

14 March 2005

CHR61: Joint Statement on Palestine and OPT

Submitted by the following non-governmental organizations in consultative status with ECOSOC:

International Youth and Student Movement for the United Nations (General Category)

General Arab Women Federation (Special Category)

Union of Arab Jurists (Special Category)

Women's International League for Peace and Freedom (Special Category)

World Alliance of Young Men's Christian Associations (Special Category)

World Young Women's Christian Association (Special Category)

In his report to this 61st session of the Commission, document E/CN.4/2005/2, The Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967 states that "this past year has seen the worst violence in the Occupied Palestinian Territories since the start of the second Intifada in September 2000."

Intensified military incursions by the Israel Defence Forces, particularly into the Gaza Strip, but also the West Bank, are leaving many Palestinian civilians dead, among them children and disabled persons. The Israeli policy of targeted assassinations continues. Curfews and closures of towns and villages deprive the Palestinians of any kind of normalcy of life and puts them in constant physical danger. Their economy has been destroyed, steeping the population into poverty, with particularly devastating effects on women and their families.

Education at all levels is repeatedly interrupted by curfews, closures, arbitrary arrests and detention of students and teachers. Israel continues to expand the settlements and continues to confiscate Palestinian land.

While Israel declares to unilaterally withdraw from the Gaza Strip and announces plans for the dismantling of the illegal settlements in the area, bulldozers blaze through the refugee camps, razing hundreds of homes to the ground, leaving the families without shelter and their few belongings. The Special Rapporteur believes it probable that the demolition of houses in the Gaza Strip qualifies as war crimes under the Fourth Geneva Convention. These crimes, although receiving less and less notice in the media, are reported to us by our own constituencies in the region, and they are well documented not only by Palestinian and also Israeli human rights and peace groups, but by major international human rights organization as well. No one can claim that the facts could not be known to everyone.

Israel continues the construction of the so-called security wall, annexing large areas of Palestinian land, thus destroying the livelihood of Palestinian farmers, separating families

undermining Palestinian community life. It steals from Palestinians rich agricultural land and water resources and expands still further into the West Bank, including East Jerusalem. All this Israel carries out with impunity, against the advisory opinion the International Court of Justice gave in July 2004 at the request of the UN General Assembly: that the construction of the wall on Palestinian territory is contrary to international law and therefore should be stopped and dismantled and that Israel pay the Palestinians compensation for the harm done to them.

Since the recent elections in Palestine, an aura of hope for the resumption of peace negotiations between the State of Israel and the Palestinian National Authority is hovering over the international community. The establishment of an independent State of Palestine is to be the goal. But what kind of independence, what kind of State? At the heart of the conflict and of the violation of human rights of the Palestinians is Israel's 38-year old military occupation of Palestine. "The facts on the ground" Israel is establishing with impunity in full violation of international human rights and humanitarian law does not augur well for the implementation of the inalienable rights of the Palestinian people.

The new hope for peace in the region must not be disappointed but be built upon. We are convinced that the achievement of peace in the region depends on the respect by all of international law and its application. It depends on the respect for and implementation of the many United Nations resolutions on the question of Palestine. They stand for the right of Israel to exist and for the right of the Palestinians to self-determination including the establishment of an independent state on the land that has been occupied since 1967, and for the two states to live alongside in peace. The international community must assert pressure to achieve this goal.

We urge the Commission on Human Rights to take an active part in promoting steps that will change the human rights situation in the Occupied Territories as an important basis for successful negotiations to end the conflict between Israel and Palestine. Among the steps to take should be achieving:

- Freedom of movement for the Palestinian population including East Jerusalem within, to and from the Occupied Territories.
- Re-development of the Palestinian economy.
- The right of children and youth to education and their physical safety.
- Release of political prisoners.

We also call for an international presence in the Occupied Territories, as delineated by the 1949 armistice agreements and recognized internationally as the Green Line.