

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, ETHIOPIA

P. O. Box 3243

Telephone: 517 700

Fax: 5130 36

website: www.africa-union.org

SC7520

EXECUTIVE COUNCIL

Twenty-First Ordinary Session

9 – 13 July 2012

Addis Ababa, ETHIOPIA

EX.CL/733(XXI)

Original: English

**REPORT OF THE COMMISSION ON THE SITUATION
IN THE MIDDLE EAST AND PALESTINE**

REPORT OF THE COMMISSION ON THE SITUATION IN THE MIDDLE EAST AND PALESTINE

I. Introduction

1. It is noted that there was no remarkable development in the peace process in Palestine and the Middle East during the period under review. On the contrary, the Israeli Government has pursued a hostile policy through its commitment to continue building and expanding settlements in the Occupied Palestinian Territories.

2. The reason for the stalled negotiations between the parties is due to Israel's policy of refusing the principle of Two-State Solution on the borders of June 1967, and its continued policy of settlement expansion.

3. Israel still continues its aggressions against the Palestinian people in the occupied Palestinian territory, through repeated violations in different forms, which affected all aspects of the daily life of Palestinian people and the continued blockade of the Gaza Strip.

4. This report deals with the tragic situation affecting Palestinian prisoners, because of Israel's refusal to deal with them on the basis of principles of international law and principles of human rights, and the continuation of the prisoners in an open hunger strike, in the battle of the "empty intestinal".

5. As a result of failure in the peace process, this report focuses on the obstacles and difficulties facing the political settlement, as well as focusing on the difficulties of humanity, social, economic, health and education facing the Palestinian people.

II. The Peace Process

6. The unsuccessful application for membership by the State of Palestine to the UN Security Council is considered a violation of the right to full membership of the United Nations. This right is one that should be fulfilled as part of the peace process and the leadership of the Palestinian people will continue to make the demand for membership as part of the process of achieving freedom, dignity and independence.

7. It should be noted that Member States of the African Union together with all peace-loving nations, is serious in its support of the Palestinian request to get the full membership as the State of Palestine at the United Nations and its various bodies, confirming the decisions of the AU Summit in Malabo 2011, and re-emphasized in the Addis Ababa Summit in January 2012.

8. The illegal Israel's policy and that still hinders access to a just, lasting and comprehensive and peaceful solution to the Palestinian - Israeli conflict, which represents the core of the Arab - Israeli conflict, Where it still refuses to accept the principles of the peace process based on the principles and resolutions of international legitimacy and the relevant resolutions, and insists on non-compliance to these principles.

9. The policy of extremism by the settlers, and with the support of the Israeli government, and the protection by the Israeli army, to attack Palestinian civilians and their property, places of worship, the demolition of houses and uprooting trees, all that is a sign of the unwillingness of the Government of Israel to go ahead with the peace process and the resumption of negotiations down to the two-state solution.

10. Despite efforts by the international Quartet to resume the peace process, the Israeli government is always working to undermine these efforts, by meeting these efforts with negative attitudes, by continuing its settlement policy, and its refusal to accept a Palestinian State on the borders of June 1967.

11. The Quartet still confirms that the comprehensive settlement of the Arab-Israeli conflict based on Security Council Resolutions 242, 338, 1515.1397, 1850, and the principles of the Madrid Peace Conference, including the principle land for peace, the Road Map, and agreements between the two sides, with an emphasis on the importance of Arab peace initiative, and calls on Israel for a serious response to this important initiative and to abide by word and deed.

12. The Palestinian leadership confirmed the acceptance of all the efforts, specifically the Quartet in its announcement of the timetable for the start of negotiations, which leads to an end to the Arab-Israeli The Palestinian leadership has cooperated in the framework of the Quartet plan, but the Israeli government blew up all these efforts and initiatives.

13. The Palestinian President, Mahmoud Abbas, sent an important message to Israeli Prime Minister Benjamin Netanyahu, as he expressed a possible flexibility to give peace another chance, in which he confirmed the positive response of the Palestinian leadership with the efforts of President Obama, the efforts of the Quartet, and the brave Jordanian initiative, which aimed to restore the peace process to its natural track, and that the resolutions of international legitimacy, international law, the signed agreements, agreed terms of reference and road map are the basics and fundamentals that take us to the final solution. He also stressed on a set of demands, most important, "the Israeli government approval on the principle of Two-State Solution on the borders of June 1967, to stop all forms of settlement activity including East Jerusalem, the release of detainees, particularly those who were arrested before 1994, the abolition of all decisions taken by the Israeli governments since 2000, and to respect existing interim peace deals".

III. The City of Jerusalem;

14. The recent approval of the Israeli Government to build 2610 new housing units in occupied Jerusalem, from which Israel seeks to set up a huge tourism project, to include thousands of units and hotel rooms, is contrary to all international resolutions on Jerusalem, and prohibits the occupation authorities to make any change in, as a city under occupation.

15. In the city of East Jerusalem, Israel continues to take successive actions, aimed at the Judaization of the total city, by continuing its acts of aggression against the places of the Islamic and Christian holy sites, especially the Al Aqsa Mosque,

by conducting excavations, digging tunnels, building synagogues, threatening a total collapse to these holy sites, as well as measures undertaken by Israel to open a road linking the settlements with East Jerusalem, which serves to isolate Jerusalem from the West Bank.

16. The Israeli authorities continue to issue laws aimed at transferring the Palestinian population to other places, and emptying the Holy City of its population, and the destruction of their homes, and to intensify the pace of settlement building as unprecedented since 1967. And the occupation forces impose tough conditions on the Palestinians living in Jerusalem, preventing them from returning to the Holy City, knowing that they were forced to leave the city, as part of Israel's policy of ethnic cleansing of the city to change the demographic balance in occupied East Jerusalem, So that the Palestinians do not make up only 12% of the population of this city in 2020.

17. The Israeli occupation authorities' try to impose educational curricula on the Palestinians inhabitants of Jerusalem, in an attempt to change the national culture of the Palestinian residents of Jerusalem, by that it continues assaulting the Palestinian people national rights, in a bid of Judaization to the cultural identity of Jerusalem and its inhabitants, this falls under the attempts of ethnic cleansing in the Holy City. In this regard, the Palestinian leadership calls on the world, international organizations and human rights organizations to intervene to save the city and the culture of Jerusalem of the colonial racism Israeli occupation forces attack.

IV. The Apartheid Wall

18. Israeli occupation authorities is persistent in its refusal to implement international legal decisions and the Advisory Opinion of the International Court of Justice of 9 July 2001, as well as the relevant resolution adopted by the UN General Assembly in 2004. Instead, it carried on with its policy of confiscating Palestinian land so as to build this wall which will transform the West Bank into enclaves and cantons; a wall that will be 810 km long and take up 22% of the total surface area of the occupied Palestinian territories, note that it had been so far 500 km of the Apartheid Wall built, which is 99% of it on the OPT.

19. Israeli occupation authorities continue its policy of racism, by imposing conditions and barriers on the movement of Palestinians between towns and villages, where they developed a 585 inspection points and military checkpoints, similar to international crossings, and thus impede the movement of traffic within the West Bank. These barriers also constitute an obstacle to free movement of goods, resulting in raising transport costs and the negative impact on the purchasing power of Palestinians consumers, and also used these barriers in order to expel the Palestinians and keep them away from their land and farms, and to put them in prison, and the soldiers insulting citizens at these barriers, and prevent patients from passing.

20. Israeli occupation forces have also continued to use excessive, brute and intentional force on the weekly peaceful demonstrations organized by Palestinian civilians, volunteers of international solidarity and Israelis activists for peace and human rights against the continuation of constructing the Apartheid Wall in

several Palestinian cities and towns adjacent to the wall. On the occasion of "Land Day" under the slogan "Welcome to Palestine," which the Palestinian people revived, was attended by foreign solidarity activists from all over the world, the Israeli authorities prevented them from entering and deported them back at the airports and border crossings, and beaten them severely.

21. Israel announced it had begun to build a wall on the border with Lebanon and Syria, similar to the Apartheid Wall in the West Bank, as well as announcing a plan to build a similar wall on the border with Egypt. The construction of such a wall on the border of the Arab states, proves without doubt that Israel is a racist state which choose not to integrate into the Arab world at all levels of economical, social and cultural, thereby isolating itself from their natural environment, and proves the composition of Israeli society as a structure of racism.

V. The Palestinian prisoners in Israeli jails

22. The issue of Palestinian prisoners in Israeli jails is the cause of the people and the homeland was and is still and will remain a central issue of the Palestinian people and leadership, and prisoners freedom is always on the top of priorities of the Palestinian Liberation Organization.

23. The Israeli occupation authorities is still holding -until now- more than 4,400 Palestinian prisoners, including 200 prisoners who are minors, 9 women, and 300 of those arrested without charges, that's what so-called "administrative detention". The arrests were not confined to a certain segment or a specific category, but affected all segments of the Palestinian people without discrimination of women and children and the elderly, men, the sick and disabled, members of parliament and political leaders, trade union and professional, journalists and writers.

24. The Authorities of the Israeli Prison Service has always expressed its agreement to meet some demands of the Palestinian prisoners, but it does the opposite. Detainees are still suffering from the difficult conditions of detention, which are a violation of basic human rights and the Fourth Geneva Convention of 1949 on prisoners and the protection of civilians in times of war. w Prisoners are exposed to the worst conditions of detention, such as solitary confinement, denying families from visiting them, depriving them of the means of hygiene, the use of poison gas to break strikes, the denial of medical treatment, and humiliation of the relatives of the prisoners during their visit. Other bad treatments are the denial of university education, on-going assault on them morally and physically through brutal suppression, the imposition of sanctions, individually and collectively continuously, and the administrative detention of several prisoners without charge and without trial.

25. These days, the prisoners locked in an open hunger strike, they are determined to achieve their goals and demands of humanity, as well as express their anger and lack of confidence in the promises which were promised by the Israeli Prison Service to meet their demands. In this regard, the Palestinian leadership is seeking to lift the injustice of prisoners through a broad international movement to force the Israeli occupation authorities to meet the demands of the prisoners and humane treatment.

VI. The Settlements

26. The Israeli authorities intensified its expansionist policy in the occupied Palestinian territories, to the acquisition of more Palestinian land, by confiscation destroying of land, and the destruction of houses, and ethnic cleansing against the Palestinians, in order to expand settlements and build new settlements. It is reported that Israel had confiscated more than 40 % of the occupied West Bank. Israel brought forth new settlers from parts of the world, making their total number up to 600,000 settlers. And use the transportation network and ways to connect with each other, and prevents Palestinians from using them.

27. The armed Israeli settlers intensified hostilities and daily violations against Palestinian citizens and their property, and agricultural land, and places of worship, and cemeteries, at the instigation of the priests of the Jews, who dictate their religious edicts allowing them to murder non-Jewish people, stealing their land and their agricultural products, and the confiscation of their land under the pretext that the Palestinian territories are the property of the Jews, which entitles them the right to recover.

28. Office for the Coordination of Humanitarian Affairs of the United Nations, published in the July 5, 2011 report indicates that the Israeli occupation authorities have demolished since the beginning of 2011 were up to 352 Palestinian-owned building in East Jerusalem and its suburbs, which led to the displacement of 691 people to other areas. Such a process is three times the demolitions and four times the number of Palestinians displaced from the same period and the same situation in 2010.

29. The Israeli Parliament "Knesset", in the July 12, 2011, passed a law known as the "law of settlements boycott," Provided to prevent the dissemination of advertising for a boycott of settlement products, and under this law shall be punished everyone calls for this boycott, and deprived from participating in the state negotiations, and this law allows the settlers to file a lawsuit against every person who calls to the boycott.

30. The Israeli Ministry of Housing granted, in July 18, 2011, a license to build 6900 new housing units in the major settlements on the territory of the northern West Bank, and 150 new other Units south-western province of Bethlehem.

31. The Israeli organization "B'Tselem, published, in the July 19, 2011, a report indicates that Israel controls entirely the water in the Jordan Valley area, and monitor water storage for the 9500 settlers living in 32 settlements located on the 5% of the territory of Jordan Valley, and consume a third of the water consumed by 2.5 million Palestinians living in the West Bank. In this regard, the "B'Tselem" stresses," The Israeli works in the province of the Jordan Valley blatantly inconsistent with international law, humanitarian law, and the Fourth Geneva Convention of 1949.

32. Based on the above, it is clear that continuing Israeli policy of building settlements is a major obstacle to progress in the peace process and to begin negotiations, and constitute also a major threat to the future of the occupied Palestinian territories, and to build a viable Palestinian state, which Palestinians want

to set up by the support and backing of the peoples and nations of the world that love peace, justice and equality.

VII. The living conditions of Palestinians in the occupied territories

33. Israel, the occupying power, continues repeated violations in many aspects of the rights of the Palestinian people in their daily lives, by committing acts of threatening his life, and destroy its economy, and hinder its development, and causing pollution of the environment, shifting streams of water, rob and confiscate land, and intensify the activities of the settlements on its territory, in addition to the blockade and obstruction that the Palestinians suffered by during their movement, because of barriers and obstacles focused on roads.

34. In the Gaza Strip, the Israeli blockade, which lasted for more than five years, has led to the collapse of the economy, trade and agriculture. And remain residents of the Gaza Strip until now, deprived of material that is of the simplest necessities. More than 80% of Gaza population suffer extreme poverty, and rely entirely on external humanitarian aid. They also face various ailments due to lack of drugs and the difficulties they face in dealing with serious cases and the transfer of patients to hospitals outside the Gaza Strip. Also, Israel prevents the arrival of construction materials to rebuild schools and institutions destroyed by the Israeli occupation forces during the aggression on Gaza Strip, which constitutes a major obstacle in the provision of schools education, social, cultural and health services.

VIII. Development in the Palestinian Occupied Territories

35. The year 2011 was marked by continued Israeli policy of multiform abuses, the objective of which has been to stifle the development process in the occupied Palestinian territory, and to increasingly consolidate correlation between the Palestinian and Israeli economies. In this regard, Israel continues its policy of destruction of the Palestinian Authority's productive capacity in the spheres of agriculture and industry, and of acquisition of land and resources, while further strengthening the embargo, the isolation and the control points, all of which has had a negative impact on the Palestinian Authority's endeavors to put in place an institutional structure capable of managing an independent Palestinian State. This explains why the Palestinians have remained largely dependent on international community assistance.

36. In view of these serious issues, it is vital that the international community, especially the Security Council, the United Nations and the Quartet break their silence with regard to these persistent Israeli measures as represented in land looting and expulsion of Palestinians, take effective measures to compel Israel to comply with international legal resolutions and agreements concluded, and get it to cease all actions aimed at confiscating Palestinian land.

IX. Conclusion and Recommendations

37. The continued escalation of the Israeli policy of intransigence, Israeli Rightist Government practices in the occupied Palestinian territories and the frantic pace of settlement activity constitute a flagrant disregard of international law and international

legitimacy. That aims to create a new reality prejudice seriously on Palestine's territorial integrity, and changes the historic and demographic nature of the City of East Jerusalem, capital of the future Palestinian State. The measures are prejudicial to the two-state solution that won the consensus of the international community.

38. Moreover, over a million and a half Palestinians living in Israel are threatened with forced expulsion and confiscation of their civil and political rights, as a result of Israeli Government's unrelenting attempts to impose on them extremely harsh conditions, namely, requiring them to recognize the Jewishness of the Israeli State, with all the racist connotations that this entails.

39. Attempts to impose partial and step-by-step solutions and the implications of a State with provisional borders complicate a fair and lasting solution to the Palestinian question. The international community is therefore encouraged to invest greater efforts to put an end to the conflict.

40. During the reviewed period, the African Union proved once again, its solidarity towards the Palestinian people, and its continuity in support of Palestine in international and regional forums, through the efforts of its representatives in the Security Council who devoted their efforts to the success of the effort of the Palestinian leadership in order to join Palestine State as a full rights member State at the United Nations. And these efforts must continue in full force to support the Palestinian people to restore their legitimate rights and establish their independent state on the borders of June 1967, with its capital in East Jerusalem.

2012

Report of the commission on the situation in the Middle East and Palestine

African Union

African Union

<http://archives.au.int/handle/123456789/4228>

Downloaded from African Union Common Repository