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**Human rights situation in Palestine and other
occupied Arab territories**

**Joint written statement* submitted by Al-Haq, Law in the
Service of Man, Human Rights & Democratic Participation
Center "SHAMS", Palestinian Centre for Human Rights,
Palestinian Initiative for the Promotion of Global Dialogue
and Democracy (MIFTAH), non-governmental organizations
in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 February 2024]

* Issued as received, in the language of submission only.

Cultural Genocide: Israel's Attacks on Palestinian Heritage, Memory, and Identity

For decades, Israel has ruthlessly endeavoured to obliterate Palestinian identity, history, and presence, systematically denying the Palestinian people their inherent right to self-determination. These relentless efforts are supported by Israel's apartheid and stem from Zionist settler-colonialism, premised on the expulsion, dispossession, and replacement of the indigenous Palestinian people from the land. These violent efforts extend to the deliberate targeting and destruction of Palestinian heritage sites and monuments, reflecting a comprehensive policy to erase the Palestinian identity and people as a group. Acknowledging that "[c]rimes against or affecting cultural heritage often touch upon the very notion of what it means to be human, sometimes eroding entire swaths of human history, ingenuity, and artistic creation", the Office of the Prosecutor of the International Criminal Court further recognises "cultural heritage as the bedrock of cultural identities and endorses the understanding that crimes committed against cultural heritage constitute, first and foremost, an attack on a particular group's identity and practices."¹ Israel's attacks on Palestinian heritage sites and monuments not only constitute war crimes, but also form part of its genocidal campaign that aims at destroying the essential foundations of life for the Palestinian people.

Erasing History, Erasing People: Israel's Ongoing Genocide in Gaza

In the Gaza Strip, the implementation of these destructive endeavours is unmistakable, manifested in over 16 years of blockade and closure, along with various Israeli military aggressions, which witnessed the destruction of Palestinian cultural heritage, emphasising the calculated nature of these actions in erasing both the physical and historical presence of the Palestinian people. In 2021, Al-Haq warned against Israel's destruction of heritage sites in Gaza during its 11-day military aggression, noting that "Israel's bombardments [...] aim at gradually erasing Palestinian cultural heritage to deny the Palestinian people their right to self-determination over their cultural resources, and by extension threatens their existence as a people".²

Currently, persisting in its ongoing genocide against Palestinians in Gaza, in complete disregard to the provisional measures order issued by the International Court of Justice (ICJ),³ Israel has made targets of Palestinian historical and cultural sites and centres, revealing a consistent pattern that aligns with its calculated campaign to erase any trace of Palestinian presence, be it human or cultural.

As of 7 November 2023, Heritage for Peace reports that 104 out of the 325 heritage sites in the Gaza Strip have been either completely destroyed or partially damaged. Since then, subsequent reports from Gaza continue to shed light on Israel's destruction of Palestinian cultural property in its ongoing genocide against Palestinians, serving as a stark illustration of its persistent efforts over decades to erase Palestinian presence, history, and identity. As a way of example, it was reported that the Israeli attacks impacted the Monastery of Saint Hilarion at Tell Umm Amer, which is listed on the tentative list of World Heritage Sites, and the Hammam of Smara, which was constructed over 1,000 years ago.⁴ Reports also mention that various cultural institutions were bombed during the ongoing genocide, including two out of the four museums in Gaza, including the 13th-century Qasr Al-Basha, or Pasha's Palace.⁵ Furthermore, the Palestinian Ministry of Tourism and Antiquities in Gaza estimates that around 104 mosques have suffered damage or destruction since 7 October 2023, including the Al-Omari Grand Mosque, the largest and oldest in the Gaza Strip, the Othman bin Qashqar Mosque constructed in 1220, and the Sayed Al-Hashim Mosque, initially built in the 12th century and later reconstructed in 1850.

Suppressing Resilience and Identity: Destruction of Monuments during Military Attacks on Refugee Camps in the West Bank

Israel's wanton destruction does not only target lives and cultural heritage sites, but also the symbolic and resilient expressions of Palestinian identity. On 30 October 2023, during its six-hour-long military attack on Jenin city and Refugee Camp, which included the killing of four Palestinians, including one child, and the levelling of civilian infrastructure, the Israeli military, accompanied by D9 bulldozers, further destroyed the arches located at the northern entrance of Jenin Refugee Camp, which bore inscriptions on its stones, defiantly stating, "This is a waiting station until return".⁶

During the same attack, what is known as 'the Horse Roundabout' at the eastern entrance of Jenin Refugee Camp became a scene of devastation as an Israeli military bulldozer ruthlessly levelled a 50-metre-long section of the street, penetrating deep into the heart of the Camp, destroying the Horse Roundabout along with it. Afterwards, the horse sculpture that adorned the roundabout, having sustained some damage, was seized by the bulldozer.⁷ Erected as a poignant symbol in the aftermath of the Israeli invasion of Jenin and its Camp in 2002, the sculpture of an iron horse is made from the remains of the destroyed vehicles and houses that were targeted and demolished during the invasion. The horse, a powerful emblem immortalising the resilience and indomitable spirit of the Palestinian people in the face of adversity, had its head facing towards the city of Haifa, from which thousands of Camp residents originated and were expelled during the Nakba of 1948.

Similarly, during a 17-hour-long military attack on Tulkarem city and Refugee Camp, which started on 13 November 2023 and resulted in the killing of nine Palestinians,⁸ and the levelling of civilian properties and infrastructure, the Israeli occupying forces (IOF) deliberately destroyed the Camp's arch at its northern entrance, which included the Palestinian key of return, a symbol of the Nakba of 1948, as this key, for Palestinian refugees, signifies an enduring belief in the realisation of their right to return to their homes. Israeli attacks on the targeted Camp, which is the second largest refugee camp in the West Bank, further included the destruction of a memorial of two Palestinians,⁹ 20-year-old Samir Al-Shaf'i and 23-year-old Hamza Kharyoush, who were killed by the IOF, including undercover forces, during a raid on the Camp on 6 May 2023.

Conclusion and Recommendations

Israel's relentless and systematic efforts to eradicate Palestinian presence extend beyond physical dispossession to a calculated assault on collective memory, including through the deliberate destruction of Palestinian heritage sites and monuments. In the West Bank, particularly in refugee camps, and in Gaza, where a substantial 75% of the population are refugees, Israel systematically targets historical and cultural symbols that connect Palestinians to their land and identity. This intentional obliteration aims to erase the historical narrative and cultural fabric of the Palestinian people as a group. Third States must confront the root causes of this injustice, addressing Israel's settler-colonialism and apartheid that perpetuate displacement and dispossession, by ensuring the Palestinian people's rights to self-determination and return.

Accordingly, we call on Member States of the Human Rights Council to:

- i. Uphold your legal obligation to prevent, end, and refrain from aiding or assisting the ongoing genocide against Palestinians in Gaza, and urgently urge Israel to immediately and unconditionally allow the unimpeded access of fuel, water, food and humanitarian aid, including medical supplies, into the Gaza Strip, as mandated by the ICJ's provisional measures order;
- ii. Strengthen international support to, and urge states to reinstate funding to, the United Nations Relief and Works Agency (UNRWA), which provides critical, life-saving humanitarian aid for almost two million people in Gaza;
- iii. Recognise Israel's unlawful destruction of Palestinian cultural heritage as a fundamental element that enables Israel to further its colonial project in Palestine, and to entrench its

apartheid over the Palestinian people as a whole and their lands by erasing their cultural identity as a people;

iv. Support and enable the exercise of the right of self-determination of the Palestinian people and the return of Palestinian refugees to their ancestral land and homes; and

v. Reconstitute the UN Special Committee against Apartheid and the UN Centre against Apartheid as critical steps towards ending Israel's institutionalised impunity, settler-colonialism and apartheid.

Addameer for Prisoner Support and Human Rights Association, Community Action Centre at Al-Quds University, and Law for Palestine, NGO(s) without consultative status, also share the views expressed in this statement.

1 International Criminal Court, "Policy on Cultural Heritage", June 2021, para. 17.

2 Alexia Guillaume, "Cultural Apartheid Israel's Erasure of Palestinian Heritage in Gaza", Al-Haq, 2021, p. 8.

3 Al-Haq, "Palestinian Organisations Welcome Landmark ICJ Provisional Measures Order Finding That Israel's Actions in Gaza Are Plausibly Genocidal", 26 January 2024.

4 Al-Haq, "Israeli Plans to Pump Seawater into Alleged Tunnels under Gaza Could Render it Uninhabitable and Destroy Historical Cultural Heritage Sites", 19 December 2023.

5 Indlieb Farazi Saber, "A 'cultural genocide': Which of Gaza's heritage sites have been destroyed?", Al Jazeera, 14 January 2024.

6 Al-Haq field report.

7 Al-Haq field report.

8 Seven Palestinians were pronounced dead during the 17-hour-long military attack on the Camp, with an additional two Palestinians succumbing to their wounds on 24 November 2023 and 27 December 2023.

9 Al-Haq field report.