



UNITED NATIONS FORUM ON THE QUESTION OF PALESTINE

*70 Years after 1948 – Lessons to Achieve a Sustainable Peace
17 and 18 May 2018*

United Nations Headquarters, New York

CHAIR'S SUMMARY

The United Nations Forum on the Question of Palestine “70 Years after 1948 – Lessons to Achieve a Sustainable Peace” was convened in New York on 17 and 18 May 2017, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP). Ahead of the public Forum, on 16 May the Committee held closed consultations with representatives of civil society organisations from Palestine, Israel and throughout the world.

The Forum brought together Palestinian, Israeli and international experts, representatives of the diplomatic community and civil society to highlight the need to substantively address issues related to the 1948 war and subsequent mass displacement and uprooting of Palestinians in the context of, and vital for the success of, efforts to achieve a comprehensive, just and lasting settlement of the question of Palestine. A series of moderated interactive panels, chaired by Committee Bureau members, focused on an evaluation of the events of 1948, known in Arabic as “Al-Nakba” (“the catastrophe”) and their continued relevance today, the ongoing displacement of Palestinians, questions of accountability and transitional justice, and ways out of the political impasse between Palestine and Israel. The Forum provided experts and civil society organizations with a valuable advocacy platform to inform policy and diplomatic action on the question of Palestine at UN Headquarters.

Short clips from the documentary film “Voices Across the Divide” were shown at the beginning of each panel session.

At the inaugural session, the message of **Secretary-General António Guterres**, delivered by **Deputy Secretary-General Amina J. Mohammed**, noted that 2018 marked the seventieth anniversary of the Universal Declaration of Human Rights, which should guide the search for a durable solution to the question of Palestine. Underscoring the need for such a solution, he pointed out that the recent violence in the Gaza Strip was a reminder of the international community’s failure to find a just and lasting answer to the plight of Palestinian refugees. “Instead, the lives of generations of Palestinians and Israelis have been defined and confined by a conflict that has shaped their physical and human landscape under a heavy

atmosphere of fear, mutual distrust and despair,” the statement highlighted. The illegal establishment and expansion of settlements was contributing further to displacement and constituted a major obstacle to a two-State solution. Moreover, unacceptable violence and incitement exacerbated mistrust and militant activity and the absence of Palestinian unity also constituted obstacles to a negotiated solution. The Secretary-General stressed that “the United Nations will continue to support Israelis and Palestinians on the road to peace by helping them to take the historic steps to achieve two States living side by side in peace, within secure and recognized borders and with Jerusalem as the capital of both.”

Recalling that the Committee had convened in 2017 to mark 50 years of the Israeli occupation of Palestinian territory, the **Chair of the Committee, Ambassador Fodé Seck (Senegal)**, noted that the question of Palestine had nevertheless not begun in 1967. “In the collective memory of the Palestinians and the wider Arab world, Al-Nakba evokes memories from a national disaster involving loss, dispossession, destroyed villages and the displacement of hundreds of thousands,” he said. That catastrophe had been followed by decades spent in exile and had brought more war, displacement and suffering. Indeed, it was difficult to escape the conclusion that Al-Nakba lay at the very heart of the question of Palestine, he continued. If not adequately acknowledged and addressed, the search for peace in the Middle East would remain elusive. As recognized by the Security Council, a comprehensive approach to sustaining peace would have to address the root causes of the conflict and acknowledge the links connecting development, peace and security, and human rights. Pledging to continue to advocate for the Palestinian people, including their rights of return to their homes, he drew attention to the critical role played by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). All over the world, revisiting the painful past and asking difficult questions of all parties had been a prerequisite for peace and an inclusive future. In that spirit, he asked the participants in the Forum to help in mobilizing diplomatic efforts to launch credible negotiations that would lead to a just peace.

The representative of the State of Palestine, Member of the Executive Committee of the Palestine Liberation Organization (PLO) Hanan Ashrawi, acknowledged that the Committee had long provided the Palestinian people with the rare commodity of hope. “We are suffering an ongoing system of injustice,” she noted, stressing that 70 years was far too long for the injustices of expulsion and oppression to exist. At the present, while Palestinians enjoyed no security of their own, when they tried to defend themselves concerns were immediately raised about Israel’s security, she said, pointing out that just this week, that country’s soldiers had killed scores of civilian protesters – including women and children – while claiming they had been forced to do so “in self-defence”. If this repugnant anomaly of impunity and disdain for international law was allowed to continue, it risked destroying the international system that the United Nations had built. Stating that it was the current Government of the United States that had made negotiations under the old formula impossible, she pointed out that Palestinians had been negotiating for decades, even as a people living under occupation should not – under the Fourth Geneva Convention – be expected to negotiate with their occupier under duress. However, a process of peace negotiations in which the occupier was constantly rewarded “just for talking” – and in which Palestine was only threatened and blackmailed or charged with being a terrorist threat – could not persist. Palestinians would not ask Israel for their freedom, which was their right. Putting the case of Palestine within a wider context, she cautioned that against the backdrop of

rising populism, isolationism, nationalism and the arrogance of power, people must remain vigilant against sectarianism and claims to exceptionalism.

During the first panel, on “*What Happened in 1948 – Why Does It Matter?*”, speakers outlined the events leading up to the adoption of General Assembly resolution 181 (1947), which had authorized the partition of Mandate Palestine and the impact of only one of the two envisioned states having been established. Panellists debated the merits of the two-State formula, with some underlining its critical role in elevating the Question of Palestine on the global stage. Others argued in favour of a strategy that went beyond territorial borders to emphasize reconciliation and equal rights instead. In this context, it was suggested that the Palestinian-Israeli conflict was not an ethno-national “us vs. them” situation but more of a conflict between those defending and opposing peace and justice. Representatives of States and civil society groups commented on the links between Palestine’s history and its present-day reality. Participants drew parallels between the case of Israel/Palestine and the cases of Namibia and South Africa during their respective occupation and apartheid regimes. There was agreement that a just and sustainable peace between Israel and Palestine would have to fully acknowledge the Nakba and hold Israel accountable for crimes committed in 1948 and onward.

The second panel, on “*Displacement as a Continuum: the Ongoing Nakba*”, examined the internal and external displacement of Palestinians and the denial of their ability to return, as citizens, to their homes and villages. A discussion emerged over the term “permanent occupation”, with some participants stressing that no such concept existed under international law and that the situation amounted to outright “colonization”. They also voiced support for the International Court of Justice (ICJ) to consider the issue. Others noted that Israel’s practices, which according to their argument amounted to racism, were becoming enshrined in national law, and this would make it more difficult for human rights lawyers and activists to challenge them in Israeli courts. Participants raised the issue of better international protection for Palestinians including refugees, and called upon Member States to take a stand and remind Israel of its obligations under international law. Particularly the dire situation in Gaza, where Israel was still the occupying Power, warranted immediate intervention. Participants also highlighted that the issue of Palestine was gaining traction among intersectional social movements in the United States.

Continuing the Forum on 18 May, the third panel, on “*Refugees and the Resolution of the Question of Palestine*”, addressed questions around the issue of Palestine refugees, including the legal and psycho-social ramifications for Palestinians dispersed from their homes in 1948 and afterwards, as well as the several generations of their descendants. Participants highlighted the universality of refugee rights, countering the often-cited perception of a ‘special status and rights’ of Palestine refugees, giving them privileges that other refugees do not enjoy. Panellists and participants with experience in the field of transitional justice emphasized the potentially powerful benefit of establishing a system of truth-seeking, reparations and reconciliation for the solution of the Israeli-Palestinian conflict and preparing for it, even before an agreement was reached. Suggestions emerged to connect those advocating for the rights of the Palestinian people with various related UN offices, for example the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. It was suggested that in seeking reparations, Palestinian refugees should be treated as dispossessed nationals of a country –

Palestine – rather than stateless refugees, and that the United Nations should be also held accountable for its failure to implement GA resolution 181 as well as other, subsequent resolutions on the Palestine question. It was reiterated that obtaining an ICJ advisory opinion may give a boost to the Palestinian cause.

In the fourth panel, on “*Ways Forward to Achieve a Sustainable Peace*”, speakers stressed the importance of termination of occupation as a primary condition to allow for freedom and independence of the people of Palestine and a necessary prerequisite for a two-State solution. Also, Member States should build partnerships with civil society and youth, while continuing to exert economic and diplomatic pressure on the Government of Israel. Among the latter measures could be an embargo on buying arms and security goods and services from Israel. Conversely, investment in the State of Palestine could be a means of empowering youth and enriching the economy. Responding to questions concerning human rights violations and statehood, they said it was important to fight for equality alongside the struggle for self-determination. A discussion over the status of the Oslo Agreement led to wider conversation over different outcome models for the question of Palestine – from the two-State solution to a confederation modelled on the original GA resolution 181 to a one-State solution with equal rights for all inhabitants. Speakers also highlighted the sensitivity among Jewish Israelis over the perception of what “right of return” for Palestinian refugees could mean in reality for a society that had created and defended the State of Israel as a haven for the Jewish people. In this context, the reality of the political developments on the ground may have made a dismantling of the settlements impossible. However, other speakers and participants argued that implementing UN decisions and realising the fundamental human rights of the Palestinian people was paramount, and illegal and illegitimate acts could not be justified and absolved by the passage of time.

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****Note: This Summary attempts to provide an overall picture of the deliberations of the Conference. A detailed report, including specific questions that were addressed during the interactive discussions, will be published by the Division for Palestinian Rights in due course.*