

ACTION Mr Fellman
COPY DSG ✓
ColC
Mr Stryker
Ms Amos
OHCHR NY
UNRWA
AG



RECEIVED

JUL 30 2014
14-06809
EXECUTIVE OFFICE
OF THE SECRETARY-GENERAL

30 July 2014

Excellency,

I write to renew and reiterate my urgent request, conveyed on 13 July 2014, urging you to take all necessary and effective measures to provide the Palestinian people with international protection from the ongoing aggression and human rights violations being committed by Israel, the occupying Power, throughout the Occupied Palestinian Territory, including East Jerusalem.

For over a month, Israel, the occupying Power, has unleashed its military wrath on the defenseless Palestinian civilian population, causing widespread death, injury and devastation. The magnitude of this lethal Israeli campaign is most tragically evident in the Gaza Strip, where the 1.8 million Palestinians, most of whom are under the age of 14, continue to endure a terrorizing campaign of mass murder and destruction on a massive scope and scale and where the humanitarian situation has become catastrophic.

At the time of the writing this letter, Israel's military aggression against the Gaza Strip has killed more than 1,269 Palestinians, a third of them children, and injured more than 7,000 people, a majority of them women, children and elderly persons. This devastating loss of life clearly exposes the occupying Power's institutionalized disregard for Palestinian life, that has long been representative of this colonial occupation regime.

Conservative estimates, including those presented by the United Nations, are that over 200,000 Palestinian civilians have already been internally displaced in the Gaza Strip, the majority of these persons constituting Palestine refugees, who are facing yet another traumatic wave of displacement and dispossession. Thousands more Palestinian civilians are threatened with displacement as this inhumane military aggression continues. Israel has also targeted tens of thousands of homes in a clear act of reprisal and collective punishment against the civilian population. The Israeli occupying forces have created a "no-go" zone within the Gaza Strip covering nearly forty percent of the territory, further constraining civilian space in this most densely populated area. Israel's destructive bombardment of vital civilian infrastructure has also deprived nearly the entire population of electricity, safe drinking water, and other vital services, gravely impacting the humanitarian situation.

Israel, the occupying Power, continues to fallaciously invoke the right to self-defense to justify this criminal campaign against the Palestinian people. Further, it persists with cynical, false pretexts to justify the willful and wanton killing of women, children, and other defenseless Palestinian civilians, including by the demonization and dehumanization of the victims, and the deliberate destruction of civilian infrastructure aimed at exacting maximum punishment on the population. These are offensive, willful acts of aggression, not self-defense. Furthermore, regard, the fact that this premeditated Israeli aggression, in all its manifestations, is happening in the context of a forty-seven belligerent occupation, nullifies Israel's justification of its aggression on the basis of self-defense according to Article 51 of the United Nations Charter.

H.E. Mr. Ban Ki-moon
The Secretary-General of the United Nations
The United Nations
New York

RECEIVED



Moreover, it must be recalled that, in accordance with international humanitarian law, the occupying Power is obligated to ensure the safety and well-being of the civilians under its occupation, an obligation that Israel has clearly abdicated and continues to gravely breach without consequence as it persists with its military aggression. In this regard, the International Court of Justice, in its Advisory Opinion of 9 July 2004, clearly stated that as an occupying Power, Israel, cannot invoke the right to self-defense against the Palestinian people, which it continues to occupy. The Court further added that regardless the pretext, all actions undertaken must abide by international humanitarian law. Additionally, the Court concluded that Israel cannot rely on a right of self-defense or on a state of necessity in order to preclude the wrongfulness of its actions.

Excellency, we appeal to you, in your capacity as the Secretary General of the United Nations, to uphold the moral and legal responsibilities incumbent upon you in accordance with the United Nations Charter, including Article 99. At this time of grave suffering and injustice, I reiterate my appeal to you to exercise the powers within your means to uphold the principles of international law, including international humanitarian law and United Nations resolutions, in order to address this grave crisis being faced by the Palestinian people, including through a mechanism to provide them with effective international protection.

We recall in this regard that in recent years, the United Nations, specifically the Security Council, has acted to address several humanitarian emergencies. On numerous occasions, the Council has reiterated the importance of facilitating the unhindered flow of humanitarian assistance, including provision of food, water, electricity, fuel and communications during humanitarian emergencies such as the one Israel, the occupying Power, has deliberately created in the Gaza Strip. I respectfully urge you to act forthwith mobilize the United Nations and the international community to ensure that the same principles are immediately applied to the humanitarian emergency in the Gaza Strip.

In this regard, I wish to inform you that, in light of the immeasurable destruction and suffering exacted on the Gaza Strip, I have declared the Gaza Strip a disaster area. I thus also appeal to you to undertake all necessary measures to respond to the urgent needs of our people in this beleaguered and dear part of Palestine to provide them with desperately-needed relief and assistance during this grave humanitarian crisis. Additionally, I reiterate Palestine's call on the United Nations to continue upholding its responsibilities in providing safe shelter to the internally displaced civilians in Gaza, in addition to the provision of food, drinking water, medicine and other urgently needed items. To this end, I urgently request that Your Excellency exert the necessary efforts for the establishment of humanitarian corridors within the Gaza Strip in order to facilitate the provision and access of humanitarian aid and to take all necessary and effective measures to establish humanitarian space where displaced families can be assured safety and protection from the ongoing Israeli bombardment.



In closing, I am compelled to recall that international law considers the right to life as non-derogable, even in exceptional circumstances. This Israeli aggression against the Palestinian civilian population throughout the Occupied Palestinian Territory, including East Jerusalem, clearly violates this right. Moreover, Israel's systematic and deliberate attacks, *inter alia*, on civilian homes, as well as on UNRWA schools sheltering civilians and on hospitals, constitute war crimes under international humanitarian law and Article 8 of the Rome Statute, for which Israel, the occupying Power, must be held accountable.

At this critical moment, my proud people are being subjected to grave injustices and the Gaza Strip is once again under assault. As the representative of the international system that was established to ensure the universality of human rights, we urge you to act with all the means available to you in the United Nations system to ensure that this injustice ends and that the Palestinian people are provided with the protection they are entitled to. Moreover, as President, I reiterate that I shall leave no stone unturned to ensure that this bloodshed and depravity end and that the Palestinian people achieve justice and their inalienable rights and the freedom, security, dignity and peace they have been too long denied.

Mahmoud Abbās
President of the State of Palestine
Chairman of the Executive Committee of P.L.O

*Permanent Observer Mission
of the State of Palestine
to the United Nations*



البعثة المراقبة الدائمة
لدولة فلسطين
لدى الأمم المتحدة

RECEIVED

Ref. SGC.363/14

30 July 2014

JUL 30 2014
14-06809
EXECUTIVE OFFICE
OF THE SECRETARY-GENERAL

Excellency,

I have the honor to enclose herewith an urgent letter dated 30 July 2014 addressed to Your Excellency from H.E. Mr. Mahmoud Abbas, President of the State of Palestine and Chairman of the Executive Committee of the Palestine Liberation Organization, regarding the tragic situation in the Occupied State of Palestine, especially in the Gaza Strip.

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

Dr. Riyad Mansour
Ambassador, Permanent Observer
of the State of Palestine to the United Nations

H.E. Mr. Ban Ki-moon
The Secretary-General of the United Nations
The United Nations
New York