

Al-Mezan Center for Human Rights
Aldameer Association for Human Rights
Defence for Children International – Palestine
The Palestinian Centre for Human Rights
Muwatin Institute for Democracy and Human Rights (Observer)

Re: PHROC Warns that UN Mandates are Failing to Protect Palestinians as Israel Kills Over 50,000 Palestinians, Meek Condemnations are Complicity

Date: 25 March 2025

Dear Acting Special Adviser Ms. Virgina Gamba, and Special Adviser Ms. Mô Bleeker,

In light of Israel's horrific and irreversible genocidal attacks against the Palestinian people, with 50,144 Palestinians killed and 113,704 Palestinians injured, since 7 October 2023, the Palestinian Human Rights Organizations Council (PHROC) urges the Special Advisors to provide more considered and concrete recommendations, to use all means available to stop the genocide.

Central to the establishment of your Mandates was the recognition that the United Nations, and its member states, had failed to protect the people of Rwanda and of the Balkans from genocide in the 1990s, and had to do more to prevent genocide. The purpose of the Mandates today is directed at the practical, with the intention of enabling the UN to act in a timely fashion in order to prevent and to halt the commission of genocides.

Since October 2023, the Israeli Occupation Forces (IOF) have unleashed an unrelenting genocidal campaign against the Palestinians of Gaza — a campaign which we warn is presently being expanded across all of the occupied Palestinian territory (OPT). This genocidal campaign is live streamed for the world to witness; characterised by intense racist hate speech and direct and public incitement to genocide on the part of Israeli officials, policymakers, and soldiers; and perpetrated with the complicity of many states.

While the Special Adviser on the Prevention of Genocide is intended to act as an early warning mechanism, the international community is already well-aware of the genocide unfolding in Gaza. Various UN Special Rapporteurs, experts, offices, and agencies have identified the commission of genocidal acts in Gaza. In a decision adopted on 21 December 2023 under its Early Warning and Urgent Action Procedures, the Committee on the Elimination of Racial Discrimination (CERD) voiced grave concerns "about the racist hate speech, incitement to violence and genocidal actions, as well as dehumanizing rhetoric targeted at Palestinians since 7 October 2023 by Israeli senior government officials, members of the Parliament, politicians and public figures". The International Court of Justice (ICJ) has ruled that Israel is plausibly committing genocide and has consequently issued three Orders on provisional measures in an attempt to protect Palestinians therein.

Fax: +970 (0)2 2954903

٤٥ الشارع الرئيسي - طابق (٢+٢) - مقابل دير اللاتين

كنيسة مار اندراوس الانجيلية (قاعة البروتستانت)



Al-Mezan Center for Human Rights
Aldameer Association for Human Rights
Defence for Children International – Palestine
The Palestinian Centre for Human Rights
Muwatin Institute for Democracy and Human Rights (Observer)

By letter of 7 February 2024 we <u>articulated</u> to the UN Secretary-General our deep concern that, even while the International Court of Justice (ICJ) had determined it to be plausible that Israel is committing genocide against Palestinians in Gaza and recognised the risk of irreparable harm to Palestinians there, the Mandates had incomprehensively failed to take any public steps to attend to their duties and responsibilities. The Mandates remained silent even as Israel ignored the three provisional measures Orders made by the ICJ under the Convention on the Prevention and Punishment of the Crime of Genocide, and while Israel escalated its criminal campaign against all Palestinians, including future generations, through its attack on the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) – an agency described as a <u>lifeline</u> for Palestinians across the OPT and the <u>"backbone"</u> of the humanitarian response in Gaza.

Intensified Attacks Against Palestinians in the West Bank

As the Israel-Hamas ceasefire of January 2025 came into effect, Israel dramatically escalated its attacks against Palestinians in the occupied West Bank. On 21 January 2025, the Special Rapporteur warned:

As the long awaited ceasefire in Gaza took place, Israel's death machinery escalated its firing in the West Bank, killing 10 people in Jenin today. If it is not forced to stop, Israel's genocide of Palestinians will not be confined to Gaza. Mark my words.

Just days after the ceasefire in Gaza was agreed, Israel forced over <u>40,000</u> Palestinians from their homes across the West Bank governorates of Jenin, Tulkarm and Tubas — with Israeli forces telling Palestinians they will never be allowed to <u>return</u>. On 10 February 2025, UNRWA <u>warned</u>:

Forced displacement in the occupied West Bank is the result of an increasingly dangerous and coercive environment. The use of air strikes, armoured bulldozers, controlled detonations, and advanced weaponry by the Israeli Forces has become commonplace — a spillover of the war in Gaza. Such militarised approaches are inconsistent with the law enforcement context of the occupied West Bank, where there have been at least 38 airstrikes in 2025 alone.

On 23 February 2025 the Palestinian Ministry of Foreign Affairs and Expatriates stated that it 'views these developments — including [Israel's Minister of Defence] Katz's statements, the deployment of tanks, and the deliberate intimidation of defenceless civilians — as a grave escalation in the West Bank and a flagrant attempt to entrench genocide and forced displacement against our unarmed people.'

Continuing Genocidal Attacks against Palestinians in Gaza

Since 2 March 2025, Israeli authorities have cut off the entry of all life-saving supplies — food, medicines, fuel, cooking gas and prevented the delivery of <u>mobile homes</u> as shelter — for 2.1

Fax: +970 (0)2 2954903



Al-Mezan Center for Human Rights

Aldameer Association for Human Rights

Defence for Children International – Palestine

The Palestinian Centre for Human Rights

Muwatin Institute for Democracy and Human Rights (Observer)

million people in the unlawfully occupied Gaza Strip. On 16 March 2025 UNICEF <u>stated</u> that "[w]ithout aid entering the Gaza Strip, roughly 1 million children are living without the very basics they need to survive — yet again". Violating the ceasefire agreement with Hamas, and in the absence of any remotely lawful military justification, on 18 March 2025 the Israeli military resumed its physical slaughter of Palestinians in Gaza, with airstrikes that killed over 400 children, women and men in the space of just hours.

In the context of an occupation which the ICJ has <u>concluded</u> is unlawful in its Advisory Opinion of July 2024 — in which the Court also found that Israel's conduct was in violation of the Convention on the Elimination of Racial Discriminations prohibitions on racial segregation and apartheid — the continued failure of the Mandates to confront and challenge Israel's genocidal assault on the Palestinian people represents clear confirmation that the UN's response to its failures in previous genocide is presently being replicated in a new failure to uphold the fundamental rights of a protected group.

In addition to the warnings of UN Special Procedures <u>identified</u> in our previous <u>letters</u>, the UN's Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories <u>concluded</u> in September 2024 'that the policies and practices of Israel during the reporting period are consistent with the characteristics of genocide'. In addition, Human Rights Watch <u>found</u> that Israeli authorities are responsible for acts of genocide and Amesty International <u>found</u> that Israel is committing genocide against Palestinians in Gaza.

In its <u>report</u> of 13 March 2025 to the Human Rights Council, the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel concluded that Israel's systematic use of sexual, reproductive and other forms of gender-based violence since 7 October 2023 constituted genocidal acts. The Commission of Inquiry found that Israel's 'intentional destruction of reproductive health care, infrastructure and facilities that provide essential services for the population of Gaza to survive and reproduce exhibits the intent to destroy the Palestinians in Gaza, in whole or in part'. The destruction of the Basma IVF clinic was identified as a measure intended to prevent births among Palestinians in Gaza, which is a genocidal act under the Rome Statute and Genocide Convention. The Commission also concluded 'that this was done with the intent to destroy the Palestinians in Gaza as a group, in whole or in part, and that this is the only inference that could reasonably be drawn from the acts in question.'

United Nations Failing in its Responsibility to the Palestinian People

The UN has historically borne a specific <u>responsibility</u> towards the Palestinian people. Attempts to uphold this responsibility have consistently fallen short, as our people continue to be denied their inalienable right to self-determination, including their right to return. We note the 19 March 2025 Press <u>Release</u> on the part of Acting Special Adviser on the Prevention of Genocide, Ms Virgina Gamba, and the Special Adviser on the Responsibility to Protect, Ms

Fax: +970 (0)2 2954903



Al-Mezan Center for Human Rights
Aldameer Association for Human Rights
Defence for Children International – Palestine
The Palestinian Centre for Human Rights
Muwatin Institute for Democracy and Human Rights (Observer)

Mô Bleeker as to the escalation of violence in Gaza. However, the Mandates remain remarkably silent as to the ongoing, expanding, and unapologetic genocide being wrecked against the Palestinians, a genocide whose commission is seriously undermining international peace and security, and the tolerance of which will prove <u>fatal</u> for the framework of international law.

We recall the provisional measures Order of 26 January 2024 of the International Court of Justice (ICJ) that Israel is obliged to ensure that persons committing genocide, conspiring to commit genocide, directly and publicly inciting genocide, attempting to commit genocide and complicit in genocide contrary to the Convention Against Genocide are punished. The statement's acknowledgement of the worsening humanitarian crisis in Gaza and its call for the ceasefire to be respected, represents the minimal recognition by the Mandates as to the gravity of the present situation, and in no way satisfies the function of the crucial Mandates for which they remain responsible.

Israel is targeting and killing humanitarian aid workers, medical and media personnel. On 24 March 2025, in response to Israel's most recent killing of UN personnel, the UN <u>indicated</u> its intention to withdraw staff from Gaza. Such decisions, signaling the international abandonment of Palestinians, forewarns that UN failures to prevent and halt genocide in Rwanda and Srebrenica are destined to be repeated. Our frustration with the continued refusal of the Mandates to draw on the conclusions and Orders of the International Court of Justice and to name Israel's conduct as being in violation of the Convention Against Genocide, or to flag as demanding prosecution the ongoing racist hate speech constituting direct and public incitement to genocide by Israeli officials, is fueled by witnessing the savage destruction of our people.

While our <u>repeated calls</u> to your predecessor, Alice Wairimu Nderitu, went unanswered, we hope that you will not be silent at this pivotal time. As Special Advisers on the Prevention of Genocide and the Responsibility to Protect, your input on the situation unfolding in the OPT, and the atrocities being committed against the protected Palestinian population, is invaluable. Moreover, in light of the abundance of available evidence, and drawing on the lessons already learned from previous genocides across the world, we charge that silence in the face of ongoing Israeli genocidal attacks constitutes complicity, and express our frustrated wish that the Mandates act to ensure that their continued silence, notwithstanding meek condemnations, does not encourage further complicity in Israel's project.

We urge you to use all means available to you, as required by <u>your complementary mandates</u>, and to work together to stop the genocide of the Palestinian people. This involves mobilising the international community, particularly Third States, to uphold their binding obligations under international law and advancing national and international efforts to promote intervention and accountability.

Yours Sincerely,

Fax: +970 (0)2 2954903



Al-Mezan Center for Human Rights
Aldameer Association for Human Rights
Defence for Children International – Palestine
The Palestinian Centre for Human Rights
Muwatin Institute for Democracy and Human Rights (Observer)

Palestinian Human Rights Organizations Council comprising:



Addameer Prisoners'
Support and Human
Rights Association
Sahar Francis
General Director



Aldameer Association for Human Rights
Alaa Skafi
Acting General Director



Al-Haq Shawan Jabarin General Director



Al Mezan Center for Human Rights
Issam Younis
General Director



The Palestinian
Centre for Human
Rights
Raji Sourani
General Director



DefenceforChildrenInternationalSectionPalestineSectionKhaledQuzmarGeneral Director



Ramallah Center for Human Rights Studies Khalid Nassif General Director



Hurryyat - Centre for Defense of Liberties and Civil Rights
Helmi Al-Araj
General Director



Jerusalem Center for Legal Aid and Human Rights Issam Aruri General Director



Independent
Commission for
Human Rights
(Ombudsman Office) -

General Director



Muatin Institute for Democracy and Human Rights - Observer Mudar Qasis General Director