

Statement of H.E. Mr. Mahmoud Abbas

**Chairman of the Executive Committee of the Palestine Liberation Organization
President of the Palestinian National Authority**

to the Meeting of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People

**in observance of the 40th Year of the Israeli Occupation of the Palestinian
Territory, including East Jerusalem, 7 June 2007:**

Excellencies, Ladies and Gentlemen,

On this solemn occasion marking the passage of the 40th year since the occupation by Israel of the Palestinian Territory and other Arab territories in 1967, the Palestinian people reflect on their past and their present with deep sorrow as they continue to suffer and to struggle for the realization of their inalienable human rights, including their right to self-determination. They remember the decades of oppression, loss and misery, which they continue to endure to this day, and look toward the future with dismay and uncertainty, never imagining that the occupation of their land and the subjugation of their people would continue for forty years now and fearful about their plight in the years to come if their rights and a just and peaceful solution are not urgently attained.

Today, after the passage of so many decades, the Palestinian people tragically remain a stateless, dispossessed and oppressed people. They continue to live either in exile as refugees, dispersed throughout the Diaspora, most still in the refugee camps that were established for them in 1948, denied their inalienable right to return to their homes to live at peace with their neighbors; or they continue to live under the belligerent, foreign occupation of Israel in the Occupied Palestinian Territory, including East Jerusalem, forced to endure the constant violation of all of their fundamental human rights and mounting hardships and loss, both human and material. Each year that has passed has witnessed the deepening of the injustice imposed upon the Palestinian people, the further trampling of their human dignity, the further shredding of the fabric of Palestinian society and the compounding of this tragic conflict.

Numerous efforts over the years and countless United Nations resolutions have not brought an end to this suffering and the fulfillment of the rights of the Palestinian people mainly because of the intransigence of Israel, the occupying Power, and its total disrespect and contempt for international law. Instead of complying with the law and pursuing peace, from the very beginning Israel has acted with flagrant impunity, denying the rights of the Palestinian people and committing grave breaches, including systematic human rights, war crimes, and acts of State terror against them. Israel, the occupying Power, has carried out such illegal and repressive policies against the Palestinian people with the deliberate

intent of perpetuating its unlawful military occupation of the Palestinian land - now the longest occupation in contemporary history - in order to achieve the *de facto* annexation of as much of that land as possible.

Indeed, the basis of all unlawful Israeli policies against the Palestinian people has been Israel's insatiable desire for expansionism. Not only did Israel seize more land in 1948 than was allotted to it by General Assembly partition resolution 181 (1947), but, in blatant violation of the rule of international law regarding the inadmissibility of the acquisition of territory by force, it has relentlessly carried out illegal policies directly aimed at consolidating its control of the Palestinian land it occupied in 1967 in order to facilitate its forceful acquisition of even more land. The inability of the international community to take action to compel Israel to comply with the law and relevant UN resolutions to bring an end to such violations and grave breaches of international law by the occupying Power has regrettably only encouraged Israel to continue acting with impunity in pursuit of its illegitimate goals

Excellencies, Ladies and Gentlemen,

Since 1967, before the eyes of the international community, the occupying Power has feverishly carried out a colonization campaign throughout the Occupied Palestinian Territory, including East Jerusalem, as well as in the Occupied Syrian Golan, aimed at the illegal, *de facto* annexation of the land. This unlawful land grab continues today under many guises and pretexts, including the oft-repeated and unsubstantiated pretext of security. For four decades now, Israel has been confiscating Palestinian land and destroying Palestinian property for the purpose of constructing, expanding and entrenching its network of illegal settlements, into which hundreds of thousands of Israeli settlers, many armed and fanatical, have been illegally transferred, in grave breach of the Fourth Geneva Convention and Additional Protocol 1. The major organs of the UN, including the Security Council, General Assembly and International Court of Justice, have explicitly affirmed the illegality of these settlements and have called for their dismantlement.

The construction and expansion of settlements in and around Occupied East Jerusalem - the heart of the Palestinian Territory - has been especially intense. In addition to its illegal extension of the Basic Law in 1980 intended to annex East Jerusalem, which was completely rejected by the international community, Israel has carried out policies directly aimed at the Judaization of the city and has publicly declared its intention to create a contiguous Jewish presence linking East Jerusalem to major settlement areas in the West Bank. The occupying Power has obstructed the access of the Palestinian people to East Jerusalem, violating, *inter alia*, their right to worship at Jerusalem's holy sites, and it has physically isolated East Jerusalem from the rest of the Occupied Palestinian Territory. Moreover, using various unlawful measures and schemes, Israel has imposed stringent and arbitrary residency requirements on the Palestinian inhabitants of East Jerusalem, seriously affecting their family life and suffocating their economic and social life, making conditions for them to continue living in the city nearly impossible and thus causing the exodus - or ethnic cleansing - of many of the city's inhabitants.

Further, in recent years, Israel's unlawful colonization campaign has escalated with the occupying Power's unlawful construction of a Wall in the

Occupied Palestinian Territory, including in East Jerusalem, which is intricately linked to the settlements and intended to fortify them and advance the land grab. The International Court of Justice - in its Advisory Opinion of 9 July 2004, as well as the overwhelming majority of the General Assembly, deemed this Wall to be unlawful and has demanded its dismantlement. Entire communities are being destroyed and thousands more Palestinians are being displaced by this monstrous apartheid Wall, which is separating Palestinian cities, towns and refugee camps - many of which have now become walled-in enclaves, and is causing extensive socio-economic and humanitarian devastation. In addition, Israel has established a racist and discriminatory road network and permit system and an intricate web of more than 500 checkpoints throughout the Occupied Palestinian Territory, all intended to totally control and restrict the movement of the Palestinian people and contain them in isolated Bantustans.

All such illegal Israeli practices and measures, along with the colonial settlement campaign, are dramatically altering the demographic composition, character and nature of the Occupied Palestinian Territory, including East Jerusalem, and destroying its territorial contiguity and integrity, gravely undermining the prospects for achieving the two-State solution on the basis of Security Council resolutions 242 (1967), 338 (1973), and 1397 (2002), the Arab Peace Initiative and the Quartet Road Map.

At the same time, throughout the entire period of this forty-year occupation, Israel, the occupying Power, has never ceased its brutal military campaign against the Palestinian civilian population, committing systematic human rights violations and war crimes against this defenseless people, which is entitled to protection under international humanitarian law. The Israeli occupying forces have killed thousands of Palestinian civilians, including children, women and men, and have injured and disabled hundreds of thousands of others in military attacks and raids launched in the Occupied Palestinian Territory and during the execution of extrajudicial killings. The occupying forces have also committed the wanton destruction of Palestinian property, including thousands of homes, agricultural lands and orchards, vital infrastructure, cultural, religious and historical properties, and national institutions. Israel has also never ceased its practice of imprisoning and arbitrarily detaining thousands of Palestinian civilians, many of them subject torture and most held in deplorable conditions. Moreover, Israel has never ceased its collective punishment of the Palestinian people by countless methods, including movement restrictions and closures, seriously harming the socio-economic life and humanitarian conditions of the entire population.

The cumulative impact of Israel's brutal policies in the Occupied Palestinian Territory, including East Jerusalem, over the past forty years has been extensive and disastrous, with both short and long-term consequences. The Gaza Strip in particular has been severely impoverished and devastated. These inhumane and illegal practices have gravely impacted all aspects of Palestinian life, deepening poverty, hunger, frustration, insecurity and despair and making day to day survival in the Occupied Palestinian Territory ever more difficult and unbearable. Such oppressive and humiliating Israeli practices have kept the Palestinian people under siege and forced the displacement and flight of many civilians, facilitating the occupying Power's pursuit of its expansionist aims.

Excellencies, Ladies and Gentlemen,

In the relentless pursuit of its unlawful goals, Israel has violated all resolutions and undermined – including by deliberately perpetuating the cycle of violence - or outright rejected all peace initiatives aimed at achieving a just and peaceful solution to the question of Palestine and the Israeli-Palestinian conflict. While the Palestinian side has repeatedly affirmed its commitment to the peace process and agreements signed, Israel, on the other hand, has historically evaded efforts for making peace, including the recent opportunity provided by the renewal of the significant Arab Peace Initiative and other efforts by concerned parties within the international community to revive the peace process.

So, where does that leave us today after forty years of occupation, upheaval, crises, *intifadas*, turmoil and loss? The continuation of this situation is clearly untenable. There will never be peace, security or prosperity in the Middle East as long as the question of Palestine, the core of the Arab-Israeli conflict, remains festering and unresolved. Peacemaking is not merely desirable, but it is an urgent requisite for turning the tide of injustice and ending the suffering and loss on both sides, which will inevitably have a positive impact throughout the rest of the region.

One thing is very clear after all of these years – there is no military solution to the Israeli-Palestinian conflict or to the Arab-Israeli conflict as a whole. Israel's forty-year occupation of the Palestinian people has starkly proven this. Military might cannot suppress a just cause and cannot forever deny an entire nation of people their inalienable rights and freedoms. Only a just and peaceful settlement based on international law, the resolutions of international legitimacy and the principle of land for peace can bring an end to this conflict and establish the peace and stability we are all searching for. A comprehensive peace – at the core of which is the two-State solution of Israel and Palestine, living side by side in peace and security on the basis of the 1967 borders – remains and must be our ultimate goal.

But the two-State solution will be impossible to achieve as long as the occupation and colonization continue. The complete cessation of Israel's illegal colonization campaign, as well as the cessation of all other Israeli violations and grave breaches of international law, is imperative for salvaging the potential for peace, which diminishes with each passing year. Without such a cessation, the catastrophic cycle of dispossession, oppression and deprivation of the Palestinian people will continue, the cycle of violence will be further fueled and the situation in the Occupied Palestinian Territory and beyond will continue to deteriorate.

What must be done? There are many UN resolutions addressing this crisis that remain valid and that, if implemented, would have long ago brought an end to the occupation and an end to the conflict. Forty years later, resolution 242 (1967) still remains the basis for achieving peace. But Israel has refused to comply with resolution 242 and other relevant resolutions and regrettably the international community has not shown the necessary resolve or political will to ensure Israeli compliance. Appeasement has not worked and calls and demands made without action to follow them up have not worked. So, what is needed now is that the international community must urgently take action to hold Israel

accountable for its actions and bring an end to its impunity. Practical measures are needed to ensure respect for the law.

First, the international community must uphold its own responsibilities vis-à-vis international law and the resolutions adopted at the UN, which are the foundations for peace. In this regard, we reaffirm that the United Nations itself has a permanent responsibility towards the question of Palestine until it is resolved in all its aspects in accordance with international law. The resolutions adopted by the UN reflect the deep understanding within the international community that the continued denial of the inalienable rights of the Palestinian people will continue to have far-reaching implications for the prospects for peace, stability and development in the region and beyond and that, therefore, UN Member States must collectively continue to exert all efforts to resolve the question of Palestine through the various organs, bodies and instruments of international law available to them. The Security Council in specific has an important role to play in this regard and must exercise responsibility to help bring an end to this prolonged tragedy and bring peace and security to the Palestinian and Israeli peoples.

Second, practical measures must be seriously considered, including the possibility of sanctions, to actually compel Israel, the occupying Power, to comply with UN resolutions 242 (1967), 338 (1973) and all other relevant resolutions, to abide by its legal obligations under the Fourth Geneva Convention and the human rights covenants, and to respect fully the ICJ Advisory Opinion. It is a tragic irony that the Palestinian people, an occupied people, have had financial and political sanctions and one condition after another imposed on them following their exercise of democracy, and, yet Israel, despite all of these years of systematic and grave violations of the law, has never been placed under sanctions. This illogical and unjust situation must be redressed.

Moreover, efforts to resolve the conflict must include acknowledgement by Israel of responsibility for the plight of the Palestine refugees, who now number more than 4.5 million people, and respect for their right to return, as enshrined in resolution 194 (II) of 1948, the basis for a just and agreed-upon solution for their plight. For, as we see today throughout the Middle East today, the problem of the Palestine refugees is truly a regional problem that if left unresolved will undermine any effort to establish peace and stability.

All of these elements are essential for the achievement of a just, lasting and comprehensive peace and all concerned parties must begin exerting efforts to uphold their responsibilities and promote the conditions necessary for achieving such a peace. On the Palestinian side, we have been undertaking serious efforts to calm the situation on the ground among our factions and to maintain a ceasefire established in the Gaza Strip. However, this ceasefire must be reciprocal if it is to last. Israel should be urged to fully respect this ceasefire - ceasing all military raids, attacks and assassination attempts in particular - and should be urged to also extend the ceasefire immediately to the West Bank. This is an important practical measure, among others such as the release of prisoners and the lifting of restrictions on movement, which will greatly contribute to calming the situation on the ground and halting its deterioration, defusing tensions and the cycle of violence, and promoting a better atmosphere for the pursuit of genuine dialogue and peace negotiations.

In this regard, the Palestinian side is ready to immediately undertake final status negotiations. The peace process must be urgently resumed without conditions. Repeated delays and deadlocks have only allowed for the further complication and exacerbation of the problem. All concerned parties, including the Quartet, should seize the moment and, in particular, the opportunity created by the renewal of the Arab Peace Initiative to support and encourage the parties – including on the Syrian and Lebanese tracks – to resume the peace process and support them through this process towards the ultimate achievement of a just, lasting and comprehensive peace.

Excellencies, Ladies and Gentlemen,

Before concluding, on this solemn occasion, I wish to reaffirm the immense gratitude of the Palestinian people for all of the support and solidarity extended to them by the international community, including at the United Nations, over the many years. The Palestinian cause is a just and noble cause that resonates deeply with all those around the world seeking and supporting justice, peace and freedom for all peoples. This international solidarity and support, including political, moral, financial and humanitarian support, has been vital for the Palestinian people throughout the decades that they have struggled to end this prolonged and tragic occupation and to realize their inalienable human rights and continues to be essential for maintaining their hopes and resilience in the face of so much adversity.

In this regard, we must also give special recognition to the UN for the crucial support and assistance it has extended to the Palestinian people over the years, including, *inter alia*, via the United Nations Relief and Works Agency for Palestine Refugees in the Near East and numerous other UN Agencies, which have been essential for the survival and development of the Palestinian people. Today, we must also express our appreciation for the work of the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights along with the other UN Committees and Programs, Special Rapporteurs and Representatives that have worked to draw attention to the plight of the Palestinian people under occupation and to promote the realization of their inalienable rights and a just and peaceful settlement of the question of Palestine.

The Palestinian people, firmly believing, in the purposes and principles of the UN and in the primacy of international law, believe that the law, justice and peace will ultimately prevail and will continue to seek the support of the family of nations at the UN and beyond to achieve the peace we have all been striving for. We thus deeply hope that serious efforts and actions will be undertaken at this critical time to promote the peace process towards the achievement of a just and peaceful solution, based on international law and the relevant UN resolutions, resulting in the termination of the occupation of all of the Arab lands occupied by Israel in 1967, including East Jerusalem, the establishment of an independent, territorially contiguous, viable, secure and sovereign State of Palestine, living side by side with Israel on the basis of the 1967 borders, the exercise by the Palestinian people of their inalienable rights in their State, and the realization of a just solution to the Palestine refugee question on the basis of resolution 194 (II). Such an achievement will allow us to one day gather here among the nations of the international community to celebrate the flourishing of peace, security, justice and prosperity for our peoples and for our region.