



International Conference on the Question of Jerusalem

“Annexation in Practice – Palestinian Lives in Jerusalem”

Convened by the
UN Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP)
co-organized with the Organization of Islamic Cooperation (OIC)

28 July 2020

CHAIR SUMMARY

The International Conference on the Question of Jerusalem “**Annexation in Practice – Palestinian Lives in Jerusalem**” was convened virtually, on 28 July 2020, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) and co-organized with the Organization of Islamic Cooperation (OIC).

Member States participated in the two-hour event on WebEx. It was livestreamed on UNTV and UN social media channels, with a total of 11,000 viewers watching it on UN WebTV, Facebook, Twitter and YouTube. They could comment and pose questions.

The event was moderated by Ambassador Ana Silvia Rodríguez, Vice-Chair of the Committee and *Chargé d’affaires* of Cuba to the United Nations. It consisted of an opening session with remarks by Mr. Khaled Khiari, UN Assistant Secretary-General for Middle East, Asia and the Pacific in the Departments of Political and Peacebuilding Affairs and Peace Operations; Ambassador Ali Goutali, OIC Director of the Department of Palestine and Al-Quds Affairs; and Ambassador Riyadh Mansour, Permanent Observer of the State of Palestine to the United Nations.

Following the opening, three expert speakers highlighted Israeli measures and policies making life difficult for Palestinians in Jerusalem. Ms. Maha Abdallah, Legal Researcher at the Cairo Institute of Human Rights Studies (Jerusalem), Ms. Hagit Ofra, Director of the Settlement Watch Project at Peace Now (Jerusalem), and Mr. Osamah Khalil, Associate Professor of History at Syracuse University (USA), agreed that Israel intimidated Palestinians in Jerusalem on a daily basis by creating a coercive environment through the use of myriad illegal policies and practices affecting all aspects of the lives of the Palestinian inhabitants of the occupied City.

The Conference drew attention to the various critical dimensions of the situation in the City after over 50 years of Israeli occupation and its associated policies and measures. Expert speakers and other participants also discussed how Israel’s entrenchment of its annexation plans

in the rest of the occupied West Bank would jeopardize the centrality of Jerusalem as a final status issue in the Israel-Palestine conflict that must be justly resolved on the basis of international law and relevant UN resolutions.

Speakers stressed that decades-long impunity for annexation measures and settlement activities had led to the current situation, with Israel able to exploit international inaction and the paralysis of the UN Security Council in particular. They asked the international community to follow statements of condemnation of Israeli policies and measures, illegal under international law and breaching General Assembly and Security Council resolutions, by tangible actions, including sanctions against Israel, the occupying Power. It was also argued that Israel had instituted an “apartheid” regime in the Occupied Palestinian Territory (OPT) and that the United Nations and its Member States should apply to the Palestinian case the lessons from the South African experience.

Participants reiterated that Jerusalem was a final-status issue, whose fate could only be decided through negotiations between the parties. Changes in Jerusalem’s demographic composition, character and status were a violation of international law and UN resolutions. Israel’s implemented a *de facto* annexation of East Jerusalem since 1967, under the guise of administrative measures during occupation; Israel’s *de jure* annexation since 1980 was a preview of its plans for the rest of the occupied West Bank. The policies in Jerusalem, as in the West Bank, aimed to make life for Palestinians unbearable so they would leave, thus solidifying Israeli presence and control. The Israeli settlement project in East Jerusalem aimed to cutting off Palestinians from the West Bank and from each other thus undermining contiguity and forestalling Jerusalem becoming the capital of a Palestinian state.

At the opening, **Ambassador Rodríguez** shared a brief history of the Committee and its mandate and stressed that the event on the question of Jerusalem was a continuation of the Committee’s action to rally support and solidarity for the inalienable rights of the Palestinian people, including the right to self-determination and independence, in line with its General Assembly mandate.

In his remarks, **Mr. Khiari** expressed deep concern over the evolving situation in Israel and Palestine. He underlined that annexation of Palestinian territory in the West Bank would violate international law as the annexation of East Jerusalem did, and as stated in UN Security Council resolutions 476 and 478 (1980). Annexation would also have dangerous implications for the two-State solution, as it would undercut the possibility of new negotiations. Mr. Khiari urged the international community to continue its support and assistance to the Palestinian people and asked the Israeli and Palestinian leaders to commit to restarting meaningful dialogue. He called on the Israeli government to abandon its annexation plans and welcomed the stated willingness of the Palestinian leadership to return to the negotiating table. Fellow members of the Middle East Quartet were called upon to find an agreeable framework for the parties to re-engage with each other and with regional States. Mr. Khiari reiterated the UN’s continued support for a peaceful resolution of the question of Palestine, including the question of Jerusalem, based on UN resolutions, international law and previous agreements.

Ambassador Goutali conveyed the greetings of the Secretary General of the OIC and expressed his organisation's deep appreciation for the fruitful partnership with the United Nations and the Committee. Noting that the Conference was taking place at an extremely critical juncture, he underlined that annexation ran against the historical, legal, and political rights of the Palestinian people and represented a blatant violation of international law, the UN Charter, and relevant UN resolutions. The ongoing Israeli violations seriously challenged the will of the international community and represented a test for the credibility, responsibility, and determination of key international actors. Meeting at the level of Foreign Ministers in June, the OIC had (virtually) adopted a resolution rejecting the illegal Israeli annexation plans and calling upon the UN Security Council to live up to its responsibilities and to take the necessary measures to compel Israel to stop its illegal actions in the Occupied Palestinian Territory, including East Jerusalem.

Ambassador Goutali urged all parties to refrain from recognizing any measures aimed at changing the demographic, political, legal, and historical status of Jerusalem and to continue providing financial support for Palestinian institutions in East Jerusalem. He further called for legal mechanisms ensuring Israel's accountability, international protection for the Palestinian people, and for the Middle East Quartet to launch a credible, time-bound and multilaterally-sponsored political process in the pursuit of a comprehensive, just and lasting solution to the question of Palestine.

Ambassador Mansour shared a timeline of Israeli violations pertaining to Jerusalem since the 1940s. He highlighted that today Israel was violating Palestinians rights in Jerusalem through a number of policies and measures, *inter alia* the construction of settlements, the expropriation of Palestinian land and property, the demolition of Palestinian homes, the displacement of Palestinian residents and the revocation of residency permits and IDs.

He noted that lack of accountability had allowed Israel to violate international law without consequences for the last 70 years. He regretted that most Security Council resolutions adopted under Chapter VII were related to Middle East conflicts, except for the Israeli-Palestinian one. This impunity had been exacerbated by the current US administration's support to Israel, which had recognized Jerusalem as the capital of Israel and relocated the US embassy there. To reverse annexation, legal measures should be considered to end the occupation. Ambassador Mansour welcomed the condemnation of Israel's annexation plans by the international community – including the African Union, the European Union, the League of Arab States, the Non-Aligned Movement, the OIC and the United Nations – but additional steps were needed to preserve the two-State solution on the pre-1967 borders, to end the Israeli occupation, and to realize the national aspirations of the Palestinian people and their inalienable right to self-determination.

Ms. Abdallah situated ongoing Israeli practices within a colonialist framework that seeks to fragment and segregate Palestinians and eradicate their identity, history, language, and culture while repressing their political, economic, and social life. With the goal to establish and maintain a ratio of 70 per cent Jewish to 30 per cent Palestinian inhabitants in Jerusalem, Israel had deepened its control over the City through a plethora of unlawful policies and measures. It had increased the number of Jewish Israeli settlers with full citizenship while imposing a fragile

“permanent residency” status on the majority of Palestinians in Jerusalem, thus effectively rendering them stateless.

Ms. Abdallah contended that Israel had implemented a system of intimidation and collective punishment against Palestinians in Jerusalem, who experienced Israeli forces’ persistent incursions on homes and neighbourhoods, house demolitions, evictions and revocation of residency permits. Israeli forces routinely used excessive force to arrest and kill Palestinians and had established a constant state of surveillance by installing cameras, sensors, and microphones all over the City. Through military checkpoints, Israel had isolated Jerusalem from the West Bank and Gaza, as well as its own Palestinian neighbourhoods from each other. Israel was propagating a one-sided narrative for the benefit of Jewish Israelis. In contrast, Palestinian cultural centres were attacked, and religious practices were often restricted. The concomitant isolation of the Palestinian economy had resulted in high rates of poverty and unemployment. Ms. Abdallah underlined that the inaction of the international community had emboldened Israel’s attempts to “ethnically cleanse” Palestinians to achieve “full colonization and a unified Jerusalem” as its capital. The international community needed to take concrete action to deter further annexation in the West Bank and reverse the ongoing one in Jerusalem.

Ms. Ofra, focusing on Israeli practices in East Jerusalem, explained that further annexation in the OPT could be done by a simple Israeli Cabinet decision applying Israeli laws to the annexed areas. She shared maps of Jerusalem’s demographic make-up from before and after 1967, showcasing Israel’s implementation of a plan to isolate Palestinian neighbourhoods in the City from the West Bank through *inter alia* land expropriation, building settlements inside Palestinian areas to create mixed neighbourhoods thus weakening the two-State solution, through building touristic parks around the Old City to strengthen links Israeli citizens’ links to these particular areas, and bringing the public domain under Israeli control.

In doing so, Ms. Ofra said, Israel had misused the Absentees’ Property Law, administrative laws and the legal system, in violation of international law. The Absentee’s Property Law was implemented in East Jerusalem after 1967 to declare Palestinians as “absentees” and hand their properties to Israeli settlers. If the present Israeli government were to proceed with annexation, there was a risk that the same would apply to other vast tracts of land in the occupied West Bank. Another tool used by Israel was the Legal and Administrative Matters Law, enacted after 1980, which stipulated that properties in East Jerusalem that used to belong to Jewish owners before 1948 could be reclaimed from their current Palestinian inhabitants. This legislation was behind most eviction cases in Batan al-Hawa, Silwan and Sheikh Jarrah.

Mr. Khalil noted that, since 1967, the Israeli Government had referred to the Palestinian territory in Gaza and the West Bank as “disputed” rather than “occupied” and had been consistent in its insistence that Jerusalem would remain Israel’s undivided capital, and without a return to the pre-1967 borders. In the immediate aftermath of the 1967 war, Israel began implementing policies designed to secure “the maximum amount of land with minimal Palestinian population”. Over the decades, Israel had been able to do so unencumbered because the United States had shielded it from international criticism, including at the United Nations.

In the case of East Jerusalem, Mr. Khalil asserted that Israel had initially claimed that the extension of the applicability of its laws, immediately after the war, was a purely administrative measure. In reality, this had been the precursor for the later *de jure* annexation, serving as a template for Israel's plans for the rest of the occupied West Bank: Israel created and enforced a legal and administrative system that actively discriminated against Palestinians to encourage their emigration. Palestinian "self-transfer" had become a key aspect of Israel's overt and creeping annexation of East Jerusalem and other parts of the occupied West Bank. Israel had succeeded in creating facts on the ground and retaining US support. Most recently, this had culminated in President Trump recognizing Jerusalem as Israel's capital, a decision that the presidential candidate of the Democratic Party had stated he would not reverse if elected in November 2020.

During the **Question and Answer** session, representatives of Egypt, Indonesia, Lebanon, Senegal, South Africa and Tunisia reiterated their countries' commitment to supporting a solution of the question of Palestine based on international law and relevant UN resolutions as well as their strong opposition to unilateral measures, in particular annexation. Some also referenced the Arab Peace Initiative.

The ensuing discussion focused on options for Member States, international organisations and civil society to reverse existing trends, prevent future Israeli annexation of occupied Palestinian territory and to find ways out of the current situation towards a peaceful and just solution of the question of Palestine.

It was claimed that civil society groups and their activities continued to be under sustained attack from Israeli authorities and faced severe restrictions aimed at diminishing their presence, particularly in East Jerusalem. This was exemplified by Israel's countermeasures even against Palestinians in the City trying to organise civic support during the early days of the COVID-19 pandemic, in the absence of adequate health measures from the occupation authorities.

Speakers stressed that, while a clear formula on what could be done was not known, a clear and firm international stance vis-à-vis Israel had to be part of it. Speaking up against illegal Israeli practices and annexation was not equivalent to anti-Semitism. A (Jewish) Israeli human rights organisation (Yesh Din) had analysed Israeli policies in the OPT since 1967 and concluded that they fit the definition of "apartheid". It was now needed for the United Nations and its Members to have the same courage as in the case of South Africa, and to declare the situation in Israel and Palestine to be one of "apartheid" and apply the available template of sanctions.

The lack of accountability for Israel had allowed a culture of impunity that resulted in the current situation, allowing the occupation to be entrenched and for the Palestinian people to continue to be deprived of their rights. To move forward, one should not resort to old methods that had not worked. For example, the Middle East Quartet had become yet another forum to demand Palestinian concessions while allowing Israel to continue creating facts on the ground.

Other comments stressed that Member States who prided themselves on upholding human rights and international norms should apply international law and international human

rights law, including through the International Court of Justice (ICJ) and the International Criminal Court (ICC), and protect the integrity of these international institutions in the case of Palestine. In addition to the ICC, Member States could also seek accountability via universal jurisdiction mechanisms. The key term in ensuring accountability was “consequences” – without them, Israel would continue to perpetrate its violations.

The Vice-Chair closed the event.

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****Note: This Summary attempts to provide an overall picture of the deliberations of the virtual Event. A video of the Event can be found on the webpage of the CEIRPP, www.un.unispal.org as well as in its official Facebook page and YouTube account.*

****Note: The views and opinions expressed in this summary are those of the speakers and do not necessarily reflect the official position of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.*