

**THE INTERNATIONAL ORGANIZATION FOR THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION
(EAFORD)
5 route des Morillons, CP 2100. 1211 Geneva 2, Switzerland
Telephone & Fax: 788.62.33**

**Sub-Commission on Prevention of Discrimination and Protection of Minorities
Fiftieth Session**

Item 10: The Right to Return to One's Own Country

In regards to the right to return to one's own country as stated under item ten, we often ask ourselves the same question raised by many Jews who listen to reason and abide by human standards of fairness and justice. How can anyone logically and historically accept a law as the law of return in Israel that permits any Jew, originally from anywhere in the world, to migrate to Palestine and enjoy residency and citizenship rights in Israel. Whereas, this discriminating law prohibits any Palestinian, whether Christian or Muslim, from returning to the homeland where they were born as well as their parents and great grandparents for thousands of years.

How can logic and history accept a country without borders since neither Israel's constitution nor its laws determine where its borders begin and end, and where a defining point of its territory meets extending land belonging to others. There is no doubt that such unusual and unacceptable situation conveys a dangerous and deviant meaning.

Israel, as everyone knows, was established as a result of a resolution issued by the UN that was called at the time the "Partition Resolution." But Israel does not recognize the legally binding conditions of the very same resolution that brought it into existence, in the first place! Furthermore, Israel does not recognize hundreds of resolutions issued by the United Nations. Unfortunately, fanatic Israeli leaders think that through their influence and organized manipulation of the media, they can continue to sabotage and ignore matters supported by documented facts and history. An attitude which collides with humanity's stride of the twenty-first century where our planet has begun, day by day, to get closer to its dream of living as one extended world family.

As the distinguished British historian Toynbee noted, the Israeli state is a foreign body planted through force, violence, and conspiracy in an ancient area that has its own history and triumphs, which is the area of the Middle East. He further commented that the natural course ascertains that a foreign body, (i.e. a foreign force as Israel), either adapts itself to the new environment, or it will find itself being uprooted and rejected.

There is no doubt that many of the highly intellectual and rational Jews realize this solid truth. Therefore, they exert tenacious efforts to get along with their neighbors and to uphold the banner of peace, and peace here and now. However, some fanatic Jews who aspire for a Great Israel from the river to the river, as reflected on their parliament's motto, seem to stumble as they dwell in ethnic and racist superior ideologies which do not foster national and international harmony and tranquility. This fanatic trend made Israel find itself more than once taking on one extreme side, as the whole world community stood on an opposite side. Such indisputable reality is evident in several resolutions issued by the Security Council and the General Assembly of the United Nations. In the short or long-run, such trend will lead to fulfilling Toynbee's theory. That's because the biased supporting position of USA to Israel will not last forever. The People of USA will reject this biased position, which is currently supported by the media and politicians and will then re-examine their real interests in the area. When this awareness is realized and as the people of USA awaken from this media and political propaganda, sooner more likely than later, Israel will lose the long-standing and most underlying source of support on which it has relied throughout all of these years.

That is one point. Another important point is that no matter how powerful and resourceful Israel can be, it cannot simply swallow up and fully absorb this ancient area. The end of the twentieth century is unlike the nineteenth century because colonization based on military force and superiority ended without the possibility of resurrection.

Logically, historically, over and over again, our words reflect tens of studies supported by researched facts and examined laws presented by the members of our organization. The members of our organization specialize in different fields and come from different ethnic, national, and religious backgrounds. Some of whom are Jews, Christians, and Muslims; among them are the leftists and rightists. But all strongly condemn the illegal actions and flagrant violations which Israel committed in the Middle East; confiscating Palestinian lands, building

settlements, demolishing homes, uprooting trees, detaining prisoners without due process, restricting movements, etc. And one of the most flagrant violations and discriminating factors of all is the law of return of Israelis and not Palestinians.

What some of Israel's leaders sought and still seek through reaching separate agreements with one party or another in the region is a pretentious and superficial peace-seeking process that has proved damaging and harmful to all parties concerned. The negative consequences of such faint attempts are witnessed in Egypt, Jordan, and in Palestine itself. History has taught us that the pretense of peace is worse than the state of "no peace" per se. This sham will certainly lead, in the short or long-run, to a devastating war that will, eventually, not be in the Jews own interests and welfare.

So, when will Israel's leaders learn from history's lessons and realize that this region is an integrated union that has its ascendancy, ancient history, civilization, and that a region as such, no matter how long the struggle takes, will not yield to the logic of conspiracy and force.

I have to conclude this statement because of the limited time allowed for interventions. The best words with which I would like to conclude my statement is a great lesson from the leader of the leaders of history who once said to his followers: stand by your brother whether he is the oppressed or the oppressor. His followers questioned: we stand by him when oppressed, that is his right, which we will respect and provide, but why and how can we stand by him when he is the oppressor?! He answered, you do so through standing by him against his oppression, forbidding him from proceeding further into it.

Will the human rights community, member states, intergovernmental agencies and non-governmental organizations be able to make a stand to save Israel against its own will, and to prevent Israel's fanatics from committing further atrocities and brutality in the Middle East. The more rational Jewish activists in Palestine are in much need of our support and solidarity.

On television a young Israeli peace activist was crying the day Benjamin Netanyahu won the election against Mr. Pares. The tears of that young peace activist will stay in the memory of several people and viewers. Will we ever wipe fifty years of tears off the face of Palestine?

That young Israeli peace activist represents fifty percent of the Jewish population in Palestine. The international community can make it eighty percent or more by standing together and working jointly against the wild ambition of the fanatic Jews and their followers.

We should not deceive ourselves or bury our heads in the sand, ignoring the glaring fact which confirms that there is no solution to this tragedy other than the establishment of a democratic, non-sectarian, secular state in which Jews, Christians and Muslims will cooperate and which will be the foundation of peace in the world.

EAFORD / 21 August 1998

A copy of this statement was also forwarded to the High Commissioner for Human Rights; to members of the Committee on Economic, Social and Cultural Rights; to members of the Human Rights Committee; to members of the Committee on Elimination of All Forms of Racial Discrimination; and to the following Special Rapporteurs:

- Special Rapporteur on terrorism and human rights / Kalliopi K. Koufa
- Special Rapporteur on Palestinian territories occupied since 1967 / Mr. Hannu Halinen of Finland
- Special Rapporteur on Contemporary forms of racism, racial discrimination and xenophobia / Mr. Maurice Glele-Ahanhanzo of Benin
- Special Rapporteur on Extrajudicial, summary or arbitrary executions / Mr. Barce Waly N'diaye of Senegal
- Special Representative on Impact of armed conflict on children / Mr. Olara Otunnu of Cote d'Ivoire
- Special Rapporteur on Independence of judges and lawyers / Mr. Param Cumaraswamy of Malaysia

- Representative of the Secretary-General on Internally displaced persons / Mr. Francis Deng of Sudan
- Special Rapporteur on Religious intolerance / Mr. Abdelfattah Amor of Tunisia
- Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment / Mr. Nigel Rodley of UK
- Working Group on Arbitrary Detention / Chairman: Mr. Kapil Sibal of India