

PART 2

APARTHEID: Reports and Statements documenting Israel's complicity

For decades, Palestinian civil society organizations have pointed to the harsh realities of Israel's apartheid regime. Over the years, a few internationally recognized leaders have concurred, including U.S. President Jimmy Carter and South African Archbishop Desmond Tutu. But over the past three years a rapidly growing number of globally respected human rights organizations have issued thoroughly researched reports describing Israel's laws, policies and practices as apartheid. It is important to note that, while each of the following documents have been subjected to repeated accusations of "antisemitism" and "delegitimization of the State of Israel," there has not been a single response that disputes the charges in these reports.

Reports

Beyond the early charges and documented reports of Israeli apartheid by Palestinians and others, recent reports by two Israeli human rights organizations opened the door for further, definitive studies.

Yesh Din: ["The Israeli Occupation of the West Bank and the Crime of Apartheid: Legal Opinion"](#)

[Yesh Din-Volunteers for Human Rights](#) is an Israeli organization registered as a non-profit in Israel and subject to Israeli law. A team of volunteers serve alongside a professional staff including lawyers and human rights experts. In June 2020, Yesh Din published a legal opinion charging that "the crime against humanity of apartheid is being committed in the West Bank. "The perpetrators are Israelis, and the victims are Palestinians." The 58-page report offered this conclusion:

The crime [of apartheid] is committed because the Israeli occupation is no "ordinary" occupation regime (or a regime of domination and oppression), but one that comes with a gargantuan colonization project that has created a community of citizens of the occupying power in the occupied territory... The crime of apartheid is being committed in the West Bank because, in this context of a regime of domination and oppression of one national group by another, the Israeli authorities implement policies and practices that constitute inhuman acts as the term is defined in international law: Denial of rights from a national group, denial of resources from one group

and their transfer to another, physical and legal separation between the two groups and the institution of a different legal system for each of them.

B'Tselem: ["A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid."](#)

While Yesh Din's finding of Israeli apartheid was limited to the West Bank, in January 2021 [B'Tselem– The Israeli Information Center for Human Rights in the Occupied Territories](#) issued a report, charging that "The essence of the apartheid regime in place between the Jordan River and the Mediterranean Sea is to promote and perpetuate the supremacy of one group over another." B'Tselem (in Hebrew, "in the image") is an independent, non-partisan, globally-awards-winning Israeli organization. Summarizing the findings in the eight-page report, B'Tselem's Executive Director wrote, "Israel is not a democracy that has a temporary occupation attached to it: it is one regime between the Jordan River and the Mediterranean Sea, and we must look at the full picture and see it for what it is: apartheid. This sobering look at reality need not lead to despair, but quite the opposite. It is a call for change. After all, people created this regime, and people can change it."

Human Rights Watch: ["A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution"](#)

Human Rights Watch (HRW) is an international non-governmental organization based in New York City with a staff of around 450 people including lawyers and journalists and over 70 nationalities described as "country experts." In the summary of its April 2021 213-page report, HRW writes, "Laws, policies, and statements by leading Israeli officials make plain that the objective of maintaining Jewish Israeli control over demographics, political power, and land has long guided government policy. In pursuit of this goal, authorities have dispossessed, confined, forcibly separated, and subjugated Palestinians by virtue of their identity to varying degrees of intensity. In certain areas, as described in this report, these deprivations are so severe that they amount to the crimes against humanity of apartheid and persecution."

Accompanying its report, Human Rights Watch created a three-minute [video](#) that describes the elements of apartheid and the charge of apartheid against Israel.

Amnesty International: ["Israel's Apartheid against Palestinians: Cruel System of Domination and Crime Against Humanity"](#)

[Amnesty International](#) is a non-governmental organization based in the United Kingdom with regional office in cities around the world. Amnesty describes itself as “a global movement... independent of any political ideology, economic interest or religion.” In the Executive Summary of its 278-page February 2022 report documenting Israel’s apartheid regime, Amnesty writes, “Over decades, Israeli demographic and geopolitical considerations have shaped policies towards Palestinians in each of the different areas of Israel, East Jerusalem, the rest of the West Bank and the Gaza Strip in different ways... Palestinians experience this system in different ways and face differing levels of repression based on their status and the area in which they live.” Amnesty “has assessed that almost all of Israel’s civilian administration and military authorities, as well as governmental and quasi-governmental institutions, are involved in the enforcement of the system of apartheid against Palestinians.”

United Nations: [“Report of the Special Rapporteur on the situation of Human Rights in the Palestinian territories occupied since 1967”](#)

In an April 2022 report to the United Nations Human Rights Council, Special Rapporteur Michael Lynk applied tests from the Convention Against Apartheid and the Rome Statute to conclude that Israel’s “political system of entrenched rule in the occupied Palestinian territory... satisfies the prevailing evidentiary standard for the existence of apartheid.” In his meticulously footnoted 18-page report, Lynk documents violations of international humanitarian law and international human rights law, including arbitrary detention, ill-treatment and torture, gender-based violence, restrictions of the rights to freedom of movement, expression, association and peaceful assembly, and violations of the rights to life and physical integrity. Lynk insisted that, because of the vast asymmetry of power, an international intervention is indispensable using a rights-based approach.

Al-Haq, Law in the Service of Man; Addameer Prisoner Support and Human Rights Association; Habitat International Coalition – Housing and Land Rights Network: [“Entrenching and Maintaining an Apartheid Regime over the Palestinian People as a Whole: Joint Submission to the United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967”](#)

In January 2022, three Palestinian non-governmental human rights organizations submitted a thoroughly researched report to the UN Special Rapporteur Michael Lynk as he prepared his April report (above). Quoting directly from the 40-page submission:

Since its inception, the centrality of the racial dimension of Zionism has formed the foundation of Israel's ever-lasting institutionalised racial discrimination and apartheid regime.... Contrary to the claim that Israel's prolonged occupation has turned into apartheid, Israel's occupation is, in fact, part and parcel of the overarching settler colonial and apartheid regime that Israel always intended—and continues—to impose on the Palestinian people as a whole.”

Harvard Law School's International Human Rights Clinic and Addameer:
[“Apartheid in the Occupied West Bank: A Legal Analysis of Israel's Actions”](#)

In February 2022, the International Human Rights Clinic at Harvard Law School and Addameer Prisoner Support and Human Rights Association responded to the call of—and jointly submitted a report to—the United Nations Independent International Commission of Inquiry on the Occupied Territory, including East Jerusalem, and Israel. The 22-page report with 130 footnotes is focused “on the legal regime enforced by Israel in the occupied West Bank that denies Palestinians their civil and political rights in violation of international law. Specifically, this submission finds that Israel's actions in the occupied West Bank are in breach of the prohibition of apartheid and amount to the crime of apartheid under international law.” Part I of the report defines the crime of apartheid in international law and outlines applicable legal norms; Part II describes the legal regime enforced by Israel in the occupied West Bank, with a particular focus on discriminatory measures that affect Palestinian civil and political rights; Part III examines the merits of applying the term apartheid in this context and concludes that Israel is in violation of the international law prohibition of apartheid.

For additional reports, studies, statements, books and resolutions see Appendix 1.