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International Day of the Victims of Enforced Disappearances**Shams Center:****Utilizing Enforced Disappearance as a Strategy by the Israeli Occupation****Aims at spreading Terror and Increasing Pain and Agony**

Human Rights and Democracy Media Center- SHAMS, affirms that enforced disappearance is a structured crime that targets individuals and communities and increases pain and suffering. Enforced Disappearance is a crime per the international law. Utilizing enforced disappearance as a strategy is dedicated to spreading terror and increasing pain and suffering, especially since the suffering is not limited to the victims only, but extended to affect their families and relatives. It affects the social fabric and cohesion in the community and creates a case of fear and anxiety about the unknown destiny, whether it is practiced by an occupying power or a dictatorship regime. At the time the world celebrates the International Day of the Victims of Enforced Disappearance (August 30), the Palestinian wound is still bleeding as there are hundreds of Palestinians whose bodies are held in custody by the occupation or buried in the so-called Graveyards of Numbers. There are thousands of other victims whose destiny is unknown as a result of the ongoing genocide war in the Gaza Strip since 7/10/2024. The enforced disappearance crimes are occurring daily in the Gaza Strip due to the crimes of the occupation.

SHAMS Center affirms that the enforced disappearance crimes are part of the ongoing war crime committed by the Israeli occupation against Palestinians in front of the silent world. These crimes take the form of detention, killing, and deprivation of the right to uncover their destiny. Enforced Disappearance, according to the "Declaration on the Protection of all Persons from Enforced Disappearance", was identified as: "persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law". Despite that, the Israeli government insists on committing this crime against Palestinian civilians.

SHAMS Center deplores the international silence in front of the enforced disappearance crimes committed by the Israeli occupation against Palestinians. The Center condemns the silence of the international governments and the silence of international organizations, including the United Nations Organizations and its arms involved in protecting human rights on the global level. The silence reflects the weakness of these governments and institutions in one case and the alignment with the occupation in the other. At the same time, it could reflect the conspiracy with the criminal and the full support for its crimes against Palestinians while on the surface, they associate themselves with the role of defending human rights and protecting international peace and security.



The Center asserts that the enforced disappearance crimes committed by the occupation against Palestinians, mainly the arrest of hundreds of persons from the Gaza Strip, represent a violation of international law and international human rights law. In particular, the occupation violates Articles (70, 71, 122, and 123) of the Geneva Third Convention related to war prisoners. Additionally, it violates the International Convention for the Protection of All Persons from Enforced Disappearance. Article 1 of the given Convention states: "1. No one shall be subjected to enforced disappearance. 2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification for enforced disappearance". The occupation violates the Rome Statute (1998) upon which the International Criminal Court was established; Article 7 of the Statute indicates clearly that "Enforced Disappearance is a war crime". The Israeli occupation violated the International Convention for the Protection of All Persons from Enforced Disappearance (2010) as Article 5 states: "Forcible Displacement is a crime against humanity". The Occupation violates Rule number 98 of the "*Customary International Humanitarian Law*", published by the International Committee of the Red Cross (ICRC) in 2005, which states that enforced disappearance is banned in both national and international conflicts. Additionally, it violates rule number 117, which stipulates: "Each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate". This rule applies to both international and non-international conflicts.

SHAMS Center calls on the United Nations Security Council, the UN Secretary-General, the High Contracting Parties to the Geneva Conventions, the UN Special Rapporteur on Enforced Disappearance, the International Committee on Enforced Disappearances under the International Convention for the Protection of All Persons from Enforced Disappearance, the Special Rapporteur on Human Rights, the International Committee of the Red Cross, and both governmental and non-governmental organizations to fulfill their legal, moral, and humanitarian obligations. They are urged to compel the occupying government to cease the crimes of enforced disappearance against Palestinians.