

[Report from NY]

## **United Nations Forum on the Question of Palestine**

### **~70 years after 1948 – Lessons to Achieve a Sustainable Peace~**

On May 17 and 18, a two-day forum was convened by the Committee on the Exercise of the Inalienable Rights of the Palestine People (CEIRPP) at the United Nations headquarters in NY to mark the anniversary of the 1948 War. The forum was organized in accordance with UN General Assembly resolutions 72/11<sup>[1]</sup> and 72/13<sup>[2]</sup> of 30 November 2017 which call for the international support of the rights of the Palestinian people and the respect for the existing agreements and resolutions.

The forum consisted of four panels and brought together representatives of civil society and the diplomatic community from Palestine and Israel as well as international experts including professors of history, international migration and Palestine Studies.

#### **Opening Session**

During the opening session, the UN Deputy Secretary-General Amina Mohammed said that the recent tragic loss of Palestinians along the Gaza border reminds us of a failure of the international community to protect Palestinian refugees. Additionally, Ms. Mohammed said that the UN continues to support the two-state solution and considers Jerusalem as a capital city of both Israel and Palestine.

Ms. Hanan Ashrawi, a member of the Palestine Liberation Organization (PLO) Executive Committee spoke as a representative of the State of Palestine. She thanked the audience for being there for the humanity of people in Palestine and addressed a list of sufferings that Palestinians have experienced for the past 70 years: massacre, destruction of villages, expulsion, culture of racism and hatred, violence, and systematic discrimination in a variety of ways. “70 years is far too long. We want the occupation to end,” she added. Ms. Ashrawi also raised concern over the difficulty of enforcing UN resolutions once they have been adopted. She called on international actors to make decisions or vote according to their own conscience.

#### **Panel: “What Happened in 1948 – Why Does It Matter?”**

After the opening session, the first panel followed. As one of the panelists, Ms. Ashrawi once again took the floor. She said that although certain people in power want to negate or ignore what happened in 1948, narratives of Palestinian refugees must be heard and recognized to move forward. “We didn’t choose the creation of Israel on our land. Other people chose it. Without removing the occupation, we can’t go anywhere,” she said.

Mr. Avraham Burg, the former Interim President of Israel and the former speaker of the Israeli Knesset took his floor next. He said that the discussion on the Israeli-Palestinian conflict is like a competition of two traumas: the Holocaust versus the occupied people. While making an assertion that Israel was established in accordance with international laws, Mr. Burg acknowledged that Jerusalem is the capital of both Israel and Palestine. He said that the Israeli-Palestinian conflict is about “some of them against some of them.” The conflict continues to exist because of political or religious ideology of certain groups of people, but most ordinary people wish to live in peace without bloodshed. “Whether one state or two states,” Mr. Burg

continued, “what matters most is ending the serious deterioration of human rights and giving each person the entire right to the one-person-one-vote system.”

Mr. Ilian Pappé, professor of history and director of the European Center for Palestine Studies Exeter University, gave briefings on the history of the 1948 war and the Palestinian Catastrophe known as the “Nakba,”<sup>[3][4]</sup> which involved the expulsion and ethnic cleansing of Palestinians. “Palestinian towns were wiped out, and half the population of Palestine became refugees in nine months,” said Mr. Pappé. He said that any peace process that ignores what happened in 1948 would be considered invalid because it ignores three important steps to conflict resolution: “acknowledgement,” “accountability” and “acceptance” (the three ‘A’s).

While the idea of a one-state solution was mentioned by some speakers, Mr. Riyad H. Mansour, the permanent observer of Palestine to the UN said, “If we have a global consensus on the two-state solution, why should we find another one? Before thinking about another solution, let Palestinians and Israelis decide first.” He also said that UN should be involved in the issue until the problem is solved.

### **Panel: “Refugees and the Resolution of the Question of Palestine”**

Ms. Susan Akram, clinical Professor of Law at Boston University, examined the legal struggle of Palestinians for self-determination and ending the occupation with the following key questions: Who are Palestinian nationals? Who are Palestinian refugees? What can Palestine do with US-backed Israel? She also shared some lessons learnt from the cases of Namibia and Western Sahara. While there is a need for the development of a legal framework, she said that the use of the International Criminal Court (ICC) and certain UN bodies remains in question.

Ms. Francesca Albanese from the Institute for the Study of International Migration at Georgetown University focused on the refugee status from a legal point of view. She said that Palestinian refugees are considered refugees “with no exceptions under international law.”

Ms. Lubnah Shomali, Executive-Director of BADIL Resource Center for Palestine Residency and Refugee Rights, emphasized on the need for a reparation mechanism as a means of justice. Even though reparation is incorporated within international law, Palestinian refugees have experienced the failure of states to protect them and the continued denial of their rights to remedies. According to Ms. Shomali, a successful reparation should guarantee the refugees and IDPs voluntary return, compensation, and non-repetition and must ensure the equitable restoration of the land and dignity. However, in cases such as the former Yugoslavia, where the repatriation rate is the highest, the restoration or redistribution of land to second or third generation refugees remains a significant challenge. She also pointed out that a successful reparation mechanism must have strong enforcement which is lacking in the Oslo Accords.<sup>[5]</sup> In addition, she called on Israel to fulfill its obligations under international law and to ensure people the access to the most fundamental rights such as the right to adequate housing and education.

Ms. Jessica Nevo, founder of Just-in-Case, shared her personal experience of living in Argentina under its dictatorship. People who were labeled as ‘traitors’ by the government were challenged by strict censorship, house searches and enforced disappearances. She said that similar things are happening now in Israel. “In Israel, people working for NGOs are named ‘traitors’, and people such as artists and poets are banned from their activity.” “The Great March of Return<sup>[6]</sup> is a reminder for the Israeli public. I’d like all of you to engage in the transitional justice process ‘just in case’ refugees decide to return to their home land,” said Ms. Nevo.

## **Towards a sustainable peace**

The Israeli-Palestinian conflict may be one of the most singular cases in modern history due to the complexity of its historical context, including challenges involving religion, colonialism, ethnicity, politics and other issues. However, some lessons learnt from the forum can be applied to other conflict situations around the world. First and foremost, occupation is a great violation of human rights. Second, it is the voices of the victims of the conflict that must be heard and echoed in the process of peace negotiation, and not the voices of outsiders who happen to be in power. Finally, a true sustainable peace cannot be achieved until the victims regain their full rights, are compensated with sufficient remedies, and feel that their struggle is finally over.

[1] "Division for Palestinian Rights of the Secretariat", United Nations General Assembly Resolution A/RES/72/11, 5 December 2017, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/72/11](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/11).

[2] "Committee on the Exercise of the Inalienable Rights of the Palestinian People", United Nations General Assembly Resolution A/RES/72/13, 6 December 2017, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/72/13](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/13).

[3] Ilan Pappé, "The Ethnic Cleansing of Palestine by Ilan Pappé (Part I)", The Palestine Chronicle, 9 February 2007, Retrieved 31 May 2018, <http://www.palestinechronicle.com/the-ethnic-cleansing-of-palestine-by-ilan-pappe-part-i/?print=pdf>.

[4] Firas Alkhateeb, "The Nakba: The Palestinian Catastrophe of 1948", Lost Islamic History, 23 April 2013, Retrieved 31 May 2018, <http://lostislamichistory.com/the-nakba-the-palestinian-catastrophe-of-1948/>.

[5] "Declaration of Principles on Interim Self-Government Arrangements (Oslo Accords)", United Nations Peacemaker, Retrieved 31 May 2018, <https://peacemaker.un.org/israelopt-osloaccord93>.

[6] Alia Chughtai, "Palestinians' Great March of Return: The human cost", Al Jazeera, 16 May 2018, Retrieved 31 May 2018, <https://www.aljazeera.com/indepth/interactive/2018/05/palestinians-great-march-return-human-cost-180516110538165.html>.

[7] "Great March of Return: Palestinians gather for 10<sup>th</sup> week of protests", RT, 1 June 2018, Retrieved 1 June 2018,