



JUST ATONEMENT INC.

justice
hope peace unity equal opportunity
golden age
progress sustainability democracy freedom
human rights harmony civilization

Just Atonement Inc.

745 5th Ave, Suite 500
New York, New York 10151

Executive Director: [Dave Inder Comar](#)

Email: inder@justatonement.org

Telephone: +1 646 600 5470

Just Atonement Inc. (JAI) is a legal non-profit that trains new advocates to address threats to human rights, a livable planet, and the international rule of law.

JAI was founded in the United States of America in 2017.

JAI invites and organizes legal professionals globally into a single order and aligns a vision of a peaceful, sustainable world, governed by the democratic rule of law; litigates in courts all over the world on cutting edge human rights cases to build peace and sustainability, and to defend democracy; and advocates for a vision of a true Golden Age for humanity: a world where countries settle their disputes peacefully, manage social and economic systems that are in harmony with the planet, and govern themselves through the principles of democracy, the rule of law, and human rights.

JAI submits this written submission with respect to the Universal Periodic Review of Israel.

SUMMARY OF CONCLUSIONS

1. **Israel's policies and practices in the Occupied Palestinian Territory ("OPT") have resulted in flagrant human rights violations which include brutalisation of children, torture, apartheid, and colonisation of land.** Despite having signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the treatment of Palestinians runs counter to a variety of fundamental international legal principles. Without limitation, the right to self-determination of the Palestinian peoples, an *erga omnes* norm, continues to be infringed.

2. **JAI commends Israel for many of its anti-discrimination policies and laws with respect to its domestic citizens.** The law formally prohibits discrimination in employment and occupation based on age, race, religion, national origin, ethnicity, sex, sexual orientation, and disability.¹ Israel has also attempted to remove stigma associated with HIV and AIDS by accepting blood donations from gay and bisexual men.²

¹ https://www.ilo.org/ifpdial/information-resources/national-labour-law-profiles/WCMS_158902/lang--en/index.htm

² See, e.g., <https://www.haaretz.com/israel-news/2021-08-19/ty-article/.premium/health-minister-ends-ban-forbidding-homosexuals-to-donate-blood/0000017f-db62-d3ff-a7ff-fbe266dc0000>



3. **Israel’s human rights framework could be further improved.** JAI recommends the dismantling of all forms of systemic discrimination against Palestinians and the end of grave international law violations against them. This would entail eradicating discriminatory policies vis-a-vis citizenship and residency rights, civil rights, and other services. Moreover, Israel’s climate change policies must be more human rights focused to mitigate against the impacts of climate change. This includes increasing capacity-building to prevent human rights violations more generally.

ISRAEL’S OCCUPATION OF THE PALESTINIAN TERRITORIES (THE “OCCUPATION”)

4. **Unfortunately, the Occupation can be classified as a crime of apartheid, as recently affirmed by Amnesty International.**³ The three primary elements to fulfil the crime of apartheid include: (1) intention to maintain a system of domination by one racial group over another; (2) systematic oppression by one racial group over another; and (3) one, or more, inhuman acts, as defined, carried out on a widespread or systematic basis pursuant to those policies.⁴

5. Under the **first** element of intention to maintain domination, the Knesset has recently passed a law in 2018 with constitutional status affirming Israel as the “nation-state of the Jewish people,” where the right to self-determination is “unique to Jewish people”. The law thus limits the population and political power of Palestinians. Regarding the **second** element on systematic oppression, this would involve curtailing the political power of Palestinians, granting the right to vote only to Palestinians who live within the borders of Israel as they existed from 1948 to June 1967, and limiting the ability of Palestinians to move to Israel from the OPT. On the **third** element, inhumane acts include, among other things, the unlawful killing of Palestinian protestors. As just one example, at the end of 2019, Israeli forces had killed 214 civilians, including 46 children.⁵

WOMEN’S RIGHTS

6. **Despite anti-discrimination laws and policies against women from 1951 onwards, gender inequality continues to persist.** Women in Israel earn 67 percent of what men earn, and Israel continues to struggle with gender equality.⁶ Additionally, sixteen women were killed in domestic violence in 2021 according to the Israel Observatory on Femicide.⁷ There has been demand for enforcing gender segregation in public spaces by Ultra-Orthodox Jewish communities.⁸

CLIMATE CHANGE

³ <https://www.amnesty.org/en/documents/mde15/5141/2022/en/>

⁴ <https://www.hrw.org/news/2021/04/30/apartheid-and-persecution-forgotten-crimes-against-humanity>

⁵ <https://www.amnesty.org/en/documents/mde15/5141/2022/en/>

⁶ <https://foreignpolicy.com/2021/06/17/women-are-the-key-to-israels-government/>

⁷ https://en.israelfemicide.org/_files/ugd/c56ba7_39e6bd3d26fc4679817e2577a0ef1135.pdf

⁸ See, e.g., <https://www.haaretz.com/israel-news/2021-02-04/ty-article/.premium/israel-says-modesty-is-a-factor-in-planning-ultra-orthodox-areas/0000017f-e326-d9aa-afff-fb7eece30000>



Impacts of Climate Change

7. **The Knesset had recently passed a bill intended to set up a binding framework for Israel's efforts to combat climate change.** Before the dissolution of the Knesset for Israel on 30 June 2022, the passing of this bill ensures that the next government will pick up the aforementioned bill after the election. Furthermore, the National Security Council has recently adopted climate change under its auspices, and has set several goals for the country: reducing greenhouse gas emissions; preparing for emergencies caused by weather extremes, such as wildfires, flooding, and snowstorms; and leveraging Israel's assets, such as innovation in climate-related areas and advancing regional cooperation.⁹ We commend the government for prioritising climate change action. **That being said, Israel's climate change goals and mechanisms remain inadequate, and ought to be bolstered with a more human-rights centred approach.**

Sea Level Rise

8. **Sea level rise in Israel is approximately 10mm per year. A change in sea level will affect all of Israel's coasts, from Rosh Hanikra to the border of the Gaza Strip.** Sea level rise will continue to result in the water line receding eastward, until it reaches the coastal cliffs, where saltwater infiltration into the aquifer's groundwater may also occur.¹⁰ Moreover, if the sea rises by a metre, this would cover a quarter of the Nile River Delta, which is Israel's breadbasket¹¹.

Weather Extremes

9. **The Intergovernmental Panel on Climate Change predicts that the southern and eastern Mediterranean areas will warm at a higher rate than the rest of the world over the next century.** Moreover, according to a report by the Meteorological Service Report, the average temperature has already risen by about 1.4 degrees Celsius since 1950 and is expected to rise by another 0.9 to 1.2 degrees by the end of 2050.¹²

10. **The impacts of climate change are likely to worsen in the coming decades including in Israel.** Several climate change adaptation policies should be developed and tailored to the needs of Israel and other countries in the Mediterranean Basin.¹³

11. **Israel has experienced extreme weather events.** In January 2020, there was flooding at the Hatzor Base in the south of the country which caused tens of millions of shekels in damage to F16 planes.¹⁴ Furthermore, a cold wave had caused a private vehicle with two passengers to be

⁹ <https://www.jpost.com/opinion/israel-is-changing-its-views-on-climate-but-promises-and-words-are-not-enough-683642>

¹⁰ https://www.gov.il/en/departments/guides/climate_trends_and_impact_in_israel

¹¹ <https://www.tandfonline.com/doi/full/10.1080/19475705.2010.516912>

¹² <https://mronline.org/2022/02/06/how-israels-occupation-of-palestine-intensifies-climate-change/>

¹³ <https://ijhpr.biomedcentral.com/articles/10.1186/2045-4015-2-23>

¹⁴ <https://www.timesofisrael.com/is-israel-burying-its-head-in-sand-as-climate-change-makes-mideast-a-hot-mess/>



swept away in Nahal Qana in Samaria.¹⁵

Increasing Heat

12. **Whilst Israel's existing infrastructure is rather developed, more attention ought to be given to protecting vulnerable groups.**

13. **In that vein, Israel's adaptation plans ought to take into account the expected increase in heat waves** and to ensure proper funding is allocated towards the mitigation of these climate change risks.

Loss of Natural Resources, including Fisheries

14. **According to a Meteorological Service report, there will be a reduction in precipitation by more than 15-25% by the end of the century.** This would result in a dehydration of water sources, especially the Sea of Galilee basin. According to calculations, the flow of the Jordan River, the main water source of the Sea of Galilee, is expected to decrease by up to 22% in the 21st century. The reduced availability of an important water resource will likely exacerbate climate-related challenges.¹⁶

15. **High temperatures and the persistent warming of oceans will result in profound changes in marine ecosystems.** In early July 2017, researchers had found sightings of fish carcasses on the coast of Eilat, Israel. The fish carcasses were preceded by rapid warming spikes, suggesting that the rapid onset of warming will trigger widespread mortality.¹⁷ Moreover, the Eilat's waters had accumulated organic matter on the seafloor from waste food and fish faeces. Such eutrophication have impacted the biodiversity in Israeli waters.

16. **Extreme weather events will increase agricultural insurance costs for storm damage, pest damage, and natural disasters.** Such events will have a negative impact on crops, in the form of deterioration of quantity and quality on agricultural crops, and with negative impacts on livestock farming due to increased pest spread and multiplicity.

Wildfires

17. **The frequency and extent of wildfires in Israel have been steadily increasing over the past decades,** culminating in several large and costly fires in 2010, 2012, 2016 and 2021.¹⁸ Climate change, in combination with land use changes and human population growth have and will likely result in an increased risk of wildlife occurrence and impacts. The combination of extreme dry spells, high fuel loads, and increased anthropogenic pressure on open spaces result in an overall amplified wildfire risk. These wildfires and the impacts of these wildfires could violate the right to life, the right to a clean, healthy and sustainable environment, and other

¹⁵ <https://www.jpost.com/israel-news/article-692644>

¹⁶ https://www.gov.il/en/departments/guides/climate_trends_and_impact_in_israel

¹⁷ <https://www.theguardian.com/science/2020/sep/21/israel-fish-deaths-linked-to-rapid-warming-of-seas>

¹⁸ <https://ui.adsabs.harvard.edu/abs/2017EGUGA..1917817W/abstract>



human rights consequently.

Biodiversity Loss

18. **Species populations located between the Mediterranean Sea and desert climates are characterised by high genetic diversity, and these areas will be significantly impacted due to climate change.** Climate change will likely result in higher temperatures, greater evaporation, and reduced precipitation. These events will increase pressure on freshwater systems, aggravating their deterioration. In marine systems, the effects of invasive species in the Mediterranean Sea are expected to accelerate, transforming the Mediterranean ecosystem. Around 89% of ecosystems in Israel have declined in terms of diversity.¹⁹ This loss of biodiversity has implications for the protection, enjoyment, and fulfilment of human rights in Israel, including the right to a clean, healthy and sustainable environment, and the right to life, including a dignified life.

RECOMMENDATIONS

19. In light of the systematic persecution that Palestinians face, JAI recommends the dismantling of **all forms of systematic domination and oppression, including apartheid**, that systematically oppress Palestinians. In addition, JAI recommends the end of marginalising practices and policies in the form of curtailment of citizenship rights, civil rights, access to food, water, and other human rights. JAI recommends that Israel fully and completely cooperate with the Office of Prosecutor (OTP) of the International Criminal Court when investigating the situation in Palestine. **JAI urges Israel to end the Occupation and to support and sustain the self-determination of the Palestinian peoples.**

20. **JAI recommends that the government create and empower enforcement agencies to ensure that anti-discriminatory policies are implemented** and not merely tokenistic. Alleged perpetrators should face accountability under domestic law, and to the extent found guilty of discrimination, domestic violence, or gender-based violence, should be commensurately punished under the law. Gender equality should be prioritized.

21. **JAI recommends that Israel consider the adaptation strategies published in the IPCC AR6 Working Group II report, and in particular, that Israel take steps to avoid maladaptation.** The recommendations listed in the report are imperative in reducing the impacts on human rights by protecting the right to life, the right to health, and the right to self-determination, among other human rights.

22. Given the intersectional nature and impact that extreme weather has on human rights, JAI recommends that **Israel consider and implement adaptation strategies consistent with the IPCC AR6 Working Group II's recommendations, and in particular, take steps to avoid vulnerability to weather extremes.**

¹⁹ <https://www.timesofisrael.com/89-of-israels-ecosystems-have-declined-in-biodiversity-state-comptroller-says/>



23. Furthermore, JAI commends Israel's National Action Plan on the proposed 2025 establishment of a monitoring system for mortality, morbidity, and caring for high-risk groups; but it remains inadequate in addressing the systemic inadequacies. JAI recommends an **increased preparedness of the health system in Israel. Israel should consider increasing financing towards emergency services and increasing accessibility of climate emergency responses to those who are impeded by disabilities or who are otherwise particularly vulnerable.**

24. Israel's adaptation plan ought to take into account the expected increase in heat waves and **ensure proper funding is allocated towards the mitigation of climate change risks.** There is an imperative need to allocate resources to firefighting and fire prevention.

25. JAI recommends **conserving urban biodiversity through protecting areas around natural assets (such as nature reserves or parks), implementing ecological corridors, and reducing the impacts of urban heat islands through urban forestry and green roofs.**

Acknowledgements

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