



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: ICERD-ISC 2018/3  
AP/VL/mg

The Secretariat of the United Nations (Office of the High Commissioner for Human Rights) presents its compliments to the Permanent Mission of the State of Israel to the United Nations Office at Geneva, and has the honour to refer to the communication submitted by the State of Palestine under article 11 of the Convention on the Elimination of All Forms of Racial Discrimination (ICERD-ISC-2018/3).

The Secretariat has the honour to inform the State party about the reply, adopted by the Committee on 29 April 2019, to the Note verbale submitted by the State of Israel on 23 April 2019:

“The Committee on the Elimination of Racial Discrimination acknowledges receipt of the Note of the Permanent Mission of the State of Israel dated 23 April 2019, in which the Mission informs the Committee that it is unable to take part in the proceedings related to the question of jurisdiction of the Committee over the communication submitted by the State of Palestine with reference to article 11 of the Convention on the Elimination of All Forms of Discrimination.

The Committee regrets the position of Israel which will affect the smooth functioning of the proceedings in application of article 11 of the Convention. The Committee recalls that in application of article 11(5) of the Convention, the State of Palestine is “entitled to send a representative to take part in the proceedings of the Committee, without voting rights”. The Committee fails to see how the appearance and participation of an Israeli representative in the abovementioned preliminary proceedings, under the format which is determined by the Convention, would be inconsistent with Israel’s non-recognition of the State of Palestine. The object of the upcoming proceedings is precisely to determine whether there is in respect of the Convention a treaty relation between the State of Israel and the State of Palestine, which would allow for the application of the articles 12 and 13 of the Convention.

The Committee stresses that the non-appearance of any of the States concerned by the inter-state communications will not prevent the Committee to continue with the proceedings, including the hearings that will take place on 2<sup>nd</sup> and 3<sup>rd</sup> May 2019. The Committee ensures the Permanent Mission of the State of Israel that all Members of the Committee have full access to all written documents submitted by the State of Palestine and by the State of Israel, including the Note of 23 April 2019”.

A copy of the State of Israel’s submission of 23 April 2019 and the present Note Verbale have been transmitted, for information, to the Permanent Mission of the State of Palestine to the United Nations Office at Geneva.



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The Secretariat avails itself of the opportunity to renew to the Permanent Mission of the State of Israel the assurance of its highest consideration.

A handwritten signature in dark ink, consisting of stylized, overlapping loops.

29 April 2019