html>.
- <sup>viii</sup> See Arab 48, “Follow-up Committee calls for commemoration of Land Day with a ‘digital demonstration,’” [Arabic] 27 March 2020, available at: <https://bit.ly/3bELYNH>; see also Palestinian Ministry of Information, “Ministry organizes a unified broadcast wave and calls for organizing digital demonstrations on social media to commemorate the eternal Land Day,” [Arabic] 28 March 2020, available at: <https://minfo.ps/home/details/9166>.
- <sup>ix</sup> Al-Haq, “On World Water Day, Al-Haq Recalls Israeli Water-Apartheid Amidst a Global Pandemic,” 23 March 2020, available at: <http://www.alhaq.org/advocacy/16625.html>.
- <sup>x</sup> OHCHR, “COVID-19: Israel has ‘legal duty’ to ensure that Palestinians in OPT receive essential health services – UN expert,” 19 March 2020, available at: <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=25728&LangID=E>; see also David Mills, Bram Wispelwey, Rania Muhareb, and Mads Gilbert, “Structural violence in the era of a new pandemic: the case of the Gaza Strip,” *The Lancet*, 27 March 2020, available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)30730-3/fulltext?fbclid=IwAR12qORQanzoTqmXfwRX6D-OGjy9aNrthA-K9CjWmUVSrvmm2fkO3LNxYY](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)30730-3/fulltext?fbclid=IwAR12qORQanzoTqmXfwRX6D-OGjy9aNrthA-K9CjWmUVSrvmm2fkO3LNxYY).
- <sup>xi</sup> See, e.g., UN Country Team in the occupied Palestinian territory, “Gaza in 2020: A Liveable Place?,” August 2012, available at: <https://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf>; UNCTAD, “Report on UNCTAD assistance to the Palestinian people: Developments in the economy of the Occupied Palestinian Territory,” 6 July 2015, UN Doc. TD/B/62/3; UN Country Team in the occupied Palestinian territory, “Gaza Ten Years Later,” July 2017, available at: <https://www.un.org/unispal/document/gaza-ten-years-later-un-country-team-in-the-occupied-palestinian-territory-report/>.
- <sup>xii</sup> See Al-Haq, “Al-Haq Welcomes Report of UN Commission of Inquiry on Great Return March,” 28 February 2019, available at: <http://www.alhaq.org/advocacy/6097.html>; see also Al-Haq, “Israel Deliberately Injures and Maims Palestinian Civilians, Prevents Evacuation of Wounded, and Denies Access to Vital Healthcare Facilities Outside the Gaza Strip,” 18 April 2018, available at: <http://www.alhaq.org/monitoring-documentation/6243.html>.
- <sup>xiii</sup> OHCHR, “No Justification for Israel to Shoot Protesters with Live Ammunition,” 28 February 2019, available at: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=24226&LangID=E>.
- <sup>xiv</sup> UN Human Rights Council, Resolution 40/13, 22 March 2019, UN Doc. A/HRC/RES/40/13, para. 11; UN Human Rights Council, Report of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, 25 February 2019, UN Doc. A/HRC/40/74.
- <sup>xv</sup> See Al-Haq, “Al-Haq Welcomes Adoption of UN Commission of Inquiry Recommendations on the Great Return March,” 23 March 2019, available at: <http://www.alhaq.org/advocacy/6085.html>.
- <sup>xvi</sup> See Al-Haq, “Palestinian Human Rights Organisations Submit Amicus on Territorial Jurisdiction of the State of Palestine, to the Pre Trial Chamber of the International Criminal Court,” 19 March 2020, available at: <http://www.alhaq.org/advocacy/16609.html>.
- <sup>xvii</sup> Al-Haq, “Al-Haq Reaffirms Rights-Based Root Causes of Great Return March at its One-Year Commemoration in the Gaza Strip,” 30 March 2019, available at: <http://www.alhaq.org/advocacy/6078.html>. See also Al-Haq, “Palestinian, Regional, and International Civil Society Organisations Submit Written Statements to the UN Human Rights Council,” 4 February 2020, available at: <http://www.alhaq.org/advocacy/16417.html>.