

Mandates of the Special Rapporteur on minority issues; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on minority issues; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, pursuant to Human Rights Council resolutions 43/8, 43/4, 41/12 and 43/36.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **recent reports of violence, discrimination and incitement to racial hatred against Palestinian citizens of Israel, as well as the lack of bomb shelters and protection from the recent missiles fired in the Bedouin villages of the Naqab.**

According to the information received:

Palestinians, including the Bedouin, constitute an Arab minority in Israel representing about 1.5 million people or 20% of the population of Israel and face discrimination in many areas. Over 65 laws allegedly discriminate against them and a large number of governmental decisions and policies result in de facto discrimination.

Protests

Recently, reported restrictions to assemblies of Palestinians in East Jerusalem, including the barring of Ramadan celebrations in the Damascus Gate and suppressing protests against the expulsion of Palestinians from the neighborhood of Sheikh Jarrah, have led to a further escalation of chain of violent events.

On 10 May 2021, Israeli forces allegedly raided the Al-Aqsa Mosque, injuring hundreds of worshippers during Ramadan prayers. The police restricted access by the Palestinians to Jerusalem and the Al-Aqsa Mosque. Soon afterward, demonstrations by the Palestinian minority against Israeli policies in East Jerusalem and in Gaza spread across Israel. The police allegedly suppressed and dispersed these demonstrations with excessive use of force, injuring and arresting dozens of people in cities including Haifa, Nazareth, Jaffa, Acre and Lod.

On 11 May 2021 alone, the police reported 151 arrests of protestors in the northern region of Israel, with at least 66 people brought to court for extension of detention. The demonstrations intensified, eventually culminating in a number of violent clashes with police forces. In parallel, tensions escalated in the Gaza Strip.

On 24 May, thousands of police officers were mobilized as part of a mass campaign to arrest hundreds of Palestinians, including those who participated in the demonstrations.

Violent attacks and incitement to hatred

Extreme right-wing Jewish and vigilante groups, some of which are settlers from the Occupied Palestinian Territory, have reportedly attacked members of the Palestinian minority and their property. Some individual cases of attacks by Palestinian youth on Jewish Israelis and their property have also been reported.

On 10 May 2021, an armed Jewish civilian shot dead an unarmed Palestinian protestor in Lod. The following day, the police clashed with mourners at the funeral, resulting in a major escalation of violence in the city, and the declaration of an emergency, with a curfew that allegedly applied only to Palestinian citizens. Israeli politicians and Government officials appear to have further fueled vigilante groups by referring to the alleged perpetrator as having “apparently” acted in self-defense, without offering any evidence.

On 12 May 2021, organized extreme right-wing Israeli-Jewish settler groups, including armed individuals, spread out to multiple mixed Arab-Jewish cities including Haifa, Acre, Jaffa, Lod, and Ramleh. It is alleged these mobs began roaming the streets, chanting “death to Arabs”. Similar incidents have been reported in Be’er Sheva and other localities in the South, where these groups have reportedly spread out to attack Palestinians. In a demonstration in front of Ben Gurion University of the Negev such groups gathered and threatened members of the Palestinian minority, allegedly with police protection and support, shouting racist slurs such as “may your village burn” and throwing stones and soda bottles. Palestinian protesters were evacuated by the police, allegedly under heavy force. A Palestinian student is alleged to have been hit on his head with a helmet by a police officer who detained him, together with other six other protesters.

Multiple attacks have been shared on social media platforms. Israeli television broadcasted a Jewish mob lynching a Palestinian citizen in the city of Bat Yam. These attacks allegedly went undisturbed by the police when present at the scene. In multiple cases, police forces were allegedly seen accompanying Israeli-Jewish mobs.

On 13 May 2021, numerous Jewish Israeli vigilante and settler groups issued notices on social media with times and locations for gatherings in mixed cities, and called on participants to bring their weapons in order to attack Arabs. The

law enforcement authorities appear to be well-aware of these groups.

Shelter from air missiles

Finally, it is further reported that in the Bedouin minority villages of the Naqab, there is an absence of any means of safety such as underground shelters and protected spaces as most of the construction is lacking in infrastructure, in a disproportional manner to the Jewish villages and cities in the area. Moreover, the Iron Dome air defense system does not provide coverage for many of the villages. As a result, it is estimated that the safety of almost 100,000 Bedouin citizens, members of the Palestinian minority, has been comprised by the recent missiles fired.

Without prejudging the accuracy of the information received, we wish to express our serious concern about recent reports of violence, incitement to racial hatred and discrimination against Palestinian citizens of Israel. We are gravely concerned about the alleged excessive use of force and discrimination by the police against Palestinian demonstrators, and their reported failure to effectively protect the Palestinian minority from mob violence and even claims that the police on occasion sided with the perpetrators of violence targeting the Palestinian minority. Finally, we are also concerned that decades-long exclusion and discrimination, including of segregation between Arab and Jewish citizens and lack of equal treatment in terms of rights and privileges, resulted in grave human rights violations against the Palestinian minority, including the absence of protection and bomb shelters in the Bedouin villages in the Naqab, compromising the security of the Bedouin minority communities. We are also extremely concerned with mass arrests of Palestinians from the Arab minority especially in the context of their participation in the demonstrations.

Given the urgency of the situation, we urge your Excellency's Government to firmly condemn all acts of violence without any discrimination and call on its citizens to stop these attacks. We also urge your Excellency's Government to take immediate steps to protect the Palestinian minority in Israel from any further violence and to provide the necessary protection and bomb shelters to all the Bedouin villages in the Naqab. We call on your Excellency's Government to bring a swift end to the systemic subordination of the Palestinian minority, including as exemplified in the incidence alleged above.

We recall the concluding observations of the Committee on the Elimination of Racial Discrimination addressed to Israel (CERD/C/ISR/CO/17-19, 2020). In paragraph 15, the Committee expressed concerns about the maintenance of several laws that discriminate against Arab citizens of Israel and Palestinians in the Occupied Palestinian Territory, particularly, as regards their civil status, legal protection, access to social and economic benefits, or right to land and property. In paragraph 26, the Committee also expressed concerns on the proliferation of racist and xenophobic acts that in particular target non-Jewish minorities, especially Palestinian citizens of Israel, and Palestinians residing in the Occupied Palestinian Territory (CERD/C/ISR/CO/17-19, 2020). We also recall the concluding observations that the Committee on Economic, Social and Cultural Rights addressed to Israel in which

concerns were expressed about, among others, the substandard living conditions in both the unrecognized Palestinian and Bedouin villages and the recognized townships, which are characterized by very limited access to adequate housing, water and sanitation facilities, electricity and public transportation (E/C.12/ISR/CO/4, 2019).

We also recall in this regard the UN High Commissioner for Human Rights concerns expressed on 15 May 2021 “that Israeli police failed to intervene where Palestinian citizens of Israel were violently attacked, and that social media is being used by ultra-right-wing groups to rally people to bring ‘weapons, knives, clubs, knuckledusters’ to use against Palestinian citizens of Israel”. The High Commissioner reminded “the Government of Israel of its duty to protect all its residents and citizens without discrimination based on notions of ‘nationhood’, religious or ethnic origin, and to ensure equal treatment before the law”.

We also would like to draw the attention of your Excellency’s Government’s to its obligations under articles 6, 20, 21, 26 and 27 of the International Covenant on Civil and Political Rights (ICCPR), ratified in 1998, on the right to life, the right to be protected from advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, the right to peaceful assembly, the principle of non-discrimination and the rights of persons belonging to minorities.

Furthermore, we wish to recall that Article 1 (1) of the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), to which Israel is a party since 3 January 1979, defines racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”. Articles 2 (1) and 5 of ICERD oblige States parties to prohibit and eliminate any act or practice of racial discrimination against persons and/or groups and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law. Article 4 also obliges States parties to adopt immediate and positive measures to eradicate all incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin. And of crucial importance, Article 3 of ICERD requires States parties to prevent, prohibit and eradicate all practices of racial segregation and apartheid in territories under their jurisdiction.

We would further like to refer your Excellency’s Government to articles 21 of ICCPR, and article 20 of the Universal Declaration of Human Rights, which provides that “[e]veryone has the right to freedom of peaceful assembly and association.”

Finally, we also would like to recall the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities which states that States shall protect the existence and the identity of minorities within their territories (article 1) and shall, among others, adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination (article 4).

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide detailed information on measures taken to investigate and prosecute any acts of violence directed toward the Palestinian minority, including allegations of police brutality and attacks by right-wing and settler groups.
3. Please provide information on the measures taken to combat the proliferation racist and xenophobic acts, as well as advocacy of hatred that constitutes incitement to discrimination and violence against the Palestinian minority.
4. Please provide information on any measures adopted to ensure the security of the Bedouin community, including the number of shelters from air missiles in Bedouin villages and their location.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

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