STATEMENTS AND SPEECHES | OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

ASG Brands Kehris briefs Security Council on situation in Israel and the Occupied Palestinian Territory

12 January 2024

Share

DELIVERED BY

Ilze Brands Kehris, Assistant Secretary General for Human Rights

AT

the United Nations Security Council

Mr President,

Excellencies,

It is an honour to address the Security Council on behalf of the Office of the High Commissioner for Human Rights.

The devastating situation and immense suffering we are seeing in Gaza are preventable and foreseeable, and has been warned about for many weeks.

The horror of the 7 October attacks – for which there must be accountability – will not be forgotten.

For Palestinians, the threat of forced displacement carries particular resonance – it is seared into Palestinian collective consciousness by what they refer to as the Nakba ("catastrophe") of 1948 when millions of Palestinians were forced from their homes.

Since October 7, approximately 1.9 million Palestinians – nearly 85 per cent of Gaza's population – have been displaced, for many people now on multiple occasions. Some have followed Israeli orders to leave certain areas, others fleeing for fear of also falling victim to violence and severe deprivation should they remain. Families have been separated, tens of thousands killed, and many thousands more seriously injured or remaining missing.

Over a hundred thousand people have also been internally displaced in southern Israel as a result of the conflict in Gaza, as well as in northern Israel. Reportedly, Israel has put in place provisions for their displacement in satisfactory conditions.

Excellencies,

What has happened in Gaza is not just a by-product of conflict, but is the direct result of the manner in which hostilities have been conducted.

Massive displacement in Gaza commenced on 12 October with Israeli authorities' order to Palestinian civilians north of the Wadi Gaza to vacate their homes and go south.

While Israel stated that its evacuation orders have been for the safety of Palestinian civilians, it appears that Israel has made scant provision to ensure such relocations comply with international law – in particular ensuring access to appropriate hygiene, health, safety, nutrition and shelter and taking steps to minimise the risk of separation of family members. Such compelled evacuations, failing to meet the necessary conditions for lawfulness, therefore potentially amount to forcible transfer, a war crime.

In fact, these orders have often been confusing, requiring civilians to move to so-called "humanitarian zones" or "known shelters" despite the fact that many such areas have been subsequently struck in Israeli military operations and the lack of any capacity in the shelters to absorb more people.

OHCHR has documented how many civilians have sought in vain to find locations safe from Israel's massive bombardment and other military operations that have been continuing across the Gaza strip, including in places specifically protected under international humanitarian law such as hospitals and schools. The UN has documented 319 IDPs killed and 1135 injured in UNRWA shelters alone since 7 October. More than 60 percent of people's homes have been damaged or destroyed across Gaza.

Nowhere is safe.

Compounding a 17-year blockade imposed by Israel, Israel is failing in its obligations, including as an occupying power, to facilitate entry of sufficient aid and essential commercial goods into Gaza to meet the basic subsistence needs of the civilian population. Distribution of the little aid available to those most in need – nursing mothers, pregnant women,

infants and children, aged persons, people with disabilities – is almost impossible. Hundreds of thousands are estimated to remain in northern Gaza, where almost no humanitarian aid has been permitted and where the water supply has remained cut – forcing people south — since the beginning of the conflict.

More than 90 per cent of the population is now suffering from acute food insecurity, and many are on the brink of avoidable human-made famine. We recall that starvation of the civilian population as a method of war is prohibited.

The unacceptably high civilian casualty rate, the nearly complete destruction of essential civilian infrastructure, the displacement of an overwhelming percentage of the population and the abominable humanitarian conditions in which 2.2 million people are being forced to endure raise very serious concerns about the potential commission of war crimes, while the risk of further grave violations, even atrocity crimes, is real.

The prospect of widespread famine and disease, as Palestinians are crammed into the tiniest slivers of the Gaza Strip along the Egyptian border in overcrowded and dire humanitarian conditions with insufficient aid and a collapse in provision of basic services, while Middle Gaza and Khan Younis remain under sustained aerial bombardment, cumulatively heightens the risks of further massive displacement on a widening scale, potentially even beyond Gaza's borders. With people desperate for safety and security, this is a risk the Council must be alive to.

As OHCHR has recently documented and reported, since 7 October, violence by Israeli settlers and Israeli security personnel has also dramatically increased in the West Bank, including East Jerusalem, leading to the displacement of many communities within an increasingly coercive environment, possibly constituting forcible transfer. This comes in a context marked by massive increases in use of force by Israeli security forces, the detention of thousands of Palestinians, and extensive movement restrictions. The risk of an expanded and intense conflict in the West Bank cannot be ruled out.

Incendiary statements by some members of Israel's leadership pushing for permanent resettlement of Palestinians overseas have entrenched fears that Palestinians are being deliberately forced out of Gaza and will not be able to return. This must not be permitted.

Palestinians' right to return to their homes must be subject to an ironclad guarantee – even if needed humanitarian corridors are opened to allow Palestinians, especially the sick, persons with disabilities, older persons, and pregnant women and children, to flee including to Israel and the West Bank, including East Jerusalem. Israel, as the occupying power, must support their return by restoring essential services and facilitating the necessary reconstruction of Gaza, particularly given that the scale of destruction and presence of unprecedented levels of explosive remnants of war, mean there are major practical obstacles to the near-term return home of most of those already displaced.

Excellencies, we need an immediate ceasefire on human rights and humanitarian grounds and the unconditional release of all hostages, as indispensable first steps towards a durable solution. The protection of civilians must be prioritised and they must be allowed to find safety and access to life sustaining assistance, wherever they are. Settler violence in the West Bank must be condemned and accountability pursued, and settlements stopped.

We must also look towards what comes next. This current violence comes in the context of decades of human rights violations. For any enduring solution to this crisis, the underlying root causes must be addressed – and this includes accountability for violations committed on and since 7 October, and in the many years before. Ensuring justice and that the rights of all peoples – both of Palestinians and Israelis – are respected and protected is the only basis on which an enduring peace can be built.

Thank you, Mr. President.

Situation in the Occupied Palestinian Territory and Israel

See all Media coverage of the situation

Tags

Israel Palestine

Related

STATEMENTS

Human Rights Council hears oral update on Georgia and holds interactive dialogue with the Special Rapporteur on occupied Palestinian territories

STATEMENTS

Human Rights Council 43rd Session, Agenda Item 2, Introductory remarks by Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights

PRESS RELEASES

UN rights office issues report on business activities related to settlements in the Occupied Palestinian Territory

Resources

Databases

Library

Publications

Connect

Contact Us

Follow us

Work With Us

Donate

Contact

Copyrights

Privacy Policy

Terms of use