

# DIVISION FOR PALESTINIAN RIGHTS

# UNITED NATIONS ASIAN AND PACIFIC MEETING ON THE QUESTION OF PALESTINE

"Strengthening international consensus on the urgency of a two-State solutions"

Jakarta 8 and 9 June 2009

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# I. INTRODUCTION

1. The United Nations Asian and Pacific Meeting on the Question of Palestine was held in Jakarta on 8 and 9 June 2009, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and in keeping with General Assembly resolutions 63/26 and 63/27. It was followed, on 10 June 2009 at the same venue, by the United Nations Public Forum in Support of the Palestinian People.

2. The Committee was represented at the meetings by a delegation comprising Paul Badji (Senegal), Chairman of the Committee, Hamidon Ali (Malaysia), Kanika Phommachanh (Lao's People's Democratic Republic) and Riyad Mansour (Palestine).

3. The Meeting consisted of an opening session, three plenary sessions and a closing session. Presentations were made by 16 speakers, including 2 Israelis and 4 Palestinians. In addition, representatives of 67 Governments, the Holy See, Palestine, 1 intergovernmental organization, 4 United Nations system entities, 28 civil society organizations and 25 media organizations participated in the Meeting. At the Public Forum, presentations were made by 10 panellists, including 2 Israelis and 1 Palestinian (see annex II).

4. The Concluding Statement of the Organizers was issued at the end of the Meeting (see annex I).

# **II. OPENING SESSION**

5. **Triyono Wibowo**, Vice-Minister for Foreign Affairs of Indonesia, representing the host Government, reiterated Indonesia's continued and strong commitment to assisting the Palestinian people in fulfilling their right to an independent nation. He also reiterated Indonesia's condemnation of Israeli policies in the Occupied Palestinian Territory, and called upon the international community to hold Israel accountable for its violations of international law and crimes against humanity. His country believed that holding Israel accountable was an important requirement for achieving a solution to the Israeli-Palestinian conflict. There could not be two sets of law and codes of conduct, one for Israel and another for other nations. It was the responsibility of the international community to find a way to ensure that Israel honoured its responsibilities and obligations under international law.

6. He recalled that, at the New Asian-African Strategic Partnership Ministerial Conference on Capacity Building for Palestine held in Jakarta on 14 July 2008, Asian and African countries had decided to conduct a capacity-building programme for Palestinian officials. Under the programme, Indonesia provided training for Palestinian Government officials, diplomats and entrepreneurs aimed at building political, economic and social institutions. He reiterated Indonesia's commitment to a two-State solution as the minimum requirement for the resolution of the conflict, and said that Indonesia would continue to work within the United Nations and with Asian and Pacific nations in pursuit of that objective. He expressed sincere appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for working tirelessly to keep the question of Palestine in the spotlight in the international arena.

7. **Ban Ki-moon**, Secretary-General of the United Nations, in a statement read by his representative at the Meeting, Noeleen Heyzer, Executive Secretary of the Economic and Social Commission for Asia and the Pacific, said that there had been almost no progress in previous months on implementing Security Council resolution 1850 (2008) on the political process, or resolution 1860 (2009) on the crisis in and around Gaza. Urgent needs included a durable and fully respected ceasefire, prevention of the illicit supply of weapons to Gaza, the reopening of the crossings in accordance with the Agreement on

Movement and Access, and progress on Palestinian reconciliation under the legitimate Palestinian Authority. As for Gaza, nearly five months after the end of the hostilities, nothing beyond basic needs such as food and medicine had been allowed in. Essential recovery efforts and long-term development initiatives were impossible under these conditions. He called on Israel to allow in the fuel, funds and materials that were urgently required to repair destroyed and damaged schools, clinics, sanitation networks and shelters and to restore a functioning market.

8. The Secretary-General said that in the West Bank, there had been encouraging developments by the Palestinian Authority towards building the institutions of an independent State and improving the security situation through the newly trained Palestinian Authority security forces. However, routine incursions by the Israel Defense Forces were a hindrance to progress. Palestinians continued to endure unacceptable unilateral actions, such as house demolitions, intensified settlement activity, settler violence and ever increasing movement restrictions due to permits, checkpoints and the wall. The time had come for Israel to fundamentally change its policies in that regard, as it had repeatedly promised to do. There must be a full settlement freeze in the West Bank and East Jerusalem, including from natural growth, and settlement outposts must be evacuated. He also expressed his extreme concern about intensifying Israeli actions to alter the status of East Jerusalem. The challenge was to begin implementing transformative changes on the ground and to create irreversible momentum towards an Israeli-Palestinian agreement. The clear objective was an independent, democratic and viable Palestinian State living side-by-side in peace and security with Israel, and a just, lasting and comprehensive peace in the region.

9. **Paul Badji**, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that, months after the bloody Gaza conflict and pledges of billions of dollars in assistance, reconstruction aid remained hostage to politics and out of reach of the beneficiaries. No durable ceasefire around Gaza, as called for in Security Council resolution 1860 (2009), had emerged, making the situation even more precarious. The Committee was also greatly disquieted by the situation in the occupied West Bank, including East Jerusalem. The question of Jerusalem remained one of the core issues of the peace process and of any prospective final settlement of the Israeli-Palestinian conflict. Any actions that purported to alter the status of the city were detrimental to the peace process, contravened Security Council resolution of international law.

10. Mr. Badji said that recent political developments were anything but encouraging. The main accomplishment of the past several years and the consensus of the international community formed around the two-State solution appeared to have been largely disregarded by the new Israeli Government. Pronouncements by the Israeli leadership to the effect that the conflict could not be resolved but could only be "managed", and that the "economic peace" with the Palestinians was the way to go, should be firmly rejected as an attempt to divert attention from the core issues. The root causes of the conflict were well known and were political in nature. No sustainable economic development could emerge without an end to the occupation and a comprehensive settlement of all the outstanding permanent status issues on the basis of international legitimacy.

11. **Abdel Rahim Malouh**, member of the Executive Committee of the Palestine Liberation Organization (PLO), was supposed to participate in the Meeting as the representative of Palestine but was unable to do so due to the Israeli authorities' travel restriction policy, and his message was read out by Fariz N. Mehdawi, Ambassador of Palestine to Indonesia. Mr. Malouh said that the urgency of ending the tragedy and injustice imposed on the Palestinian people after more than 61 years of statelessness and dispossession and more than 42 years of ruthless foreign occupation and oppression could not be overstated. For too long the Palestinian people had suffered loss, misery, crises and subjugation, yet they remained resilient in their struggle to realize their inalienable human rights, including their rights to self-determination and to return, unwavering in their quest to fulfil their legitimate national aspirations to live in peace and freedom in their homeland and in harmony with their neighbours.

12. Mr. Malouh said that too much time had been wasted, too many lives had been lost and too many innocents continued to greatly suffer as a result of the tragic conflict. The situation in the Occupied Palestinian Territory, including East Jerusalem, remained dire at all levels owing to Israel's ongoing illegal and repressive policies and practices. To date, the occupying Power had continued to unlawfully colonize the Palestinian land, violate the human rights of the Palestinian people and mercilessly impose inhumane measures of collective punishment and humiliation. The situation in the Gaza Strip in particular remained grave as a result of the trauma, terror and devastation inflicted by the Israeli military aggression and the continuing ruthless Israeli blockade that had imprisoned 1.5 million Palestinian children, women and men. There was absolutely no justification for continued delay of efforts to attain a peaceful solution.

13. The representative of Cuba, speaking on behalf of the Non-Aligned Movement, expressed regret for the lack of progress, despite increased international efforts to address the major issues and follow up on core positions regarding the question of Palestine. He called on the international community, including the Security Council, to ensure serious follow-up investigations of all crimes and violations committed by Israel in Gaza, and reaffirmed the obligations of the High Contracting Parties to the Fourth Geneva Convention with regard to sanctions. The Movement condemned Israel's inhuman and unlawful blockade of Gaza and demanded that it allow the immediate and sustained opening of all crossings. The Movement was gravely concerned about the situation in and around East Jerusalem, where Israel's intense colonization campaign was clearly aimed at illegally altering the city's character and legal status. It stressed the incompatibility of peace process negotiations with such colonization activities and reaffirmed the many Security Council and General Assembly resolutions demanding a cessation of those practices, which were deemed to be null and void and with no legal validity whatsoever.

14. The representative of Bangladesh said that his country supported the inalienable rights of the Palestinian people to an independent State of their own with East Jerusalem as its capital, to be established without further delay. It was the world's wish that the Palestinian and Israeli peoples live side by side in tranquillity as they had done for centuries past. Palestine was the holy land from which three great religions had emanated, and it was a pity that, today, that very land was torn by strife. However, international forums like the current Meeting could subsequently produce sufficient consensus among the Governments and peoples of the world to make the Israeli regime accept the just rights of the Palestinians.

15. The representative of Morocco said that his country would continue to work towards the achievement of a comprehensive and lasting peace based on the Arab Peace Initiative and on international legitimacy, the principle of land for peace and through Palestinian unity and empowerment. Morocco insisted that the special status of Jerusalem must be respected and called upon the parties to refrain from jeopardizing its cultural and religious identity. King Mohammed VI, Chairman of the Al-Quds Committee of the Organization of the Islamic Conference, had repeatedly urged the active powers of the international community to use their good offices to stop all projects being developed in the vicinity of the Al-Aqsa Mosque. Morocco commended the efforts being made by the Palestinian Rights Committee to raise awareness of the question of Palestine all over the world and to defend Palestinian rights.

16. The representative of the Lao People's Democratic Republic said that his country believed the two-State solution was the only sustainable one to the long-lasting conflict. A member of the Palestinian Rights Committee, the country reaffirmed its continued support to and firm solidarity with the Palestinian people in their legitimate quest for self-determination and independence.

17. The representative of the League of Arab States said that the Arab countries had reaffirmed their commitment to peace on the basis of the Arab Peace Initiative and in accordance with all the United Nations resolutions, the Madrid principles, the two-State solution and the Road Map. The Palestinian

factions should reconcile their differences and streamline their positions for future negotiations. The new American President had committed himself to changing the focus of efforts to address the problems in the Middle East. Hopefully, the Quartet, the United States and the forthcoming meeting in Moscow would galvanize the will to reach a final solution of the problem. The Arab League would continue its efforts to promote support for the peace process, the Arab Peace Initiative and the two-State solution.

18. The representative of Egypt said that his country had exerted all efforts to support stability in the region and maintain calm in Gaza to consolidate the ceasefire. Egypt also supported dialogue among Palestinian factions to heal the rift and to establish a Palestinian unity Government capable of carrying out its responsibilities. Israel claimed its occupation of Gaza had ended after the withdrawal of its troops in 2005, but it still controlled the movement of people and goods, as well as the territorial waters and airspace. The situation affirmed the urgency of ensuring Israel's compliance with its responsibilities as the occupying Power under the Fourth Geneva Convention.

19. The representative of Pakistan said that the country had supported all peace efforts based on Security Council resolutions 242 (1967) and 338 (1973), as well as the Road Map and the Arab Peace Initiative. It strongly condemned any Israeli efforts at changing the legal status, demographic composition and cultural character of Jerusalem, including illegitimate excavations in the vicinity of the Al-Aqsa Mosque. Pakistan was ready to play its role in finding a just settlement to the issue in keeping with the legitimate aspirations of the Palestinian people.

20. The representative of India stressed that the Israeli-Palestinian conflict was political in nature and could not be resolved by force. India supported all tracks of the peace process on the basis of the relevant Security Council resolutions. It had consistently supported the Palestinian people in their quest for a viable Palestinian State with East Jerusalem as its capital, living side by side in peace with Israel, a goal which could only be achieved by peaceful means.

21. The representative of Panama said that his country supported peace between Israel and the Palestinian Authority on the basis of two democratic States, living in peace and security, and the establishment of an economically viable Palestinian State within the 1967 borders. All Palestinian political groups must come to an agreement in order to create a strong and united Government. Israel must stop the illegal wall construction and settlement activities in the West Bank. It should also allow commercial activities in Gaza. Rocket attacks against Israel, as well as punitive Israeli incursions into Palestinian territories, must stop.

# **III. PLENARY SESSIONS**

# Plenary I International efforts aimed at achieving a comprehensive, just and lasting settlement of the question of Palestine

22. Amira Hass, journalist for the Israeli *Ha'aretz* daily newspaper, said that people were often lost in formulas and that efforts needed to be made to extract the real message from standard and confusing language. The two-State solution was not just a mantra but a reflection of the deep historiography of the conflict, different from ones used by either the Israelis or the Palestinians. The two-State solution was generous to Israel as it was an admission that history could not be undone, while the establishment of the State of Israel had involved the terrible dispossession of Palestinians' land, history and future. The question, then, was why Israel had rejected that generous offer. The reason was that the two-State solution was threatening to Jewish contemporary thinking in Israel, as it would leave the future outside the control of the hegemonic Jewish authorities. It would also mean that the Jews would lose the

privileges they had acquired over the years. As an example, she said Israel was now in control of all water resources and determined how much water was allocated to Jews and Palestinians in Israel and in the Occupied Palestinian Territory. The two-State solution required that water would have to be allocated equally, including to Gaza. Another problem was that, for many, settlements had become the only option for upgrading their economic and social situation. It was difficult to give up such an option.

23. She said that during the past 30 years, Israelis had developed a powerful security industry. In Gaza, some 1,400 people had been killed during the recent war, but only about 88 of them by short-range fire. More than 1,000 people had been killed from the air, half of them by missiles launched by drones. Drones had no pilots and were controlled by youngsters as if they were playing video games. Israel was now selling drones, perfected through their use against Palestinians, to Turkey and the Russian Federation, allegedly pro-Palestinian States. Also, the occupation had enabled Israel to promote the creativity of many youngsters who were sent to the Occupied Palestinian Territory, where they had to think about their own security. Young people could go all over the world and make a living as security experts. Those examples showed how occupation had become part of the normal life of many Israelis and was difficult to give up. In order to proceed towards a solution and to prevent a disaster for Israel, the question must be asked why, in the 20 years since Oslo, Israel had not used the golden opportunity offered in the two-State solution. The two-State solution was necessary for the sake of the Jewish existence in the region, for the sake of a decent life for Palestinians and for the sake of the future of the whole region.

24. **Diana Buttu**, lawyer and a former member of the PLO Negotiations Support Unit, said that diplomatic efforts did not focus on the issues at hand, namely the day-to-day reality of Palestinians. The two-State solution was difficult to reconcile with all the settlements, in which about half a million Israelis lived. Under international law, occupation was a legal concept, but the problem was that nothing in international law said how an occupation should be ended. The only way occupations ended was through international pressure or a realization on the part of the occupier that the occupation had to end. In the West Bank, two processes had been going on - one of colonization and one of occupation and control. Colonization was illegal under international law, but there was no legal framework governing how a colonization process should end. Over the past 42 years, those two processes had been melded to the point where Israel claimed that settlements were needed for security purposes. Rather than focusing on those two processes as being separate and distinct, the international community had allowed that justification to continue.

25. The Oslo Accords had ended up promoting the idea of "security first". Rather than creating a process by which Israel's colonial practices were brought to an end, the Accords had actually allowed such practices to increase, with the justification that only when the Palestinian Authority was capable of providing security could colonialist practices be ended. The number of settlers had doubled between 1993 and 2000. The fact that the separation wall, with its justification being security, had not been built on the 1967 border but instead went well into the occupied West Bank clearly showed that the two processes were being melded. The disengagement from Gaza had shown that settlements could be removed. With the melding of the two processes, however, a mindset had been created within Israeli society that settlements were an inseparable part of Israel and they were no longer viewed in colonial terms. From the start of the peace process in 1993 until the Annapolis Conference, the emphasis had always been on the idea of conflict management and not on the root problem of Israel's colonial practices and control over the territory.

26. Ms. Buttu said that although the tone of President Obama's speech just made in Cairo had been very warm, the framework would not change and the path of "security first" would remain, unless there were diplomatic efforts to address the two processes of colonialism and occupation. Unless there was a recognition of the existence of a system of inequality of power between the two parties, the issue of

control over people and the taking of land could not be successfully combated. The major challenges facing the international community now were that the framework used in the past had never addressed the reality on the ground; that there was a lack of support for the peace process on the part of the Palestinians; and that Palestinians increasingly believed that there was no longer any solution.

27. **Kamal Hossain**, Senior Advocate of the Supreme Court of Bangladesh and a former member of the United Nations International Commission of Inquiry on Palestine, explaining the historical context of the issue and of other trends in recent history, including the end of apartheid, said that change was possible, as had been underlined by President Obama during his speech of 4 June in Cairo. During a fact-finding mission to Gaza in 2001, he had seen Israeli bulldozers come while people were asleep in their house, the family told to step outside the house, the bulldozers demolish the house and the family weeping over it. It was unacceptable. Many ordinary and decent people among the Israeli population had also found such violence and home destruction unacceptable. It was a pathological state of mind that created that kind of violence, as exhibited in the killing by a bulldozer of Rachel Corrie, an American college student trying to defend the home of her host family in Gaza from demolition. That same pathological state created the violence of suicide bombers. Such pathological situations should be dealt with clinically and analysed to find a way of dealing with them within a new normative framework.

28. He said that a two-State solution was a simple way of saying that the status quo on the ground must be changed. Harvard Professor Alan Dershowitz, who had drawn up a peace plan for Israel, had said that a one-state solution would not work because the increasing population of Palestinians would turn the Jewish population into a minority, which totally negated what the Israelis had hoped and aspired for. Mr. Dershowitz had said that the outline for the solution was obvious to all reasonable people – two States based on Israeli withdrawal from the Gaza Strip and nearly all of the West Bank, with territorial adjustments consistent with Security Council resolution 242 (1967) and existing realities on the ground.

29. **Riyad Mansour**, Permanent Observer of Palestine to the United Nations, said that at that current and very critical moment, reiterating positions was not sufficient. The repetition of positions every day for 15 years after Oslo had not accomplished the objective of terminating occupation, dismantling the settlements and allowing the creation of a Palestinian State. If those statements were now going to be repeated, the results would not be different. He said that there was a global consensus on the need to create a Palestinian State with East Jerusalem as its capital, with a just solution for Palestine refugees. To translate that consensus into reality, Israel, first and foremost, must be brought into compliance with its obligation to freeze all settlement activities. There was a need to analyse why the global consensus had failed to be implemented. Since the late seventies, tremendous efforts had been exerted to address the illegality of settlement activities, including through several Security Council resolutions. However, there had been no will, in the Council or in the United States, to bring about the needed practical pressure to force Israel into compliance.

30. After the Annapolis Conference, the Palestinian side had fulfilled almost all of its obligations. Not only did Israel not fulfil its obligations but it also increased settlement activities and the number of checkpoints, from 540 on the eve of Annapolis to 650 one year after. President Obama had given positive signals by, among other things, appointing George Mitchell to be in charge of the peace process and delivering his speech in Cairo. But in order to succeed, it would make sense to apply the lesson of the past that the obstacle to success was the determination of Israeli leaders not to respect and implement international consensus. The two parties alone could not bring about a solution, and help was needed from the international community. In this regard, it was a good signal that, for the first time in the history of Israel, investigations had been carried out regarding Israel's conduct while at war. It was refreshing to see the report of the Board of Inquiry appointed by the United Nations Secretary-General with clear conclusions that Israel had deliberately killed Palestinian civilians in some schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East during the Gaza offensive. That was a

war crime and the responsible criminals needed to face justice. There was another commission, led by South African Judge Richard Goldstone, currently conducting investigations in Gaza. Those small steps were a significant indication of what must be done by the international community to hold Israel accountable.

# Plenary II The imperative of a just solution of the question of Jerusalem

31. **Abdelaziz Aboughoush**, Ambassador of Palestine to Malaysia, noted that Jerusalem had been the political, administrative, cultural and religious centre of Palestine for centuries, and that without East Jerusalem, there could be no economically and politically viable Palestinian State. Since 1967, Israel had systematically pursued policies aimed at ensuring exclusive control over the city at the expense of the indigenous Christian and Muslim Palestinian populations, thereby undermining the possibility of a viable two-State solution. Israel had attempted to incorporate occupied East Jerusalem through the construction of illegal settlements that now formed a ring around the Palestinian population, sealing it off from the rest of the West Bank. In order to maintain the demographic balance between Jews and Palestinians within Jerusalem's municipal boundaries, Israel could strip Palestinian East Jerusalemites of their residency rights if they chose to reside outside East Jerusalem. Moreover, Israel had repeatedly refused non-Jerusalemite Palestinians the right to reside in the city, even for the purpose of family unification.

32. He said that in addition to suffocating Palestinian urban growth by confiscating Palestinian lands and constructing settlements, Israel had adopted discriminatory zoning policies, as a result of which Palestinian lands in East Jerusalem often stayed empty until Israel confiscated them for "public purposes", including illegal settlement construction. Those policies had resulted in severe overcrowding. Since March 1993, Israel had denied more than 3 million Palestinians access to the city, including to holy sites and to medical treatment available only in East Jerusalem hospitals. The route of the separation wall in and around Occupied East Jerusalem completely isolated it from the rest of the West Bank and incorporated the last available space for much-needed Palestinian growth while facilitating the construction and expansion of settlements. The wall also severed the national transportation axis connecting the West Bank with Jerusalem.

33. Describing the principles of Security Council resolution 242 (1967), he said the Israeli annexation of East Jerusalem had never been recognized and neither had the subsequent 1980 Basic Law, which declared Jerusalem the "complete and united" capital of Israel. Under resolution 252 (1968), the Security Council had considered all Israeli legislative and administrative measures that altered the legal status of Jerusalem as invalid. All of Jerusalem was the subject of permanent status negotiations, and since East Jerusalem was occupied and an integral part of the West Bank, Israel had no legal claims on the city. All its actions aimed at changing Jerusalem's status were illegal. The PLO was willing to consider a number of creative solutions. For example, Jerusalem could become a city open to both Palestinians and Israelis – the capital of two States. Whatever the specific solution, there could be no integrated Palestinian national economy and, thus, no sustainable resolution of the conflict without a negotiated solution on Jerusalem that guaranteed the historical rights of Palestinians in the city.

34. **Daniel Seidemann**, Legal Counsel of Ir Amim in Jerusalem, said that Jerusalem was and would continue to be the quintessential litmus test for the success and failure of the Obama Administration's initiatives as announced in his recent Cairo speech. A political agreement was still available, but there was no guarantee that that would continue. Since Annapolis, there had been a surge in settlement activity in East Jerusalem, much of which had been geared to "filling in the gaps" – welding Israeli and Palestinian neighbourhoods together in such a sophisticated way that the creation of a border regime would be impossible. Massive settlements, such as the E1 area, that would seal East Jerusalem from its environs in the West Bank was the death knell for a two-State solution.

35. He said that the Old City and religious and historical sites surrounding it were the "volcanic core" of the conflict. Jerusalem was the place where there were three mutually incompatible religious narratives and two incompatible national narratives, Jewish and Palestinian, cohabiting the same sacred and secular space. A final status agreement must be forged within the Old City and its historic basin. Under the radar, a war over the Old City had been going on for the last three years: house-to-house combat was going on in Silwan - the City of David - and the demolition of 88 homes in Al Bustan had been a concerted attempt to reduce the Palestinian presence at that volcanic core. If current trends continued, the two-State solution would be lost without an alternative. There was an attempt to take over the public domain within the historic basin by means of extremist settler organizations, which sought to actively displace Palestinians, reduce the Palestinian presence and derail the peace process. The official plan of the Israeli Government for the Old City, which was currently being implemented, was to strengthen Jerusalem as the capital of Israel in an exclusionary Jewish vision. This Government plan was steamrolling the competing narratives in Jerusalem and transforming the "jewel" belonging to humankind into a series of theme parks, with moving stairs going through the most important archaeological sites and a cable car from Silwan to the Mount of Olives. The plan made no mention of Islamic or Christian holy sites.

36. With regard to President Obama's initiatives, Mr. Seidemann said that there was no alternative to engagement with the problem of Jerusalem, or otherwise all other issues concerning a two-State solution would come to none. If settlement expansion in Jerusalem was ignored and the time came to engage on the final status issues, there would be nothing left to talk about. What was happening in and around the Old City was toxic to the President's global vision. Jerusalem would erupt because of real or perceived threats to sacred space, which actually was the case in places like Silwan. That would be wind in the sails to the enemies of peace, who sought to transform a manageable and solvable political conflict into an intractable religious war. If President Obama ignored Jerusalem, the city would hunt him down, with consequences for his plans for Iraq and Afghanistan.

37. **Rami M. Nasrallah**, Head of the Board of Directors of the International Peace and Cooperation Center in Jerusalem, said that recent Israeli policies had replaced the slogan of "united Jerusalem" with "united Jewish metropolitan" and aimed to get rid of some 250,000 Palestinians in the city. Since the Oslo Accords, Israel had created more facts on the ground before any negotiations on the city's future could take place, in order to prevent a situation in which East Jerusalem could serve as the capital of a future Palestinian State. Of the 75-square-kilometre land of East Jerusalem, only 14 per cent were Palestinian built-up areas. The rhetoric of unification had been replaced by the one of separation. Some 35,000 Palestinians, 5,000 of them Christians, lived in four square kilometres of the Old City. The international community's position to avoid talking about the sensitive issue of Jerusalem had allowed Israel to impose its full sovereignty over the area. Even the United Nations Educational, Scientific and Cultural Organization coordinates with Israeli authorities when dealing with the Old City.

38. Mr. Nasrallah said that a group of Palestinian and Israeli urban planners had thought about the future of Jerusalem and had come up with several scenarios. One possible scenario was the "besieged city", in which the Palestinian Authority was weak and a strong Israeli Government lacked interest in reaching a final status agreement. The occupation would continue, and Palestinians in the city would continue to live between the Israeli and Palestinian systems while belonging to neither. Civil society would not be engaged and the international community would not be interested in providing support. Such a scenario would lead to the "scorched earth" situation, in which the non-functional Palestinian Authority was on the verge of collapse and the Israeli Government was strong enough to implement its unilateral disengagement plan in Jerusalem and separate it from the West Bank. This scenario would also lead to a religious war.

39. Another scenario was one of a "bi-national city", which the Palestinians in Jerusalem might accept to remain part of the city after giving up national aspirations. This was not acceptable to many Palestinians because it meant recognizing the Israeli occupation, but it might become the last solution for them. In a different scenario, there could be an interim agreement whereby the Palestinians had functional autonomy on the issues of planning and security. That could lead to the best case scenario – the "city of bridges" – whereby Jerusalem would be an open city but politically divided between two sovereign States. Jerusalem could then play a major role as the world capital for all humanity, a city of diversity and equality and an undivided centre of peace and conflict resolution.

40. **Franz Magnis-Suseno**, a theology expert in Jakarta, said that two considerations were central to a positive solution. The first was acknowledging that Jerusalem was a most holy place for all three Abrahamistic religions: for Jews, it was the city of the Temple built by Solomon; for Christians, it was the place where Jesus had been crucified; and for Muslims, it was the place where the Prophet Mohammed had ascended to heaven. The second was that no solution was acceptable unless it respected the rights of those now living in Jerusalem. Any changes in the city's urban structures should be stopped immediately. As Jerusalem was a most holy place, free and safe access for Jews, Christians, Muslims and anybody else wishing to visit had to be guaranteed. Such access would be impossible if Jerusalem became the capital of either Israel or the future Palestine, thus both States should have their effective capitals elsewhere. Any status of access must be the result of consensus and compromise between the Governments of Israel and a free Palestine and must be internationally guaranteed.

41. He said that people now living in the old and the new Jerusalem had a right to their habitats and must be able to live a normal life. Ethnic cleansing of any kind must be strictly rejected. If people had to be moved, for example for the purpose of building infrastructure, it should happen in the same legal and humane ways as in other places. The rights of the local people must be internationally guaranteed, and the status of Jerusalem must be fully guaranteed by international treaties.

42. Andrew Rettman, a journalist with *EUobserver* in Brussels, explained that European Union (EU) foreign policy decisions were made during meetings of Foreign Ministers at the Council of the European Union. The decisions were made unanimously, and therefore a small country could veto plans supported by big countries, at least in theory. The country holding the Presidency drafted foreign policy proposals that were then given to the Council's so-called "working groups". Those groups were meetings of mid-ranking diplomats from 27 EU countries, who tried to hammer out behind closed doors an EU consensus before the final decision was rubber stamped by ministers. The group covering Israel was the Mashreq-Maghreb working group, more commonly known as "MaMa". The Council had its own EU budget line for small-scale projects such as the EU border monitoring mission in Rafah and the EU police training mission in the West Bank.

43. But it was the European Commission's job to carry out most of the Council's decisions and to take care of the big money. For Israel, this meant the negotiation of the Association Agreement and the implementation of the Action Plan – a common EU-Israel reform agenda – from 2005 until the present day. EU officials did this mainly through regular meetings of subcommittees with Israeli officials, about 10 each year, on topics ranging from phytosanitary regulations and accounting standards to student exchange programmes. As the guardian of the European Neighbourhood Policy, the Commission produced annual reports on Israel's compliance with human rights norms and monitored EU-Israel trade. The Commission gave funds of €2 million a year or so for joint projects with Israel, compared with aid of €486 million to the Palestinian people. EU-Israel trade was worth over €25 billion a year. The European Parliament had no executive power in foreign policy but made declarations, which were often the most Israeli-critical statements coming from the EU. The decision to upgrade EU-Israel relations had been made by EU and Israeli Foreign Ministers at an Association Council in June 2008 and formally endorsed by EU Foreign Ministers in December 2008, a few days before fighting erupted in Gaza. The upgrade

was not revolutionary in technical terms: it envisaged holding more meetings at ministerial level; inviting Israeli diplomats to take part in Council working groups such as MaMa; creating a new subcommittee on human rights; and integrating Israel more deeply with the EU single market.

44. Mr. Rettman said that the EU's decision to freeze the planned upgrade of the Association Agreement with Israel had come after Operation Cast Lead and coincided with the election of Israel's new right-wing Government. But it was intimately linked with the settlements problem. Characteristically for the EU, the freeze decision had been made behind closed doors by the EU Foreign Ministers meeting. The upgrade freeze had clearly taken on a political significance in EU-Israel relations that went far beyond its technical merit. There was a limbo in terms of the expired Action Plan. The issue was embarrassing ahead of Israeli Foreign Minister Liberman's visit. If the United States was the dominant foreign power in the region, the EU also had a special historical and cultural relationship with Israel, making this kind of embarrassment significant. Recent reports by Reuters had indicated that some EU States were also exploring ways in which the EU could impose trade-related pressures on Israel over the settlements issue, acting in tandem with the new foreign policy line of the United States.

45. **Ismail Patel**, Advisory Board Member of Conflicts Forum, said that a solution to the issue of Jerusalem was possible but it would require both pragmatism and justice. Solutions had been proposed, but there had been no political will. In order to have justice, one must realize that the Jews had suffered millennia of dispossession and the Holocaust and now wanted a State of their own to feel secure. Over the past 60 years, however, the Palestinians had suffered as well. In order to arrive at a solution, one must start by rejecting the notion of an extended Jerusalem. The map must be restored to what it had been. Anything beyond that was non-negotiable. One must also accept that Jerusalem was important to the Jewish faith and the Jewish people's access to the holy sites must be guaranteed.

46. To that end, security and confidence-building measures were needed. One possibility was the creation of an administrative executive body for the holy sites in Jerusalem, consisting of non-Israelis and non-Palestinians, but elected by them. Access must be guaranteed by the international community. Another scenario was to have Israelis and Palestinians in the executive body. A different option was to give a mandate over the holy sites to an international body, such as the Quartet plus an Islamic country, for a set period, after which negotiations could take place. All these options required the creation of a reconciliation commission, based on South Africa's example, so that animosity that had been built up in the past could be dealt with for the parties to move forward. There was a need to create the political will to make Israel understand that occupation was a burden rather than an asset. The Palestinian leadership should go from country to country, pleading for sanctions, boycotts and divestment from Israel.

47. Mr. Patel stressed that sovereignty was not tied to holiness, meaning that one did not have to own the land for it to be holy, as proven by history. Jerusalem had never been the capital of the Islamic world. Palestinians did not necessarily have to demand Jerusalem as their capital just because Israel did so. Instead, they could say Jerusalem was their "city" open to all faiths, which could be one of the cards they could play at the negotiating table.

48. **Azyumardi Azra**, Islamic scholar at Syarif Hidayatullah University in Jakarta, said that Indonesia's support for the Palestinian cause was very strong among civil society, which sometimes had domestic political repercussions. The Indonesian position on the question of Palestine was based on its Constitution, which stipulated the country's opposition to any form of imperialism and neocolonialism. He stressed that the Indonesian position was not based on religious solidarity, even though the majority of the population was Muslim. Indonesia did not have a diplomatic relationship with Israel, but it supported the two-State solution and emphasized the right of Israel to exist. 49. Mr. Azra said that Indonesian civil society groups strongly supported the Palestinian cause. There were many moderate Muslim organizations that supported the Palestinian cause on the basis of realities on the ground and provided humanitarian support. There were also Muslim non-governmental organizations, such as Mercy and the Red Crescent, which had sent doctors to Gaza through Egypt after the Israeli offensive. Islamic political parties were also active in pressuring Parliament and the Government to take more decisive measures against Israel and the United States.

# Plenary III Support by Asian and Pacific countries for a permanent settlement of the Israeli-Palestinian conflict

50. **Akifumi Ikeda**, Professor at Toyo-Eiwa University in Yokohama, Japan, said that, ever since the Madrid Conference and the Oslo Accords, successive Japanese Governments had supported the peace process and the country was now the third largest donor to the Palestinians, to whom it had extended almost \$1 billion in assistance since 1993. As a country that imported nearly 90 per cent of its oil from the Middle East, stability in the region was of vital importance to Japan.

51. Mr. Ikeda said that his country, lacking historical or religious ties to the region, had no illusions about its ability to mediate peace between the parties. However, there was a desire in the country to share the blessings of peace, prosperity and a free and open society. It was not a sense of giving, but a sense of sharing that made Japan reach out to the Palestinians. Japan believed in a two-State solution, which was the position of the successive Governments. Encouraged by President Obama's assurance of strong backing for a Palestinian State, Japan, as its close ally, would try to cooperate with the United States to make the new American policies successful.

52. **Nigel Parsons**, Lecturer at Massey University in Palmerston North, New Zealand, said that his country's position had been fairly consistent since the General Assembly's vote on the partition in 1947. New Zealand had voted in favour of that partition in defiance of its ties to Great Britain, which had abstained. New Zealand's official position could be characterized by the key words "even-handed and constructive". It supported Israel's right to exist within secure and recognized borders and also the Palestinian right to self-determination and a viable and territorially contiguous State. New Zealand did not recognize Israel's annexation of Jerusalem nor did it recognize the city as the capital of Israel. The official line remained in support of resolution 181 (II) of 29 November 1947, in which the General Assembly had proposed the internationalization of the city, but New Zealand also acknowledged the subsequent Israel-PLO agreements and, in practice, seemed likely to support the administrative division of the city into the capitals for Israel and Palestine.

53. New Zealand considered that Israel had no mandate under international law to build settlements in the Occupied Territory and condemned settlement activity as "an obstacle to peace". Notwithstanding the PLO's 1988 declaration of Palestinian independence, if the Palestinian leadership declared statehood, New Zealand would examine whether it satisfied the conditions that must be fulfilled before a State could be said to exist under international law and would respond accordingly. The motive for that position could be explained in terms of a rational calculation of self-interest. As a relatively small State, New Zealand stood to benefit from a stable, rule-based world order. It had an interest in the guarantees afforded by international law and the institutions that upheld it. It also imported all its oil. The warming of New Zealand's ties with Israel might be construed as the natural correction of a historically warming relationship that had temporarily chilled under a particular set of circumstances, but it did not need to be at the expense of the Palestinians. If it did appear that Israel's gain was the Palestinians' loss, New Zealand had resources upon which they could draw.

54. Li Guofu, Researcher at the China Institute of International Studies in Beijing, said that the Palestinian issue remained at the centre of regional tensions in the Middle East. It had not only brought about tremendous human tragedies but had also affected world peace and stability. The Palestinians and Israelis had both denied, through violent confrontations, each other's legitimate rights as a nation. Because cycles of violence did not bring solutions, the only way to settle the issue was through a peaceful dialogue. The concept of a two-State solution had been unanimously accepted by the international community and the majority of Israelis. The key to such a solution was in the hands of Palestinians and Israelis. Owing to the huge disparity between the two sides, however, it would be impossible for them to reach a fair and sustainable settlement without active engagement by the international community.

55. Mr. Li said that there had been some positive and negative developments since the beginning of 2009. Instead of political negotiations, Prime Minister Benjamin Netanyahu was talking about "economic peace", thereby trying to shift attention from the peace process. However, President Obama's speech of 4 June had opened a window of opportunity for the peace process to achieve something tangible. If his intentions were sincere, it would be a new development that could change the rules of the game. Pointing out that his country had been among the first to establish diplomatic relations with the PLO, he said that it had since then always supported the Palestinians. China also believed in Israel's right of survival, but that right should not be at the expense of Palestinians' right to fulfil their national aspirations. China would work with the international community to urge the parties to try to solve the problem as soon as possible.

56. **Ruhanas Harun**, Head of the Strategic Studies and International Relations Programme at Universiti Kebangsaan Malaysia in Selangor, said that the way in which the Israeli-Palestinian conflict was perceived in the countries of the Association of Southeast Asian Nations (ASEAN) depended on where one lived. ASEAN comprised 10 countries with a total population of 600 million people. Half of them were Muslims, and therefore what happened in the Middle East had an impact on the people in the ASEAN countries. The perception of Muslims, shaped by the media, was that Muslims were suppressed by Israel. The perception of non-Muslims was shaped by Western media. There was a need to change the perception of the non-Muslims in ASEAN countries that the Israeli-Palestinian conflict was purely religious and to impress upon them that the conflict was about the struggle for freedom and independence.

57. Ms. Harun said that while Governments in South-East Asia supported the Palestinian cause in international forums, ASEAN as a group had not made any official pronouncements on the matter. One reason was that most ASEAN countries, except for Indonesia, Malaysia and Brunei, had diplomatic relations with Israel and it was therefore not possible for them to take a position as a group. On the other hand, people at the grass-roots level without a deep understanding of the problem knew only that there was a conflict between Palestinians and Israelis, or Muslims and Jews. Non-governmental organizations would be in a better position to explain the problems at the grass-roots level.

58. **Samuel Lee**, Director General of Corporation Ecopeace Asia in Seoul, said that the Republic of Korea was in a peculiar position whereby its people were usually not very concerned about Palestinian issues and focused more on their own problems. Moreover, the country had been under the very strong influence of the United States and therefore was more sympathetic to Israelis than to Palestinians. Since during the cold war, North Korea had supported the Palestinians while South Korea had had to strengthen its ties with Israel. Having the second-largest Christian population in Asia, the people of South Korea were somewhat prejudiced and tended to identify more with people having ties to Abraham, Moses and Jesus.

59. Mr. Lee said that civil society in South Korea should be more concerned with a permanent settlement of the Israeli-Palestinian conflict, which had much in common with the Korean Peninsula. He hoped a similar conference could be facilitated by the Palestinian Rights Committee in his country so that

civil society could be sensitized. Peace and reconciliation could be realized not by international agreements but by promoting peace and trust in the minds of the people of the hostile parties. A most urgent imperative for the peace process was peace education to correct the prejudices of both sides and promote the idea of reconciliation and cooperation over chauvinistic self-interest and privilege. Civil society could play a leading role in this area.

# **IV. CLOSING SESSION**

60. **Hamidon Ali**, Permanent Representative of Malaysia to the United Nations and Rapporteur of the Meeting, read out the Concluding Statement of the Organizers (see annex I).

61. **Rezlan Ishar Jenie**, Director-General for Multilateral Affairs of the Department of Foreign Affairs of Indonesia, expressed his country's gratitude to the Committee for its close collaboration with his Government in convening the Meeting and also to Secretary-General Ban Ki-moon for his firm commitment to addressing the challenges to peace in the Middle East and to the vision of a two-State solution. Indonesia's hosting of the Meeting was a reflection not only of the country's long-standing support for the just cause of the Palestinian people but also of its continued commitment to working with the rest of the international community towards a peaceful solution to the question of Palestine. Noting that many of the discussions had been focused on the issue of settlements and the status of Jerusalem, he said that efforts to deal with those issues had become not only crucial and tactical steps towards a greater vision but also a litmus test for the two-State solution. Amid accounts of the terrible conditions under which the Palestinian people were living, voices of hope had still been heard. The peace efforts must be energized by a sense of urgency at every step.

62. **Riyad Mansour**, Permanent Observer of Palestine to the United Nations, said that the panellists had introduced very rich ideas, noting that at that current critical moment, the Palestinians needed all the help they could get from Governments, experts and civil society. The Palestinian people had suffered far too long under the longest occupation in contemporary history, and deserved a State next to Israel in all the territories occupied in 1967, with East Jerusalem as its capital. They also deserved a just solution to the refugee question based on General Assembly resolution 194 (III). An international consensus around a two-State solution and the need for Israel to freeze all settlement activities and dismantle outposts must be transformed into decisive and practical steps to make Israel, the occupying Power, change its behaviour and so that negotiations on all final-status issues could resume in good faith.

63. **Paul Badji**, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that despite recent changes and developments in the region, certain fundamental rights and principles remained inalterable and could not be changed by new "facts on the ground", since they were firmly anchored in international law, the Charter of the United Nations and numerous United Nations resolutions. That meant that the concept of inalienable Palestinian rights, such as the right to self-determination, sovereignty and independence, continued to be valid, as did the principle of land for peace. The Committee's position was that the root cause of the Israeli-Palestinian conflict was the occupation by Israel of the Palestinian territory. The Committee would continue its mission of raising awareness of all aspects of the question of Palestine in accordance with the mandate given to it by the United Nations General Assembly, until the occupation was brought to an end and the Israeli-Palestinian conflict was resolved in all of its aspects.

# V. PUBLIC FORUM

64. **Paul Badji**, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that the Committee, as mandated by the General Assembly, continued to carry out its programme of cooperation with civil society by providing venues and opportunities for civil society organizations and individuals to come together to exchange views and broaden their international networks in support of the Palestinian people. Also, the Bureau of the Committee periodically held consultations with civil society representatives to seek their input and new ideas as to how the Committee's work could be improved. The Committee commended civil society organizations for their efforts to uphold international legitimacy with regard to the question of Palestine through advocacy and the mobilization of public opinion and for their initiatives aimed at alleviating the plight of the Palestinian people. The Committee encouraged civil society organizations to broaden their base, involving trade unions and other large organizations, and to focus and harmonize their advocacy efforts at the local, national, regional and international levels.

65. The Committee was highly appreciative of Indonesian civil society organizations' strong support and assistance to the Palestinian people, which was clearly demonstrated with the holding of the International Humanitarian Conference on Assistance to Victims of Occupation in Palestine, held in Jakarta in 2008. The Committee also appreciated the Government of Indonesia's initiative to host the Asian-African Strategic Partnership Ministerial Conference on Capacity Building for Palestine, held in Jakarta in July 2008. In other parts of the region, the "Peace in Palestine" conference held in Kuala Lumpur in 2005, in which over 500 people from 34 countries had participated, had been a new cornerstone of activities in support of the Palestinian people undertaken by civil society in Asia and the Pacific; created a more solid Asian civil society base in support of the Palestinian people; and triggered numerous initiatives and activities throughout the region. In the Far East, civil society organizations had been particularly active in such areas as medical aid, assistance to refugees and other technical assistance activities. Also, there was a very strong civil society community in the Pacific region organizing many solidarity and awareness campaigns in support of the Palestinian cause.

66. Mr. Badji said that the Committee attached particular importance to, and sought to further develop, its cooperation with parliamentarians and their umbrella organizations. The Committee was of the opinion that the experience and political influence of lawmakers could be instrumental in consolidating the democratic process and institution-building in the territory under the Palestinian Authority, strengthening political dialogue between the parties and applying norms of international law to efforts to resolve the conflict.

67. **Desra Percaya**, Director for International Security and Disarmament of the Ministry of Foreign Affairs of Indonesia, representing the host Government, expressed hope that the Forum would generate ideas and approaches concerning how to continue the search for solutions to the Israeli-Palestinian conflict and to enable the Palestinian people to regain their territory and enjoy a sovereign and independent State. Indonesia encouraged civil society representatives in the region to rededicate themselves to the task of assisting the peace process and pushing it forward.

68. To be effective, civil society actors should ensure that they were organized and up to date. They must not only keep abreast of latest developments on various issues, but also work in close collaboration with other non-governmental organizations within their respective regions to form a strong network of committed organizations capable of playing a powerful role. Hopefully, regional networks could work in solidarity to pressure the main actors to move the peace process forward until the final objective was achieved. Indonesia was prepared to work hand in hand with non-governmental organizations (NGOs) in this respect. The Forum was a significant starting point to demonstrate their ability and readiness to participate in supporting the Palestinian people and their enjoyment of the inalienable right to a peaceful,

democratic, prosperous and independent State.

69. **Joharah Baker**, senior writer with the Palestinian Initiative for Global Dialogue and Democracy (MIFTAH), said that, as a Palestinian writer involved in the media, she found it increasingly difficult not to be overwhelmed with frustration in trying to portray the Palestinian perspective, which meant running against an extremely strong counter-current of biases about the Palestinian-Israeli conflict in most Western media. In the mainstream English-language media, images of violence were almost always prevalent in coverage of the conflict. Because of certain media biases, political influences and those of lobbies in the Western world, the conflict was often portrayed as if between two equal warring parties. Palestinians were often portrayed as the instigators of violence, while the Israeli army's action was characterized as "responding" or "defending" against the Palestinian violence. Such phrases as "terrorist attacks" were only ascribed to Palestinian and never to Israeli actions, no matter how heinous. The coverage of Israel's Operation Cast Lead in Gaza was an example of terrible distortion by the media.

70. The main purpose of Palestinians in the media covering the Palestinian-Israeli conflict was to convey the goal of all Palestinians to end the occupation. All too often, however, that goal was lost in the details. It was important to bear in mind that the conflict was not about Hamas, Fatah or even a military conflict, which many believed it to be because of the media. It was about ending an illegal Israeli occupation, a fact often ignored by the mainstream English-language media. When an apartment in Gaza City was bombed during the Israeli offensive, killing 19 civilians because Israel wished to "take out" one Hamas operative, the Israeli rhetoric was about defence and security. The killing of civilians was brushed aside, as was the fact of their having lived under oppressive occupation for more than 40 years. The media had grown accustomed to a kind of tunnel vision, which involved Palestinian "terror" and Israel's "necessary retaliation".

71. While not supporting suicide bombings or violence, Ms. Baker said she did take issue with people's refusal to consider the possibility that suicide bombings were a symptom of a much larger problem. The Palestinian media had not done an adequate job of properly conveying their just cause. It was the duty of any journalist to seek out the truth even if that meant exposing oneself to criticism or even ostracism. Bold Israeli journalists spoke a truth that many in their own society would rather not hear because it was about not only being honest in respect of their profession but also doing their duty to their own people and society, who should know what their Government and army actually did and said. One should never assume that words would not have an impact. Even if they touched only one person, changed one mind or uncovered one truth that would otherwise have remained buried, the impact was important. In the words of Edmund Burke, "All that is needed for the triumph of evil is for good men to do nothing".

72. **Gershon Baskin**, Co-Chair of the Israel-Palestine Center for Research and Information in Jerusalem, introduced a plan devised by his think tank on how to move forward following the election of Barack Obama as President of the United States, with the assumption, among others, that there was now a chance that the United States would cease to use its Security Council veto in relation to Israeli-Palestinian issues. He said that the Palestinian State existed, as Yasser Arafat's declaration of independence in 1988 had been recognized by more than 100 countries. Its borders had been defined and it had been decided that Jerusalem would be the capital of both Israel and Palestine. Given the existence of the Palestinian State, Palestinian Authority President Mahmoud Abbas should now submit a formal request to become a member of the United Nations in the knowledge that the United States would not block that request with a veto in the Security Council. Such a request would certainly get the necessary two-thirds support in the General Assembly. That would change the rules of the game, as Israel's occupation of the West Bank and Gaza would no longer be an occupation of undefined territories, but an occupation by one Member State of another Member State. 73. The Security Council would then be fully authorized to use all its tools, including Chapter VII of the Charter of the United Nations, to bring about an Israeli withdrawal. There would be a need for a new Security Council resolution, replacing 242 (1967) as the point of reference, to recognize the new situation and to provide the tools to move forward. The new resolution could be implemented through the empowerment of the Quartet. Israel must then immediately remove outposts and stop expanding settlements. The Council would recognize Jerusalem as the capital of the two States and, acknowledging the importance of the holy sites, place them under international guardianship. The Council would also announce its readiness to deploy peacekeeping forces. Once that plan was put into place, the Provisional Government of the State of Palestine would set a date for new elections, which either Hamas would recognize or it would be rendered irrelevant by the Palestinian people.

74. **Hikmahanto Juwana**, Professor of Law at the University of Indonesia in Jakarta, discussing the impact of academia and the responsibilities of academics, said that it was their moral responsibility to inform the public at large, who were sometimes influenced by biased information. Academics also had a responsibility to explain the complexities of the conflict according to their specializations. They also had a responsibility to ensure that people were not misled and that the public was sufficiently informed to be able to advocate solidarity in a civilized manner. Academics could also strengthen Government positions and arguments in support of the Palestinian people. Upon the invasion of Gaza, the Indonesian Government had taken various measures to stop the invasion, including pressing for Security Council and General Assembly resolutions. There should be a call for a "coalition of the willing" against Israel's aggression, as in other cases. While such a coalition was an unrealistic idea, it would get Israel's attention.

75. **Nizam Bashir**, member of the legal team of the Kuala Lumpur Foundation to Criminalise War, said that one of the reasons why the status quo of occupation had remained unchanged for 42 years was the media's failure to highlight the illegality of Israeli actions under the objective parameters of international law. The International Court of Justice, at the request of the General Assembly, had issued an advisory opinion in 2004, in which it had decided that the construction of the separation wall on Palestinian territory was illegal. The significance of the decision was not so much about the illegality of the wall construction but the fact that the Israeli-Palestinian border had been clarified. The Court had also held that Israeli settlements in the "Occupied Palestinian Territory, including East Jerusalem" were illegal, thereby confirming that East Jerusalem was part of the Palestinian territory. If East Jerusalem belonged to Israel, settlements established there would not conflict with international law.

76. The International Court of Justice had affirmed that the Fourth Geneva Convention, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights applied to Israel and to the Occupied Palestinian Territory. The Court had also affirmed that the wall construction changed the demographics of the Occupied Palestinian Territory, restricted freedom of movement and impeded the exercise of the right to work, health, education and adequate standard of living. However, the media presented an alternate reality, referring to the Occupied Palestinian Territory as "disputed territories". Some media insisted that the wall was necessary owing to security concerns, an argument rejected by the International Court of Justice decision. The media also stated that Israel obeyed the rules of war, a claim that could not be reconciled with the number of Palestinian civilians killed compared with that of Israeli civilians killed. It was time for the media to revisit the notion that international law was not newsworthy, and the cost of not doing so would be too high.

77. **Marie Antonette S. Leviste**, Outreach Convener for the Young Moro Professionals Network in Manila, said that the Koran and the Bible taught peace, as did the Torah. In President Obama's words, "The interests we share as human beings are far more powerful than the forces that drive us apart". Justice and peace did not need to be created; rather, the obstacles preventing justice and peace

from thriving and flowing freely needed to be removed. To be called a member of the human race, one must first practise humanity by forbidding inhumane actions. All it took for evil to triumph was for good men to do nothing. Regardless of race, religion or station in life, whether one was a Muslim in Mindanao, an African-American man in the United States or a Jew in Palestine, all shared common aspirations: to live in peace and security; to be educated and to work with dignity; and to love family, respect the community and pray to God. One characteristic of a good Muslim, as written in Surah Al-Baqarah, was having patience in facing difficulties during extreme poverty, sickness and battle.

78. **Ram Karthigasu**, grass-roots organizer in Kuala Lumpur, said that the Israeli-Palestinian conflict was not merely a geopolitical issue but also affected foreign policy, diplomatic relations and international trade for many countries, even those as far away as Malaysia. It was used as a pretext for both State and conventional terrorism. The conflict was not a religious war, since Jews and Muslims had lived peacefully with each other for centuries. The myth that the conflict was purely between faiths, however, had been successfully propagated by those who benefited from such thinking. Civil society must play an important role in eradicating that illusion. The myth resulted in hundreds of well-run, non-Muslim NGOs in Asia and the Pacific not paying attention to the conflict because they felt they should not encroach on religious boundaries.

79. In Malaysia, it was common to see groups of NGOs marching with hundreds of people towards the United States Embassy demanding justice for the Palestinian people. While marches were a powerful gesture, civil society should work on specific issues and identify specific causes in order to categorize further collective efforts, such as promoting awareness of the refugees' right of return and focusing on the humanitarian plight of the citizens of Gaza, among other things. Information campaigns regarding Israel's military links with Asian and Pacific countries should be launched to counter such ties. Asian civil society actors had to continuously assess the potential for alliance with their global counterparts. There was a constant need for awareness and advocacy campaigns to ensure that enough pressure was exerted on Governments to take concrete action on the international stage. The recent attempts by certain Member States of the United Nations to invoke General Assembly resolution 377 (1950) – "Uniting for peace" – in relation to the Gaza invasion was a good example of civil society-Government cooperation. Given that the United Nations had always made use of civil society in tackling global issues, there was a need to maintain and further maximize the potential of that partnership.

80. Latif Dori, Secretary of the Committee for Israeli-Palestinian Dialogue in Tel Aviv, said that civil society organizations could fulfil a very important role in confronting the occupation, adding that combining civil society forces in the Asia-Pacific region to that end should be a high priority. There was a need for a comprehensive and dynamic plan of action to organize and mobilize international efforts. The Committee for Israeli-Palestinian Dialogue was launching several international campaigns, including one for an end to the occupation, which would feature demonstrations, marches, hunger strikes, press conferences and more. It was also launching international campaigns in support of the 12,000 Palestinian prisoners being held in Israeli prisons and of Palestinian women. Those and other campaigns would culminate in a giant demonstration in Jerusalem, which would attract tens of thousands of people from around the world to express their identification with the struggle of the Palestinian people and the Israeli peace forces.

81. Mr. Dori said that the Palestinian Rights Committee had played a major role in drawing the attention of the world to the Palestinian cause, especially through international and regional conferences. It was important that a delegation of the Committee visit the Occupied Palestinian Territory in the near future. The activities of the Israeli peace movements recently encountered numerous difficulties, however, especially since the election of the new right-wing Government. They needed to be included more in international activities. Among those Israeli organizations were Peace Now, B'Tselem, Gush

Shalom and Machsom Watch, a group of hundreds of women who monitored and documented the behaviour of Israeli soldiers at hundreds of checkpoints in the West Bank.

82. Sonja Karkar, President of Women for Palestine in Melbourne, said that Melbourne had the world's largest post-Holocaust Jewish population after Israel, and that Zionist organizations in Australia had played a significant role in legitimizing the illegal occupation at the highest governmental and business levels. Australia's support for Israel went back to its creation in 1948, and the country had increasingly aligned itself with the foreign policies of the United States. A reframing of the Palestine advocacy agenda in Australia had helped to give its proponents a much more effective voice. Israel's attack on Jenin in 2002 had been the catalyst for that change, which had first come from women in Melbourne who had staged weekly public vigils in the city centre. Other volunteer groups had begun forming and their work had done much to help raise the profile of the question of Palestine. Unfortunately, Australia still had no single national solidarity movement, but there was potential for one. Concentrated international pressure was the only way to break Israel's stranglehold on the Palestinians. Israel must be hurt economically and politically, and the most effective way to make that happen was to undertake global boycott, divestment and sanctions campaigns. They were, as seen in the 1980s against apartheid South Africa, very powerful non-violent actions to raise public consciousness and to force companies and institutions to take an ethical stand.

83. Ms. Karkar said that under the banner of the "Australian Coalition Against Apartheid Israel", several solidarity groups had come together and launched several boycott campaigns. The global campaigns currently running against corporations were extensive and their effects were beginning to show. Consumer boycotts of Israeli goods in the United Kingdom and in the Scandinavian countries, for instance, had led to a 21 per cent drop in demand for Israeli products. Every November in solidarity with the global "Stop the Wall" campaign, a mock wall was erected in Melbourne to remind people of the most easily recognized edifice of Israel's apartheid, racist ideology. On its own initiative, Australian civil society distributed a fold-out pamphlet, entitled "Disappearing Palestine", which clearly showed Israel's expansionism since 1948, and this had been the most successful educational tool to date. Israel was working hard to make a two-State solution impossible, and the focus of civil society campaigns must be to expose Israel's apartheid regime as the most prolonged colonial enterprise of modern times. In the event of any compromise two-State solution being implemented, there was a moral duty to expose the restrictions that would prevent full Palestinian sovereignty.

84. **Din Syamsuddin**, Chairman of Muhammadiyah in Jakarta, said that Indonesians' concern about the Palestinian cause stemmed not only from an Islamic motive but also from his country's Constitution, which opposed any kinds of colonialism. Many Islamic movements had been consolidated into one organization, the Indonesia-Palestine Friendship Initiative. One task of civil society organizations was to pressure the Government to take tough, concrete measures based on the constitution. While many Muslim leaders in the country opposed a two-State solution, mainstreaming peace and emphasizing the importance of a two-State solution was the realistic alternative, and all movements for solidarity with the Palestinians should be encouraged to act accordingly. A global campaign to establish strategic coalitions for solidarity with the Palestinians should be launched to encourage the new Administration in the United States to implement the ideas in President Obama's very good speeches.

# Annex I

# **Concluding Statement of the Organizers**

1. The United Nations Asian and Pacific Meeting on the Question of Palestine was convened by the Committee on the Exercise of the Inalienable Rights of the Palestinian People in Jakarta on 8 and 9 June 2009. Participants in the Meeting included internationally renowned experts, including Israeli and Palestinian, representatives of United Nations Member States and Observers, parliamentarians, representatives of the United Nations system and other intergovernmental organizations, and representatives of civil society, academic institutions and the media.

2. The objective of the Meeting was to encourage broad international action, including by Asian and Pacific States and societies, in support of Israeli-Palestinian peace and for achieving a negotiated solution to the conflict based on a shared vision of two States, Israel and Palestine, living side by side in peace and security. The meeting considered ways in which Governments, intergovernmental organizations, and civil society can be instrumental in helping the parties resume and strengthen the political dialogue and in promoting and applying the principles of international law to efforts aimed at resolving the conflict. From the regional perspective, the meeting considered how Asian and Pacific States can effectively contribute to resolving the conflict through their action in national and intergovernmental mechanisms.

3. In the course of the Meeting, participants reviewed the current political efforts at advancing a two-State solution, the challenges to a resumption of a genuine peace process and the need to maintain international legitimacy in efforts aimed at achieving Israeli-Palestinian peace. They underlined the imperative of a just and viable political solution of the question of Jerusalem and examined the current situation in and around the city. They discussed the support of Asian and Pacific countries for a permanent settlement of the Israeli-Palestinian conflict by promoting the inalienable rights of the Palestinian people through the United Nations system and other intergovernmental mechanisms as well as through civil society initiatives in the region.

4. Participants expressed serious concern about the current halt in the peace process owing to recent political developments in the region. They deplored the lack of pronounced support by the current Government of Israel for a two-State solution, which boded ill for prospects of a genuine resumption of peace negotiations, and urged the new Israeli Government to join the international consensus for a two-State solution. Participants denounced the acceleration of settlement construction, in particular in and around Jerusalem, and the rise in the number of demolition orders issued against Palestinian-owned houses in the city. Grave concern was voiced about the further deterioration of the already serious situation in the Gaza Strip in the wake of the unprecedented military assault by Israel in December 2008 and January 2009. Participants deplored the continued siege on Gaza that had prevented the delivery of humanitarian and other assistance. They also voiced concern about the situation in other parts of the Occupied Palestinian Territory, including East Jerusalem, in particular the restrictions placed on movement of persons and goods.

5. Participants noted that the Palestinian people continued to be deprived of their inalienable rights, including the right to self-determination, as well as the right to their own independent State on all of the Occupied Palestinian Territory, including East Jerusalem. The right of return of more than 4.6 million Palestine refugees, in accordance with United Nations General Assembly resolution 194 (III), also remained unresolved, thus prolonging their plight. They expressed the firm view that despite the current stalemate in the peace process, there was no alternative to continuing negotiations and no alternative to the two-State solution. Participants welcomed the level of engagement by major stakeholders, including from Asian and Pacific countries, in finding a solution to the question of Palestine. They commended the Committee for organizing meetings, like the current one in Jakarta, that mobilized Governments and

public opinion in different regions in support of a just, lasting and peaceful solution to the Palestinian conflict, in conformity with the norms of international law. Participants underlined that a critical condition for achieving a permanent settlement of the Israeli-Palestinian conflict was an end of the Israeli occupation of the Palestinian Territory, including East Jerusalem, occupied in June 1967.

6. Participants expressed their preoccupation concerning recent policy statements by the Government of Israel with regard to Jerusalem. They voiced serious concern over Israel's ongoing settlement activity in and around the city and deplored continuing land confiscation and the issuance of thousands of tenders for the construction of new housing units in and around East Jerusalem as well as in settlements in the West Bank. Participants reiterated the illegality of the presence of settlements in the Occupied Palestinian Territory, including East Jerusalem, under international law. They called on Israel to immediately cease settlement construction, including that related to so-called "natural growth", and to dismantle settlement outposts. Participants were heartened by the recent remarks of United States President Barack Obama regarding the need for Israel to cease settlement activity. Of particular concern was the expansion and consolidation of large settlement blocks in and around East Jerusalem, especially in the so-called "E1" area, which cut off the city from the rest of the West Bank, thereby undermining and prejudging the outcome of the permanent status negotiations. Participants were particularly alarmed by the continuing demolition of Palestinian homes in East Jerusalem and the rise in the number of demolition orders issued to Palestinians since the new Israeli Government took office. They agreed that a negotiated solution of the issue of Jerusalem, based on international law, was absolutely essential to resolve the Israeli-Palestinian conflict and crucial for a durable peace in the whole region. Participants also denounced the continued construction of the separation wall on Palestinian land, in contravention of the Advisory Opinion of the International Court of Justice.

7. Participants expressed their conviction that international support for the peace process, including from the countries of Asia and the Pacific, needed to be strengthened, in particular at a time when it faced unprecedented challenges. They reiterated the permanent responsibility of the United Nations towards the question of Palestine until it was resolved in all its aspects, based on relevant General Assembly and Security Council resolutions, the Madrid terms of reference, the principle of land for peace, the Arab Peace Initiative and the Road Map. Participants commended Asian and Pacific countries with regard to their engagement concerning the question of Palestine.

8. Participants were appalled by the lack of any tangible improvement of the situation in the Gaza Strip, which was sinking into an even deeper economic, social and humanitarian crisis. In particular, they deplored the wilful blockage of materials for humanitarian relief and reconstruction efforts and the obstacles faced by patients trying to leave the Gaza Strip in search of treatment for serious and chronic illnesses. This was all the more appalling as it came in the wake of the Israeli military offensive in December and January, which resulted in some 1.440 Palestinian deaths and more than 5.300 injuries and massive destruction of homes, property and infrastructure. As a result, despite the \$4.5 billion pledged by the international community following the military assault, the population of Gaza still faced severe shortages of all basic and essential supplies, including materials badly needed to commence reconstruction. Participants reminded Israel, the occupying Power, that it had to respect its obligations under international humanitarian law, and in particular the Fourth Geneva Convention, which stipulates that Israel, as a High Contracting Party, is obliged to protect the Palestinian civilian population under its occupation and to act within the ambit of international law. The applicability of the Convention to the Occupied Palestinian Territory, including East Jerusalem, had been repeatedly confirmed by the Conference of High Contracting Parties, as well as by the General Assembly, Security Council and the International Court of Justice. Participants noted that all efforts ought to be made to achieve a sustainable ceasefire in the Gaza Strip, which should lead to a permanent cessation of hostilities. They strongly condemned the killing of innocent civilians by both sides. Participants called for an immediate lifting of the Israeli blockade of Gaza and the opening of all crossings in accordance with the Agreement on

Movement and Access of 15 November 2005. They also called for the release of all prisoners, including Palestinian parliamentarians.

9. Participants expressed their appreciation for the immediate and continued engagement of the General Assembly and the Security Council, Governments, national parliaments, regional and international organizations and many civil society organizations, including from the Asian and the Pacific region, to achieve a just and lasting solution to the Israeli-Palestinian conflict. They urged the Government of Israel to fulfil its obligations under international law and lift its restrictions on the freedom of movement and other measures stifling the economic life of Palestinians and undermining their social fabric. They urged the United Nations, in cooperation with the parties, to establish a general mechanism to protect civilians on the ground. Participants also urged the Palestinian leadership, the leaders of all factions and all Palestinians to strive for national reconciliation as an essential condition for achieving a viable solution of the question of Palestine and the establishment of a viable, contiguous, sovereign and democratic Palestinian State. The creation of two States, Israel and Palestine, living side by side in peace and security, could only be based on international law and Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003), 1850 (2008) and 1860 (2009) and all other relevant United Nations resolutions. Participants were of the opinion that a negotiated solution to the question of Jerusalem, based on international law, was essential not only for resolving the Israeli-Palestinian conflict, but also for achieving a lasting peace in the whole region.

10. Participants commended the actions of Governments in Asia and the Pacific, intergovernmental organizations and civil society representatives to support Israelis and Palestinians in their quest for a just, lasting and peaceful settlement of the conflict. Participants also urged them to continue their moral, political and material support of the Palestinian people. They encouraged the countries of Asia and the Pacific to continue to support action on these issues at the regional and international levels.

11. Participants voiced their appreciation for the active and constructive role played by Indonesia, a Member of the Committee, for its tireless efforts in assisting the Palestinian people realize their inalienable rights. They also commended the Government of Indonesia for its training programmes for Palestinians in infrastructure rehabilitation and capacity building. Participants expressed their deep gratitude to the Government of Indonesia and its Department of Foreign Affairs for hosting the Meeting, for the assistance and support extended to the Committee and the United Nations Secretariat in its preparation, and for the generous hospitality extended to them.

# Annex II

# List of participants

# Speakers at the United Nations Asian and Pacific Meeting on the Question of Palestine

H.E. Mr. Abdelaziz Aboughoush	Ambassador of Palestine to Malaysia Kuala Lumpur
Mr. Azyumardi Azra	Islamic Scholar Syarif Hidayatullah State Islamic University Jakarta
Ms. Diana Buttu	Lawyer, former member of PLO Negotiations Support Unit Ramallah
Mr. Li Guofu	Researcher, China Institute of International Studies Beijing
Ms. Ruhanas Harun	Associate Professor and Head, Strategic Studies and International Relations Program, Faculty of Social Sciences and Humanities Universiti Kebangsaan Malaysia Selangor
Ms. Amira Hass	Journalist, <i>Ha'aretz</i> Ramallah
Mr. Kamal Hossain	Senior Advocate, Supreme Court of Bangladesh Dhaka
Mr. Akifumi Ikeda	Professor and Vice-President, Toyo-Eiwa University Yokohama
Mr. Samuel Lee	Director General, Corporation Ecopeace Asia Seoul
Mr. Franz Magnis-Suseno, S.J.	Theology expert Jakarta
H.E. Mr. Riyad Mansour	Permanent Observer of Palestine to the United Nations New York
Mr. Rami M. Nasrallah	Head of the Board of Directors, International Peace and Cooperation Center Jerusalem
Mr. Nigel Parsons	Lecturer, Politics Programme, School of People, Environment and Planning, Massey University Palmerston North, New Zealand

Mr. Ismail Patel	Advisory Board Member, Conflicts Forum London			
Mr. Andrew Rettman	Journalist, EUobserver Brussels			
Mr. Daniel Seidemann	Legal Counsel, Ir Amim Jerusalem			
Speakers at the Public Forum				
Ms. Joharah Baker	Senior writer with the Palestinian Initiative for Global Dialogue and Democracy (MIFTAH) Former Editor of the <i>Palestine Report</i> Jerusalem			
Mr. Nizam Bashir	Legal team member, Kuala Lumpur Foundation to Criminalize War Malacca, Malaysia			
Mr. Gershon Baskin	Co-Chair, Israeli-Palestinian Center for Research and Information Jerusalem			
Mr. Latif Dori	Secretary, Committee for Israeli-Palestinian Dialogue Tel Aviv			
Mr. Hikmahanto Juwana	Professor of Law, University of Indonesia Jakarta			
Ms. Sonja Karkar	President, Women for Palestine Co-convener, Australian for Palestine Melbourne			
Mr. Ram Karthigasu	Executive Director, Grass-roots organizer Kuala Lumpur			
Ms. Marie Antonette S. Leviste	Outreach convener, Young Moro Professionals Network Manila			
Mr. Din Syamsuddin	Chairman, Muhammadiyah Jakarta			

# Delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

H.E. Mr. Paul Badji	Permanent Representative of Senegal to the United Nations Chairman of the Committee
H.E. Mr. Hamidon Ali	Permanent Representative of Malaysia to the United Nations
H.E. Mrs. Kanika Phommachanh	Permanent Representative of the Lao People's Democratic Republic to the United Nations
H.E. Mr. Jorge León Cruz	Ambassador of Cuba to Indonesia, representing the Vice-Chairman of the Committee
H.E. Mr. Riyad Mansour	Permanent Observer of Palestine to the United Nations

# **Representative of the Secretary-General**

Ms. Noeleen Heyzer	Under-Secretary-General, Executive Secretary,
	Economic and Social Commission for Asia
	and the Pacific

### Governments

Afghanistan, Algeria, Argentina, Austria, Azerbaijan, Bangladesh, Belgium, Bosnia and Herzegovina, Brazil, Cambodia, Chile, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Egypt, Finland, France, Germany, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mexico, Morocco, Myanmar, Netherlands, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Republic of Korea, Romania, Russian Federation, Serbia, Singapore, Slovakia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam, Yemen, Zimbabwe

# Non-member State having received a standing invitation to participate as an observer in the sessions and the work of the General Assembly and maintaining a permanent observer mission at Headquarters

Holy See

Entities having received a standing invitation to participate as observers in the sessions and the work of the General Assembly and maintaining permanent observer missions at Headquarters

Palestine

#### **Intergovernmental organizations**

ASEAN Inter-Parliamentary Assembly, League of Arab States

# Other entities having received a standing invitation to participate as observers in the sessions and the work of the General Assembly and maintaining permanent offices at Headquarters

International Committee of the Red Cross

#### **United Nations bodies**

United Nations Development Programme, United Nations Educational, Scientific and Cultural Organization, United Nations Information Centre, United Nations Population Fund

### **Civil society organizations**

All India Indo Arab Friendship Association, Australians for Palestine, Committee for Israeli-Palestinian Dialogue, Indonesia Buddhist Council Association, Gadjah Mada University, Indonesian Al-Azhar University, Indonesian Committee of Religions for Peace, Indonesian Council of Ulama, Indonesian Institute of Sciences, Islamic Association of University Students, Israel-Palestine Center for Research and Information, Kuala Lumpur Foundation to Criminalize War, LSM Al-Aqsa Working Group, Majalis Ulama Indonesia, Majelis Umat Kristenindonesia, Muhammadiyah, Muslim Youth Movement of Malaysia, Parisada Hindu Dharma Indonesia, Syarif Hidayatullah State Islamic University in Jakarta, Australian Friends of Palestine Association, Habibe Center, Palestinian Initiative for Global Dialogue and Democracy (MIFTAH), Wahid Institute, United Churches of Indonesia, Universitas Indonesia, Universitas Paramadina, Women for Palestine, Young Moro Professionals Network

#### Media

ANTARA News Agency, EFE News Agency, Gatra Magazine, ICTV, Indonesia Shang Bao, INDOSIAR, INILAH.com, Investar Daily, Jakarta Globe, Kompas Daily, Kyodo News, Middle East News Agency (MENA), Okezone.com, Rakyat Merdeka newspaper, Republika, Republika Online, Reuters television, Sinar Harapan Daily, Suara Pembaruan Daily, Televisi Republik Indonesia, Jakarta Post, VIVAnews.com, Voice of Indonesia, Xinhua News Agency, 96.30 RPK FM Jakarta

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