

H.E. Volker Türk  
High Commissioner for Human Rights  
Palais Wilson – United Nations  
Geneva, Switzerland

17 October 2022

**RE: Welcoming Letter to the New UN High Commissioner for Human Rights, Urging for Concrete Measures to Ensure Justice and Accountability for the Palestinian People**

Your Excellency,

We, the undersigned 65 Palestinian and international organisations, welcome you in your new position as the United Nations (UN) High Commissioner for Human Rights, and look forward to working with you in proactively ensuring and advocating for the protection, respect and fulfilment of Palestinian human rights. This post requires a strong commitment to addressing discrimination, oppression, and injustice in all its forms, as well as combating impunity and advancing accountability and justice for human rights violations everywhere, including those committed by powerful governments. We trust that your extensive experience in human rights work will aid you in leading the heavy responsibility you undertook; especially at a time when human rights are seriously threatened, undermined and violated around the world, including in Palestine.

Following your appointment, you emphasised your deep sense of responsibility for this position and your commitment to “advance the promises of [the] Universal Declaration of Human Rights for everyone, everywhere”.<sup>1</sup> With the Palestinian people denied their right to self-determination, they have been enduring over seven decades of Israel’s settler-colonialism and apartheid, and 55 years of belligerent occupation, Gaza residents surviving in near-unliveable circumstances for 15 years, and Palestinian refugees unable to exercise their right of return, we believe that the human rights situation in Palestine should be at the top of your agenda. For far too long, the Question of Palestine has been treated as an exception to the implementation of international law. The Palestinian people deserve not only justice, but a restored hope that the international community will uphold and respect the rights of all people equally.

In the occupied Gaza Strip, more than two million Palestinians are subjected to an array of daily and systematic abuses of their rights due to Israel’s 15-year-old closure and blockade policy, which amounts to a prohibited collective punishment under international humanitarian law. Israel’s closure has a negative impact on every single aspect of Palestinian life, and while Gaza has long been deemed uninhabitable, in 2022 it is certainly unfit for dignified human life. Since the imposition of the closure and blockade, Israel has also carried out five full-scale military offensives against the Gaza Strip, killing 5330 Palestinians over a period of 15 years (2008-2022).<sup>2</sup> Just over two months ago, between 5-7 August 2022, Israel waged an unprovoked military offensive against Gaza. In the space of three days, 49 Palestinians were killed, including 17 children and four women.

At the same time, millions of Palestinians in the occupied West Bank are witnessing an escalation in Israel’s invasive military incursions into their cities during the past months, especially in Jenin and Nablus, and an aggravation in the Israeli military’s use of

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<sup>1</sup> Volker Turk, Twitter post, 9 September 2022, available at: [https://twitter.com/volker\\_turk/status/1567998571827580928](https://twitter.com/volker_turk/status/1567998571827580928).

<sup>2</sup> 5330 Palestinians were killed in the Gaza Strip between 1 January 2008 and 11 September 2022, OCHA, ‘Data on Casualties’, accessed 13 October 2022, available at: <https://www.ochaopt.org/data/casualties>.

indiscriminate, excessive, and disproportionate use of force, and ‘shoot-to-kill’ policy.<sup>3</sup> Since the start of 2022, Al-Haq has documented the killing of 111 Palestinians by the Israeli occupying forces and Israeli settlers in the West Bank—an alarming increase which has not been recorded since 2015. Furthermore, Israel escalated its oppression of Palestinians in the past week, including by imposing unlawful closures on Palestinian cities, villages, and refugee camps, in what represents unlawful collective punishment. Between 8 October and 13 October 2022, Israel imposed a tight closure on Shu’fat Refugee Camp and ‘Anata, and increased its routine incursions into the areas, restricting the right to movement and affecting the lives of around 130,000 Palestinians living therein, including approximately 350 dialysis patients.

Concurrently, the Israeli occupying authorities have also intensified their repression campaign of mass arbitrary arrests and detentions, including in its arbitrary, coercive, and punitive administrative detention policy whereby Palestinians are held indefinitely without charge or trial on grounds of “secret information” which Israel refuses to disclose. Currently, around 780 Palestinians are held indefinitely in arbitrary administrative detention, in an alarming and unprecedented increase.<sup>4</sup> In response to this unlawful, arbitrary policy, 30 Palestinian detainees held under administrative detention—including human rights defender Salah Hammouri<sup>5</sup>—initiated a collective, open hunger strike on 25 September 2022,<sup>6</sup> facing and enduring health repercussions as well as further punitive measures by the Israeli occupying authorities.<sup>7</sup> On 9 October 2022, another 20 Palestinian detainees joined the collective hunger strike in support of the Palestinian demands. On 13 October 2022, the Palestinian detainees suspended their collective hunger strike, following an agreement with the Israeli occupying authorities to prioritise administrative detention in their discussion with the Palestinian Prisoners’ Movement and the immediate release of sick and elderly administrative detainees within the next two months.<sup>8</sup> Palestinian detainees under administrative detention have routinely been forced to undertake hunger strike in a quest to seek justice, due to the international community’s failure to hold Israel to account.<sup>9</sup>

In this regard, we stress that the Office of the UN High Commissioner for Human Rights (OHCHR) should take effective measures to ensure justice and accountability for Palestinians, including by annually updating the UN Database on Settlement Business Activities (‘the UN Database’), as mandated. The UN Database is a key tool for assisting corporations in carrying out enhanced human rights due diligence in conflict-affected areas, as well as a crucial accountability mechanism to hold corporations operating in the context of belligerent occupation accountable for aiding and abetting violations of international human rights and

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<sup>3</sup> See, for example, Al-Haq, ‘Al-Haq Sends Urgent Appeal to UN Special Procedures on the Extrajudicial Execution and Wilful Killing of Palestinian Person with Disability Iyad Al-Hallaq’, 9 June 2020, available at: <https://www.alhaq.org/advocacy/16963.html>; and Al-Haq, ‘Al-Haq and Partners Send Joint Submission to the UN Human Rights Committee on Israel’s Violation and Failed Implementation of the ICCPR’ 17 February 2022, available at: <https://www.alhaq.org/advocacy/19524.html>.

<sup>4</sup> Addameer, ‘30 Palestinian Detainees Initiate a Collective Open Hunger Strike Against Their Arbitrary Detention Without Charge or Trial’, 25 September 2022, available at: <https://www.addameer.org/news/4887>.

<sup>5</sup> Addameer, ‘Profile: Salah Hammouri’, available at: <https://www.addameer.org/prisoner/2992>, accessed 6 October 2022.

<sup>6</sup> *ibid.*

<sup>7</sup> Middle East Monitor, ‘Israel Takes Punitive Measures against Jerusalemite Hunger Striker’, 3 October 2022, available at: <https://www.middleeastmonitor.com/20221003-israel-takes-punitive-measures-against-jerusalemite-hunger-striker/>.

<sup>8</sup> Addameer, ‘Thirty Palestinian Detainees Suspend their Collective Hunger Strike after 19 Days’, 13 October 2022, available at: <http://addameer.org/news/4914>.

<sup>9</sup> Al-Haq, ‘Urgent Intervention to Immediately Release Hunger Striking Administrative Detainee Maher Al-Akhras Amid Imminent Threat to Life’, 7 October 2020, available at: <https://www.alhaq.org/palestinian-human-rights-organizations-council/17401.html>.

humanitarian laws. Furthermore, the annual update of the UN Database allows for the adding and removing of companies from the UN database; and thereby, creating a necessary incentive and deterrent against engaging with Israel's illegal colonial settlement enterprise.

On 24 March 2016, the UN Human Rights Council (HRC) adopted Resolution 31/36,<sup>10</sup> which required for the establishment of a database listing companies and businesses operating in illegal Israeli colonial settlements. While the UN Database was first published in February 2020,<sup>11</sup> ever since the OHCHR has failed to update it. These repeated and unexplained delays are unprecedented in the way the OHCHR has handled prior mandates, and are due to reported political pressure and interference exerted on your Office.<sup>12</sup> Should the OHCHR not fulfil or continue to unnecessarily delay the implementation of a Human Rights Council resolution, the effectiveness and credibility of the work of the Council itself would be compromised.

As human rights defenders voicing their opposition to Israel's unlawful policies and practices and pushing for international justice and accountability, we recognise, from first-hand experience, the external pressure that awaits you and your Office for carrying out strong and principled positions. The efforts taken by your Office in Palestine has led to retaliation by Israel, including the refusal and failure to renew and grant visas to OHCHR staff since late 2020.<sup>13</sup> At the same time, Israel continues its attacks against human rights defenders and civil society organizations advocating for Palestinian rights,<sup>14</sup> including by arbitrarily outlawing six prominent Palestinian human rights organisations,<sup>15</sup> carrying out raids and closures of their offices,<sup>16</sup> and personal harassment and threats to their staff.<sup>17</sup> We trust that such pressure will not derail your Office from its commitment to human rights, justice, and accountability.

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<sup>10</sup> UN Human Rights Council, Resolution 31/36 (2016), 24 March 2016, UN Doc. A/HRC/RES/31/36.

<sup>11</sup> Al-Haq, 'Palestine: Al-Haq and CIHRS Welcome Publication of UN Database on Settlement Business Activities', 13 February 2020, available at: <https://www.alhaq.org/advocacy/16449.html>.

<sup>12</sup> There have been several media reports highlighting political interference exerted against the publication of the Database. See for example: Josef Federman, Josh Lederman and Jamey Keaten, 'Israel races to head off UN settlement "blacklist"' (AP, 26 November 2017), available at:

<https://www.apnews.com/9f910e5a7b264c38aad504a6147d9898>; and Nick Cumming-Bruce, 'Clash Over Israeli Settlements Has a New Front: A Delayed U.N. Report' (The New York Times, 5 March 2019), available at: <https://www.nytimes.com/2019/03/05/world/middleeast/israel-united-nations-boycott-companies.html>.

<sup>13</sup> Al-Haq, 'Israel's Refusal to Grant/Renew Visas to the UN OHCHR Highlights the Urgent Need to End Israel's Impunity', 19 October 2020, available at: <https://www.alhaq.org/advocacy/17456.html>; OHCHR, 'Bachelet deplores Israel's failure to grant visas for UN Human Rights staff in the occupied Palestinian territory', 30 August 2022, available at: <https://www.ohchr.org/en/press-releases/2022/08/bachelet-deplores-israels-failure-grant-visas-un-human-rights-staff-occupied>.

<sup>14</sup> See, for example, 'PHROC Condemns Israel's Policy of Silencing Those Who Raise the Voice of Justice' 8 June 2020, available at: <https://www.alhaq.org/palestinian-human-rights-organizations-council/16957.html>; Al-Haq, 'Omar Barghouti at Imminent Risk of Deportation as Israeli Interior Minister Initiates Proceedings to Punitively Revoke his Residency Status', 4 November 2019, available at:

<https://www.alhaq.org/advocacy/16156.html>; and Al-Haq, 'PHROC Condemns Israel's Order to Deport Human Rights Watch Director, Omar Shakir, as a Grave Violation of Right to Freedom of Expression, and Systematic Shrinking of Civil Society Space', 23 May 2018, available at: <https://www.alhaq.org/advocacy/6199.html>.

<sup>15</sup> Al-Haq, 'Position Paper: Dangerous Designations, Israel's Authoritarian Dismantling of Palestinian Civil Society, an Attack on Human Rights and the Rule of Law', 30 October 2021, available at: [https://www.alhaq.org/cached\\_uploads/download/2021/10/31/dangerous-designations-new-cover-1635679908.pdf](https://www.alhaq.org/cached_uploads/download/2021/10/31/dangerous-designations-new-cover-1635679908.pdf).

<sup>16</sup> Palestinian Civil Society, '#StandWithThe6: Joint Statement from Designated Palestinian Organizations Raided, Closed and Pillaged by Israeli Occupying Forces', 19 August 2022, available at: <https://palcivilsociety.com/post/standwiththe6-joint-statement-from-designated-palestinian-organizations-raided-closed-and-pillaged-by-israeli-occupying-forces>.

<sup>17</sup> Al-Haq, 'Urgent Action Needed: General Director of Al-Haq Receives a Threatening Phone Call from Israeli Intelligence, the Shabak', 21 August 2022, available at: <https://www.alhaq.org/advocacy/20459.html>.

In light of the above, we urge you to:

1. Recognise and acknowledge the root causes of the prolonged denial of Palestinian rights, embedded in Israel's settler-colonialism and apartheid;
2. Prioritise the annual updating of the UN Database, as mandated under HRC Resolution 31/36 and ensure that appropriate resources are allocated so as to allow for continued development of the Database;
3. Continue working with civil society organisations and human rights defenders in full transparency for the completion and continuous updating of the Database;
4. Address Israel's institutionalised and systematic targeting of the Palestinian people, including the 15-year-long closure on the Gaza Strip, and Israel's mass and arbitrary 'shoot-to-kill' and administrative detention policies; and
5. Investigate and report, by means of country visits or otherwise, attacks against human rights defenders working on issues related to Palestine and facing intimidation or arbitrary legislative or administrative restrictions, and ensure their protection.

Yours sincerely,

1. Addameer Prisoner Support and Human Rights Association
2. Africa4Palestine
3. Al Mezan Center for Human Rights
4. Al-Dameer Association for Human Rights
5. Al-Haq
6. Applied Research Institute - Jerusalem (ARIJ)
7. Arab Lawyers Association (UK)
8. Arab Organization for Human Rights (AOHR)
9. Association belgo-Palestinienne WB
10. Association Switzerland-Palestine (ASP)
11. AssopacePalestina
12. Baltimore Nonviolence Center
13. Belgian Campaign for Academic and Cultural Boycott of Israel (BACBI)
14. Broederlijk Delen
15. Cairo Institute for Human Rights Studies
16. Canadian BDS Coalition
17. Canadians for Justice and Peace in the Middle East (CJPME)
18. Center for Constitutional Rights
19. Charity & Security Network
20. Comité de Solidaridad con la Causa Árabe
21. Edmonton Small Press Association
22. European Legal Support Center
23. European Trade Union Network for Justice in Palestine
24. Friends of Sabeel North America
25. Gaza Action Ireland
26. Global Legal Action Network
27. Gravity Podcast (thegravity.fm)
28. GreaterToronto4BDS

29. ICAHD UK
30. International Association of Democratic Lawyers
31. International Committee for Breaking the Siege on Gaza (ICBSG)
32. International Human Rights Clinic, Inter-American University of Puerto Rico, School of Law
33. International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)
34. International Service for Human Rights (ISHR)
35. Ireland-Palestine Solidarity Campaign
36. Jewish Network for Palestine
37. Jewish Voice For Peace (JVP)
38. Just Peace Advocates/Mouvement Pour Une Paix Juste
39. Justice for Palestinians
40. MADRE
41. MSAWest
42. Muslim Counterpublics Lab
43. National Lawyers Guild Free Palestine Subcommittee
44. No Separate Justice
45. Palestine Christian Alliance for Peace (PCAP)
46. Palestine House
47. Palestine Solidarity Campaign UK
48. Palestine Solidarity St. John's NL
49. Palestinian and Jewish Unity
50. Palestinian grassroots Anti-Apartheid Wall Campaign (Stop the Wall)
51. Project South
52. Reedley Peace Center
53. Regina Peace Council
54. RootsAction.org
55. Rumbo a Gaza
56. Samidoun Palestinian Prisoner Solidarity Network
57. SELFOP
58. Solsoc
59. The Association of Norwegian NGOs for Palestine
60. The Centre for Research on Multinational Corporations (SOMO)
61. The Civic Coalition for Palestinian Rights in Jerusalem
62. The Palestinian Initiative for the Promotion of Global Dialogue and Democracy - MIFTAH
63. Trócaire
64. United Methodists for Kairos Response (UMKR)
65. World BEYOND War