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**REPORT ON THE SITUATION IN PALESTINE
AND THE MIDDLE EAST**

REPORT ON THE SITUATION IN PALESTINE AND THE MIDDLE EAST (FEBRUARY 2021 TO JANUARY 2022)

I. Introduction:

1. The African Union reiterates its continued support and solidarity with the Palestinian people and their just and legitimate cause, including the right to self-determination and the establishment of the independent State of Palestine on the borders of June 4, 1967 with East Jerusalem as its capital. Besides, the African Union supports the right of return of the Palestinian refugees to their homes from which they were forcibly displaced, or prevented from returning, while retaining their right to compensation in accordance with UN Resolution 194, pertinent resolutions of international legitimacy, and relevant decisions and declarations of the African Union.

2. The African Union affirms its recurrent calls for the establishment of a comprehensive, just and lasting peace in the Middle East through peaceful negotiations and renunciation of violence. This can only be achieved by ending the Israeli occupation and implementing the two-state solution in accordance with the international consensus to end the conflict: Two states, Palestine and Israel, living side by side, where the Palestinian people enjoy full independence, prosperity, and recognition of their inalienable rights. The international community is called upon to pressure Israel to implement the two-state solution before it is too late.

3. Missing the opportunity to achieve the two-state solution and the impossibility of implementing this solution due to de-facto policies by Israel, the occupying power that aims at changing the substance and nature of the final status issues, will make the one-state solution the only option; a one state dominated by an apartheid regime that consolidates the superiority of the Israeli citizens over the Palestinians who will be deprived of their fundamental rights, including the right to live in freedom and equality under the shadow of a policy of racial discrimination that classifies on the basis of race and religion. Such policies will make peace impossible to achieve.

4. The fact that the Palestinian people are living under occupation along with escalation in Israeli violations and colonial practices, has put the international community face to face with their responsibilities in maintaining international peace and security. Continuation of occupation and lack of prospects for reaching a political settlement, in addition to continued Israeli impunity, would increase the pace of violence and the lack of peace in the occupied Palestinian territory; and drag the entire Middle East into a cycle of violence. It will keep the situation in Palestine in a state of human rights crisis as it poses a threat to peace and security that spreads beyond the regional scope into an international one.

5. Throughout the past year (2021), Israel has continued its colonial policy throughout the Occupied Palestinian territory in all forms that include ethnic cleansing, forced displacement of civilians, appropriation of Palestinian properties and homes, especially those who reside in East Jerusalem, displacing them and replacing them with illegal

settlers. Moreover, Israel tries to Judaize Jerusalem and its holy sites, continues desecration of Islamic and Christian holy sites, enforces restriction on freedom of worship, and uses the extrajudicial killing pursued by the Israeli occupation against defenseless Palestinian civilians; based only on suspicion. Besides, Israel continues its unjust siege and aggression against the Gaza Strip, the arrest of Palestinians in conditions that are inconsistent with the minimum conditions guaranteed by relevant international treaties, including the administrative detention without trial.

6. Israel also continues to oppress the Palestinian population and restrict their movement through military checkpoints between Palestinian cities to deepen the geographical isolation between Palestinian cities, and continues to impose house arrests, especially on residents of Jerusalem, seize Palestinian natural resources, and prevent Palestinians from using their natural resources.

7. Israel continues to deny the rights of Palestine refugees, foremost of which is their right to return. It escalated its hostile attempts to undermine the United Nations Relief and Works Agency (UNRWA), denying the refugees' rights and depriving them of even the minimum amount of humanitarian aid. Meanwhile, Israel attracts Jews around the world, grants them citizenship and the right to live with full support and privileges in settlements that are built on occupied Palestinian territory.

8. The above-mentioned Israeli colonial practices utilized the apartheid regime in its worst form in the occupied Palestinian territory completely discriminating between the Palestinian and Israeli residents on the basis of race and religion, and accords superiority in granting rights and privileges to the Israelis over the Palestinian owners of the land. The African Union has rejected and condemned all these discriminatory Israeli policies in decisions and declarations of previous African summits, and reaffirms that these Israeli policies are illegal and constitute a flagrant defiance of international laws and principles, as well as they undermine available peace opportunities.

II. The Political Situation, the Diminishing Prospect of a Political Settlement:

9. The political track of negotiations between the Palestinians and the Israelis are still stalled, despite the formation of a new government in Israel last year and the hopes it triggered for starting peaceful negotiations. The Israeli government announced that it does not intend to engage in negotiations with the Palestinians that would lead to a just and lasting peace. The Israeli government however, replaced negotiations that would lead to a just and durable peace with its intention to provide economic facilitations that would improve the economic situation of the Palestinian government and citizens, while holding to its decades-old plans to displace the Palestinian people and replace them with settlers, violating international law and international humanitarian law with impunity. Israeli Prime Minister Naftali Bennett, who opposes the establishment of a Palestinian state, was the head of a number of pro-settlement lobbying groups. Bennett also ruled out the idea of returning to negotiations with the Palestinian leadership during his term.

10. Despite the US Administration change with the election of President Joe Biden, who showed flexibility in dealing with the Palestinian issue compared to his predecessor

President Trump that violated all international references by his stance on Palestinian issue and his absolute bias to the Israeli side, President Biden has not taken any initiative nor did he seriously call on Israel to engage in the negotiations with the Palestinians. It seems that the Palestinian issue is ranked low on incumbent US Administration's list of priorities.

11. The Palestinian leadership, headed by President Mahmoud Abbas, continues to call for launching a negotiation process to reach a just and comprehensive peace. In his speech to the United Nations General Assembly, the Palestinian President reiterated his call for holding an international peace conference with multilateral participation to discuss all issues of the final status in accordance with the of international legitimacy, and the Arab Peace Initiative, within a specific time frame while ensuring implementation mechanisms under the auspices of the International Quartet.

12. In his address to the UNGA, the Palestinian President called on the Israeli occupation authorities to withdraw from the Palestinian territories occupied since 1967, including East Jerusalem, within one year. He expressed his readiness to work during this year to demarcate borders and end all final status issues under the auspices of the International Quartet in accordance with the resolutions of international legitimacy. If this is not achieved, the Palestinian leadership will take the necessary measures, including abolishment of her recognition of Israel on the basis of the 1967 borders.

13. The Palestinian President announced he would seek from the International Court of Justice a resolution on the illegitimate occupation of the State of Palestine, and the responsibilities of the United Nations and the world in this regard. The Secretary-General of the United Nations, António Guterres, also called for the formation of an international mechanism to provide international protection to the Palestinian people on the borders of the Palestinian territories occupied in 1967, including Jerusalem, in accordance with United Nations resolutions on the Protection of Civilians, the latest of which was the resolution issued by the General Assembly in its emergency special session in July 2018.

14. Earlier , the Office of the Prosecutor of the International Criminal Court announced on March 03, 2021 its decision to open an investigation into the situation in Palestine, where the investigation covers crimes within the jurisdiction of the Court that have been, committed since June 13, 2014. After issuing the last two resolutions on the territorial jurisdiction of the court and opening the investigation file into the situation in Palestine, Israel and its leaders launched an attack on the court, accusing it of politicization and anti-Semitism. While the Palestinians welcomed this decision and considered that the opening of the investigation is an important recognition of the injustice inflicted upon them by the occupying power, including the continuous Israeli aggression and the settler colonial expansion. The Palestinian side calls on all member states to respect their obligations and protect the court from any interference, while ensuring the protection of all members of the court from any threat or attempts to coerce and hinder the court's investigation.

15. The State of Palestine had announced the dates of the legislative and presidential elections in May and July respectively. Although, they were postponed indefinitely on April 29 by Palestinian President Mahmoud Abbas due to Israel's rejection of holding elections in East Jerusalem. Consequently, the Palestinian authorities declared that there would be no elections without Jerusalem. The Palestinian leadership has expressed willingness to hold general and presidential elections as well as elections for the PLO National Council, as soon as elections in Jerusalem are insured according to the agreements signed between the Palestinians and Israelis.

III. The city of Jerusalem: the increase of illegal settlement, the forced displacement of Palestinians, and the policy of demographic replacement, are tools to perpetuate the Apartheid regime in the occupied Palestinian territories.

16. The Israeli government's violations and those committed by the settlers focus on East Jerusalem, especially on Islamic and Christian holy sites. The year 2021 have witnessed an escalation in the pace of these violations, as embodied by displacement of Palestinians from their homes in East Jerusalem, the construction and expansion of existing illegal colonial settlements, and the desecration of Islamic and Christian holy sites, in an attempt by Israel, the occupying power, to Judaize the Holy City and change its religious and demographic character of the Holy City, and to isolate it from its Palestinian surroundings and depth, in an attempt to consolidate the Israeli vision of turning the city into the so-called united capital of Israel.

17. The Israeli policy in the Holy City revolves around forced displacement of Jerusalemites by all means and replacing them with settlers, using all forms of harassment and discrimination. Israel's policy in East Jerusalem aims to make the lives of the Palestinian residents difficult and force them to leave the city and create a demographic and geographical reality that thwarts any future attempt to hamper Israel's sovereignty and occupation of the city, eventually destroying any chance of a two-state solution, and inevitably consolidating the Apartheid regime under the shadow of one state, Israel.

18. The racist Israeli laws and arbitrary measures enable settlement expansion in the city. The Israeli illegal colonial settlements are a tool for the occupation to confiscate lands, isolate geographic contiguity of the Palestinian territories, tighten restrictions on freedom of movement of the Palestinians, escalate settler violence, and push for racial and ethnic discrimination. Furthermore, one of the main goals of illegal colonial settlements is to weaken the bond between the Palestinian population and their lands, in an explicit denial of the Palestinian right to self-determination, which is the fundamental essence of human rights.

19. To deepen the colonial settlement expansion and weaken the connection between the Palestinians and their city, in spite of Israeli attempts to change the demographic and geographic components of the city of Jerusalem since June 1967, Israel, works on Judaizing the Islamic and Christian holy sites in the city through aggressions committed by the settlers who enjoy the protection and support of the occupation's army. The attacks

continue against mosques in the city, foremost of which is the blessed Al-Aqsa Mosque, in order to establish its temporal division until it is divided spatially, which poses a grave danger that would drag the entire region into a religious war.

20. The first half of 2021 witnessed documented execution of 6 Jerusalemites, including one child and one woman, demolition of 96 Palestinian properties, and detention of 1,868 Jerusalemites by the Israeli occupation forces. About 14,000 settlers stormed Al-Aqsa Mosque and its courtyards, as approximately 2,500 people were injured with live and rubber-coated metal bullets during the confrontations that ensued. Israel issued 101 house arrest orders, of which 66 were taken in the second quarter of the year at varying times. The Israeli authorities ordered the expulsion of 365 people from the city of Jerusalem, of those 257 were banished from Al-Aqsa Mosque. The occupation courts sentenced 64 civilians from the Jerusalem governorate to various terms, of whom 35 were placed under administrative detention without trial.

21. In the same period of the year, Israel continued razing lands in the Wadi al-Rababa neighborhood, al-Matar Street in the town of Kafr Aqaband, agricultural land located between the towns of al-Za'im and al-'Isawiya. Further razing operations were carried out in the towns of al-Isawiya and Hizma aiming at constructing a new illegal 16-meters wide settlement road extending for 1 km that were confiscated from the town's land.

22. In March 2021, Israel issued 120 demolition orders, of which 100 were in Al-Bustan neighborhood in Silwan town. The decision on eviction of seven families from Batn al-Hawa neighborhood in Silwan was postponed until December. The Israeli authorities in Jerusalem divided Silwan into 12 neighborhoods inhabited by 55,000 Jerusalemites, 6 of which are Al-Bustan neighborhood and at risk of obliteration or seizure, where 124 families comprising 1,500 Palestinians live; and Batn al-Hawa zone, which includes 86 families comprising 726 Palestinians.

23. In the second half of 2021, the Israeli government approved a plan to expand the Jabal Abu Ghneim settlement (Har Homa) in East Jerusalem. If implemented, it would augment the continuity of the illegal colonial settlements that separate East Jerusalem from Bethlehem and other Palestinian communities in the southern part of the West Bank. In the last weeks of the year, Israeli government agencies approved plans to build more than 1,700 new housing units in the settlements of (Givat Hamatos and Pisgat Ze'ev) in East Jerusalem. Work is underway to build an estimated 9,000 settlement housing units in Atarot and about 3,400 settlement housing units in E1 area, east of Jerusalem.

24. Clashes erupted between Jerusalemites and their supporters on the one hand, and settlers backed by the occupation army on the other hand, following the issuance in the second half of April 2021 of forced displacement of the residents of the Sheikh Jarrah neighborhood. This neighborhood includes 28 families, comprising 600 Palestinians that are still threatened by forced eviction from their homes. Moreover, 12 families comprising 160 Palestinians, were handed eviction orders. The neighborhood is at risk of eviction and forced displacement, as the Israeli government and the occupation municipality in Jerusalem have approved the establishment of an illegal colonial settlement in the middle of Sheikh Jarrah that includes 500 settlement units, something under international law is

considered a crime of ethnic cleansing, which the international community rejects as a crime and a clear breach under international humanitarian law. These confrontations, and the subsequent incursions by the Israeli army into Al-Aqsa Mosque, were the spark that ignited the Israeli aggression on Gaza Strip in May 2021.

25. In the last quarter of 2021, precisely on October 24, the Israeli government announced the construction of the 28th Jewish settlement in East Jerusalem's suburb of Qalandia on the northern edge of the city. This settlement is designed to comprise 11,000 settlement units, hotels, public parks and industrial zones spread over an area of more than 1,240 dunams. Israel has paved the way for this project by demolishing houses in the last three years of more than 38 percent of the Qalandia village population. Upon completion of this settlement, the city of East Jerusalem will be completely isolated by a seamline made of settlements that includes a network of bypass roads, tunnels, and bridges connecting the Israeli settlements in what is becoming part of the fulfillment of the so-called 'Great Jerusalem Plan.' The construction of the new settlement comes within the context of Israel's comprehensive plan to Judaize the city of Jerusalem, and eradicate it from any future bilateral negotiations for reaching a comprehensive solution to the conflict. This settlement eliminates the Palestinian demand to restore the historical Jerusalem International Airport, as stipulated in the Oslo Accord that was signed between the two parties.

26. Israel uses its racist courts, laws and orders to enforce displacement of Palestinian Jerusalemite landowners and replace them with settlers. Foremost of those racist laws is the so-called decision to 'settle Jerusalem lands' that enhances the colonial settlement project that is aimed to confiscate vast areas of land from East Jerusalem and officially register them as state property, or property that belongs to Israelis. This law covers not only lands. It also targets real estate. The law allows the custodian of the absentee property to rent the property or grant the right to use it to a third party, including the Israeli state.

27. The danger in this 'settling Jerusalem lands' decision is the unilateralism with which Israel is dealing with this order as it does not recognize Jerusalem an occupied territory, while disregarding international treaties, namely the Fourth Geneva Convention that stipulates no changes will be made to the status of the occupied territories. During more than half a century of East Jerusalem being occupied, land belonging to Palestinians from East Jerusalem was transferred to Israeli ownership by various colonial methods. This 'settling Jerusalem lands' order will not only augment the colonial changes that took place in East Jerusalem since 1967, but will also move forward with theft of more Palestinian lands instantly and under 'legal justifications.' Nowadays, about 350,000 Palestinians live in Jerusalem. Israel treats them as unwanted immigrants while giving them a 'permanent resident' status, and applies a systematic policy aimed at deporting East Jerusalemites and keeping them away from their homes and city. The 'permanent resident' is inferior to that of a citizen, and its holder is entitled primarily to the right to live and work in Israel and to receive social security, but without political rights. Palestinians who leave the city, because of this policy or for any other reason, risk losing their residency status and the associated social security rights. Since 1967, Israel has stripped

the status of 'permanent resident' from approximately 14,500 Palestinian residents of East Jerusalem.

28. A report issued early last year by B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, concluded that Israel is an apartheid state with a regime of Jewish sovereignty that extends from the Jordan River to the Mediterranean Sea. The report considered Israel an apartheid state, as it created a regime in all the occupied Palestinian territories and inside Israel, where Jewish citizens enjoy full rights, while dividing the Palestinians into four categories, each with a set of rights based on where they live under a strict military regime and without genuine political freedoms. In the Israeli case, this regime was not established overnight. It was rather established over time and its features became clear as a result of Israeli racist practices and laws.

29. A 'Human Rights Watch' report on April 27, 2021 and entitled: "Exceeding the Limit. The Israeli authorities and Crimes of Apartheid and Persecution." perceived the Israeli authorities as committing two crimes against humanity in the occupied Palestinian territories: the crime of apartheid and the crime of persecution. The organization based its report findings on the comprehensive Israeli government policy of keeping the Israeli Jews' hegemony over the Palestinians; in addition to grave violations committed against Palestinians living in the occupied territories, including East Jerusalem.

30. In the same report, Human Rights Watch concluded that the elements of the two crimes (apartheid and persecution) are combined in the occupied Palestinian territories as part of an Israeli government policy that perpetuates the supremacy of Israeli Jews over the Palestinians throughout Israel and in the Occupied Territories, where this policy is accompanied by systematic repression and inhumane acts against Palestinians, in line with what can assimilate legal adaptation of the two crimes of Apartheid and persecution, to the definition of the "International Convention for the Suppression and Punishment of the Crime of Apartheid" of 1973 and the "Rome Statute Establishing the International Criminal Court" of 1998.

IV. Settlement: Achieving a policy of geographical separation between Palestinian cities, and seeking to impose a fait accompli within the framework of the Apartheid regime:

31. In the West Bank, there are around 300 Israeli settlements where more than 700,000 settlers live, of whom 225,000 live in East Jerusalem. A third of these settlement outposts were established during the past decade, most of them branded as "agricultural areas" resulting in control by these settlements of hundreds of thousands of dunams that the Palestinians are denied any access to. This control ranges from official means to military orders that brand them "state land" or nature reserves, or direct confiscation by violent settlers seizing Palestinian lands, causing damage and assaulting Palestinian citizens and their properties.

32. These settlements spread and result in the expulsion of Palestinians from their land, pushing them into small and overcrowded enclaves, in continuation of the policy that Israel has applied on its territory since 1948, and in the Occupied Palestinian Territory

since 1967. This was enshrined and legislated in 2018 under the “Nation State Law” as the (Basic Law of the Nation-State of the Jewish People), which explicitly states that “the state considers Jewish settlement a national value and will work to encourage and strengthen it.” In implementation of this, Israel has looted more than 2,000 square kilometers of Palestinian land in the West Bank under various justifications, and new settlements were established on them, while existing ones were expanded. Moreover, hundreds of miles of bypass roads were paved to serve mainly the settlers.

33. A report issued in early October 2021 by B’Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, entitled “By Proxy of the State: The State’s Conquest of Land in the West Bank Through Settler Violence”, refers to the mechanism through which the “Israeli Apartheid regime aims to complete the process of appropriating and controlling more Palestinian land in the West Bank, through settler attacks” in line with the Israeli government policy.

34. The aforementioned report focuses on manipulation and deception carried out by this Apartheid regime by considering the daily violence committed against the Palestinians by settlers for many years as individual or exceptional incidents. The report describes how the various Israeli authorities steal Palestinian land and expel farmers from their lands throughout the West Bank by adopting the tool of systematic and continuous violence by settlers. The authorities have worked to “settle” this situation through the “settlement law” to confiscate land, and through violence and aggression against Palestinians. In return, protection and support were provided to settlers to complete the tasks of confiscating the Palestinian lands.

35. According to the report, the apartheid regime publicly and officially uses a variety of “violent means” to expel Palestinian communities, and takes several steps that ultimately seek to create an unbearable reality for Palestinians to force them to leave their homes and land. These steps range from imposing a complete ban over construction of houses and public buildings, implementation of future development, and prevention of linking these communities to basic infrastructure (such as water, electricity, and paving roads leading to them). In the event that Palestinians take any such action, the so-called Israeli Civil Administration directly issues demolition orders with the approval of the Israeli Supreme Court.

36. In 2021, settler violence witnessed a disturbing feature with the highest levels of violence and more serious incidents recorded in recent years. According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), during the first ten months of 2021, there were 410 attacks by settlers against Palestinians (302 against property and 108 against individuals). Four Palestinians were killed by settlers in 2021. In 2020, there were 358 documented attacks, and 335 attacks during 2019. Reliable reports attribute to the Israeli army failure to combat this violence by settlers, which has deepened the atmosphere of fear and coercion throughout the West Bank.

37. During the past year, the Israeli authorities demolished, seized or forced property owners to demolish 84 Palestinian-owned properties in Area C and 17 in East Jerusalem, displacing 83 Palestinians, including 24 women and 39 children. The demolitions were

carried out due to the lack of Israeli building permits, which are almost impossible for Palestinians to obtain. The (UNOCHA) report indicated that in 2021, 311 facilities (56 percent of all targeted buildings in Area A) were confiscated either without warning, or by giving owners short-term notice, using several military orders that deny the people due access to appeal against those orders prior to their issuance.

38. Settlers' violence is part of the strategy to confiscate more and more Palestinian land to complete the ongoing process of appropriation, which is part of the government's strategy in permitting and implementing this policy. Settlers' violence is an integral part of the Israeli apartheid regime that aims to Judaize Palestinian lands. This regime seeks to isolate the geographical contiguity of the Palestinian territory and break them into cantons, strip the Palestinians of their lands and push them into tight and overcrowded ghettos, in defiance of the basic principles of international humanitarian law and the Rome Statute.

39. While the Israeli authorities allow settlers to live on lands that have been stolen and confiscated by force and violent means, cultivate the lands and raise sheep, they also protect the settlers, build roads leading to these settlements, and connects them with the infrastructure of the settlements, in addition to support provided by various Israeli government ministries for economic projects that were established there, while everything is done under the protection of the army, which in many cases joins the settlers in their attacks against the Palestinians, as is the case in the villages of Kafr Qaddum, Beita, and Beit Dajan in Nablus governorate in the northern West Bank.

40. The Israeli authorities announced on January 17 2021, a plan to construct about 800 settlement housing units in settlements located in various areas in the West Bank. A day later, the Israeli authorities issued bids for 1,900 units in Area C, in addition to 210 units in East Jerusalem. Further, precisely on October 24 and 27, 2021, the Israeli government issued tenders and plans for the construction of 1,355 housing units in Israeli settlements.

41. As work progressed on plans to build more than 3,000 housing units in a number of settlements, it triggered expressions of concern, including from the European Union and the Special Coordinator for the Middle East Peace Process, Tor Wennesland. The Israeli anti-settlement organization Peace Now stated that the vast majority of new buildings approved would be built in settlements located deep in the West Bank, and that several isolated settlements will undergo massive expansion.

42. The acceleration of settlement in the occupied Palestinian Territories, including East Jerusalem, constitutes a flagrant violation of international humanitarian law and resolutions of international legitimacy, including UNSC Resolution 2334 of 2016. It is part of the gradual annexation of the occupied Palestinian Territory and a new evidence that Israel, the occupying power, continues to implement of annexation and enforcement of Israeli control plans on the occupied Palestinian land.

43. In this respect, the African Union reaffirms that settlement enterprise, is part of an illegal colonization as defined in pertinent United Nations and African Union resolutions,

as well as it is a violation of the Charter of the United Nations, a flagrant contravention of the Fourth Geneva Convention and its Additional Protocol I, and a war crime under the Rome Statute. The Israeli settlements in the occupied Palestinian Territory, including East Jerusalem, remain a major obstacle to ending the Israeli occupation and achieving peace in accordance with the international consensus to end the conflict on the basis of the two-state solution on the 1967 borders.

V. The Gaza Strip, the repercussions of the Israeli blockade, a humanitarian disaster:

44. Fifteen years have passed since the unjust Israeli land and sea blockade was imposed on the Gaza Strip, causing difficult economic and social conditions, represented in the high rate of poverty and unemployment, decline in medical services, education and basic services, in addition to the scourge of the Corona pandemic, which further exacerbated the humanitarian crisis in the Strip. This blockade became classified as a humanitarian disaster for more than two million of its inhabitants. Medical services are experiencing severe shortcomings due to the ban on the import of dual-use items, in addition to permanent shortage of energy, and the restrictions imposed on the movement of people and goods.

45. Israel carried out an assault on the Gaza Strip that lasted from between 10 and 21 May 2021. This barbaric aggression left 253 martyrs, including 66 children and 39 women, and 1948 wounded, including 540 children and 361 women. During the last aggression, entire families were wiped in some cases, as Israeli air raids destroyed thousands of homes and entire neighborhoods.

46. The Israeli aggression caused extensive destruction at various levels, including houses, residential towers, schools, and academic and media institutions. Israel deliberately targeted the homes of civilians, resulting in the destruction of thousands of homes between partial and full destruction. 7680 housing units were destroyed, of which 1313 were completely destroyed, and 6,367 were partially damaged. Moreover, the Gaza Strip suffers from a deficit of 100,000 housing units as a result of the Israeli aggression and siege imposed on the Strip for the last 15 years.

47. The aggression has exacerbated the plight of the Palestinian people in the Gaza Strip, who are already suffering, especially economically, as a result of Israel's severe blockade of the Strip, as well as the internal closures that have been taking place since March 2021 because of COVID-19 pandemic. The consequences of the unjust aggression against the Gaza Strip and the scene of massive destruction of thousands of homes and hundreds of vital and infrastructure facilities require the immediate commencement of urgent relief and reconstruction. Palestinians in Gaza also urgently need to take immediate steps to mitigate the impact of the blockade, including construction of new power plants, treatment of water and sanitation, admission of much more building materials, and free movement of people and goods.

48. We reaffirm that Israel, the occupying power, bears full and direct responsibility for the suffering of the Palestinian people in the Gaza Strip as a result of the unjust siege

and continued aggression. The targeting of the livelihoods of the population and the restrictions imposed on them is a policy used for the forceful migration of Palestinians. This is considered to be the broadest and most egregious systematic forced displacement supervised and managed by the Israeli government.

49. Being the occupying power, Israel is first responsible for the deterioration of the standard of living and the humanitarian crisis in Gaza Strip. The international community must affirm Israel's responsibility for these violations and should compel her to respect the norms of international humanitarian law. It is necessary to provide international protection to civilians from Israeli acts of aggression and protection of basic services and infrastructure facilities from deliberate targeting, which is exacerbating the humanitarian situation in the Gaza Strip.

VI. Prisoners in Israeli prisons:

50. In prisons of the Israeli occupation, there are 4550 Palestinian prisoners who are subjected to continuous violations inside Israeli jails. This number includes 32 women, 170 children, members of the Palestinian legislative council and 500 administrative detainees held without trial. There are over 500 prisoners who suffer from various diseases, including dozens with disabilities and cancer patients. Moreover, 543 prisoners are serving life sentences including multiple life sentences (equivalent to 99 years under Israeli military law). 34 prisoners have already spent more than 25 years in Israeli prisons, while some 13 have been there for more than 30 years. The Palestinian prisoners are scattered across 23 prisons and detention centers. The conditions of these prisons and detention centers are described as the world's worse by various Human Rights organization.

51. Palestinian prisoners face an unjust Israeli military law that is a part and parcel of the systematic apartheid policies of discrimination against the Palestinians. According to this law, the military prosecution demands death penalty against Palestinian prisoners accused of carrying out operations against the occupying forces. Extrajudicial execution of more than 217 prisoners in Israeli prisons has been recorded in recent years due to medical negligence.

52. In violation of all internationally recognized rights, Israel imposes so-called administrative detention on the Palestinian people, where a Palestinian is arrested without being charged, as the occupation authorities do not disclose the reason of detention. Administrative detainees are usually detained for long periods of time that are renewed in accordance with orders handed down by fake bodies that are not related in any case to law. The Israeli court system includes the first and only children's martial court in the world, with around 700 Palestinian children being arrested every year with up to 100% convictions, in clear contravention of the principles of human rights and international humanitarian law.

53. Israel continues to detain bodies of Palestinian martyrs in refrigerators, as a barter chip according to a government decision that was ratified by the Israeli Supreme Court.

It is a policy that testifies to the reality of the racist Court, which, by virtue of its decisions, at least 80 bodies are still held in flagrant violation of international humanitarian law.

54. Palestinian prisoners are prisoners of war according to international law. They are entitled to humane treatment, in accordance with the third Geneva Convention relative to the Treatment of Prisoners of War, to protect their lives and to live in healthy conditions. Israel, the occupying Power, bears full responsibility for ensuring their lives, and any other action is considered an extrajudicial killing, and a war crime that requires legal accountability.

**DRAFT DECLARATION
ON THE SITUATION IN PALESTINE AND THE MIDDLE EAST.**

We, Heads of State and Government of the African Union, meeting at the 35th Ordinary Session of the Assembly of the African Union in Addis Ababa, on 5-6 February 2022,

Taking note of the report on the situation in the Middle East and the State of Palestine, and affirm all decisions and resolutions of the Organization of African Unity/African Union on the situation in Palestine in order to achieve lasting peace and security in the Middle East.

Reaffirming our full support for the Palestinian people, represented by the Palestine Liberation Organization under the leadership of President Mahmoud Abbas, in their legitimate struggle against the Israeli colonial occupation, in order to restore their legitimate inalienable rights, foremost of which is the right to self-determination, independence, return of refugees, and the embodiment of sovereign and independent State of Palestine with Jerusalem as its capital, living peacefully side by side with the State of Israel;

Expressing once again our commitment to support a peaceful and just solution to the Arab-Israeli conflict in accordance with the principles of international law and all relevant United Nations resolutions calling for the embodiment of the independent and sovereign State of Palestine on the borders of June 4, 1967, with East Jerusalem its capital, through ending the long standing Israeli occupation (that has been there for long), implementing the principle of the two-state solution, finding a just solution to the issue of Palestinian refugees, and guaranteeing their right to return and compensation by means of implementing United Nations Resolution number 194;

Renewing our call to launch a feasible and credible political track to end the Israeli occupation and dismantle the colonial and apartheid regime in the land of the State of Palestine, with East Jerusalem as its capital, reach a just, comprehensive and lasting peace in the Middle East, through an international multilateral mechanism within a specific time frame according to the international consensus and the vision of President Mahmoud Abbas, and on the basis of international law, United Nations resolutions, and the terms of reference of the peace process, to find a just solution to all permanent status issues, and to take advantage of the opportunity to achieve peace ;

Reaffirming the status of the just cause of Palestine, and the firmness of our position in supporting this cause and its decisions in international forums that are based on common values that oppose colonialism, oppression and apartheid, as well as on values of freedom, justice and humanitarian principles, affirming the historically solid African solidarity with the Palestinian people in their legitimate pursuit of independence, freedom and justice, and confronting any attempts to circumvent the status of the Palestinian cause in Africa;

Watching with great concern the escalation of settlements in the Palestinian territories occupied in 1967, especially in East Jerusalem, and the confiscation of Palestinian lands and properties, within the framework of the Israeli policy aimed at achieving a demographic advantage for the Israeli population over the Palestinians in the city; Which would eliminate any chance of achieving peace according to the principle of the two-state solution.

Renewing our call to all countries to preserve and adhere to the existing legal and historical status (Status Quo) of the city of Jerusalem, and its status as the capital of the State of Palestine, and subsequently respect international law and relevant United Nations resolutions in this regard, and to refrain from any action or decision that would prejudice the legal status and historical importance of the city, particularly to refrain from moving Embassies from Tel Aviv to Jerusalem;

Reaffirming that all Israeli settlements established in the Occupied Palestinian Territory, including East Jerusalem and in the occupied Syrian Golan Heights; and all colonial policies in the territory of the State of Palestine, are illegal and form a grave violation of international humanitarian law and relevant United Nations resolutions, a major obstacle to peace and to the two-state solution, and a challenge to the international community calls to stop all settlement activities, in addition to confiscation of land and property, house demolitions, forced displacement of civilians, racist and discriminatory policies, enforcement of the permit system, building the apartheid wall, and the imposition of collective punishment measures.

Hereby declare as follows:

1. **Reaffirm** that our solidarity with the Palestinian people is based on the values of freedom, justice, human principles, anti-colonialism and apartheid, which Africa constantly defends in international forums and under all circumstances. It is a solidarity with all those who seek to guarantee the inalienable rights of the Palestinian people, foremost of which is the right to self-determination, independence for the State of Palestine, with East Jerusalem as its capital, and the right of return for Palestinian refugees.
2. **Also reaffirm** the need to make persistent efforts to achieve a just, durable and comprehensive solution based on ending the occupation and accomplishment of the two-state solution, in accordance with relevant resolutions and declarations of the African Union and the United Nations;
3. **Express** the commitment of African countries to follow what guarantees the transcendence of the values and principles upon which the Union was established, the most important of which is to support liberation movements and the right of peoples to self-determination , in any dealings with Israel, the occupying power, and to refrain from any measure that would prejudice the principles of solidarity with the Palestinian cause and the legitimate rights of the Palestinian people, and block any attempts to circumvent the status of the Palestinian cause in Africa;

4. **Stress** the need to resolve the issue of Palestine and achieve a just and comprehensive peace in the Middle East through ending the Israeli occupation of the Palestinian land since 1967, including East Jerusalem on the basis of the two-state solution, international law, and all relevant international legitimacy resolutions, and to work with active international parties within an international multilateral mechanism to launch a credible peace process in accordance with the agreed international terms of reference, and within a specific time frame;
5. **Welcome and support** Palestinian President, His Excellency Mahmoud Abbas' vision, peace initiative and his repeated calls in this respect, including in his important address before the United Nations General Assembly on September 24, 2021, and his call to launch peaceful negotiations under multilateral auspices and through the International Quartet, based on the terms of reference of international legitimacy and the Arab Peace Initiative, leading to a just and comprehensive solution to the Palestinian issue, and embodiment of the independent state of Palestine on the borders of June 4, 1967, with East Jerusalem its capital within a specified time limit and further call upon Israel, the occupying power, not to miss this opportunity to achieve peace;
6. **Call upon** the Member States and the international community to respect in their policy the requirements of international law and relevant United Nations and the African Union resolutions, to work to end the Israeli occupation and confront its violations and colonial practices that undermine the foundations of the international system that is based on law, and not to recognize the illegal situation that Israel has established in the Palestinian and Arab territories occupied since 1967 including East Jerusalem, perpetuating colonialism and apartheid, and not to provide any support or assistance to its continuation, and to take all due legal measures, including not dealing with any Israeli government whose agenda includes annexation, impose economic and political sanctions, and boycott the Israeli colonial system and illegal settlements and ban their products;
7. **Renew our call** on Member States to end all forms of direct and indirect interaction and business with the Israeli colonial settlement regime and illegal apartheid in the territory of the State of Palestine occupied in 1967, including East Jerusalem, and to take all measures to stop this interaction as stipulated in resolutions of the international legitimacy, particularly Resolution 2334 (2016), especially paragraph 5, and the decisions of the African Union in this regard that were based on the rich experience and contribution of the African Union that led to the boycott and dismantling of the apartheid regime in South Africa;
8. **Call on** the UN High Commissioner for Human Rights to update on an annual basis the database of businesses in the Israeli settlements established on the Palestinian territories, and request Member States to take all possible measures, including legal follow-up, to prevent any individual, institution or company from operating or conducting business directly or indirectly with the settlements regime

and other colonial activities as they all pose a violation of United Nations resolutions and international law;

9. **Strongly condemn** the policy of colonial settlement, and reaffirm that settlement in the Palestinian land occupied in 1967, especially in the city of Jerusalem, and all systematic and wide-ranging measures and policies of the illegal occupation authority to change the current situation and demographic composition, are illegal and in violation of international law, and would eliminate any chance of achieving peace based on the principle of the two-state solution. It is a war crime according to the Fourth Geneva Convention and the Rome Statute;
10. **Condemn** the policies and practices of the Israeli occupation government aimed at Judaizing the city of Jerusalem and isolating it from its Palestinian surroundings, and call on the international community to compel Israel to stop all its hostile acts and violations against Islamic and Christian holy sites, and its policies to change the historical and legal status quo in the Holy City, and everything it does against Al Haram Al Sharif/ Al Aqsa Mosque, where incursions by the colonialists should be stopped. Besides, further call on the international community to force Israel to safeguard the freedom of worship for Christians and Muslims. In this context, stress the importance of the decisions of the African Union and the United Nations, including relevant UNESCO resolutions, and also affirm that East Jerusalem is an integral part of the Palestinian land occupied in 1967, as well as note the need to make joint efforts to ensure its return to Palestinian sovereignty as the capital of the State of Palestine;
11. **Reject and condemn** any racist decisions or laws, including those taken by Israel against the Palestinian people, their rights and property, and those that prejudice the legal status of the city of Jerusalem and its demographic composition, in violation of international law and resolutions of international legitimacy, including Security Council resolutions 476 and 478 of 1980 and UN General Assembly Resolution No. (A/RES/ES-10/19) of 2017, and **reject and condemn** the recognition of Jerusalem as the capital of Israel, or the transfer or establishment of diplomatic missions there. **Also stress** the need to respect and preserve the status quo of the city of Jerusalem, and stress that any colonial measures and decisions taken by Israel, the occupying power in the city of Jerusalem, including the imposition of its laws, jurisdiction and administration, are illegal, null and void and have no legitimacy;
12. **Condemn** the policy of forced displacement and ethnic cleansing measures, especially those targeting the Palestinian people in the city of East Jerusalem and its neighborhoods, such as in Sheikh Jarrah and Silwan neighborhoods and others, and the Jordan Valley in the occupied West Bank, in addition to the demolition of homes, confiscation of property, and the policy of racial discrimination, that are all aimed at creating demographic superiority to the colonizers at the expense of the Palestinian people, the original owners of the land;

13. **Express our condemnation** of this racist occupation regime, and call on the international community to dismantle and ban the Israeli system of colonialism and apartheid that constitutes a crime of apartheid and requires legal accountability in accordance with the International Convention for the Suppression and Punishment of the Crime of Apartheid of November dated 30, 1973;
14. **Welcome** the decision of the International Committee for the Elimination of All Forms of Racial Discrimination, issued on April 30, 2021, which affirms the admissibility and legality of the complaint submitted by the State of Palestine against Israel, the illegal occupying power, and call on Member States to support the State of Palestine in this direction.
15. **Also welcome** the decision of the Human Rights Council to form a continuing independent international investigation committee, in implementation of the Council's decision in its 30th special session to investigate inside the occupied Palestinian territory, including East Jerusalem, as well in Israel, all alleged violations of international humanitarian law and international human rights law that preceded 13 April 2021 and happened since this date;
16. **Reaffirm** our solid support for the efforts of the State of Palestine to mobilize international support for the realization on the ground of the inalienable rights of the Palestinian people, especially the right to self-determination and independence for the State of Palestine on the June 4, 1967 lines, with East Jerusalem its capital, and the right of return for Palestinian refugees in accordance with the United Nations Resolution 194 of 1948. Further call on the Security Council to accept the full membership of the State of Palestine in the United Nations, and we call on the countries that have not yet recognized the State of Palestine to do , in order to support peace chances in the region;
17. **Condemn the continuation** of Israel, the occupying power, its policy of field execution, administrative and arbitrary detention, mistreatment and medical neglect of Palestinian prisoners, which are war crimes that require accountability in accordance with international humanitarian law. Also demand once again the Israeli occupation authorities to release Palestinian prisoners, foremost of whom children, women, the elderly and the sick, while ensuring their safety, and to end individual and collective oppressive practices against the Palestinian people. In addition, condemn the ongoing violations and crimes carried out by Israel and its subordinates, the settlers and their violence as well as the occupation forces and their courts that are biased against the human rights of the Palestinian people. Besides, condemn the use of excessive force, killing and deliberate targeting, and warn against the Israeli adoption of unfair racist laws against the rights of the Palestinian people, with the aim of colonizing them and plunder their land and sources of livelihood;
18. **Condemn and reject** the continuous barbaric Israeli aggression on the Gaza Strip, which targeted the Strip recently in May 2021, and resulted in death of hundreds

and wounding of thousands of civilian victims, including women, children and the elderly, destroying homes and properties of civilians and displacement of thousands, and targeting educational and media institutions. Further reiterate our rejection of the Israeli blockade imposed on the Gaza Strip, which has resulted in a deterioration of the humanitarian situation and has become a harbinger of a humanitarian disaster that requires urgent relief;

19. **Express**, once again, our deep concern about the deterioration of the economic and humanitarian conditions in the Gaza Strip as a result of the Israeli siege and repeated military aggression, and hold the Israeli occupation fully responsible for the situation in the Strip. We consider the crisis in the Gaza Strip a crisis of occupation that must be dealt with by ending the occupation itself, and enabling geographical and political unity in the Palestinian territories between the West Bank and Gaza Strip. Also call on the active forces in the international community to work to end this unjust Israeli siege;
20. **Call on** the international community to abide by the United Nations mandate given to the UNRWA as stipulated in the resolution of its establishment, and to secure resources, contributions and financial safety net that are necessary for its budget and activities in an adequate and sustainable manner, enabling it to continue its role towards the Palestinian refugees who have been displaced from their homes, as well as their descendants until they are able to exercise their individual and collective right, in accordance with General Assembly Resolution 194 of 1948, including their right to return and compensation;
21. **Recall** for providing the necessary international protection for the land and people of the State of Palestine, in preparation for ending the occupation and preserving the chance for the two-state solution, pursuant to United Nations Security Council Resolutions (605) of 1987, (672) and (673) of 1990, and (904) of 1994, and in line with the Geneva Conventions and their applicability to the Palestinian territories occupied since 1967, and General Assembly resolutions, including those taken in its emergency extraordinary session in July 2018.; We express our readiness to contribute and support the work of any international mission to provide protection to the Palestinian people;
22. **Reiterate** that a just, comprehensive and lasting peace in the Middle East requires the complete Israeli withdrawal from all Palestinian and Arab territories occupied since June 4, 1967, including the Syrian Golan Heights and the territories still occupied in southern Lebanon, and the embodiment of the independence and sovereignty of the State of Palestine on the June 4, 1967 borders, with East Jerusalem its capital, and the return of Palestinian refugees to their homes.

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