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**QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB
TERRITORIES, INCLUDING PALESTINE**

**Written statement* submitted by the Fédération des associations pour la défense
et la promotion des droits de l'homme, a non-governmental organization
in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 February 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The Debt of the International Community with Palestine

Last year we expressed in this Commission our concern at the chances of the people of Palestine losing their trust and hope in the United Nations' message of justice, equality and peace. Unfortunately, a year has gone by and the seriousness of the events that have taken place on the sidelines of this organization have increased our concern.

A significant number of member countries have shown their total lack of respect towards the Charter of the United Nations and its message of peace and global security. This attitude has forced us to express our feeling of despair and lack of trust on what these countries may have in store for us in the future, including the prospect that any peace initiative may prosper within the United Nations, particularly regarding the situation in the Middle East.

We are aware that the Security Council is determined by the political interests of its member states and the veto of its permanent members, but up to this date their decisions had been based on the perspective of no confrontation, in the search of peaceful resolution of conflicts and good understanding among the peoples who constitute the international community. We believe that the politicians of those governments who have acted out of the framework of the United Nations have become a threat both to the international community as well as to the peoples of the Middle East since they are the driving forces behind the new relations of domination, typical of Imperialism, that involve the colonization of territories, the exploitation of the colonized peoples and the exploitation of their natural resources. And not only in situations like Palestine and Iraq, but they have become a threat to the peoples of the region, except for Israel, who has hidden behind these policies to reinforce its occupation of the Palestinian territories.

The United Nations, the European Union, the Russian Federation and the United States of America, under the name of the Quartet, presented a new peace plan for the Middle East, known as the Road Map, with the aura that it would solve the Palestinian-Israeli conflict once and for all. It obliged the sides in conflict to its implementation with the purpose of normalizing the situation and putting an end to the violence, and in that manner, achieve peace, justice and the establishment of a free and sovereign State of Palestine in 2005.

We have been able to see for ourselves how the current Government of Israel has no interest in applying the part which refers to them as the occupying power nor in making the establishment of the State of Palestine viable. Its policy of aggression led to the breaking of the unilateral ceasefire declared by the Palestinian militias whereas the Israeli military presence was growing within the Palestinian territories which would guarantee the expansion of the settlements and the construction of the Separation Wall in the West Bank.

In the name of security, the Government of Israel has set up the largest project of annexation of the Palestinian territory that it occupies since 1967 with the construction of the Wall, categorized as part of the fait accompli policy which the successive Israeli governments have carried out since. The General Assembly's resolution adopted on 21 October 2003 demanded Israel to stop and reverse the construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which route is in contradiction to relevant provisions of international law. Israel has not complied with this demand. The International

Court of Justice in the Hague has accepted a petition drawn up by the General Assembly to take steps into giving an advisory opinion on the lawfulness of the Wall, and even though not binding, it will exert an international pressure on Israel.

Israel does not wish the Road Map to prosper nor any other peace initiative would it arise, such as the Geneva Accords or the Ayalon-Nusseibeh Statement, known as The Voice of the Peoples. The first thing Israel should have done was to show its desire to peace and stop harassing the Palestinian civil population. So that the Palestinian National Authority is able to rebuild the foundations of its infrastructure destroyed by the occupying power and enable a certain normalization of life in the Palestinian territories, the Government of Israel has to lift the military checkpoints in order to allow people's freedom of movement and make it possible for the population to exercise their civil and political rights as well as their economic, cultural and social rights and the Palestinian people's collective rights.

On 25 September 2003, the General Assembly adopted a resolution in which it reiterated the need to respect International Humanitarian Law, including the Fourth Geneva Convention regarding the protection of the civilian population in times of war as well as demanding for a total cessation of violence, including all acts of terrorism, provocation, incitement and destruction. Likewise, it demanded the occupying power desist from any act of deportation and cease any threat to the safety of the democratically elected President of the Palestinian National Authority. We believe that the European Union, despite having condemned the Israeli policy in a forceful manner and having kept up contacts with President Arafat, is not leading a policy in full agreement with the United Nations resolutions and the European Union's own institutional declarations. The European Union's Declaration on the World Human Rights day stressed the importance human rights play regarding EU relations with third countries, recalling that all the agreements that the EU enters with those very countries include a clause on mutual respect of human rights. We understand that there are more than enough reasons for the EU to cancel the Association Agreement undersigned between the EU and Israel, including the technological and scientific agreements, based upon the ongoing and flagrant violation of human rights carried out by Israel in the Occupied Palestinian Territory.

Unfortunately, the Government of Israel has not stopped attacking and criticizing both the United Nations and the European Union, accusing the highest authority in the world of partisanship and the Europeans of anti-Semitism. It has also included within this naming all the organizations coming from the European civil society who have expressed their direct opposition to the policy of violence and confrontation led by the Israeli occupying power in Palestine. It is the manipulative response of the Government of Israel towards the European policy in obtaining a situation of peace and justice for all in the region. Europe protected Israel since its establishment, even to the point of supplying it with arms and defending it for many years, but it also became aware of the harm it was causing to the Palestinians, as a people subjugated to occupation, and called on Israel to stop its policy of continuous aggression and persistence in engaging as an occupying power. It has nothing to do with an anti-Jewish sentiment on the side of the Governments and the European societies. The European Non- Governmental Organizations are in fluent contact with the Israeli peace camp, whose members are mostly Jews, and organize joint actions in order to demand an end to the Israeli occupation of the Occupied Palestinian Territory.

Faced with the world's policy on the elimination of weapons of mass destruction and the sending of United Nations' inspectors to the Middle East, Israel refuses categorically to allow them to enter their territory, besides rejecting the signing of the Non- Proliferation Treaty. According to some sources, Israel has over 200 loaded warheads. It is not surprising that the Arab countries are demanding control over Israeli armament, considering it a threat to peace and security in the region.

Therefore, we ask the member states of the United Nations to:

Declare the State of Israel as a non peace-loving country since it is endangering world's peace and security.

Not acknowledge any unilateral steps adopted by the Israeli Government on the spot that affects the Occupied Palestinian Territory.

Exert pressure and apply sanctions against Israel, just like it was done in the case of the Apartheid regime in South Africa and other more recent conflicts, as long as it continues to violate the agreements and international legality.

Send an international observation force under the mandate of United Nations mandate to safeguard the safety of the people of Palestine.

Demand the sending of United Nations inspectors to Israel to check in situ the existence of weapons of mass destruction both in its own territory and in the Occupied Palestinian Territory as well.

Adopt the appropriate measures through the European Union in order to freeze the undersigned Agreements with Israel.

Recognize the sovereign and independent State of Palestine in the face of a possible denial on the side of Israel to its establishment.

Always bear in mind that East Jerusalem is an integral part the Palestinian Territory occupied in 1967.

Find a just solution for the Palestinian refugees, according to resolution 194 adopted by the General Assembly in 1948.
