

Alice Wairimu Nderitu
Special Adviser on the Prevention of Genocide
United Nations
New York, the United States of America

George Okoth-Obbo
Special Advisor on the Responsibility to Protect
United Nations
New York, the United States of America

2 December 2023

RE: Palestinian Human Rights Organisations Urge that Immediate and Effective Measures are Needed as Genocide is Unfolding in the Gaza Strip

Your Excellencies, Special Advisors Alice Wairimu Nderitu and George Okoth-Obbo,

It is with great urgency that we, the undersigned Palestinian civil society organisations, address this letter to you Ms Nderitu and Mr Okoth-Obbo, with regards to Israel's actions in the occupied Palestinian territory, including and especially in the Gaza Strip. We alarmingly take note of the [statement](#) of Ms Nderitu issued on 15 October 2023, as further elaborated below, which has not alerted the international community to the risk of genocide against the Palestinian people. We urge you to take all measures at your disposal, as required by [your mandate](#), to prevent the unfolding genocide in Gaza, including by mobilising the international community, particularly Third States, to uphold their legal obligations and urgently intervene for this end.

For the past eight weeks, Israel has carried out a revengeful military campaign against the besieged Gaza Strip—one of the most densely populated areas in the world with over two million inhabitants, half of whom are children—on an unprecedented scale. According to the Palestinian Government Media Office, the number of Palestinians killed in Gaza since 7 October as of 1 December 2023 has reached at least 15,000 Palestinians—almost 70% of whom are children and women—and at least 37,000 more injured. Given the thousands of unretrieved bodies still trapped under the rubble in Gaza, we have reason to believe that these figures will drastically rise. In the West Bank, including occupied Jerusalem, 245 Palestinians have been killed and over 3,300 injured by Israeli occupying forces and settlers, since 7 October and the 'deaths' of six detainees were announced by the Israeli occupying authorities. In Gaza, there has been extensive targeting of civilian objects and the massive widespread and systematic destruction of infrastructure—it is [estimated](#) that at least 60% of all housing units in the Gaza Strip have been completely destroyed or partially damaged. At present, the number of [internally displaced](#) Palestinians in Gaza is estimated at more than 1.8 million—nearly 80% of the population.

Against this backdrop, your silence on the risk of genocide in Palestine, Ms. Nderitu and Mr. Okoth-Obbo, is deafening. Meanwhile in that same time, your office has issued warnings on the rights of [Armenian refugees](#) to return, on the [heightened risk](#) of genocide and atrocity crimes in Tigray, Amhara, Afar, Oromi and on the risk of genocide in [Darfur, Sudan](#). For the past 56 days, there has been an absence of decisive diplomatic measures to uphold international law and to end the genocide unfolding against the Palestinian people in Gaza. Indeed, the deliberate failure of the international community to hold Israel responsible for its 75-year-long

settler colonialism, 56-year illegal occupation of Palestinian territory, and 16-year-long closure of Gaza, and its impunity over decades for its international crimes, including apartheid, has culminated in the past weeks of horrific violence—including war crimes, crimes against humanity, and incitement to genocide.

We, Palestinian civil society organisations, have, as early as 13 October 2023—two days prior to the day you issued your statement—[warned](#) and [urged](#) States to intervene to protect the Palestinian people against impending genocide. On 15 October 2023, some 800 scholars and practitioners of international law and genocide studies, including prominent Holocaust scholars, [signed](#) a public statement warning of the possibility of genocide being perpetrated by Israeli forces against Palestinians in the Gaza Strip. The warning was echoed on 19 October 2023 by UN Special Rapporteurs [stating](#), “We are sounding the alarm [...] there is also a risk of genocide against the Palestinian People”. That alarm has been sounded by the UN Special Rapporteurs on two more occasions since, with [increasing severity](#) that the risk has escalated beyond a risk of genocide to that of a genocide in the making, as [alerted](#) by a full cohort of 36 UN human rights experts. On 27 October, the UN Committee on the Elimination of Racial Discrimination triggering its early warning urgent action procedure, [warned](#) that it was “Highly concerned about the sharp increase in racist hate speech and dehumanization directed at Palestinians since 7 October, particularly on the Internet and in social media, including by senior officials, politicians, members of the Parliament, and public figures, particularly the statement of 9 October made by the Israeli Minister of Defense, Yoav Gallant, in which he referred to Palestinians as ‘human animals’, language which could incite genocidal actions”.

On 20 November, the UN Special Rapporteur on Violence on Women and Girls issued in a [statement](#) that: “reproductive violence inflicted by Israel on Palestinian women, newborn babies, infants, and children could be qualified as violations of the human right to life under Article 6 of the International Covenant on Civil and Political Rights and as acts of genocide under Article 2 of the Convention on the Prevention of Genocide, several articles of the Convention on the Elimination of All Forms of Discrimination Against Women and Article 6 of the Rome Statute of the International Criminal Court, including “imposing measures intended to prevent births within a group””.

Craig Mokhiber, your former colleague and Director of the New York Office of the High Commissioner for Human Rights, [wrote](#) that what is currently ongoing in Gaza “is a text-book case of genocide.” Since then, we, as well as other civil society organisations and human rights defenders, including the [International Commission of Jurists](#), have repeatedly warned that the [dehumanising and genocidal rhetoric openly shared by Israeli officials](#) in recent weeks would lead to even more atrocities and loss of civilian life if left unchecked, and made public statements, calling upon the international community to act on their responsibility to prevent atrocity crimes, including genocide, in Gaza. The exponentially climbing death toll and internal displacement; civilian infrastructure under constant attack, including homes, hospitals, and UN facilities; and complete siege have only confirmed our worst fears.

As you certainly know, genocide means any of the following enumerated acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, such as (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and (e) forcibly transferring children of the group to another group. It is clear that Israel is deliberately inflicting on the Palestinian people conditions of life calculated to bring about its physical destruction in whole or in part.

Our organisations have already [warned](#) that the cutting off of water, electricity, and internet in Gaza, and the denial and restrictions of entry of humanitarian convoys of food, medicine, and other supplies necessary for the survival of the population, are all evidence that Israel is taking steps to act on its inciteful genocidal statements. At the same time, Israel has attacked “safe passage routes”, killing and maiming Palestinians seeking refuge, such as the 70 Palestinians killed on [Salah-al-Din street](#) on 14 October 2023. Israel has bombed the [Rafah crossing](#), bombed [UNRWA-run shelters](#), and failed to establish humanitarian corridors and quarters for civilians.

On 24 October 2023, a document produced by the Israeli Ministry of Intelligence was [revealed](#), detailing a plan to ethnically cleanse Gaza, forcibly transfer its inhabitants and deport them to Egypt’s Sinai peninsula. Notably, Omer Bartov, one of the world's top scholars on holocaust and genocide studies, [warned](#) that forced displacement and ethnic cleansing usually precede genocide. Similarly, 36 UN independent experts have pointed to the forced displacement of Palestinians in Gaza as one of the main indicators of “[genocide in the making](#)” in Gaza.

The plan for the [ethnic cleansing of Gaza](#), embodying Israeli annexationist aspirations, squarely aligns with Israel’s settler-colonial project. Indeed, the ongoing displacement of Palestinians and the dispossession of Palestinian land on both sides of the Green Line serve as quintessential evidence of Israel’s decades-long desire to expel Palestinians and replace them with Jewish-Israelis—as is exactly what Palestinians mean by ‘an ongoing *Nakba*’.

In the past 12 months alone, for example, this was manifested by the Israeli government's explicit [declaration](#) of their intent to annex the occupied West Bank, culminated into its *de facto* [annexation](#); by the Israeli Prime Minister, Benjamin Netanyahu, [brandishing](#) a map that showed the West Bank, the Gaza Strip, and the occupied Syrian Golan as part of Israel, during his speech at the UN General Assembly in September 2023; and Israeli officials—across the entire Israeli political spectrum—calling for the forcible transfer of Palestinians in Gaza, including by [stating](#) “[w]e simply need a handful of the world’s nations to share the responsibility of hosting Gazan residents”.

In the midst of Israeli attacks against Gaza, since 7 October 2023, various Third States—particularly the United States, the United Kingdom, Canada, and several European States—and international officials—including those representing European institutions, including the European Commission—have not only failed to uphold their legal obligation to prevent genocide but further enabled and encouraged the unfolding genocide, through, *inter alia*, repeatedly reiterating their unwavering support for Israel, despite ample evidence of international crimes being committed in Gaza; wrongfully [invoking](#) Israel’s right to self-defence; publicly [objecting](#) to a ceasefire; and [continuing](#) to supply additional military equipment or ‘fast-track’ the supply of military equipment to Israel, in spite of Israel’s decades-long record of human rights violations and breaches of international humanitarian law. These States utterly ignored the moral and legal imperatives to prevent the commission of genocide and end impunity for genocide. Regrettably, instead of resorting to indispensable preventive diplomacy, they actively took part in fanning the flames, and by doing so, they may even be directly complicit in the ongoing genocide Israel is committing.

With this said, we are also deeply alarmed by the analysis, approach and rhetoric [expressed](#) in the sole statement you issued on 15 October 2023, Ms Nderitu. Failing to contextualise seventy-five years of oppression and domination by the State of Israel over the Palestinian people as a whole, the statement exclusively placed the onus of condemnation on Palestinian armed groups. Excluding any condemnation of Israel’s actions in Gaza—despite the fact that at the

time the Israeli senior leadership had already made several statements inciting genocide of the Palestinian people in Gaza and that at least 2,000 Palestinians had already been killed as of 15 October 2023—reveals two truths: first, that the international political double-standards penetrated the UN system inadvertently; second, that the UN and your mandate remain oblivious to the root causes of the Palestinian struggle: decades of Israel’s settler-colonialism, apartheid, and occupation. This, in combination with the failure to acknowledge Israel’s sixteen-year blockade and closure of Gaza—an illegal form of collective punishment, an act of persecution and apartheid, and a potential act of [genocide](#)—signifies that your statement utterly failed to properly contextualise the operation that took place on 7 October 2023.

We would also like to remind both your respective mandates Ms Nderitu and Mr Okoth-Obbo, that in July 2014, your predecessors [issued](#) a public warning in response to Israel’s conduct against the protected Palestinian population which was accompanied by inciteful and dehumanising language against them. We are deeply alarmed that at this point, with stronger evidence and a significantly more desperate and severe humanitarian situation in terms of human suffering than in 2014, you have not issued a single statement publicly condemning Israel’s genocidal rhetoric, along with the continued infliction of atrocities on the Palestinian population of Gaza.

By the time you had published your statement on 15 October, the world heard Israeli officials publicly dehumanising Palestinians and proudly expressing genocidal rhetoric. Some of the remarks of Israeli officials have included Israeli Defence Minister, Yoav Gallant, stating “We are imposing a complete siege on [Gaza]. No electricity, no food, no water, no fuel – everything is closed. We are fighting human animals, and we act accordingly”. Gallant was further recorded, rallying the troops and [promising](#), “Gaza won’t return to what it was before. We will eliminate everything”. The Coordinator of the Government in the Territories (COGAT) Maj. Gen. Ghassan Alian [announced](#) that “Israel has imposed a total blockade on Gaza, no electricity, no water, just damage. You wanted hell, you will get hell”. Similarly, Israel Katz, Israel’s Minister of Energy and Infrastructure, [warned](#), “For years we supplied Gaza with electricity, water and fuel. Instead of saying thank you, they sent thousands of human animals to slaughter, murder, rape and kidnap babies, women and the elderly - that’s why we decided to stop the flow of water, electricity and fuel and now their local power station has collapsed and there is no electricity in Gaza”.

Since then, Israel’s intent was only made clearer by both further genocidal statements as well as the actions of the Israeli military. Notably, the dehumanisation of Palestinians, and describing them as “human animals” continued, as the Palestinian people were further [described](#) as “children of darkness”, by Prime Minister Netanyahu. The Israeli President, Isaac Herzog, [observed](#), “It’s an entire nation out there that is responsible. It’s not true, this rhetoric about civilians not aware, not involved. It’s absolutely not true. They could have risen up against that evil regime, which took over Gaza in a coup d’etat. But we are at war. We are at war. We are defending our homes. We are protecting our home. That’s the truth. And when a nation protects its homes, it fights. And we will fight until we break their backbone”. Israel’s Minister of National Security, Itamar Ben Gvir, [urged](#), “To be clear, when we say that Hamas should be destroyed, it also means those who celebrate, those who support, and those who hand out candy– they’re all terrorists, and they should also be destroyed!”.

Now, it is an inescapable fact that the root causes of the current reality must be recognised, acknowledged, and meaningfully addressed to disrupt this cycle of violence. Following seventy-five years of displacement, dispossession and deprivation of the Palestinian people’s

rights of self-determination and return, we implore the international community to adopt a paradigm shift in its approach to the Palestinian struggle: Stability through Accountability.

Our shock and disappointment with the past inaction, which constituted a missed opportunity to try to halt the accelerating loss of civilian life, does not diminish our hope that you, as the UN Special Advisor on the Prevention of Genocide, will fulfil your moral and legal duty to prevent the unfolding genocide. It is our genuine belief that the Genocide Convention is neither disingenuous nor discriminatory in its implementation.

As such, we implore you to acknowledge this genocide for what it is and to promptly exert all means at your disposal to act accordingly. Specifically, we call on your respective mandates, as Special Adviser on the Prevention of Genocide, Ms Nderitu and Special Advisor on the Responsibility to Protect, Mr Okoth-Obbo, to:

1. Acknowledge and publicly recognise that Israel's conduct in the Gaza Strip is tantamount to an unfolding genocide; condemn the genocidal rhetoric of Israeli officials, which has increased in the past weeks, and remind the international community of the danger such rhetoric carries;
2. Condemn the accompanying atrocities committed by Israel in Gaza and the resulting massive loss of civilian life and destruction of civilian infrastructure;
3. Call on Third States to act in line with their obligations under the Genocide Convention, in the face of a serious risk that Israeli occupying forces are perpetrating genocidal conduct against Palestinians in Gaza, by unilaterally and collectively taking all feasible action to urgently and definitively ensure that Israel refrains from further incitement to genocide and from the perpetration of conduct prohibited under Article II of the Convention;
4. Call upon the competent organs of the UN (including the General Assembly, the Security Council, the Economic and Social Council, and the International Court of Justice) to take the necessary action under the UN Charter to prevent and suppress acts of genocide or any of the other acts enumerated in Article III of the Convention;
5. Call on Third States to investigate, arrest and prosecute persons on their territory or nationals who may have committed or contributed to acts of genocide against the Palestinian people; and
6. Call upon States to take all available measures to avoid complicity in Israeli conduct through the provision of materials, arms, economic and diplomatic support to a regime responsible for ongoing and persistent widespread and systematic violence and abuse of the Palestinian population amounting to genocide.

Yours Sincerely,

1. The Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)
2. The Community Action Center / Al-Quds University

Palestinian Human Rights Organizations Council (PHROC)

3. Addameer Prisoners' Support and Human Rights Association
4. Aldameer Association for Human Rights
5. Al-Haq

6. Al Mezan Center for Human Rights
7. Defence for Children International-Palestine
8. Hurryyat Defense for Civil Liberties and Human Rights
9. Independent Commission for Human Rights (Observer)
10. Jerusalem Center for Legal Aid and Human Rights
11. Muwatin Institute for Democracy and Human Rights (Observer)
12. Ramallah Center for Human Rights Studies
13. The Palestinian Centre for Human Rights