



29
November

International Day of Solidarity
with the Palestinian People



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29 NOV INTERNATIONAL DAY OF SOLIDARITY WITH THE PALESTINIAN PEOPLE



29 November 2017 marks the annual International Day of Solidarity with the Palestinian people, pursuant to United Nations (UN) General Assembly resolution 32/40 B of 2 December 1977. On the same day, 29 November in 1947, the General Assembly adopted the resolution on the partition of Palestine (resolution 181 (II)). It constitutes a somber watershed in Palestinian history and collective memory as their fate as perennial oppressed, dispossessed and exiled people was subsequently sealed. 70 years have elapsed since the UN's adoption of that resolution, pursuant to which Israel was established beyond the borders allocated by the partition resolution, leading to the Palestinians' *Nakba* – the obliteration of entire villages and families from earth and the expulsion and flight of more than 700,000 Palestinians.

This, however, merely marked the beginning of the deprivation of the most fundamental rights and freedoms of the Palestinian people. While necessitating the commemoration and redress of the ongoing *Nakba*, the Day of Solidarity also provides an occasion to celebrate the incredible resilience, strength, and resourcefulness of the Palestinian people who – in the face of an ever-entrenching system of oppression – find ways to create alternative structures and spaces, to challenge control, and to celebrate life. This article therefore discusses the history and present of the question of Palestine, notably within the UN system, sheds light on the key issues at stake, and then moves to stories of *sumud* that spread hope amidst despair.

In resolution 60/37 of 1 December 2005, the Assembly requested the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights to annually organize exhibits on Palestinian rights or cultural events in cooperation with the Permanent Observer Mission of Palestine to the UN. Member States are encouraged to give their support and raise awareness with regards to the Day of Solidarity. Events will be held at UN Headquarters in New York as well as at the UN offices in Geneva, Vienna and Nairobi. During the observance, representatives of Member States, inter-governmental organizations and civil society address the question of Palestine. Special exhibits will take place to celebrate the lives and careers of Palestinians who, in the face of extraordinary challenges, have made significant contributions to humanity in different walks of life. On this day, the General Assembly will also hold its annual debate on the question of Palestine.

Background

The date of 29 November was chosen because of its significance to the Palestinian people. On that day in 1947, the General Assembly adopted resolution 181 (II), which came to be known as the Partition Resolution. The resolution provided for the creation in Palestine of a “Jewish State” and an “Arab State”, with Jerusalem as a *corpus separatum* under a special international regime. Yet, the Palestinian people are denied their internationally recognized right to self-determination until this day.

The Palestinian people, whose number amounts to more than eight million, live in the Palestinian territories occupied by Israel since 1967, including East Jerusalem; in Israel; in neighboring Arab States and refugee camps in the region; and in other countries across the globe.

The International Day of Solidarity reminds the international community that the question of Palestine, the oldest on the UN agenda, remains unresolved and that the Palestinian people are still waiting for the long-denied realization of their inalienable rights as defined by the General Assembly, namely, the right to self-determination without external interference, the right to national independence and sovereignty, and the right to return to their homes and property from which they had been displaced.

Diverse activities are organized annually by Governments and civil society in observance of the Day of Solidarity, such as the issuance of special messages of solidarity with the Palestinian people, the holding of meetings, the dissemination of publications and other material, and the screening of films.



At the UN Headquarters in New York, the Committee on the Exercise of the Inalienable Rights of the Palestinian People holds a special meeting to observe the International Day of Solidarity. During the observance, high dignitaries give speeches, including the Secretary-General, the President of the General Assembly, the President of the Security Council, and representatives of relevant UN bodies, intergovernmental organizations and Palestine. A message from the Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian Authority is also presented at the meeting. A spokesperson for the international community of civil society organizations accredited to the Committee also gives an address, while all civil society organizations are invited to attend.



Events in observance of the Day of Solidarity with the Palestinian People are also held at the UN offices at Geneva and Vienna.

The Question of Palestine

Historical Precedents

Whereas the British Mandate of Palestine (1920-1948) was designated by the League of Nations to provide administrative guidance for the transition to full independence, it was inconsistent with the upheld principles of the Covenant: Great Britain as Mandatory Power soon promoted the idea of a “Jewish national home” in Palestine, due to assurances given to the Zionist Organization, notably through the [Balfour Declaration](#), and fostered Jewish immigration in complete disregard of the wishes of the indigenous Palestinian Arab majority.

When the British became cognizant of the havoc they had caused, they proposed partitioning Palestine into separate Arab and Jewish states – a proposition that was resisted fervently by the Palestinian population through a three-year revolt between 1936 and 1939. It was a full-fledged nationalist uprising against British rule, demanding independence and the end of Jewish immigration.

When the Mandatory Power in its 1939 Statement of Policy expressed the irreconcilability of the conflicting terms of its Mandate and declared its end, recommending that Palestine be an independent and unified country which guarantees the rights of minorities, Zionist opposition, the Second World War, and large-scale Jewish immigration resulting from the horrors of the Holocaust thwarted the implementation of the provisions.

Britain, unable to deal with its “dual obligation” and the ensuing violent conflict, conferred the Palestine question to the UN, which recommended the partition of Palestine. This recommendation was incongruent with the principle of self-determination enshrined in the UN Charter, which would have followed the political aspirations of the majority with guarantees for the rights of the minority. Besides, the recommendation of partition on Palestine against the explicit wishes of the majority of its population was in contravention to the Mandate, which postulated that “no Palestine territory shall be ceded or leased to, or in any way placed under the control of, the government of any foreign power” (Article 5) and that the control would, after the termination of the Mandated temporary restriction of

sovereignty, be conferred to “the Government of Palestine” (Article 28). The General Assembly adopted the Plan as Resolution 181(II) on 29 November 1947, designating over half of the territory of Palestine to the Jewish minority.

While the partition plan was not formally implemented by the UN, the State of Israel was established on 14 May 1948 and expanded its territorial control far beyond the borders allocated by the partition resolution until it occupied 77 percent of the territory of Palestine in the 1948 war, also occupying large parts of Jerusalem, which was to be internationalized under the resolution.



The preamble of the resolution admitting Israel as UN Member State explicitly mentioned Israel’s obligations to adhere to the UN Charter and to implement General Assembly resolutions 181 (II) and 194 (III), the former providing for the establishment of a Palestinian Arab State on basis of the partition borders and the latter demanding the return of Palestinian refugees. In contravention to the resolutions, Israel *de facto* annexed the territories occupied in 1948 by extending its laws as provided by the “Area of Jurisdiction and Powers Ordinance” to these territories, including West Jerusalem, which it declared Israel’s capital in 1950. In the 1967 Six-Day War, Israel occupied the remaining territory of Palestine of the West Bank, the Gaza Strip and East Jerusalem, as well as the Syrian Golan. While another half a million Palestinians became refugees, raising the number of uprooted Palestinian to 1.5 million, 1.2 million were now under Israeli military occupation. Soon, Israel proceeded with large-scale land confiscations and the construction of settlements in the newly occupied territories.

The United Nations and the Question of Palestine

Since the partition of Mandatory Palestine and the establishment of the State of Israel in historic Palestine in the year 1948, the UN organs have passed hundreds of resolutions addressing Israeli policies and practices and their dire consequences for the inalienable rights and the living conditions of Palestinians. In recognition of the serious effects the ongoing Israeli occupation and illegal activities such as the construction of settlements and the separation barrier and recurrent military action have on the Palestinian people, particularly on their right to self-determination, on their human rights, their economic, political, social, and cultural rights, and on living standards and well-being, the UN has adopted uncountable

resolutions demanding Israel's compliance with international law, human rights and international humanitarian law, and related conventions. The resolutions call upon Israel to:



- Recognize the right of the Palestinian people to self-determination and an independent State with internationally recognized borders and East Jerusalem as capital;
- Dismantle settlements and the Separation Wall and respect Palestinian sovereignty over their natural resources;
- Respect the rights of and responsibilities towards Palestinian refugees and displaced persons;
- Cease to interfere with or obstruct Palestine governance, economy, social development and infrastructure;
- End the militarization of Palestinian territory and recurrent military operations in the West Bank and Gaza;
- Cease its grave violations of Palestinians' fundamental human rights.

While none of the resolutions, if implemented, would retrieve all the historic rights of the Palestinian people, the UN Partition Plan for Palestine, adopted by the General Assembly as Resolution 181(II) on 29 November 1947, and the Security Council 242 (1967), which outlines the principles for the establishment of a comprehensive, just, and lasting peace in the Middle East, today constitute landmark mandates in promoting the inalienable rights of Palestinians. Since they were passed, the national and human rights of Palestinians and the attainment of a just, comprehensive, and lasting settlement of the Israel-Palestine conflict have become central issues in the UN mandates and resolutions.

Currently, several UN agencies, committees, advisers, missions, and special procedures are engaged with the question of Palestine. Notably, the State of Palestine Mission to the UN, the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (Special Rapporteur), the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Special Committee), and the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRP) register substantial contributions.

CEIRP was established in 1975 pursuant to General Assembly Resolution 3376, with a mandate to advise the General Assembly on programmes to enable the Palestinian people to exercise their inalienable rights, including the right to self-determination without external interference, the right to national independence and sovereignty, and the right to return to their homes and property from which they have been displaced. CEIRP's mandate has been renewed annually, most recently through GA Resolution 71/20.

Its mandate entails the extension of "*its cooperation and support to Palestinian and other civil society organizations*". Accordingly, it has formed a network of more than 1,000 civil

society organizations from across the world, active on the question of Palestine. Members of the network include national and international NGOs, including organizations involved in political and humanitarian work; in human rights or economic and social development; and focusing on women, children, refugees and detainees; as well as churches, academic institutions, trade unions and professional associations. Accredited civil society organizations have the responsibility to support the work and objectives of the Committee and to respect the provisions of its mandate.

Despite the achievements at an institutional level, calls by the UN organs for Israel to respect Palestinians' inalienable right to self-determination and equal rights, and extensive work by international, regional, and civil society organizations towards the end of occupation and a just solution to the 'conflict', Palestinians continue to suffer the devastating effects of Israeli occupation policies and practices and military action. Palestinian civilians account for the majority of casualties in conflicts and of refugees and displaced persons, who often live in conditions beneath human dignity and become victims of discriminatory practices and armed conflict.

The Question of Palestine in the UN System



Secretary General

The SG acts in the interests of preventive diplomacy, peacemaking and peace-building in the region. He represents the UN in the Middle East Quartet. The UN Special Coordinator for the Middle East Peace Process represents the SG in all matters related to the peace process.



General Assembly

The GA has been engaged in the quest for a just solution to the question of Palestine since 1947. It established the CEIRP in 1975

Maintaining Peace and Security



Security Council

Having the primary responsibility for the maintenance of international peace and security, the SC has addressed the situation in the Middle East and the Palestine question on many occasions. Yet, no effective action has been taken, mainly due to US vetos.



UN Truce Supervision Organization (UNTSO)

UNTSO was authorised by the SC in Palestine in 1948 during the first peacekeeping operation established by the UN.

Safeguarding Human Rights



Human Rights Council

The HRC addresses the situation in Palestine during its regular and special sessions. It cooperates with the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967.

Providing Assistance, Promoting Development, Building Institutions

The UN Country Team (UNCT OPT) brings together more than twenty UN agencies active on the ground, focusing on areas as diverse as refugees (UNRWA), education and culture (UNESCO), children ([UNICEF](#)), humanitarian issues ([UNSCO](#), OCHA), gender ([UN Women](#)), development (UNDP, World Bank), health ([WHO](#)), food and agriculture ([FAO](#), WFP), housing ([UN HABITAT](#)), human rights ([OHCHR](#)), labour relations ([ILO](#)), population ([UNFPA](#)), unexploded remnants of war ([UNMAS](#)), drugs control ([UNODC](#)), and more. It includes:



United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

As the biggest UN operation in the Middle East, UNRWA provides education, health, relief and social services for over 5 million Palestine refugees in Jordan, Lebanon, the Syrian Arab Republic, Gaza and the West Bank, including East Jerusalem.



United Nations Development Programme/Programme of Assistance to the Palestinian People (UNDP/PAPP)

UNDP records decades of efforts to assist the Palestinian people.



The Office of the UN Special Coordinator for the Middle East Peace Process (UNSCO)

UNSCO coordinates the UN humanitarian and development assistance to the Palestinians.



United Nations Educational, Scientific and Cultural Organization (UNESCO)

The UNESCO Programme of Assistance to the Palestinian People focuses on education, science, culture and communication.



United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)

UNOCHA established a field office (OCHA-OPT) in 2000 to enhance coordination of humanitarian assistance and disseminate humanitarian information.

Upholding International Law



International Court of Justice (ICJ)

In its landmark Advisory Opinion, the ICJ found the wall being constructed by Israel in the Occupied Palestinian Territory to be contrary to international law. Israel is under an obligation to cease construction, dismantle it and make reparations for damage.



UN Register of Damage

UNRoD Caused by the Construction of the Wall in the OPT was established by the General Assembly following the ICJ Advisory Opinion.

Conducting Research



Economic and Social Commission for Western Asia (ESCWA)

ESCWA, inter alia, publishes reports on the economic and social impact of the Israeli occupation and settlements on the Palestinian people.



UN Conference on Trade and Development (UNCTAD)

UNCTAD on the Palestinian economy is centred on research, analysis, and technical cooperation.

Informing the Public



Department of Public Information (DPI)

Pursuing a special information programme on the question of Palestine, the DPI organises the annual International Media Seminar on Peace in the Middle East. Its training programme for young Palestinian journalists provides practical training and contact with UN officials and diplomats.

Key Issues at Stake

Rather than bringing the Palestinian people closer to statehood and freedom, the Declaration of Principles on Interim Self-Government Arrangements signed by Israel and the Palestine Liberation Organization (PLO) in 1993 deferred issues core to the Palestine question to permanent status negotiations. Subsequently held negotiations in 2000-2001, 2007-2008 and 2013-2014 were inconclusive. Instead, Israel rigorously continued with its illegal colonialist activities and further entrenched its system of oppression of Palestinians, notably through the expansion of its military apparatus and the Gaza blockade. The following issues, which should have been central to any “peace negotiation”, figure prominently in UN resolutions and are foci in the work of the CEIRP and other relevant actors.



Permanent settlement and the two-State solution

Any future peace negotiations as a way of ending the occupation and resolving the question of Palestine in all its aspects must be based on the provisions enshrined in international law and UN resolutions. The relevant UN resolutions, specifically of the General Assembly, the Security Council, and the Human Rights Council, furthermore assert the urgency of an immediate end to the Israeli occupation incepting in 1967 as demanded in S/RES/242 (1967) and complete cessation of all Israeli settlement activities to achieve a just, lasting and comprehensive peace settlement, based on the Madrid principles, the Arab Peace Initiative, and the Quartet road map to a permanent two-State solution, with two democratic states, Israel and Palestine, that live side by side in peace within secure and internationally recognized borders.



In 2002, the vision of a region where two States, Israel and Palestine, would live side by side within secure and recognized borders, as set out in [Security Council resolution 1397](#) (2002), was reaffirmed. Contrary to the widespread allegation that the conflict is intractable, it has become clear that the Israeli occupation is the root cause for violence in the region and that the solution is firmly rooted in some of the oldest UN resolutions and has furthermore been long established by the Madrid principles and the Arab Peace Initiative adopted by the Arab States at their summit in Beirut on 28 March 2002; notably, the realization of the inalienable rights of the Palestinian people, including the right to self-determination, the right of return of refugees, and the right of establishing an independent state.

The Quartet, consisting of the United States of America, the Russian Federation, the European Union and the United Nations, continues to promote a peace plan entitled “A performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict”, which was endorsed by the Security Council in its resolution 1515 (2003). Yet, the political will to ensure the implementation of the obligations under the plan, relating notably to freezing illegal settlement activity, remains meagre. The Road Map could, if followed, lead to the achievement of a comprehensive, just and lasting settlement of the question of Palestine, in accordance with Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#), [1397 \(2002\)](#) and [1515 \(2003\)](#), and the principle of a permanent two-State solution based on the 1967 borders, the realization of the inalienable rights of the Palestinian people, and the right of all States in the region to live in peace and security. While Israel continues to directly undermine the prospects of a two-State solution through its settler-colonialist and annexationist activities, the

international community needs to mobilize its political will to ensure the implementation of the longstanding principles.

Borders

The two-State solution, as the settlement embraced by the UN and the majority of Palestinians, can only be achieved on the basis of the [pre-1967 borders](#) (the “Green Line”). Any changes to the [1949 Armistice Lines](#) must proceed on the basis of negotiations and agreements between the parties. Yet, contrary to the principle of the inadmissibility of the acquisition of territory by war and the principles contained in the Fourth Geneva Convention, such as the illegality of deporting or transferring parts of its own civilian population into the territory it occupies, Israel is continuously creating “facts on the ground” in an effort to prevent the establishment of an independent, contiguous and viable Palestinian State.



The Separation Wall

The construction by Israel of the separation wall and its accompanying structures and obstacles in the OPT, including East Jerusalem, strongly deviates from the pre-1967 border and has been accompanied by destruction and confiscation of Palestinian land and property and the displacement of thousands of Palestinian families. On 9 July 2004, the International Court of Justice (ICJ) issued its advisory opinion against the separation wall, declaring it contrary to international law, demanding the termination of construction, the removal of built structures, the revocation of relating legislative acts, and compensation for harm done to affected Arab residents.



On 20 July 2004, the General Assembly endorsed the opinion in resolution [A/RES/ES-10/15](#), asking Israel to obey the ICJ ruling. In particular, the General Assembly criticized the route of the Wall in departure from the Armistice Line of 1949, which deteriorates the humanitarian and socioeconomic conditions for the Palestinian people, fragments the territorial contiguity of occupied Palestine and undermines its viability, and could gravely impede future negotiations and the two-State solution on the basis of the pre-1967 borders. UN stakeholders, notably the CEIRP, remain seriously concerned that through the construction of this barrier, allegedly for security reasons, the Government of Israel in fact aims at the *de facto* annexation of more Palestinian land and at unilaterally defining the borders of a future Palestinian State (or undermining the possibility of its establishment), thereby prejudging the outcome of permanent status negotiations.

Settlements

The presence and construction of Israeli settlements in the Occupied West Bank and East Jerusalem violate the principle of the inadmissibility of the acquisition of territory by war enshrined in international law, contravenes Israel's obligations under the Road Map, and constitutes a serious obstacle to any peace process. Specifically, they are contrary to Article 49 of the Fourth Geneva Convention, the sixth paragraph of which determines: "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies". This position was reaffirmed in Security Council resolution 465 (1980), which determined that Israel's policy and practices of settling parts of its population and new immigrants in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, is in flagrant violation of the Convention. Despite the international community's outspoken opposition to the policy of constructing Jewish settlements, Israel has unabatedly expanded the settlements and their population.



The General Assembly condemns the implicated confiscation and *de facto* annexation of land, the demolition of Palestinian homes, the forced transfer of Palestinian civilians, the transfer of nationals of the Occupying Power into occupied Palestine, the exploitation of natural resources, the destruction of Palestinian livelihood, and the granting of benefits and incentives to settlements and settlers. In particular, the General Assembly deplores Israel's "construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families

from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley” (see latest resolution A/RES/71/97). The failure by the Government of Israel to comply with its international obligations reveals its unwillingness to resume serious negotiations on all permanent status issues needed for a two-State solution of the conflict.

Jerusalem

Due to its enormous religious, cultural and historic significance, the status of Jerusalem has been one of the most contentious and sensitive issues in the context of the Palestine question as addressed by the UN since 1948, with ramifications reaching well beyond Palestine and Israel. The international community does not recognize Israel’s claim that the entire city of Jerusalem is its capital and deems its annexation of East Jerusalem inadmissible. Instead, East Jerusalem is recognized as an integral part of occupied Palestine. After illegally occupying the Palestinian Territory in 1967, Israel introduced discriminatory legislative measures aimed at the “Judaization” of the city. These illegal practices were entrenched through its formal annexation of East Jerusalem in 1980, pursuant to which Israel institutionalized discrimination against Palestinian East Jerusalemites and an apartheid planning and zoning regime. The pursuit of “Greater Jerusalem” by the Occupying Power in an effort to forestall a negotiated permanent status of Jerusalem overshadowed the peace processes. At the time when the Oslo peace process stalled, Israel proclaimed its “Master Plan” for Jerusalem and gradually isolated East Jerusalem from the rest of occupied Palestine.



Building on its resolution 181 (II) of 29 November 1947, and particularly its provisions regarding the City of Jerusalem, as well as on its resolution 36/120 of 10 December 1981 and subsequent relevant resolutions, the General Assembly declares all legislative, judicative, and administrative steps taken by Israel to change the character and status of the Holy City of Jerusalem, particularly through illegal settlement activities, the construction of the Wall, discriminatory policies towards Palestinian residence in and access to East Jerusalem, and the “Basic Law” describing Jerusalem as Israel’s capital, among other illegal measures detrimental to Palestinians’ inalienable rights and living conditions, null and void. It demands Israel to forthwith cease such illegal and unilateral practices, which prejudice a final status agreement on Jerusalem.

Palestine refugees

The right of return of Palestine refugees on the basis of General Assembly [resolution 194 \(III\)](#) of 11 December 1948 is a prerequisite for a just and lasting solution to the conflict as well as for regional peace. Central to the question of Palestine refugees are their inalienable right of return to their homes and property, from which Palestinians have been displaced over the seven decades. Justice for Palestine refugees and the Palestinian people as a whole must encompass adequate recompense and recourse for the immense suffering and deplorable conditions inflicted upon them under occupation and in exile.



The consistent Israeli policy of population transfer aimed at the acquisition of land and change of the demographic composition of occupied Palestine results in incessant displacement among the Palestinian population. The passing of time cannot efface Palestinian collective memory of their homeland, nor can it diminish the right of return. The right of Palestinian refugees and displaced persons to return remains cornerstone of a future solution to the Palestine question and to regional peace.

Security

“And then the occupation came and I found out about the occupation, I found out the soldiers how they occupy the city and what they did to the people, how they treated people, how they evicted them from here, harass people in the streets, me one of them, so they done inside some moves, very bad things, so that made me furious. I wanted to resist.”

Ghassan, East Jerusalemite Palestinian, GICJ correspondent

It is in this context that we must consider the recent increase in violent attacks by individual Palestinians (“lone wolves”). Describing the attacks as acts of “terror” without shedding light on their root causes obscures the fact that they are a reaction to the violent reality Palestinians are subjected to on a daily basis, that violence is imposed by the Occupying Power, Israel, while some Palestinians take part. The unfolding picture for Palestinians is one of utter desperation in the face of a constant deterioration of conditions on the ground, marked by, *inter alia*, the excessive use of force by the Israeli occupying forces, recurring military actions, and discriminatory and repressive Israeli policies and practices violating Palestinian human rights.



The experience of occupation is compounded by a loss of prospects for effective remedy and change. Palestinians in the third and fourth generation, some survivors of the violent *Nakba*, have to witness how Israel flouts human rights and international law without facing any serious consequences. They suffer daily from the failure of the UN and the international community to take effective action. Palestinians thus fall victims to proliferating power politics and political expediency. The hopelessness resulting from resounding silence over the oppressive, discriminatory, and inhumane practices and policies by the Occupying Power that deprive Palestinians of their fundamental rights, as well as the lack of effective action drives individual Palestinians to commit violent acts. The safety, protection and well-being of all civilians in the region in accordance with international humanitarian law can thus only be achieved once Israel ends its brutal occupation.

Natural resources

The inalienable right of the Palestinian people to sovereignty over their natural resources was reaffirmed by the United Nations General Assembly in its resolution [A/RES/71/247](#) of 21 December 2016. Relevant UN resolutions reassert Palestinian sovereignty over their natural resources, including land, water and energy resources. Expressing concern about Israel's exploitation, damage or depletion of the natural resources of the territories occupied by Israel since 1967, destruction of agricultural lands and orchards, and destruction, forced diversion or seizure of vital infrastructure such as water, sewage and electricity systems, and dumping of waste materials, that pose an environmental, sanitation and health threat and exacerbate the already critical socioeconomic situation of Palestinians, the UN resolutions demand Israel to cease these illegal acts, including those perpetrated by Israeli settlers, to remove impediments to the implementation of reconstruction, development, and environmental projects in this regard, including in the Gaza Strip, and express the right of the Palestinian people to claim compensation.



Israel's discriminative policy of restricting the Palestinian population from access to water resources in their own land, while providing an abundant amount of water from those resources to its own citizens, including settlers, is inadmissible. Any permanent status agreement must adhere to international law with respect to the equitable and reasonable sharing and allocation of natural resources.

Stories of *sumud*

The national Palestinian concept of *sumud* (“steadfastness”) has traditionally been associated with the determination by the Palestinian people to stay on their land. Throughout the decades, however, the meanings and actions associated with the concept have become more plural - shaped by people's multiple everyday experiences under occupation. Today, it can refer to the diverse strategies of perseverance to preserve Palestinian identity and rights in the face of Israeli settler-colonialism and occupation. For instance, the struggle to preserve “a certain ‘Palestinian’ way of life, with its own rhythms and customs, its discourses and lifestyles, and also its joys” has become a form of *sumud* – of resilient resistance in the face of Israeli oppression that scorns human dignity. For many Palestinians, simply carrying on with their daily lives in the face of a system that deprives them of their basic rights and freedoms is already a form of *sumud*. This section therefore merely gives a small glimpse at the diverse and courageous ways in which ordinary Palestinians stand up to an oppressive reign.

“Weakening the occupation's economics”

Marda Permaculture Farm, nestled in the small Palestinian village of Marda at the foot of a hill, is a production farm incorporating permaculture techniques and principles including growing organically, reusing and recycling as well as renewable energy. It represents a holistic, environmentally sensitive and sustainable way of life. Embedded in the community of Marda, the project promotes food security, health, self-reliance and Palestinian empowerment through water harvesting and conservation, energy conservation, and home-scale garden production. It also represents an attempt to revive the strategic Palestinian agricultural sector.

Pursuant to the establishment of the illegal occupation in 1968, most of the village's fertile land was confiscated for the construction of the largest settlement Ari'el. Soon, Israel began

pumping an underground aquifer running beneath the village, rendering its spring dry for much of the year. Sewage from Ariel pours down the slope into its backyards and arable plots, destabilizing the foundations of houses and killing off olive trees.

Amidst the continuing occupation and annexation of fertile land, environmental degradation, and the proximity of Ar'iel, farmer Murad Alkhufash took the brave decision to plant a future for his community in the soil. "I want to spread awareness," he says, "and also to inspire those who left the land to come back and use it".



The farm organizes trainings in permaculture for Palestinians and internationals, participates in meetings and conferences about sustainable agriculture, and informs students, graduates and farmers about the existence and fruitfulness of permaculture – particularly for the Palestinian cause.

Maintaining sustainable agricultural practices under these conditions represents a difficult yet vital endeavor. Located in Area C, their land is always subject to confiscation. Any minute they can lose their land because the Israeli government may decide that it can be used for a road or for an Israeli facility. Continuing to work the land, however, makes confiscation a little less likely. Even in case of a military raid - as the site had experienced previously in 2001 – Sabaa, consultant of the farm, is confident that the land would be able to recover thanks to its environmental sustainability. Sabaa regards permaculture as even more effective and important for Palestinians than participating in demonstrations.

“The little work that we do – if it’s really applied among a big part of this community, I think it can...trying to achieve a little bit of food security...and food security is really important in Palestine because we are very dependent on the outside, in products, agriculture, in water, in everything... even if it’s not covering basic need, it’s a good start and if every family started their home production, small-scale, then we’re moving a step forward and it’s really a big change in *sumud*.”

While *sumud* may not end the occupation, it can weaken it because it affects the occupation's economics: "We will be stronger. As a whole, as a unity. If all Palestinians did this together, then the occupation would be much weaker." Not only does permaculture accelerate the end of the occupation; it also provides the ground for a self-reliant and socially and environmentally sustainable future of Palestine.

"We will remain"

The unrecognized Palestinian village of Um Al Khair has standing demolition orders on the majority of homes. On 16 October 2017, the Israeli Civil Administration again came to the village to take photos of houses that the locals expect to be demolished shortly. The Israeli army has long been targeting the family and Bedouin community of Tariq Hathaleen, a 23 year old activist and correspondent for GICJ. On 4 April 2017, the Israeli Civil Administration submitted two demolition orders for seven family houses in Um Al-Khair. This will be the thirteenth campaign of home demolitions in the village since the nearby illegal Israeli settlement of "Carmel" was established in 1981, executed under the pretext that the locals do not have the nearly unobtainable Israeli-issued building permits. In this village, the Israeli military demolished six family homes on 6 April 2016, leaving 35 Palestinians homeless. The soldiers entered the village in the early morning, demanding that the families leave their houses. After the evacuation, bulldozers destroyed the structures.



Tariq explained to GICJ that his family had already become refugees when they were displaced from their land in Arad as a result of Israeli actions in 1948. Now, the Israeli occupying forces are trying to displace them again. After they had been expelled from their land in 1948, his grandfather was forced to buy the land in Um Al-Khair, which cost him 100 camels. For a while, the family could continue their lives, shepherding and working on the land. In 1981, however, the settlers of "Karmel" arrived and illegally established a new settlement on the family's land, continuously expanding it. By now, they have confiscated half of the land, have destroyed water wells and cisterns and other vital infrastructure, and have closed roads of passage by Palestinian residents traditionally used for agricultural activity.

Tariq explained that before the arrival of the settlers, the villagers went shepherding from early morning hours until the afternoon. Now, as a result of roadblocks, bypass roads for settlers, the Separation Wall, and the closing of whole areas, the Palestinians face grave obstacles in pursuing their traditional agricultural and nomad activities and earning their livelihood, such as feeding their sheep. While the illegal settlement of “Karmel” is provided with infrastructure, electricity and water systems by the Israeli state, the Palestinian inhabitants are deprived thereof. Due to Israel’s discriminatory planning system, Palestinians can only build on a narrowly defined and rarely indicated area of their land. If they build outside the area, the Israeli forces “will come and demolish without any warning, without any mercy”, as Tariq underlined.

The local families continue herding their sheep and working their lands to earn a livelihood, in spite of the constant threat of settler and military violence. Tariq and other local activists regularly initiate and participate in protests and direct action against the practices and policies of the Occupying Power in Um Al-Khair and the surrounding villages. Faced with the Israeli occupation, they mobilize for nonviolent resistance, solidarity and support among the different village communities.



The past summer, local Palestinians from the villages of Um al-Khair and Susiya came to Sarura to stand in solidarity with the residents of the equally unrecognized village located in Area C of the West Bank in the South Hebron Hills. Palestinian, Israeli, Jewish, and international activist jointly carried out direct acts of civil disobedience and solidarity with the Palestinians living in Firing Zone 918— an Israeli-declared closed military zone of about 30 square miles. Through their steadfastness on the land for, the activists achieved the return of two families to the lands they had been forced to leave, the restoration of two caves, and the rehabilitation of roads.

Tariq studies English at Hebron University to become a teacher in a school in a neighboring village. He would like to teach students English so they will be empowered to share their stories with the international community. “I’m not going to live forever, so I need people after me to continue in the struggle.” Tariq is convinced that one day, nonviolent resistance will bring Palestinians their rights and will bring justice and freedom for everybody.



It is this boundless hope that drives Palestinians to keep fighting for justice, dignity and life despite all odds. And amidst a global clampdown on human dignity and freedoms, Palestinians alongside actors from every corner of the world have to join forces to achieve the eventual victory of humanity.

Standing in Solidarity

While rampant self-interest and political expediency hitherto predominate in the international arena, thus impeding any effective action to finally bring an end to the occupation and bring justice, the emergence of transnational structures to advance a just solution to the question of Palestine holds significant promises. As challenges faced by certain groups increasingly trespass the domain of national policy frameworks, bonds of solidarity are forged across national borders. Groups struggling for more just and equitable societies include disenfranchised indigenous people; minority groups falling victim to human rights abuses; peasants displaced by large, state-run extractive companies; and laborers whose governments are engaged in neoliberal policies to compete for international investment.

Civil society actors from all regions of the world and walks of life stand in solidarity with Palestinians, speaking out against the crimes committed against them and calling upon their governments to prioritize human rights over political convenience and immediate economic and military gain. Palestinians alike take to the streets to support different struggles for justice – reminding everyone that justice denied to one group is justice denied to all.



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GICJ's Recommendations

Contrary to the widespread allegation that the conflict is intractable, it has become clear that the Israeli occupation is the root cause for violence in the region and that the solution is firmly rooted in some of the oldest UN resolutions and has furthermore been long established by the Madrid principles and the Arab Peace Initiative; notably, the realization of the inalienable rights of the Palestinian people, including the right to self-determination, the right of return of refugees, and the right of establishing an independent state. A just solution to the Palestine question and the exercise of Palestinians' inalienable rights remain cornerstones for lasting peace and stability in the Middle East and require significant contribution by neighboring Arab States, which can build on the Arab Peace Initiative. GICJ urges the Security Council, as primary organ promoting peace and security under the UN Charter, and the General Assembly to play a constructive role by reaffirming the long-standing parameters for a just peace based on relevant UN resolutions. Rather than "managing" the conflict and "merely" alleviating the humanitarian crisis, the international community needs to mobilize its political will to implement the longstanding principles. Therefore, we recommend to the UN, to its competent bodies the Security Council, the General Assembly, and the HRC, and to UN Members States to:

- Take all necessary measures to finally bring an end to the prolonged occupation of Palestine and fulfill Palestinians' right to national self-determination, which involves the end of all annexationist and settlement activity and the illegal and destructive blockade on Gaza, which constitutes a form of collective punishment, the lifting of all closures within the framework of Security Council resolution 1860 (2009), and the guarantee of the unrestricted movement of persons and goods between the West Bank and Gaza.

With specific regards to the viability of a just solution and the borders of a future Palestinian state, GICJ calls on the UN, its relevant bodies, and Member States to:

- Pressure the Israeli government to immediately cease settlement and annexation policies and practices aimed at altering the character, status, and demography of the OPT, notably East Jerusalem.

In this context, we recommend to the above-mentioned stakeholders to urge Israel to:

- Immediately end all settlement activity and dismantle existing settlements, to rescind the unlawful annexation and settlement policy, to revoke related laws, and to cease the transfer of its civilian population into occupied Palestine, including East Jerusalem;
- Cease its discriminatory planning, development, and land system in occupied Palestine and within Israel and to rescind all policies and practices resulting in the forced eviction and transfer of Palestinians, including demolitions, confiscations, and the creation of a coercive environment;
- Put an immediate end to demolitions and issuance of demolition orders of Palestinian homes and property – including livelihood structures and agricultural lands, and infrastructure such as schools, electrical networks, and water cisterns – and retroactively ensure full reparation for affected persons and return of confiscated privately owned property to their Palestinian owners, *inter alia*, by dismembering Israel's discriminatory

zoning and planning regime, by returning all property confiscated under the Absentees' Property Law to their original owners, by repealing the Land Administration Law (Amendment No. 7) 5769-2009, and by amending or rescinding the Land Acquisition for Public Purposes Ordinance (1943) to afford Palestinian refugees the making of claims;

- Comply fully with the provisions of the advisory opinion of the International Court of Justice and General Assembly resolution ES-10/15 and thus to dismantle the Separation Wall where its route encroaches on Palestinian land and fully compensate affected Palestinians for damage resulting from the construction of the Wall.

With particular respect to the Status of Jerusalem and with the objective to guarantee East Jerusalem as capital of a future Palestinian State, GICJ recommends to the UN, to its relevant bodies, and to UN Members States to ensure that Israel:

- Rescind the “demographic balance” policy limiting the Palestinian population in Jerusalem;
- Cease expropriation of Palestinians in occupied East Jerusalem;
- Revoke the Absentees' Property Law (1950) and retroactively reinstate ownership to affected Palestinians;
- Halt all demolitions of Palestinian homes and property in East Jerusalem;
- Introduce reparations for Palestinians affected by the above-mentioned policies.

To ensure the long-denied right of return of Palestinian refugees and of displaced persons, we urge the UN, its relevant bodies, and UN Member States to:

- Ensure the voluntary return and property restitution of Palestinian refugees and internally displaced persons in safety and dignity and compensation for suffered losses, such as the destruction of or damage to land, homes and property, in accordance with General Assembly resolution 194 (III) of 11 December 1948;

Israel's control over Palestinian natural resources obstructs the political, social, and economic development of Occupied Palestine. Therefore, we recommend to the relevant UN bodies to pressure Israel to:

- End its policies of illegal appropriation and exploitation of Palestinian natural resources by, *inter alia*, enabling Palestinian development of their water sector and infrastructure; granting Palestinians unrestricted access to and use of their rightful share of water resources in accordance with the principle of equitable and reasonable utilization and in adherence with the obligations of an Occupying Power under international humanitarian law to provide water to the occupied population without discrimination; ceasing Israel's illegal mineral extraction and quarrying activities and withdrawing all operating permissions granted to companies in occupied Palestine;

All above-mentioned practices deprive the Palestinian population of their fundamental human rights. To address Israel's ceaseless violations of Palestinians' human rights, we urge the UN and particularly the Human Rights Council to compel Israel to:

- Rescind the state of emergency in place since 1948 that is used to perpetuate injustices through the imposition of oppressive military orders violating Palestinians' human rights;
- Scrupulously abide by its obligations as UN Member State, implement its international human rights obligations, and fully cooperate with relevant treaty bodies and human rights mechanisms, particularly with the fundamental provisions of equality and non-discrimination;
- Implement all relevant UN resolutions and recommendations.

None of the violations can be adequately addressed without ending the illegal occupation and guaranteeing the Palestinian people their right to self-determination. Therefore, we reiterate our recommendations to the international community to spare no efforts to establish a just, comprehensive and lasting peace in the region by granting the Palestinian people their right to self-determination and to independence in their State of Palestine, with East Jerusalem as its capital, and their right to freely determine their political status and advance their economic, social, and cultural development. The realization of Palestinians' long-denied rights will constitute a significant victory for all those suffering from injustice as well as for all those believing in human rights and humanity.

Geneva International Centre for Justice

Independent, non-profit, non-governmental organization

GICJ is an independent, non-profit, non-governmental organization dedicated to the promotion and reinforcement of commitments to the principles and norms of human rights. GICJ is based in Geneva, Switzerland and is governed by the Swiss Civil Code and its statutes. Basing its work on the rules and principles of International Law, International Humanitarian Law and International Human Rights Law, GICJ observes and documents human rights violations and seeks justice for their victims through all legal means available.



Mission

GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.

Work

GICJ has been tackling issues of justice and accountability since it was established. GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the world. Through these channels, GICJ is able to receive documentation and evidences of human rights violations and abuses as they occur in several countries. GICJ continues to bring this information to the attention of relevant UN bodies and Special Procedures in order to gain justice for all victims. In particular, GICJ engages extensively with UN human rights mechanisms through active participation in Human Rights Council (HRC) sessions and through the submission of reports, statements and urgent appeals.



Human Rights Training Courses

To contribute to the promotion of human rights, GICJ offers Training Courses. These include theoretical and practical components, including extensive information on human rights; the UN, its bodies and mechanisms; international law instruments; and the rules and mechanisms for civil society participation. The practical component includes participating in HRC sessions and possibly side-events. Successful participants will receive a Certificate of Completion from GICJ.



Internship

Through its internship programme, GICJ provides interns with opportunities to deepen their knowledge and acquire professional experience in the field of International Law (IL), International Human Rights Law (IHRL), and International Humanitarian Law (IHL) as well as multilateral diplomacy. Interns obtain a unique understanding of the workings of both international organizations and non-governmental organizations. Tasks and responsibilities of GICJ interns include participation in UN human rights meetings and activities, especially the HRC; research and analytical work on human rights violations and applicable international law; and the writing of reports, letters, statements, and urgent appeals to UN mechanisms.





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