

# **PALESTINE AT THE UNITED NATIONS A VOTE FOR PEACE AND JUSTICE**



# A VOTE FOR PEACE AND JUSTICE



“Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle . . .”

Declaration On Principles Of International Law Friendly Relations And Co-Operation Among States In Accordance With The Charter Of The United Nations, Annex

“Legal consequences [of the Wall] for States other than Israel – Erga omnes character of certain obligations violated by Israel - Obligation for all States not to recognize the illegal situation resulting from the construction of the Wall and not to render aid or assistance in maintaining the situation created by such construction- Obligation for all States... to see to it that any impediment, resulting from the construction of the Wall, to the exercise by the Palestinian people of its right to self-determination is brought to an end - Obligation for all States parties to the Fourth Geneva Convention... to ensure compliance by Israel with international humanitarian law as embodied in that Convention...”

Advisory Opinion of the International Court of Justice, 9 July 2004

“All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”.

International Covenant on Economic, Social and Cultural Rights, Article 1

“[I]n a volatile and rapidly changing region, the vision of the two-state solution and the achievements of the Palestinian Authority are elements of stability and progress that should not be lost but rather maintained and realized in full without further delay... the time has come for the international community to seriously reassess its role in resolving the conflict.”

Mr. Robert Serry, UN Special Coordinator for the Middle East Peace Process



“After decades of harsh occupation and humiliating restrictions in almost every aspect of their lives, the Palestinians must be able to realize their right to a viable state of their own. Israel must be able to live in peace and security... The two-state solution is the only sustainable option. Yet the door may be closing, for good. The continued growth of Israeli settlements in the occupied Palestinian territory seriously undermines efforts toward peace. We must break this dangerous impasse.”

UN Secretary General, Ban Ki Moon, 2012

“The Quartet reiterates that Arab-Israeli peace and the establishment of a peaceful state of Palestine in the West Bank and Gaza is in the fundamental interests of the parties, of all states in the region, and of the international community... The Quartet urges the government of Israel to freeze all settlement activity, including natural growth, dismantle outposts... and to refrain from demolitions and evictions in East Jerusalem.”

Quartet Statement, 2010



“The European Union reiterates that settlements, the separation barrier where built on occupied land, demolition of homes and evictions are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution impossible.”

EU statement to UNSC, Apr 2012





“The two-State solution, i.e. the State of Palestine coexisting alongside the State of Israel, represents the spirit and essence of the historic compromise embodied in the Oslo Declaration of Principles, the agreement signed 19 years ago between the Palestine Liberation Organization (PLO) and the Government of Israel under the auspices of the United States of America on the White House Lawn, a compromise by which the Palestinian people accepted to establish their State on only 22% of the territory of historic

Palestine for the sake of making peace.”

“There can only be one understanding of the Israeli Government’s actions in our homeland and of the positions it has presented to us regarding the substance of a permanent status agreement to end the conflict and achieve peace. That one understanding leads to one conclusion: that the Israeli Government rejects the two-State solution.”



“The final map and borders that can be drawn in accordance with Israel’s official positions reveal to us the following: small Palestinian enclaves surrounded by large Israeli settlement blocs and walls, checkpoints and vast security zones and roads devoted to the settlers. Thus, the enclaves would remain subject to the full dominance of military, colonial occupation, only packaged under new names, such as the unilateral plan for a so-called State with provisional borders.”

“Despite all the complexities of the prevailing reality and all the frustrations that abound, we say before the international community: there is still a chance - maybe the last - to save the two-State solution and to salvage peace.”

“However, this urgent task must be pursued via a new approach. Whoever rushes to advise us to repeat an experience that has proven to be fruitless- negotiations with the Israeli Government without clear terms of reference- must understand that this will result in the reproduction of failure and again provide a cover for the entrenchment of the occupation...”

“The international community, embodied in the United Nations, is required now more than ever to uphold its responsibilities.”

**EXCERPTS FROM THE SPEECH OF H.E.  
PRESIDENT MAHMOUD ABBAS TO THE UN  
GENERAL ASSEMBLY, SEPTEMBER 27TH 2012**

# PALESTINE AND THE INTERNATIONAL COMMUNITY A SHARED VISION FOR PEACE

The Palestinian vision for a just and comprehensive peace agreement that ends the conflict is one which is shared with the rest of the international community: two states, Palestine and Israel, living side by side in peace and security and a just and agreed-upon solution to the Palestinian refugee issue in accordance with international law, including UN General Assembly 194. This vision was enshrined in the Arab Peace initiative in 2002, which was also endorsed by the Organization of Islamic Cooperation. The Palestinian position seeks to end Israeli occupation, exercise the Palestinian people's inalienable right to self-determination and establish an independent, viable and sovereign state on the 1967 borders.

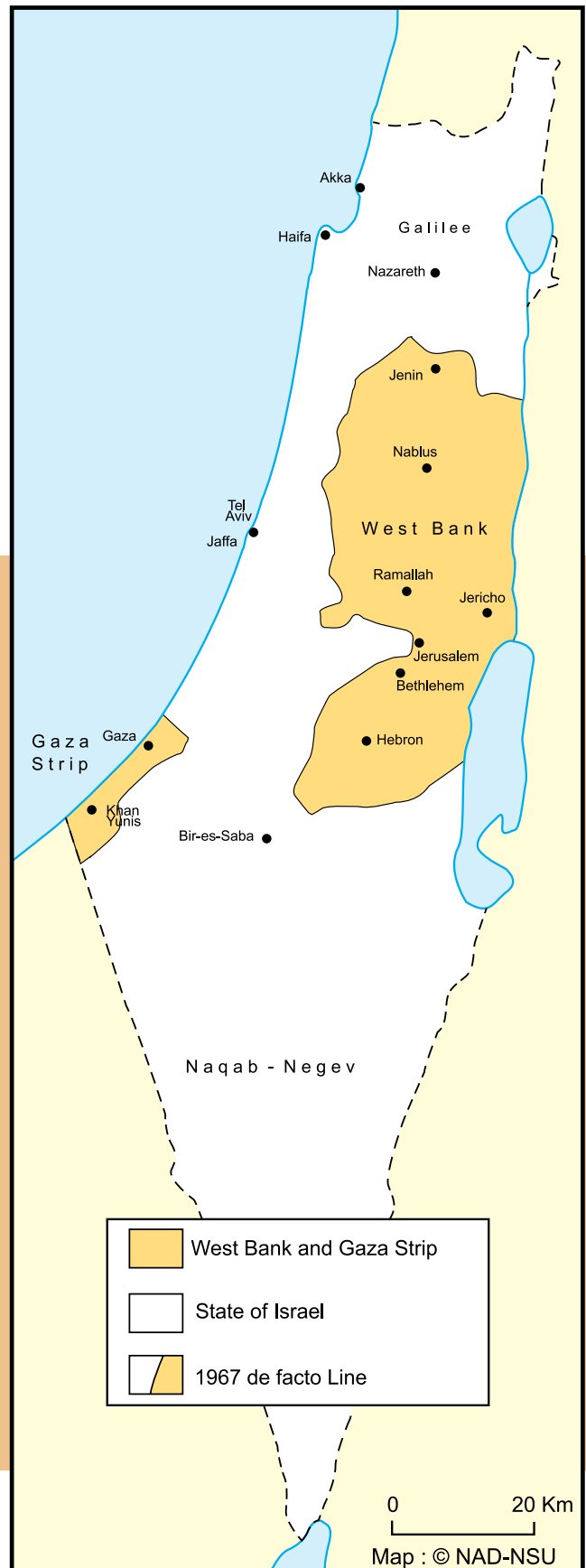
The international community has endorsed the two-state solution along the 1967 border,

with East Jerusalem as the Palestinian capital, and has repeatedly affirmed that the two-state solution is the best way to achieve a peaceful resolution to this conflict.

Moreover, the international community continues to strongly condemn Israeli policies and actions that contravene international law and Israel's obligations as an occupying Power. The international community has also repeatedly affirmed that these practices are devastating Palestinian lives and livelihoods and undermining the prospect of a two-state solution.

The Palestinian and international visions, therefore, are in line with one another, and the State of Palestine's recognition by the United Nations reinforces this common objective.

In taking the sovereign decision to apply to the United Nations General Assembly for an upgrade to Observer State status, the Palestinian people is taking a positive step towards fulfilling its inalienable right to self-determination within the framework of international law and the two-state vision of the international community. Statehood and self-determination are not, and have never been, matters to be negotiated bilaterally. The international community has a legal and moral obligation not only to support the Palestinians' inalienable right to self-determination but to realize that right. Now is the time.





# ISRAEL'S AGENDA

**“I stand before you in Jerusalem, and confirm Begin’s words: the city will remain our capital and will never be divided.”**

Foreign Minister, Avigdor Lieberman April, 2010

**“[O]n any map anyone thinks [Beit El and Ofra] will be part of a permanent arrangement.”**

Defense Minister, Ehud Barak, speaking about settlements located 13.5 and 15.1km from the Green Line, May 2012

**“I will sign a final status agreement only if Israel remains in the Jordan Valley.”**

Prime Minister, Benjamin Netanyahu March 2012

Since 1967, Israel has adopted systematic policies designed to expropriate as much Palestinian land and as many natural resources as possible, to the dramatic detriment of Palestinian rights, freedoms and livelihoods. These measures have also threatened the prospects of a two-state solution and destroyed the framework within which meaningful negotiations may take place.

In 1993, the Palestinians and Israelis signed the Oslo Accords, an interim agreement designed to lead to two independent states living side by side within five years. In accordance with relevant United Nations resolutions, including Security Council resolution 242, the internationally recognized border of these two states is the 1967 border. Almost twenty years later, far from being close to a just and durable solution, the situation has deteriorated dramatically.

Since the signing of the agreement, the number of Israeli settlers living in the Occupied Palestinian Territory, including East Jerusalem (OPT) has more than doubled. Through its Wall and settlement regime, Israel has illegally and unilaterally annexed Occupied East Jerusalem, the capital of the Palestinian state, in flagrant violation of UN resolutions concerning the invalidity of any changes to status of Jerusalem.

Such actions, alongside statements of prominent members of the Israeli government have made Israel’s intentions patently clear: Israel’s vision is neither in line with international law nor with the vision of a two-state solution as advanced by Palestine and endorsed by the international community. And yet, after 45 years of belligerent military occupation, Israel continues to act unlawfully and unilaterally, assured that continued inaction will shield it from any accountability.

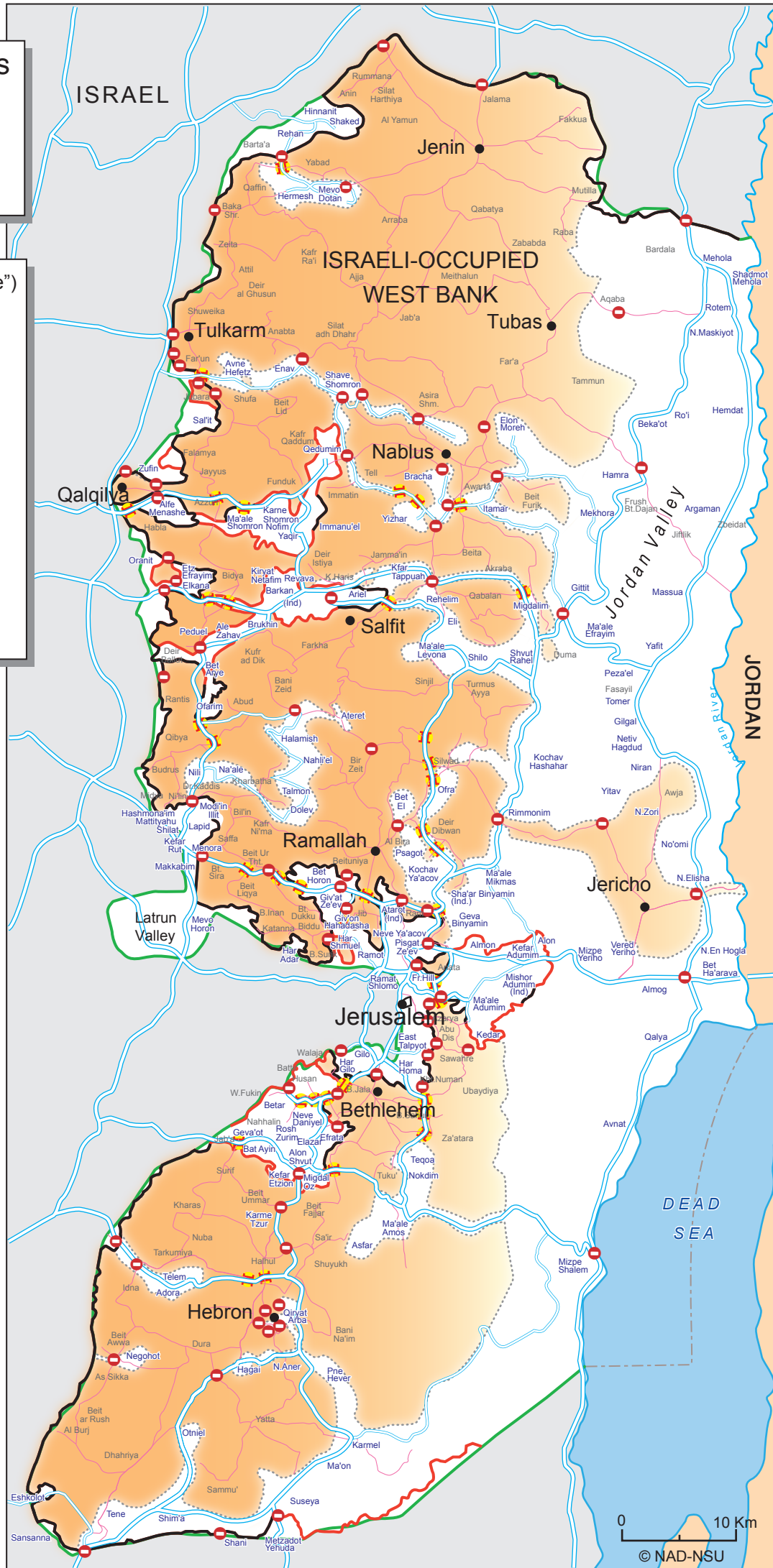
1) <http://www.haaretz.com/news/lieberman-jerusalem-is-our-eternal-capital-it-will-never-be-divided-1.284574>

2) <http://www.haaretz.com/news/diplomacy-defense/barak-ofra-and-beit-el-settlements-would-remain-in-israel-in-final-status-deal.premium-1.430468>

3) <http://www.israelnationalnews.com/News/News.aspx/153309>

# ISRAELI CHECKPOINTS & CLOSURE REGIME (NOVEMBER 2012)

- 1967 Boundary ("Green Line")
- Palestinian territory under Israeli settlement control
- Territory remaining for Palestinians
- Israeli Wall
- approved or planned
- Local Palestinian road
- Israeli settler / bypass road
- Israeli checkpoint
- Israeli-controlled tunnel or underpass for Palestinians



# 65 YEARS OF UN RESOLUTIONS ON PALESTINE

As World War One came to a close, the Palestinian issue was forcefully opened. Under the auspices of the League of Nations, the Palestinian mandate was handed to the British government, with the intention of helping the Palestinians to independence. Instead, a project of infusing European Jewish immigrants into Palestine began, which would cause explosive conflict between the indigenous Palestinian population and the European immigrants. The Balfour declaration of 1917 confirmed British support for “the establishment in Palestine of a national home for the Jewish people” and a promise to “facilitate the achievement of this object.” In 1947, as the conflict continued to escalate, the question of Palestine was handed to the UN.

The first resolution on Palestine, United Nations General Assembly Resolution 181 (1947), planned to partition Palestine into two independent states. 65 years later, only one of those states has been recognized by the UN, and the Palestinians remain the victims of the longest standing occupation in modern history.

Since 1948, the UN has adopted dozens of resolutions designed to uphold and safeguard the rights of the Palestinian people. These cover Palestinian rights such as right to self-determination, sovereignty over natural resources, assistance to the Palestinian people and refugees and refugee



property. They also deal with the illegality of the occupation and the illegal annexation of Jerusalem, the requirement for Israel to withdraw forces from the Territory it occupied in 1967, Israeli settlements and practices, human rights violations, and applicability of the Fourth Geneva convention, among others. A package of 16 of these resolutions is adopted on an annual basis, reaffirming the ongoing injustice of the Palestinian situation and ongoing crimes of the State of Israel. There have also been some 89 Security Council resolutions relating to Palestine since 1948.

And yet, Israel has remained intransigent and, due to the full impunity which it has enjoyed for almost 65 years, continues to repeatedly and flagrantly disregard international law.

## KEY ASPECTS OF INTERNATIONAL LAW RELATING TO PALESTINE

### **Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949)**

**Article 49** 'Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.'

### **Security Council Resolutions**

**242** Emphasized the 'inadmissibility of the acquisition of territory by war' and called for the 'Withdrawal of Israel armed forces from territories occupied in the recent conflict...'

**446** 'Determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East'

**478** 'Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith'

**605** 'Strongly deplores those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories...'

### **General Assembly Resolutions**

**181** Resolution calling for the establishment of two states in Palestine

**194** Article 11 'Resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.'

**3236** 'Reaffirms the inalienable right of the Palestinian people in Palestine, including: a) the right to self-determination without external interference; b) the right to national independence and sovereignty'. Also deals with right of return for refugees and calls upon all States and international organizations 'to extend their support to the Palestinian people in its struggle to restore its rights, in accordance with the Charter'

### **International Court of Justice Advisory Opinion**

In addition to various resolutions, a landmark Advisory Opinion given by the International Court of Justice in July 2004 found that Israel's Wall and its associated regime of settlements, infrastructure, and Israeli-only roads constitute grave violations of international law and Israel's obligations as an occupying Power. The Court also decided that this regime "severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel's obligation to respect that right", which the Court said was of an erga omnes nature, i.e. an obligation which applies to all states.

# UNILATERAL ISRAELI ACTIONS VS. INTERNATIONAL LAW

## ISRAELI ACTIONS

### **Settlement construction and infrastructure**

- The settlement regime, including the wall, bypass roads, infrastructure, and other associated aspects de facto annexes 46% of the occupied West Bank, including East Jerusalem, to Israel.
- Between September 2011 and 2012, Israel planned at least 11,096 housing units for settlements in and around Occupied East Jerusalem. The new housing units will house around 44,000 new Israeli settlers. There are over half a million settlers living in the OPT today.
- Israel constructs so-called bypass roads, built illegally on Palestinian land, for the express purpose of cutting journey times for settlers traveling from the settlements to Israel proper. These roads, most of which are off limits to Palestinians, increase Palestinian journey times and isolate Palestinian villages from one another.

### **Construction of the illegal Wall**

- 82% of the wall is built within the Occupied Palestinian Territory, including East Jerusalem (OPT)
- The Wall isolates 10.6% of the Palestinian population in the West Bank and encircles 125,000 Palestinians spread across 28 Palestinian communities. 140,000 Jerusalemite Palestinians are now cut off from their city
- The Wall separates 12.4% of the Palestinian population in the West Bank from its cultivated land west of the Wall





## VIOLATING

- UN Charter, Article 2(4)
- Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949), Article 49, Article 147
- UN resolutions, including Security Council Resolutions 252, 267, 298, 446, 452, 465, 471, 476, 478, 605, 1515
- International Court of Justice Advisory Opinion on the Wall in the OPT
- Rome Statute of the International Criminal Court, Article 8

- UN Charter Article 2(4)
- Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949), Article 49, para 6
- UN resolutions, including Security Council resolutions 237, 242, 252, 267, 298, 338, 465, 476, 478, and General Assembly resolutions 31/61, 32/5 and ES/10-15
- International Court of Justice Advisory Opinion on the Wall in the OPT
- International Covenant on Civil and Political Rights, Article 12 (para 1)
- The International Covenant on Economic, Social and Cultural Rights
- The United Nations Convention on the Rights of the Child

# ISRAELI ACTIONS

## Expropriation of Palestinian natural resources:

- The approximately 9500 Israeli settlers living in the Jordan Valley consume the equivalent of one-third of the entire amount of water made available to all 2.5 million Palestinians living in the West Bank.
- 95% of the groundwater in Gaza is not fit for human consumption.
- 94% of the Jordan Valley and Dead Sea area, which constitutes almost a third of the West Bank and is extremely significant in terms of natural resources, remains off limits to Palestinians.

## Population expulsion:

- Over the past four decades, Israel has displaced 14,084 East Jerusalem Palestinians by denying them the right to live in their city, directly impacting more than 20% of Palestinian families in occupied East Jerusalem. These residents are no longer permitted to live or work in their city. Of all the “residency revocations” that have been carried out since 1967, about half have occurred since 2006.
- Between 1967 and 1994, Israel displaced over 250,000 Palestinians from the Occupied Palestinian Territory, excluding East Jerusalem.

## Home evictions and demolitions

- From September 2011 to September 2012, Israeli Occupation Forces demolished approximately 510 Palestinian structures in Area C, displacing close to 770 Palestinians.
- The Israeli Occupation Forces have destroyed an estimated 27,000 homes in the OPT since 1967, including over 3,300 homes in occupied East Jerusalem. Areas particularly affected include the neighborhoods of Sheikh Jarrah, Ras Amud, Silwan, Beit Hanina and the Old City in East Jerusalem, as well as several others in the Jordan Valley and Hebron.

## VIOLATING

- Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949) Article 49
  - UN Resolutions including Security Council Resolution 605, and General Assembly Resolutions 1803 (XVII), 3175, 3336, 3516, 31/186, 32/161
  - International Covenant on Economic, Social, and Cultural Rights (Article 1.2)
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- Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949), Article 49
  - UN Resolutions including Security Council Resolutions 252, 267, 298, 476, 478, and 605 and General Assembly Resolution 38/180
  - Universal Declaration of Human Rights, Article 17
- 
- Hague Convention, Article 55 (confiscation of private property)
  - UN Resolutions including Security Council Resolutions 252, 267, 298, 476, 478 and 605, and General Assembly Resolution 38/180



# ISRAELI ACTIONS

## Economic oppression

- In 2010, the estimated total cost of occupation to the Palestinian economy was \$6.9 billion, a staggering 84.9% of GDP.
- 35% of the Palestinian national economy is concentrated in the 30 km corridor linking Ramallah, East Jerusalem and Bethlehem. Israeli colonization policies in Occupied East Jerusalem, and the construction of a network of settlements aimed to isolate the Occupied Capital has dramatically affected the Palestinian economy.
- Approximately 78% of Palestinian Jerusalemites live in poverty.

## Prisoners

- Israel has detained approximately 800,000 Palestinians since 1967, approximately 20% of the population. This includes women and children as young as 12.
- Since 1967, Israel has also imprisoned at least 100,000 Palestinians in administrative detention, without charge or trial.
- Israel detains Palestinian prisoners inside Israel proper and regularly denies them visits by family and lawyers.

## Movement restrictions:

- In July 2012, OCHA recorded a total of 542 obstacles affecting Palestinian movement in the OPT. This represents a 4% increase from the same time last year.
- In 2010, movement restrictions (including trade restrictions) cost the Palestinians approximately \$500,000,000.
- 35% of Gaza's farmland and 85% of its fishing waters were totally or partially inaccessible due to Israeli military measures.

9) [www.mne.gov.ps/pdf/EconomiccostsofoccupationforPalestine.pdf](http://www.mne.gov.ps/pdf/EconomiccostsofoccupationforPalestine.pdf)

10) [http://www.acri.org.il/en/wp-content/uploads/2012/05/The-Poverty-Policy-in-East-Jerusalem\\_ACRI\\_May-2012\\_ENG.pdf](http://www.acri.org.il/en/wp-content/uploads/2012/05/The-Poverty-Policy-in-East-Jerusalem_ACRI_May-2012_ENG.pdf)

11) [http://www.pcbs.gov.ps/Portals/\\_pcbs/PressRelease/prisonersDay2012E.pdf](http://www.pcbs.gov.ps/Portals/_pcbs/PressRelease/prisonersDay2012E.pdf)

12) <http://www.dci-palestine.org/content/child-detainees>

13) Ibid





## VIOLATING

- UN Resolutions including Security Council Resolutions 252, 267, 298, 476, 478 and 605, and General Assembly Resolution 38/180
- Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War (1949), Articles 49, 76, and 78
- UN Security Council Resolution 605
- The Universal Declaration of Human Rights, Articles 7, 9, 13, 17, and 18
- The International Covenant on Civil and Political Rights, Articles 4 and 9(4)
- The United Nations Convention on the Rights of the Child
- The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- The Rome Statute of the International Criminal Court, Article 8.2
- UN Security Council Resolution 605
- International Court of Justice Advisory Opinion on the Wall in the OPT



# ISRAELI ACTIONS

## Restrictions on Freedom of Worship

- Israel continues to restrict Palestinians' basic right to worship freely. This includes barring most Palestinians from accessing the Al Aqsa Mosque Compound and allowing only West Bank residents above 40 years of age to enter East Jerusalem and access the compound. 77.4% of Palestinians in the OPT are under the age of 30.
- At Easter, Israel's policies in Jerusalem are also prominent: While Christians from all over the world can take part in Easter ceremonies in occupied East Jerusalem, many Palestinian Christians are prevented from worshipping in Jerusalem. Those who are granted access are forced to apply through a discriminatory permit regime, followed by humiliation at checkpoints on their way to worship.

## Settler terrorism:

- Since 2007, incidents of settler attacks against Palestinians have risen by an alarming 315%.
- Between September 2011 and August 2012, 991 separate incidents of terrorist acts by Israeli settlers living illegally in the OPT were recorded, including shootings, physical assaults, arson attacks, murder of livestock, and the destruction of property and vehicles. At least 60 of these attacks were against Christian and Muslim religious places.
- According to a 2011 UN report, more than 250, 000 Palestinians remain at risk of settler violence, 76, 000 of whom are deemed to be at high risk.

## VIOLATING

- UN Security Council Resolution 605
  - Universal Declaration of Human Rights, Article 13 and 18
  - International Covenant on Civil and Political Rights
- 
- Fourth Geneva Convention, Article 53 (destruction of private property)
  - UN Resolutions including Security Council Resolutions 237, 471
  - UN Human Rights Council Committee conclusions on the Elimination of Racial Discrimination (2012)





## 64 YEARS OF EXILE

Resolution of the refugee issue in accordance with UN General Assembly Resolution 194 is a fundamental component of a successfully negotiated solution to the Palestinian-Israeli conflict. Whilst the reality on the ground deteriorates throughout the OPT, the Palestinian refugees, after 64 years, still lack the most basic human rights, suffer from inadequate international protection and assistance, and bear the brunt of the ongoing conflict with Israel.

From 1947 to 1949, more than 726,000 Palestinians were expelled from or forced to leave their homes and became refugees prior to and immediately following Israel's statehood declaration. Many fled from direct military assaults, while others fled from fear of imminent assaults by Zionist militias.

During Israel's 1967 military occupation of the West Bank and the Gaza Strip, roughly 300,000 Palestinians were forced to leave their homes there to other parts of the Occupied Palestinian Territory (OPT) as well as across regional borders. Among this new wave of fleeing Palestinians, approximately 120,000 had previously been displaced in 1948.

Since 1967, Palestinians have continued to face displacement from and within the OPT as a result of Israeli policies that include home demolition, evictions, land confiscation, residency revocation, construction of settlements and the Wall, and the huge Israeli military presence. Neither the 1948 refugees nor the 1967 refugees and internally displaced persons have been allowed by Israel to return to their homes within what are now Israel and the OPT.

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## INTERNATIONAL LAW AND THE REFUGEE ISSUE:

- General Assembly Resolution 194
  - Universal Declaration on Human Rights Article 13(2)
  - International Covenant on Civil and Political Rights Article 12(4)
  - Convention on Elimination of Racial Discrimination Article 5(d)(ii) and (v) and Article 18
  - UN Sub-Commission on Human Rights Principles on Housing and Property Restitution for Refugees and Displaced Persons Article 10.1 and 10.3
- 

The PLO position requires a just solution to the Palestinian refugee issue in accordance with international law, and specifically UN General Assembly Resolution 194. A just solution must be based on the right of return and reparations. The PLO position on refugees is also included and supported in the Arab Peace Initiative (API), which calls for “a just solution to the Palestinian refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194”.

Key to the resolution of the refugee issue is Israel’s recognition of its role in the creation and perpetuation of the Palestinian refugee issue and its recognition of the applicable principles and rights of the refugees, including our refugees’ right to return to their homes and lands. Israel’s recognition of the above may pave the way to negotiating how that right will be implemented, which will be done in a manner that respects refugee choice.



# 20 YEARS OF UNDERMINED EFFORTS

Negotiations are undoubtedly necessary to conclude an agreement that achieves a just and lasting solution to the Palestine-Israel conflict. Agreements on final status issues must come through negotiations. This is the PLO position.

The Palestinian right to self-determination, however, is not up for negotiation. Statehood is a sovereign decision. What is being sought is recognition in line with international law, so that we can protect the framework within which a meaningful agreement can be reached. Despite past failures to reach a negotiated final status agreement with Israel, the PLO remains committed to negotiations as a means to achieving a permanent and durable resolution of the Palestinian-Israeli conflict.

In 1988, the Palestinian people, under President Arafat, made a painful and historic compromise in accepting the establishment of a Palestinian state within a mere 22% of historic Palestine. Under the leadership of President Mahmoud Abbas, we have solidified our call for the two-state solution, yet Israel has refused to engage in a credible negotiations process. Instead, Israel, as the occupying power, has taken unilateral actions to maintain and solidify its permanent presence in the OPT.

In 1993, the PLO signed the Oslo Accords, an interim agreement which was supposed to lead to an independent Palestinian state within five years. Instead, Israel further entrenched its occupation. In Annapolis in 2007, we renewed our commitment to peace and the two-state solution, only to find that Israeli settlement construction accelerated afterwards. Most recently, in January 2012 we agreed to exploratory talks in Amman, although no positive action or sincere intention to negotiate meaningfully had been shown by Israel, which meant that negotiations could not be resumed.

The failure of all of these talks rests on the simple fact that throughout the Peace Process, Israel has continued to carry out unilateral actions and policies which further compromise the prospect of a viable Palestinian State and therefore the prospect of peace itself. This has been encouraged by the lack of political will from the international community to hold Israel accountable for their grave violations and war crimes, creating an unprecedented culture of impunity around Israel's illegal actions.



In the interests of peace, the PLO also advocates for all regional states to maintain the call for a wider Middle East peace that ends the conflict between the Arab countries and Israel. For this reason, the PLO supports the Arab Peace Initiative (API), proposed by Saudi Arabia and endorsed in 2002 and 2007 by the Arab League. The API offers Israel normalized relations with the entire Arab world once Israel completely ends its military occupation of the West Bank (including East Jerusalem) and the Gaza Strip, and provides a just resolution to the issue of our refugees in accordance with UN General Assembly resolution 194.

The Palestinian people have put their faith in the international community, in peaceful popular resistance and in diplomatic efforts. Thus far they have seen little more than condemnatory statements regarding Israeli policies, while their right to statehood becomes ever more difficult to realize. The situation on the ground has deteriorated significantly since the peace process began. Israel, given its record of violations of international law and previous agreements, is clearly not a partner for peace. The Palestinians will not go back to negotiations under these terms. The international community must act positively and concretely, and act now.



# PALESTINE ON THE INTERNATIONAL AGENDA

**To date, a total of 131 countries have formally recognized the State of Palestine. Below are a few examples of statements made by various countries at the UNGA General Debate in September 2012.**

**Argentina:** “We call for the recognition of the State of Palestine on the pre-1967 borders”

**Belgium:** “Belgium is in favour of the quick restarting of negotiations with a view to achieving a solution based on the co-existence of two states... We pronounce very clearly against the pursuit of colonization”

**Brazil:** “Only a free and sovereign Palestine will be able to legitimately make peace with Israel”

**Chile:** “We recognize the State of Palestine, country that we hope we’ll be able to welcome very soon in this organization (the UN)”

**China:** “China supports Palestine’s membership in the United Nations and other international organizations”

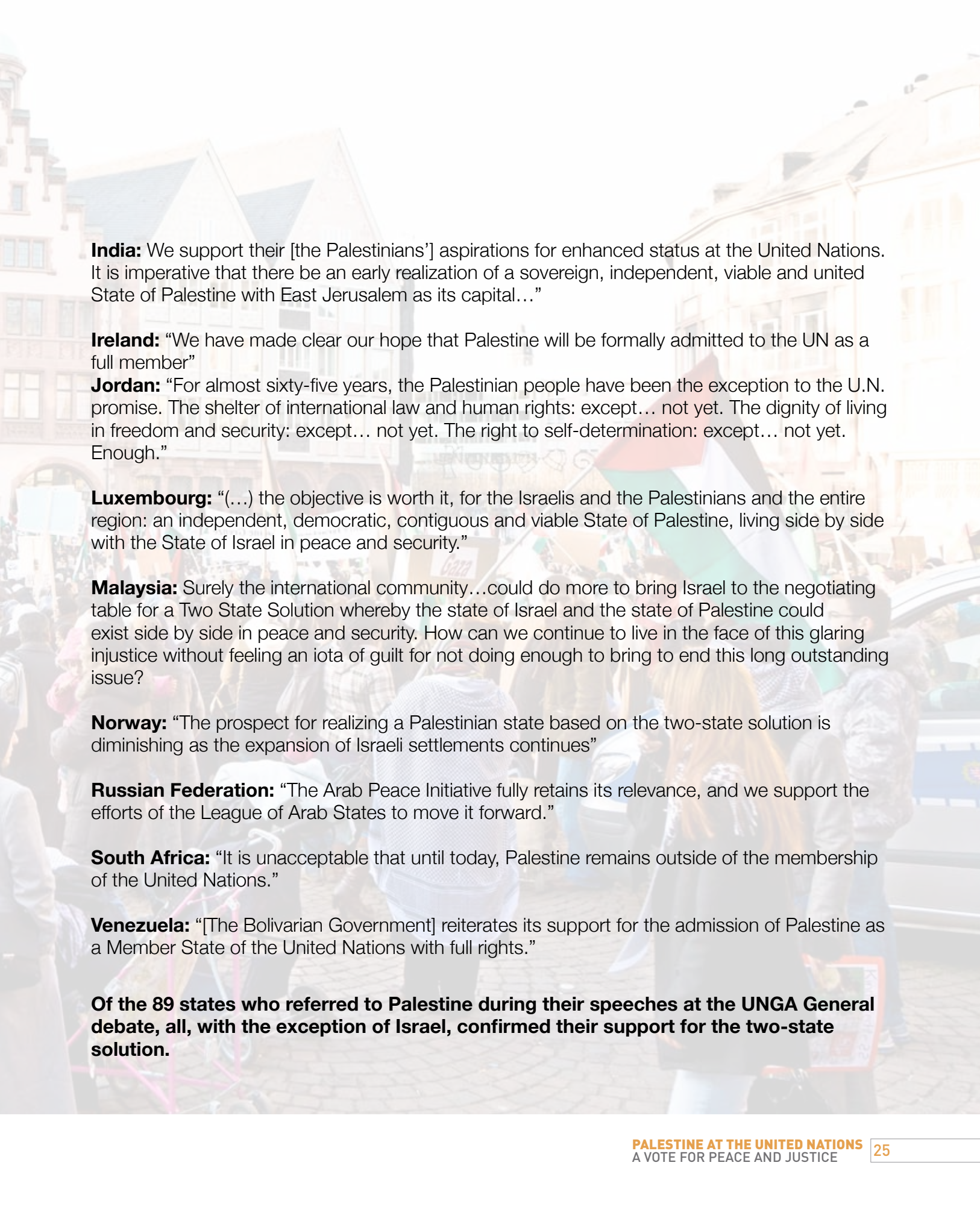
**Cuba:** “Palestine should become a UN member (...) with or without new peace negotiations”

**Gambia:** “Israel, the occupying power, in defiance of international law, human decency and restraint is imposing a de facto situation on Palestinians through despicable settlement activity and land grabbing.”

**Egypt:** “I assure you of Egypt’s full support to any course of action Palestine decides to follow in the United Nations.”

**Iceland:** “Last year I brought you the message that my Government would propose to our Parliament that Iceland recognizes Palestine as a sovereign and an independent state. I’m happy to tell you today, that we have fulfilled that promise. What’s more, not a single member of the Icelandic Parliament voted against the recognition of Palestine. Mr. Netanyahu - tear down this wall!”





**India:** We support their [the Palestinians'] aspirations for enhanced status at the United Nations. It is imperative that there be an early realization of a sovereign, independent, viable and united State of Palestine with East Jerusalem as its capital..."

**Ireland:** "We have made clear our hope that Palestine will be formally admitted to the UN as a full member"

**Jordan:** "For almost sixty-five years, the Palestinian people have been the exception to the U.N. promise. The shelter of international law and human rights: except... not yet. The dignity of living in freedom and security: except... not yet. The right to self-determination: except... not yet. Enough."

**Luxembourg:** "(...) the objective is worth it, for the Israelis and the Palestinians and the entire region: an independent, democratic, contiguous and viable State of Palestine, living side by side with the State of Israel in peace and security."

**Malaysia:** Surely the international community...could do more to bring Israel to the negotiating table for a Two State Solution whereby the state of Israel and the state of Palestine could exist side by side in peace and security. How can we continue to live in the face of this glaring injustice without feeling an iota of guilt for not doing enough to bring to end this long outstanding issue?

**Norway:** "The prospect for realizing a Palestinian state based on the two-state solution is diminishing as the expansion of Israeli settlements continues"

**Russian Federation:** "The Arab Peace Initiative fully retains its relevance, and we support the efforts of the League of Arab States to move it forward."

**South Africa:** "It is unacceptable that until today, Palestine remains outside of the membership of the United Nations."

**Venezuela:** "[The Bolivarian Government] reiterates its support for the admission of Palestine as a Member State of the United Nations with full rights."

**Of the 89 states who referred to Palestine during their speeches at the UNGA General debate, all, with the exception of Israel, confirmed their support for the two-state solution.**



## CONCLUSION

The Question of Palestine is the longest-standing item on the UN agenda and continues to be the most pressing issue in the region and a conflict that has far-reaching implications on the maintenance of international peace and security. Without resolving this issue there can be no peace or security in the region.

Continued illegal Israeli actions have undermined all efforts at negotiations over the past twenty years and have significantly eroded the credibility of the international system. The international community has thus far failed to hold Israel accountable, despite its egregious violations of international law, as well as numerous relevant resolutions and condemnatory statements regarding Israel's illegal practices. Israel must be held to the same standards as other law-abiding states and live by same rules and principles as other members of

the international community who accept and abide by the UN Charter and international law.

The inalienable right of peoples to self-determination is clearly enshrined in international law. The Palestinian people are not an exception and their right to self-determination has been repeatedly affirmed in United Nations and other resolutions in addition to the Advisory Opinion of the International Court of Justice, rendered on 9 July 2004. Our decision to apply for Observer State status in the General Assembly is a sovereign decision and one which is not subject to negotiation. The concept of an occupied country negotiating its right to self-determination with its occupier is unprecedented; it contravenes the spirit of UN Charter & international law.



Palestine is requesting an upgrade to Observer State status at the UN because it is the right of the Palestinian people, and because it is a way to achieve a positive framework for negotiations. Extending recognition to Palestine and upholding promises regarding Palestinian independence and freedom is a principle which the whole world endorses and which it has promised the Palestinians since 1947.

There is no doubt that the current status quo is untenable. The international community has a legal and moral obligation to put an end to Israeli impunity and an end the conflict. If this injustice is allowed to continue, then the very foundations upon which the UN was built are under threat of being

compromised. The Palestinian people have done everything that has been asked of them and have put faith in the international community to help bring this occupation to an end. The international community must act now to realize the Palestinian people's right to self-determination and end Israel's illegal practices, which are denying the Palestinians their right to live freely and to fulfill their potential. It is their obligation, *erga omnes*.

In the meantime, the Palestinian people will continue their noble and dignified struggle, despite everything, in order to achieve their most basic rights of self-determination, independence and freedom.





# A VOTE FOR PEACE AND JUSTICE



