

Israel's racially discriminatory policies and legal system amount to the crime of apartheid

1. International law deems apartheid a crime against apartheid. Palestinians inside of Israel and the OPT are subjected to different laws than Jewish Israelis and are systematically denied equal access to education, healthcare, and work opportunities. This institutionalized discrimination is based on ethnicity, religion, and nationality. Israel's dual legal system and racially discriminatory policies are designed to maintain Jewish dominance over the indigenous Palestinian population, and are tantamount to a regime of apartheid.
2. The 1950 Law of Return, for example, grants Jews living anywhere in the world "Jewish nationality" and the full rights, privileges, and protections of the Israeli political and legal system. Conversely, Palestinians living in Israel have Israeli citizenship but are not even eligible for "Jewish nationality," and are therefore relegated to second-class status under a two-tiered legal system. Moreover, in March 2011, the Knesset passed the Nakba Bill that criminalizes Palestinian collective and individual memory of dispossession and displacement and thus exacerbates Israel's differential treatment of its Jewish and non-Jewish citizens.
3. Two recent Israeli laws further inhibit the ownership of residency rights of Palestinian citizens of Israel. The amendment to the Land Acquisition for Public Purposes Ordinance prevents Palestinian landowners from reclaiming land confiscated for "public purposes," even if the land was never used for the alleged public purpose for which it was originally confiscated. The Knesset also recently passed the Admissions Committee Law, which effectively sanctions the segregation of Israeli towns and cities.
4. The racism inherent in this system is even more stark in the OPT, where Palestinians are subjected to the harshness of Israeli military law while Israeli Settlers enjoy the full protection of Israel's domestic law.
5. Palestinian residents of East Jerusalem must demonstrate their continued residency for seven years or face revocation of their residency status. This policy is designed to alter the demographic composition of Jerusalem in pursuit of colonial objectives and is indicative of an ongoing forced population transfer policy in contravention to established international law. It reflects a newly revealed policy whereby Israel quietly deported 140,000 Palestinians from the West Bank between 1967 and 1994.

6. The Apartheid Wall, deemed illegal by the International Court of Justice for being built in the Occupied West Bank and effectively separating Palestinians from their schools, farmlands, homes, and families, has wrought a brutal regime. This regime includes the severe restriction of Palestinian movement, the systematic confiscation of Palestinian lands, the expansion of illegal settlements, and the continued implantation of a settler-colonial population in contravention of Article 49 of the Fourth Geneva Convention.
7. Israel continues to impose a blockade on the 1.5 million residents of Gaza in violation of Article 33 of the Fourth Geneva Convention.

We urge the Human Rights Council:

1. To recognize that Israel's racially discriminatory policies amount to the crime of Apartheid as defined by the International Convention on the Suppression of the Crime of Apartheid and that this is the root cause of the plight of the Palestinian people.
2. To condemn recent Israeli legislation- including the Nakba Law, the Admissions Committee Law and the Amendment to Ordinance 1943- as racially discriminatory practices intended to forcibly displace Palestinians and institutionalize racially segregated towns and villages.
3. To condemn Israel's racist residency practices which amount to a policy of forced population transfer in contravention of Article 49 of the Fourth Geneva Convention.
4. To demand that Israel end its illegal blockade of Gaza and to urge the United Nations Security Council to implement the recommendations set forth in the Goldstone Report.