



Human Rights Organisations and Civil Society Call on the International Community to Take Immediate Action to Stop the Relocation of Foreign Embassies to Jerusalem, Respect International Law

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The United States (U.S.) has historically adopted a policy of support for Israel and its occupation. This policy was further consolidated in the [announcement](#) made on 6 December 2017 by the U.S. President to relocate the U.S. Embassy to Jerusalem, and to officially recognize Jerusalem as the capital of Israel – in stark violation of international law. In response to the U.S. declaration, the [United Nations \(UN\) General Assembly adopted resolution 11995](#), with 128 countries voting in favour and nine against, declaring any action to alter the character of Jerusalem null and void. The resolution “affirms that any decisions and actions which purport to have altered the character, status or demographic composition of the Holy City of Jerusalem have no legal effect, are null and void and must be rescinded in compliance with relevant resolutions of the Security Council,” and calls on “states to refrain from the establishment of diplomatic missions in the Holy City of Jerusalem, pursuant to Council resolution 478 (1980).”¹ Despite international condemnation of the U.S. recognition of Jerusalem as the capital of Israel, the U.S. government has moved forward with its plans to relocate its embassy to Jerusalem on 14 May 2018, a move further entrenching Israel’s unlawful annexation of Jerusalem.

Israel occupied the west of Jerusalem in 1948, in violation of UN General Assembly Resolution 181 (29 November 1947) after which more than 80,000 Palestinians were forcibly transferred. In 1967, Israel occupied and illegally annexed the east of Jerusalem through the issuance of a government decree, which extended the applicability of Israeli law to 70 square kilometres of the occupied territory, constituting the new Jerusalem municipality. Critically, Article 2(4) of UN Charter² prohibits any annexation of territory. In addition, UN Security Council resolution 252 (1968) declared “all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status.” Since then, the applicability of the Fourth Geneva Convention in the OPT, including East Jerusalem, has been reiterated in numerous UN

¹ United Nations, ‘General Assembly Overwhelmingly Adopts Resolution Asking Nations Not to Locate Diplomatic Missions in Jerusalem’ (21 December 2017), <https://www.un.org/press/en/2017/ga11995.doc.htm>

² Article 2(4) of the UN Charter: “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.” Notably Article 47 of the Fourth Geneva Convention protects the occupied population against “any annexation by the [Occupying Power] of the whole or part of the occupied territory”.



Security Council and General Assembly resolutions. For example, UN Security Council resolution 446 (1979) calls on Israel, as the Occupying Power, to “desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition [...]” of the OPT, including East Jerusalem. As such, the recognition of Israel’s unlawful annexation of Jerusalem, exemplified by the planned move of the U.S. Embassy to Jerusalem, directly undermines customary international law, and the fundamental right to self-determination of the occupied Palestinian population.

On 7 March 2018, the Israeli Parliament, emboldened by the US declaration, amended the 1952 Entry into Israel Law, granting the Israeli Minister of Interior the power to revoke the residency status of Palestinians based on “breach of allegiance” to the State of Israel. This amendment [allows](#) for the forcible transfer of thousands of Palestinians on an illegal criterion of "breach of allegiance." Similarly, numerous other bills to change the demographic composition and status of Jerusalem are currently under consideration at the Israeli Parliament.³ These bills effectively realise Israel’s plan for a so-called “Greater Jerusalem” through the alteration of the city’s demographic composition, by forcing the transfer of Palestinians from Jerusalem and inserting Israeli settlers therein.⁴ Such bills further jeopardize the already-vulnerable status of Palestinians in their own city, Jerusalem.

Since 1967, Israel has implemented a revocable residency status for Palestinians from Jerusalem, effectively rendering them stateless. On this basis, Israel has directly revoked the residency status of more than 14,500 Palestinians living in Jerusalem,⁵ introducing an onerous ‘centre of life’ policy. The latter provided for the revocation of an additional 11,500 residency statuses of Palestinians between 1995 and 2017.⁶ At the same time, the Occupying Power has also maintained an urban planning policy that aims to excessively limit Palestinian growth and

³ To view the Israeli bills and laws pertaining to the status of Jerusalem and the residents of Jerusalem, see: <http://www.alhaq.org/advocacy/topics/wall-and-jerusalem/1195-the-occupation-and-annexation-of-jerusalem-through-israeli-bills-and-laws>

⁴ The scheme for a “Greater Jerusalem” excludes more than 140,000 Palestinians from Jerusalem, while adding more than 170,000 Israeli settlers to the Jerusalem municipality.

⁵ When including the children of those stripped of their residency rights in Jerusalem, the number of Palestinians who have lost their residency rights in Jerusalem amounts to approximately 86,000.

⁶ In addition to these policies, Israel has restricted and almost stopped all applications for family unification for Palestinians in the OPT, leading to the fragmentation of thousands of Palestinian families.



development in Jerusalem.⁷ settlements currently stand in housing more than 220,000 Israeli settlers. Concurrently, the Jerusalem municipality has only granted a mere 7 per cent of building permits for Palestinian residents over the past few years. As a result, Palestinians are forced to build without a permit, placing them at risk of house demolitions⁸ and internal displacement.⁹

Meanwhile, 15 illegal occupied East Jerusalem alone,

By recognizing Jerusalem as Israel's capital, the U.S. is deliberately denying the existing situation of occupation and the applicability of international humanitarian and human rights law. In addition, by relocating its embassy to Jerusalem, the U.S. endorses and unlawfully legitimises Israel's policies and measures that seek to undermine Palestinians' fundamental human rights which amount to grave breaches of international law and internationally recognised crimes. The move further perpetuates the longstanding impunity granted to Israel in the face of its continuous and systematic violations of international law, including by endorsing the illegal annexation of Jerusalem. In addition, as the U.S. plans to move its embassy on 14 May 2018, it is feared that more states will be encouraged to follow suit. Paraguay and Guatemala have already expressed their intention to relocate their embassies to Jerusalem, further disregarding the rule of law in the OPT. The U.S. declaration and relocation is a direct infringement of U.S. international obligations under numerous binding UN Security Council Resolutions. The U.S. must retract its recognition of Jerusalem as Israel's capital, which violates international law. As a third party state, the U.S. is in breach of its obligations to take concrete measures to end its support and assistance to Israel's prolonged occupation of the OPT. Meanwhile, the Palestinian Authority must immediately cease cooperating with the U.S. as an arbiter for peace.

In light of the above, the undersigned organisations call upon international bodies and community to ensure the protection and implementation of international law and human rights standards in the OPT. The international community must continue to condemn, in the strongest way possible, the U.S. declaration and the move of the embassy. The undersigned organisations call on states to condemn and resist any attempts by other states to move their embassies to Jerusalem. States must refrain from attending the opening ceremony, from cooperating or dealing with the U.S. Embassy in Jerusalem, and commit to their position on Jerusalem as a final status issue. Third States must comply with their obligations as High Contracting Parties to the Fourth Geneva Convention to ensure the protection of the occupied Palestinian population, and

⁷ Only 13% of occupied East Jerusalem is designated for Palestinian construction, an area that has long been fully exhausted, while the rest of the city is inaccessible for Palestinian residential development, including 35% set aside for Israeli settlement construction.

⁸ Between 2004 and 2017, Israel demolished 696 Palestinian homes in East Jerusalem, displacing 2,552 people including 1,389 minors.

⁹ OCHA estimates that around 100,000 Palestinians are at risk of home demolition in occupied East Jerusalem.



intervene concretely to stop Israel's annexationist measures in Jerusalem. Lastly, states must take immediate and practical measures, including by halting their aid and support to Israel, and imposing sanctions until Israel ends its annexation and unlawful prolonged occupation of the Palestinian territory, ceases all breaches of international law, and ensures justice and accountability.

Undersigned organisations:

Palestinian Human Rights Organisational Council (PHROC):

- Al-Haq, Law in the Service of Man
- Al Mezan Center for Human Rights
- Aldameer Association for Human Rights
- Palestinian Centre for Human Rights (PCHR)
- Defence for Children International - Palestine (DCI-Palestine)
- Jerusalem Legal Aid and Human Rights Center (JLAC)
- Addameer Prisoner Support and Human Rights Association
- Ramallah Center for Human Rights Studies
- BADIL – Resource Center for Palestinian Residency and Refugee Rights
- Center for Defense of Liberties and Civil Rights - Hurryyat
- The Independent Commission for Human Rights (ICHR) – observer member

Palestinian Non Governmental Organisations Network (PNGO Network)

Community Action Centre (Al-Quds University)

Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)