

Badil Statement to the 7th Session of the HRC (6 March 2008)

Badil Resource Center for Palestinian Residency and Refugee Rights

HUMAN RIGHTS COUNCIL

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Written statement submitted by Badil Resource Center for Palestinian Residency and Refugee Rights, a non-governmental organization in special consultative status.

## **60 Years of Nakba and Still No Solution to the Question of Palestine that Respects International Law**

60 years after the massive displacement of the Palestinian people (Nakba), Israel pursues its policy of population transfer by acquiring Palestinian lands and resources by force and imposing a colonial and apartheid regime in territories under its jurisdiction. Israeli officials are also intentionally and knowingly targeting civilian areas, in particular in the occupied Gaza Strip. An impartial investigation is incremental and the perpetrators of these war crimes and crimes against humanity must be held accountable.

Moreover, while violence between Palestinians and Israelis is often deplored and calls for ceasefire abound, the root causes and the fundamental rights of the Palestinian people are not addressed. This approach encourages armed resistance. It is time for the international community to make a strategic change and adopt an approach that not only condemns violence but addresses its root causes and the fundamental rights of the Palestinian people.

Solutions to this conflict exist. But in order to bring the just and durable peace that everyone seeks, they must respect the rights of all peoples, including the right of refugees and internally displaced persons to return home. Unfortunately, Palestinians still witness today a peace process characterized by real politik, yielding unsustainable 'pragmatic and realistic' solutions.

There are today around 7 million Palestinian refugees who still do not have access to remedy and reparations, including the right to return and property restitution. As the United Nations is celebrating the 60th anniversary of the Universal Declaration for Human Rights, justice and dignity for the Palestinian people is still denied. It is in this context that Badil calls upon all parties to the conflict, in particular the United Nations, the European Union, Russia and the United States, to adopt a rights-based approach that respects international law.

Until then, Badil urges all members of the international community to hold those responsible for war crimes and crimes against humanity accountable and to undertake measures of Boycott, Divestment and Sanctions against the government of Israel until it complies with international law.

### **Badil recommends to:**

1. Urge state members of the UN to take measures such as economic sanctions and diplomatic boycott against Israel for its breach of international law and non-implementation of UN Resolutions, as well as the advisory opinion of the International Court of Justice on The Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory.
2. Undertake a study on the applicability of the crimes of apartheid and population transfer to Israel's actions in the Occupied Palestinian Territory and Israel.