



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2005/NGO/292
11 March 2005

ENGLISH AND SPANISH
ONLY

COMMISSION ON HUMAN RIGHTS
Sixty-first session
Item 8 of the provisional agenda

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB
TERRITORIES, INCLUDING PALESTINE**

**Written statement* submitted by the Federation of Associations for the Defence and
Promotion of the Human Rights, a non-governmental organization in special
consultative status**

The Secretary-General has received the following written statement which is circulated
in accordance with Economic and Social Council resolution 1996/31.

[11 February 2005]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

THE CREDIBILITY OF THE UNITED NATIONS BEFORE PALESTINE

As a result of the passing of United Nations Security Council Resolution 242 in the wake of the 1967 war, the international community started to see more clearly the dramatic situation of the people of Palestine which involved a much broader dimension than a mere problem of refugees. It started to see its territorial, political, social, economic and cultural dimension and the threat it entailed to peace and international security, causing countless Security Council and General Assembly resolutions which have enshrined explicitly the inalienable rights of the Palestinian People since 1969.

Since then and throughout four decades, several initiatives have been carried out in an attempt to settle the Palestinian-Israeli conflict within the framework of the United Nations through the implementation of the aforementioned resolutions, all of which have failed to succeed. However, all the passed resolutions and the published documentation over this period of time have demanded the compliance with the resolutions as the only means to reach a just and lasting peace in the Middle East as they warn about the dreadful consequences of their lack of implementation and condemn the accumulated breaches on Israel's part.

The vision of the United Nations on the Palestinian-Israeli conflict is clear. On the one hand, the constant claim to compensate the Palestinian People for the injustices made and to implement their just and legitimate demands in accordance with the UN Charter and passed Resolutions which ask for the restitution of their national rights. On the other hand, it demands Israel to pull out completely from the Palestinian Territory occupied in 1967. As the United Nations is the most important representation of the international community, it is obvious that Israel is the aggressor as it maintains its status of occupying power, causes permanent wars in the region and breaks systematically the rulings established by the international organisation par excellence. Yet, the people of Palestine, backed by those very resolutions, have not ceased to call for justice. As long as they lack control over their land, have their right as a people to sovereignty and freedom denied, one could hardly demand any compromise from them beyond their possibilities.

The late Palestinian leader, Yasser Arafat, the greatest exponent of Palestinian aspirations, asked for nothing but the implementation of the United Nations resolutions. Since his speech before the General Assembly in 1974, his prime objective was the attainment of peace in the Middle East region within the framework of the United Nations, taking as premise the lack of freedom, security and constant harassment against the people of Palestine who, up to this date, has not ceased to suffer from the devastating effects of the military occupation carried out by Israel. In a historical step towards peace, Yasser Arafat recognised Security Council Resolution 242 that does not even mention the Palestinian People but simply places them as a question of refugees that need to be solved. In 1988 and before the General Assembly, he denounced and condemned terrorism, be it state, group or individual actions. At the request of the European Union and the United States, he modified the Palestinian National Charter. He signed the Oslo Accords as he recognised explicitly the State of Israel without having the assurance that Israel would recognise the right of existence of the State of Palestine. Most countries that make up the international community

have shown him their recognition as a historical leader who worked for peace and justice and who has passed away without seeing the justice of the United Nations become a reality in the land of Palestine.

In contrast, Israel, condemned by the international community for being a State which occupies another's land and puts peace and international security at risk, does not comply with its obligations as an occupying power, refuses to implement the United Nations resolutions and breaks with no compunction the Fourth Geneva Convention.

Israel, required to safeguard the lives of the Palestinian civilian population under military occupation, carries out practices of State terrorism attacking that population with heavy high-tech weapons such as the launching of ground-to-ground and ground-to-air missiles. Israel uses bombers and tanks to attack urban centres with a high density of civilian population; continues to carry out the so-called selected assassinations, condemned in countless occasions by the international community; Israeli prisons keep imprisoned in subhuman conditions hundreds of Palestinian detainees without charge or trial; the collective punishments infringed on the civilian populations remind us of equally sufferings during the Second World War. Also, to allow civilians of the occupying power to live in settlements built on occupied territory with the economic and military support of the Israeli government itself is a flagrant violation of International Law.

The perpetual humiliation suffered by the Palestinian civilian population in the hands of the occupying power who denies them freedom of movement, destroys their buildings and crops claiming security reasons, encircles their cities and towns with military bases and settlements, isolates those cities and towns with the construction of the Wall of Shame, condemned forcefully by the International Court of Justice and by the majority of countries that make up the international community, is nothing more than a practice of Apartheid and a clear defiance of international legality. This situation makes it imperative that these countries take the necessary measures so that Israel obeys in a firm and definite manner the rulings established by the United Nations, even with the imposition of sanctions and political, economic and cultural isolation as long as Israel continues to violate the UN Charter and fails to carry out systematically its obligations as a member state of the United Nations.

Therefore, we ask the member states of the United Nations to:

Declare the State of Israel as a non peace-loving country since it endangers world peace and security.

Put pressure on Israel so that it resumes the peace negotiations and puts into practice the Road Map, supported by the United Nations, the European Union, the United States and Russia.

Not acknowledge any unilateral steps adopted by the Israeli Government on the ground that could affect the Occupied Palestinian Territory and determine future negotiations.

Systematically follow up the construction of the Wall in the Palestinian Occupied Territory and request the Secretary General to issue periodic reports on the compliance by Israel of the International Court of Justice's Ruling.

Apply sanctions against Israel, just like it was done in the case of the Apartheid regime in South Africa and other more recent conflicts, as long as it continues to violate the agreements and international legality.

Adopt the appropriate measures through the European Union in order to freeze the undersigned Agreements with Israel as long as it breaks Article 2 of the preferential Association Agreement.

Cancel immediately any sale of military equipment to the State of Israel in accordance with international regulations about the sale of weapons to countries in conflict and prevent the import of products from settlements.

Send an international observation force under the mandate of United Nations mandate to safeguard the safety of the people of Palestine.

Support the newly democratically elected President of the Palestinian National Authority and his peace policy.

Recognise the sovereign and independent State of Palestine, on the June 4th 1967 borders, in the face of a possible denial on the side of Israel to its establishment.

Always bear in mind that East Jerusalem is an integral part the Palestinian Territory occupied in 1967.

Find a just solution for the Palestinian refugees, according to resolution 194 adopted by the General Assembly in 1948.

The following organizations support this statement:

Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos

Plataforma 2015 y *Más*

Norwegian Association of NGOs for Palestine

Palestine Solidarity in Britain

The Flemish Palestine Solidarity Committee – Belgium.

Humanistisch Vredesberaad (Dutch Humanistic Peaceconuncil)