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

## **REPORT OF THE COMMISSION ON THE MIDDLE EAST AND PALESTINE**

### **INTRODUCTION:**

1. At its regular sessions, the African Union Assembly reviews the situation in the Palestinian territories, the Syrian Golan Heights and the Lebanese Shabaa farms occupied by Israel since 1967, in pursuance of the principles of Africa and Arab solidarity in support of the Palestinian fight against occupation, colonialism and racism. It issues appropriate backing and supporting resolutions to usurped Arab rights by Israel.

2. It is appropriate to refer here to the Declaration and Decision taken by the 20th AU Assembly held in Addis Ababa, Ethiopia, January 2013. The Assembly welcomed the resolution of the General Assembly of the United Nations granting the state of Palestine the status of "non-member" observer to the United Nations and praised Member States for their solidarity with the Palestinian request, which is a political and diplomatic victory and a step towards the full achievement of the Palestinian legitimate right for of Palestine to be accepted as a full member State of the United Nations, and that peace cannot be achieved without the establishment of an independent, sovereign and viable Palestinian State in the West Bank and Gaza Strip with East Jerusalem as its capital, according to the 1967 borders.

### **PEACE EFFORTS BETWEEN ISRAELIS AND PALESTINIANS**

3. In light of the persistent stalemate in direct and indirect negotiations between the Palestinians and Israel, the pace of settlement has escalated dramatically and building of settlements continued in every place in the West Bank. Israel is confiscating and looting Palestinian ownership, continuing the blockade of the city of Jerusalem, completely isolating it from the occupied West Bank, thus seriously undermining the peace process.

4. Due to the foregoing, the Palestinian cause in all its aspects is presently facing its most critical stage as Israel continues to reject the peace option through seizing every opportunity to escalate its extremist positions opposed to peace by acting on the ground, especially after Palestine obtained membership of the UN General Assembly as an observer.

5. A quick look at the Israeli practices in the occupied Palestinian territories confirms that the rejection of a just and comprehensive peace in accordance with resolutions of international legality and the Arab Peace Initiative is a deliberate strategy by Israel. It is very clear that occupying Jerusalem, its holy sites whether Christian or Muslim is a dangerous target set by Israel, through enacting racist laws that perpetuate settlements. Settlers are encouraged to brutal aggression on the Palestinians and their properties. Likewise, defiance of the international community and non compliance with resolutions of international legality, international law and international humanitarian law, has become the dominant feature of the Israeli government, which attacks any party criticizing the judaization and violations of the Palestinian territories. This is confirmed by

the statements of Israelis officials and in particular Netanyahu's statement on 25.01.2013, following Israeli elections, where he stressed that the era of the removal of settlements and of concessions was over forever in addition to other Israeli public statements confirming Israel's continued constructions in the city of Jerusalem and that Jerusalem will remain forever the capital of Israel.

**6.** These public statements of Netanyahu are a clear response to many international positions that condemned the Israeli aggression and criticized the settlement and judaization of the land, undermining efforts to revive the peace process, including the Declaration and Decision of the 20<sup>th</sup> session of the AU Assembly referred to above, which rejected all Israeli measures in East-Jerusalem and denounced settlements and settlers practices against the Palestinian people. The Assembly also rejected all announcements by Israel to establish new units in the settlements especially in the area (E1), which marks the end of a two-state solution. This requires pressure from the international community on Israel to stop its continued settlement procedures if it wanted this solution to be viable.

**7.** Although the United States voted against the recognition of the State of Palestine as an observer at the United Nations and stood against a decision by the Security Council in December 2012 condemning Israel's settlement policy, it still has a role, expected to be effective and fair in moving forward the peace process in the region, especially in light of the visit by U.S. President Barack Obama to the region on 20.03.2013.

**8.** Following the appointment of Senator John Kerry as Secretary for Foreign Affairs, political observers are expecting an action to advance the peace process, based on his statement following the congress approval of his appointment to his new position on February 2, 2013, on the possibility of changing the way of negotiations and confirming that the two-state solution is the existing option and that exclusion of this option will affect the advancement the peace process. In addition to this there were other visits by senior U.S. officials to the region including the visit of the Secretary of State from 24/2 to 03/03/2013, and the expected visit of the U.S. President starting from March 20.

**9.** The League of Arab States considers that the obtaining by Palestine of the status of a non-member State (observer) in the United Nations is a diplomatic gain and represents a strategic shift in the Palestinian issue, which requires a new approach in the future Palestinians Israelis negotiations that is to say between an occupied State and the State of the occupation authority and confirms that the Palestinian territories are occupied territories and not disputed territories as Israel claims.

**10.** In this context, and in order to activate the Arab Peace Initiative Committee to advance the peace process, the Committee has issued in its meeting held in Doha on December 9, 2012, a decision calling for : "The setting up of an Arab ministerial delegation, chaired by H.E the Prime Minister and Foreign Minister of the State of Qatar with the participation of the Secretary General of the Arab League and Member States that so wish, to hold consultations with the Security Council, the United States of America, Russia, China and the European Union to agree on mechanisms and invite the international community to support the launching of serious negotiations focusing on the

implementation of UN resolutions, especially relevant Security Council resolutions, notably resolutions No. 242 of 1967 and No. 338 of 1973, according to a specific timeframe. To this effect, it requested the Secretary-General to establish a working group to prepare the executive steps necessary for this move. "

**11.** The League of Arab States believes that the success of the efforts of the political process requires an effective international will, capable of ending the Israeli occupation of Arab territories occupied in 1967 and enabling the Palestinian people to self-determination and to exercise national sovereignty on the territory of the independent State of Palestine with Jerusalem as its capital on the 1967 borders. The League also believes that without this will, peace will not be achieved and the frozen political process will not be revived in light of the continued Israeli violations of UN resolutions and rules of international law, and pursuance of its settlement, completing the apartheid wall, judaization plans of occupied Jerusalem, aggression on Christian and Muslim holy sites and maintaining control and hegemony over resources of the Palestinian people. This aims at paralyzing its institutional capacity to provide services to the Palestinians and weaken their resistance capacity. The international community must intervene urgently and immediately to save the lives of prisoners who went on hunger strike, force Israel to release them immediately, cancel administrative detention and respect the rights of sick prisoners and children as well as members of the Legislative Council as guaranteed by all principles of international law and international humanitarian law and the Geneva Convention.

#### **DEVELOPMENTS OF THE SITUATION IN THE OCCUPIED PALESTINIAN TERRITORIES INCLUDING JERUSALEM:**

**12.** After the international recognition of Palestine as a Non-Member observer State at the United Nations in 11/29/2012, the occupied Palestinian territories witnessed a dangerous Israeli escalation in the political, economic and social fields, as Israel hastened to announce the start of the implementation of a broader settlement attack in the occupied West Bank targeting occupied East Jerusalem and its suburbs in particular. The Israeli government adopted plans to build nearly three thousand housing units in the occupied city. On 19.12.2012, the Israeli Planning Committee approved the establishment of 2610 housing units in the neighborhood of Givat Hamtos settlement in the South of East Jerusalem, "which is the first settlement district, announced 12 years ago, without any settlement built in it before."

**13.** In the same vein, the Israeli Committee for Planning and settlement Building approved the establishment of 1500 housing units in Ramat Shlomo settlement in the Givat area, north of Jerusalem and the confiscation of 1200 acres to implement plan (E1), a scheme whose presentation in 2010, during a visit by U.S. Vice President Joe Biden to Israel, raised the ire and opposition of the U.S. Administration to it. This shows the danger of implementing these settlement schemes referred to above.

**14.** The surface of E1 area is about 12 square kilometers, and being a geographically sensitive area for the future of the Independent Palestinian State with East Jerusalem as its capital it embodies the focus of an escalating conflict between Israel and the State of Palestine, as well as an escalating disagreement between Israel and its Western allies

as the establishment of settlements there threatens the two-state solution. Settlement plans in E1 area will isolate occupied East Jerusalem from its Palestinian environment, divide the occupied West Bank preventing the establishment of a viable State of Palestine, complicating efforts to determine the parameters of a coherent Palestinian State and making difficult the communication between Palestinian communities surrounding this region, which means the elimination of peace in the Middle East.

**15.** In a Palestinian popular response to the Israeli settlement launched in the E1 area, nearly 200 Palestinians organized sit-ins some of them showing documents attesting their private ownership of land in that area. They established a village of tents under the name of (Bab El-Shams village) but have been attacked by Israeli soldiers who arrested dozens of them and declared the area a military zone.

**16.** Palestinians also set up another village of tents called Dignity Village in East Jerusalem on the land threatened by confiscation in order to complete the construction of the apartheid wall, but again the tents were destroyed by the occupation forces and their occupants displaced.

**17.** The establishment of these villages constitute an important link in the resistance against the occupation and settlement in a new way, which requires concerted efforts to provide Palestinians with means of resistance, particularly in the occupied city of Jerusalem, which is witnessing a fierce attack to change its geographic and demographic features, prejudice its Christian and Islamic holy sites and target Palestinian national existence therein.

**18.** On the other hand, during the period under consideration, Israeli occupation forces escalated incursions and intrusions acts and arrested Palestinian citizens on a daily basis throughout the West Bank, especially in the area classified (c) and the areas in the vicinity of settlements and the path of the Apartheid Wall in order to empty it of its Palestinian residents and confiscate it in favor of settlement expansion projects. The Palestinian Central Bureau of Statistics has issued a report indicating that the number of settlers in the occupied West Bank in 2012 has reached more than 650.000 settlers living in 144 settlements.

**19.** The Israeli occupation forces continue to erect military checkpoints amounting to more than 500 fixed ones in the West Bank, used as traps of Palestinian civilians arrested by dozens each year while dozens of others were exposed to abuse, humiliation and inhumane treatment. These checkpoints also constitute an obstacle to the movement of Palestinian goods, hence increasing the economic burden faced by the Palestinian citizens.

**20.** It is worth noting here that Israeli occupation authorities continue to exercise all kinds of violations against about 4500 Palestinian prisoners, including nearly 198 children, 7 women prisoners, 215 administrative detainees without charge or trial and 14 members of the Legislative Council, in flagrant violation of the principles of international law and human rights, children and women rights and the Geneva Conventions III and IV. The martyrdom of a prisoner under torture few days after his arrest has raised angry

reactions in the occupied Palestinian territories, where huge rallies were launched and clashes broke out with the occupation forces leading to the wounding and arrest of several Palestinian activists.

**21.** Also during the period under consideration, Israel confiscated Palestinian tax funds that it collects on behalf of the Palestinian National Authority, which led to a persisting financial crisis with economic and social repercussions on the Palestinian people in the occupied territories as punishment for the success of the Palestinian leadership in obtaining for Palestine the status of Non-Member Observer State in the United Nations.

**22.** In this regard, the Council of the League of Arab States, at the ministerial level, held an extraordinary session on 13/01/2013 and passed a resolution condemning Israel for withholding Palestinian funds, which constitute a cornerstone of the Palestinian economy, and invited the international community to move immediately to compel Israel to release withheld Palestinian tax funds leading to deprive more than a million Palestinians from daily subsistence. It also called upon Arab countries to an immediate implementation of the financial safety net of 100 million USD per month to the Palestinian Authority, scheduled since March 2012.

#### **RECOMMENDATIONS:**

**23.** In line with AU Assembly practice to issue a decision in solidarity with the struggle of the Palestinian people, we can suggest that the resolution includes the following:

- a) Support the Arab position affirming that the obtaining by Palestine of the status of Observer State at the United Nations means confirmation of international recognition of Palestine as a full State under Israeli occupation, making it imperative for the international community to end this occupation and launch negotiations, which should have as reference the implementation of UN resolutions, particularly relevant Security Council resolutions, 242 of 1967 and 338 of 1973, which stipulate the end of occupation and Israel's withdrawal to the line of June 1967, including East Jerusalem the capital of Palestine within a timeframe to be agreed upon. It should also ensure to stop all Israeli settlement activities, release Palestinian prisoners in Israeli jails and support the efforts of the State of occupied Palestine for membership in international agencies and to join international conventions and protocols.
- b) Call upon the international community to exert pressure on Israel to lift the blockade on Gaza Strip, open the crossings, and allow the construction of the seaport and the rebuilding of the airport and the entry of building materials to restore what has been destroyed by the recent Israeli war on Gaza Strip.
- c) Condemn the new settlement project known as project E1, which was approved after a decision of the UN General Assembly to grant Palestine

the status of Observer State, aiming at dividing the West Bank into two separate parts, hence eliminating the two-State solution and the establishment of an independent geographically connected Palestinian State.

- d) Call upon the States and institutions that provide support to Israeli settlement to stop funding it, as it constitutes a breach of international law and resolutions of international legality.
- e) Call upon the States and institutions that have investments in companies contributing to the support and financing of Israeli settlements in the occupied Palestinian territories to withdraw their investments, as this constitutes a violation of international law and relevant international legality resolutions and undermines the peace process.

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# Report of the commission on the Middle East and Palestine

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