

Human Rights in Palestine

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The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) in collaboration with the Geneva International Centre for Justice (GICJ), the Palestinian Return Centre and Youth Against Settlements, organized a side event during the 23rd session of the UN Human Rights Council. The speakers at the meeting were Dr. Richard Falk: UN Special Rapporteur on the Situation in Palestine, Mr. Issa Amro: Human Rights Defender in Hebron/Palestine and Mr. Nasim Ahmed: Senior Researcher at the Palestinian Return Centre.



Dr. Richard Falk: *the Palestinian tragedy is more than a tragedy of land; and the Palestinian conflict is not only a regional problem, but a problem of people above all. It is the most important symbolic sign of struggle of our time.*

The continuation of the Israeli occupation has created a set of facts that cannot be contained by the International Humanitarian law and the International Human Rights Law. Israel has used the peace process to erode, undermine, and destroy the Palestinian's right to self-determination.

Mr. Issa Amro: Human Rights Defender in Hebron/Palestine

Mr. Issa Amro began by speaking about the problem of land-taking in Palestine and Hebron. Land-taking in Palestine is achieved by forced displacement, settler violence and the Israeli military forces (IOF). Under forced displacement one finds cases of house demolitions; deportation; high taxes; the apartheid wall; refusal of building permits; no water supply; failure in the provision of services; and violence by settlers and the IOF.

Mr. Amro presented the case of the city of Hebron as an example of the situation in Palestine as a whole. Hebron, one of the oldest cities in Palestine, is home to approximately 200,000 Palestinians. About 600 settlers occupy the heart of the city. In Hebron, large numbers of businesses and housing units have been closed by the Israelis. Only fifty-eight percent of apartments are inhabited and seventy-seven percent of businesses have been closed. Once vibrant and commercial squares and markets are now non-existent and Palestinians are banned from entering many of those areas.

According to Mr. Amro and his experience, violence by Israeli settlers is widespread and includes: the Price Tag Campaign, symbolic violence, physical violence, shooting Palestinians, burning land and houses, stealing Palestinian crops, cutting trees, threats against life, and the Price Tag Campaign (PTC). The PTC is a well organized campaign of violence and terror against Palestinians. Members attack Palestinian homes without any consequences for their actions and are actually backed by the Israeli government. Mr. Amro informed attendees that when it comes to physical violence, the Israeli police does not interfere on behalf of the Palestinians who are being victimized; they allow Israelis to carry out intimidation and violence. Palestinians are ruled by military law, leaving them without important legal protections, while Israelis are governed by Israeli civil law.

Mr. Amro introduced *Breaking the Silence*, an Israeli NGO that works to unveil the truth of violence against Palestinians by disseminating testimonies by Israeli soldiers, their experience and what they have witnessed. Soldiers have confirmed the attacks on Palestinians by settlers and affirm that they are not allowed to interfere, being told that they are there to protect the settlers.

Mr. Amro closed with the fact that in Palestine in general, and in Hebron in particular, the police and soldiers confiscate land by military orders; arbitrarily arrest and detain human rights defenders; carry out nocturnal home invasions and raids; protect settlers committing violence and theft against Palestinians; and commit harassment, physical and verbal violence.

Mr. Nasim Ahmed: Senior Researcher at the Palestinian Return Centre

Mr. Nasim Ahmed gave a short introduction providing statistics on Palestinian refugees and the Palestinian Diaspora. He informed participants that in Syria there are 450,000 – 500,000 Palestinians and about 250,000 have been displaced. With the unrest in Syria, Palestinians were often blamed for the unrest and Palestinian refugee camps became the front line. Mr. Ahmed stated that the issue of refugees can best be resolved by refugees being able to return to their country and homeland. Palestinian refugees and the Palestinian Diaspora need a home to return to, but it has become clear that Israel has no intention of giving up any of the land it occupies at the moment. If Israel continues to refuse on the issue of returning land, then what hope is there for the two-state solution? And if there is no hope for a two-state solution, then what hope is there for the Palestinian Diaspora?

According to Mr. Ahmed, no other group of refugees is marginalized to the extent that Palestinians are. In Lebanon at the moment, if it were not for the Palestinian community there, Palestinian refugees would starve because there is no budget to accommodate them. Palestinian families have been housing and feeding refugees; some now having up to thirty people living in their homes.

To close, Mr. Ahmed informed participants that there is currently an effort by the United States to block funding to American Near East Refugee Aid (ANERA), which provides funding for Palestinian refugees and that an effort must be made to fight this.

Dr. Richard Falk: UN Special Rapporteur on the Situation in Palestine

Dr. Richard Falk thanked Mr. Ahmed and Mr. Amro for their presentations and for their work. He added that he was humbled to be on a panel with someone like Mr. Amro who dedicates his life to defending human rights in the region. Dr. Falk expressed that the city of Hebron is so important because it is the extreme that exemplifies the entire occupation. The situation there may be a bit more exaggerated, he said, but the quality is not different from what is happening all over Palestine.

Dr. Falk added that the Palestinian tragedy is more than a tragedy of land and the Palestinian problem is not only a territorial problem, but a problem of people and it is critical that the refugee problem not be brushed aside. The Palestinian Diaspora, which consists of seven million people, gives us some sense of how the international community has distorted the perception of the issue at hand, he said. He added that the cruelty of geopolitics has victimized the Palestinian people, but it is the failure of the international community that has allowed this. Further, Dr. Falk stated that the UN Partition Agreement was an arrogant act that presumed that the destiny of the Palestinian people could be determined by someone other than themselves. He affirmed that this shows a complete lack of self-determination and the opposite of self-determination is imperialism. According to Mr. Falk, the most fundamental way to grasp the conflict in relation to human rights is the persistent denial of self-determination.

According to Dr. Falk, the Palestinian issue is the most important symbolic sign of struggle of our time and the media has done a disservice by keeping the conflict remote and out of our field of consciousness. The Palestinian situation has not remained static, it has increased and worsened. Israel has used the peace process to erode, undermine, and destroy the Palestinian's right to self-determination. The Palestinian situation is an example of re-legitimization of settler colonialism in its cruelest form.

Dr. Falk informed attendees that a serious predicament with regards to the Palestinian issue is the question of established law. International Humanitarian Law (IHL) was conceived to address temporary situations, but an occupation that goes on for decades and decades is a completely different type of situation, he said. IHL looks to protect those that are explicitly victimized, but the essence of prolonged occupation is that the entire population is affected, not just those explicitly victimized. There is something systemic about prolonged occupation that affects human development in profound ways, he added.

An occupation that persists for this long has the features to become a permanent reality. Prolonged occupation has now transformed to a permanent set of realities not accommodated by Human Rights Law or International Humanitarian Law. This is a reality that has short and long term consequences for the international community.

Dr. Falk concluded his presentation by affirming his belief that the Israeli occupation is an occupation of a foreign country and that Israel never conceived this occupation to be temporary or reversed. He added that Israel is just playing games by speaking of possible peace agreements and that it is trying to denationalize the Palestinian identity. Dr. Falk states that this is clear from the way that Israel refers to Palestinians. It refers to them as Arabs, not Palestinians and thus in a way saying that they do not belong in Palestine, but in other Arab countries. He added that on numerous occasions Israel has made the point that Arab countries should absorb the Palestinian population.

Minister of Labor Ahmed Majdalani

Palestinian Minister of Labor, Ahmed Majdalani, who was at the United Nations heading the Palestinian delegation at the International Organization of Labor General Assembly meeting and who attended the Human Rights in Palestine event, expressed his gratitude to the panel and in particular to Dr. Falk for his work as Special Rapporteur on Palestine and his most recent report. Minister Majdalani also conveyed his gratitude on behalf of the Palestinian people, and the entire Palestinian government.

Minister Majdalani added that he and his government regret the attacks and accusations that Dr. Falk has undergone by certain NGOs while undertaking his mandate. He reiterated that the Palestinian government will continue to cooperate with Dr. Falk in any way possible in order for him to continue to fulfill his mandate, that he will continue to receive their unrelenting support for his continuation as Special Rapporteur on Palestine and that he is always welcome in Palestine.