

Fourth National Conference to Defend the Right of Return al-Bireh, Palestine, Saturday 29 November 2008

Final Statement

“There is no alternative to returning home”

To our Palestinian people, freedom fighters in historic Palestine and in the exile, and to all people of conscience worldwide we extend our greetings.

Today, on the day of the anniversary of UN Resolution 181 for partition of historic Palestine which was later declared the International Day of Solidarity with the Palestinian People, the National Committee for the Commemoration of Nakba-60 / the High National Committee for the Defense of the Right of Return convened, in the city of al-Bireh, 1967 occupied Palestine, the Fourth* National Conference in Defense of the Right of Return.

[*the first two conferences were held in Nazareth and in the former Israeli detention center of al-Far'a in 1995, followed by a popular refugee conference convened in the Dheisha refugee camp and in Gaza city in 1996.]

Proceedings

Numerous actors participated in this Conference, including national and Islamic forces, organizations and institutions, civil society, and public personalities involved in the defense of the right of return. Hussam Khader, activist and member of the Palestinian National Council, opened the event and stated: "During the commemorations of the sixtieth anniversary of the Nakba, we have chanted much for our right to return to our homes of origin, from al-Naqoura (Rosh Hanikra) to Um-Rashrash (Eilat), which is sacred, indivisible, inalienable and non-negotiable. Time has come now to join forces and work hard for our return." Dr. Rafiq Hussein, speaking on behalf of PLO Chairman and PA President Mahmoud Abbas (Abu Mazen), affirmed the importance of the conference and the responsibility of the PLO, as sole legitimate representative of the Palestinian people, for the Palestinian refugees and their rights.

Abdelrahim Mallouh spoke on behalf of the PLO Executive Committee and stressed that the right of return has been one of the pillars of the Palestinian national struggle.

In appreciation of the heroic resistance of Umm Kamel al-Kurd and her family in occupied Jerusalem against Israel's arrogant police forces and racist courts who work to expel Palestinians from their city in order to maintain a Jewish majority, Umm Kamel was invited to address the Conference as honorable guest. Her message was proud and clear: "Do not despair. Those who remain steadfast and defend their rights will return. Even if I were forced to live in a poor, squalid and isolated tent, the sky and the breeze of Palestine would suffice for me to continue the struggle until we return to our homes."

Muhammad Alayan, on behalf of the High National Committee for the Defense of the Right of Return, addressed current threats to the Palestinian people; he called to end the state of internal division, build unity and cohesion and confront the political schemes and projects which aim to abrogate the rights of our people, in particular the right to return to our homes and places of origin.

The second session was chaired by Tayseer Zibri, Jamal al-Shati and Dalal Salama. A report about the regional preparatory workshops (mid-October until mid-November 2008) was followed by discussion of the working papers submitted to the Conference, including review of their recommendations. Three papers which were already presented to the preparatory workshops were discussed first: "The Right of Return, Proposals for Peacemaking and International Law" presented by Walid Rajab for the Consortium of the Displaced and the Destroyed Towns and Villages; "The Right of Return between the Two-state and One-state Solution" presented by Nidal al-Azza for Badil Resource Center; and, "Mechanisms for the Exercise of Refugees' Right of Return" presented by the secretary of the Union of Youth Activity Centers-Palestine Refugee Camps. Two new papers which were not presented to the preparatory workshops were discussed subsequently: "Mechanisms of Public Activation for the Defense of the Right of Return and Overcoming the Obstacles to its Implementation" presented by Iyad Barhgouti for the Union of Arab Community-based Associations (Ittijah); and, "The Role of the Palestine Liberation Organization in the Awakening of the Arab Masses" presented by Abdullah Hourani for the Palestine Popular Assembly for the Defense of the Right of Return, Gaza Strip.

The closing session was led by Omar Assaf, and Yasser Abu Kishk. Following a presentation of the recommendations to be included in the final statement by Mohammed Abu al-Kheir (High National Committee), the Conference requested the Drafting Committee to proceed with the preparation of the final statement. A decision was taken to broaden membership in the High National Committee and to invite all bodies active in defending the right of return to join.

Vision and analysis

1– Contemporary threats: the Fourth National Conference to Defend the Right of Return convened at a very critical stage in the struggle of the Palestinian people. First, the internal Palestinian conflict has consumed most of the popular energy and re-directed it in ways that do not serve the struggle for our rights, nor preserve the dignity of our people. Second, Israel continues the aggressive and racist policies of its settler-colonialism which targets the land and the existence, the rights and the identity of the people. Third, the international community, led by the powerful United States, is complicit with Israel, the apartheid state, the colonial settler state and aggressive occupying power. Fourth, the unprecedented weakness of the Arab states has cleared the way for further deterioration and decline. Accordingly, we believe that the rights of the Palestinian people, including the right of refugees and internally displaced Palestinians to return to their homes of origin, are seriously threatened and that organized, sustained and focused work is required from all forces, institutions, organizations and individuals in order to protect these rights and achievements.

2 – The PLO and the home front: the internal division is deeper at a time when the national interest requires a united effort. We believe that the continuation of this division only serves the enemies of our people. We also believe that our home front has been weakened due to the replacement of the PLO by the Palestinian Authority, resulting in threats to past achievements and the contemporary Palestinian struggle at all levels. Historically, the struggle of the PLO in defense of its existence and independence have never been a matter of internal dispute, despite the differences among the various Palestinian political forces, and the PLO has never failed to defend its existence and independence, irrespective of the limited resources and capacities. The PLO, however, became trapped in negotiations and public relations efforts with Israel and the international community, and our fundamental rights became hostages to international donors and conditioned aid and at best have been described as being "unrealistic." Aware of the fact that the balance of power is not in our favor, we believe that our people have the faith, energy and will to contribute what is required the continuing violation and erosion of our rights. We believe that the re-construction and re-activation of all institutions of PLO - the sole legitimate representative of the Palestinian people, the unifying national framework, the organizational and political tool and the supreme Palestinian authority - is an urgent national priority that must not be delayed.

3 – The conflict, the ongoing Nakba and the state of Israel: Sixty years of Nakba (since 1948), 41 years of occupation of the West Bank and Gaza Strip (since 1967) and nearly 20 years of the indirect and direct negotiations, highlight the urgent need to re-examine the nature of the legal and political system which Israel has imposed on the indigenous Palestinian people. In-depth analysis of Israel's regime leads to the conclusion that it is a repressive system of racial discrimination which, on grounds of nationality, targets all Palestinians: refugees in exile, those holding Israeli citizenship and those under occupation in the 1967 OPT. It is a regime through which Israel seeks to prevent the exercise of the rights of the Palestinian people, in particular the right to return to their homes, self-determination and the right to establish an independent and sovereign state. The Israeli regime is an expression and manifestation of the racist ideology adopted by the political movement called Zionism. In other words, we affirm that Israel is a unique system which combines the characteristics of apartheid, settler-colonialism and belligerent occupation.

4 - The international community and Western diplomacy: the United Nations, in particular its Security Council and General Assembly, as well as US-led international diplomacy have failed to recognize the particular racist nature of the Israeli regime. They have thus failed to recognize and address the root cause of the conflict, as well as major manifestations and consequences which drive its continuation, foremost among them the colonization of Palestine, oppression and forced displacement of the Palestinian people in/from their homeland, confiscation of their property and denial of the exercise of their fundamental rights under international law. By providing Israel with political, economic and military support, protecting it from international sanctions, or through complicity or silence, the international community has contributed to the entrenchment of Israel's racist policies and practices and strengthened its system of apartheid, settler-colonialism and aggressive occupation.

5 - Official and popular Arab support: we hold that both official and popular Arab activity is in a steady decline and no longer provides, morally or in practice, strategic

depth for the struggle of the Palestinian people. At best, Arab efforts are no more than acts of solidarity that have no influence on international policies which aim to deepen Arab fragmentation and to plunge the region into secondary conflicts, thereby ultimately undermining fundamental rights and principles.

6 - Global civil society: in light of the absence of political will among states and the United Nations for a just, comprehensive and lasting peace in the Middle East, we note with interest and attention that the forces of global civil society have begun to work actively for the Palestinian cause and the rights of our people. While we understand that we will have to wait patiently for the benefits from those efforts, we also recognize their importance and the need to undertake and develop work at this level. This is true in particular in light of the strong response by civil society actors, such as churches, unions, community-based organizations, academic and cultural associations and individuals, to calls for effective action, including boycotts, divestment and sanctions, as well as legal-judicial measures against Israel in order to put an end to its violations. There is a need to adopt practical measures aimed at creating political will among states and the United Nations to respect their legal obligations towards the Palestinian people and their rights.

Principles

Based on this vision and the firm belief in the justice of our cause, in our great struggling people and its capacities, and by virtue of our responsibilities as individuals and organizations, we who are gathered here today, consider it important to re-affirm the basic principles which guide the national effort aimed to protect, defend, and achieve the right to return to our homes of origin.

First, the right of return of Palestinian refugees to their homes of origin is both an individual and a collective right that is an integral part of our right to self-determination which cannot be abrogated by referendum, negotiations or political compromise. It is indivisible, non-negotiable, without substitute and passed on from generation to generation. Customary international law and principles of justice and equity, as well as UN resolutions 194 and 237 are considered the basis and define scope and content of the rights of Palestinian refugees and displaced persons.

Second, the cause of the Palestinian refugees and displaced persons in historic Palestine and in the exile is one indivisible cause; it is a matter of national identity and struggle which concerns all, not only the refugees.

Third, the Palestinian people in historic Palestine and in exile are one; the PLO is the sole legitimate representative of the Palestinian people and the national framework for organizing and political action. Protection, activation and reconstruction of the PLO and its institutions are a national obligation.

Fourth, all political solutions which do not allow refugees and displaced Palestinians individually or collectively to return to their homes of origin based on their free choice, are invalid and rejected. Just and lasting peace can be achieved only through the return of the refugees to their homes, restitution of property and compensation.

Fifth, the rights of refugees and displaced Palestinians to return to their homes of origin, restitution and compensation are basic parameters of any model for a political solution.

Sixth, Israel, the colonial apartheid state and aggressive occupying power persecutes and oppresses the entire Palestinian people in historic Palestine and in exile by means of a system of institutionalized racial discrimination. Israel is responsible historically, legally and morally for the Ongoing Nakba of our people. .

Seventh, the international community, especially the United Nations and its agencies, are responsible for providing international protection to the Palestinian people, in particular the refugees and displaced persons, until it is able to find a just and permanent solution that guarantees the rights of the Palestinian people through implementation of the UN resolutions, in particular Resolution 194.

Eighth, ending fragmentation and internal division is a prerequisite for liberation. The principles of pluralism and cooperation are to be adopted in theory and practice for this purpose.

Ninth, exercise by the refugees and displaced Palestinians of their right to voluntary and safe return to their homes of origin is a prerequisite for the exercise of the right to self-determination by the Palestinian people

Recommendations

Guided by our vision and principles, and based on the recommendations of previous conferences in al-Far'a, Dheisha, Gaza, and Nazareth as well as the regional preparatory workshops and discussion leading up to this conference, we recommend:

To the PLO and the Palestinian Authority

1 – Immediately and without delay, re-build and activate all PLO institutions and committees, particularly the Palestinian National Council (PNC) and the Department of Refugee Affairs.

2 - Immediately and without delay, taking action to end internal division through a comprehensive national dialogue.

3 – Set up transparent mechanisms, particularly with regard to political negotiations, in order to re-connect the leadership with the Palestinian people wherever they live.

4 – Abstain from the use of ambiguous and diplomatic language when speaking about the right of Palestinian refugees and displaced persons to return to their homes; do not engage with international, Israeli or Palestinian proposals that do not meet the standards of UN Resolution 194 in form and content.

5 - Activate the PLO to provide protection and assistance to Palestinian refugees in all regions of exile, in particular in Lebanon.

6 - Develop a mechanism of monitoring and control of the Palestinian Authority operations and political negotiations whereby ultimate authority is vested in the PLO.

7 – Ensure representation of Palestine in all international fora and conferences, especially in the United Nations, by the PLO; do not delegate this role to representatives of the Palestinian Authority as an alternative, because the Palestinian Authority is at an inferior level.

8 – Separate between PLO and Palestinian Authority finances and secure a separate budget for the PLO and its representative offices in all locations of Palestinian refugee communities.

9 – Suspend, criminalize and prosecute all Palestinian officials formally or informally engaged in, calling for, or promoting initiatives and projects that explicitly or implicitly jeopardize the rights of Palestinian refugees, especially their right to return to their original homes.

10 – Reject the idea of a referendum on the right of return to homes of origin, because this right belongs to future generations.

11 - Support and participate in all initiatives and grass-roots activities that aim to highlight and affirm the rights of Palestinian refugees, locally, regionally and internationally.

12 – Develop an educational curriculum that promotes a culture of return among the younger generations by addressing the rights of Palestinian refugees and displaced persons, in particular the right to return to homes which their grandparents and parents were forced to leave.

13 – Build and strengthen relations with political parties, movements and popular organizations in the Arab world, not limited to governments.

14 – Provide attention and care to Palestinian refugees and displaced persons living outside refugee camps.

To the international community

States, the United Nations and its agencies, and the Quartet are to respect their legal and political obligations:

1 - Respect, protect and promote the fundamental human rights of the Palestinian people, in particular our inalienable rights to self-determination and refugee return to homes and properties, and the right to equality.

2 - International actors, in particular those not allied with Israel, including Arab and other states and their regional organizations, the United Nations and civil society, should implement measures that can build political will to recognize Israel's institutionalized racial discrimination and eliminate the apartheid, settler-colonialism and military occupation imposed on the Palestinian people, including boycotts, divestment and sanctions against Israel and ending all forms of economic and diplomatic cooperation.

3 - The UN General Assembly should use its authority under the "Uniting for Peace" procedure, because the Security Council has failed to carry out its responsibilities and functions to end Israel's racist crimes which represented a serious threat to international peace and security; the right of return (resolution 194) should be made binding in this context.

4 - Promote and expand the role and mandate of UNRWA in its five areas of operation and make state contribution to UNRWA's budgets compulsory rather than voluntary.

5 - Support and enhance capacity and resources of the UN Committee for the Inalienable Rights of the Palestinian People, in particular for cooperation with civil society.

6 - Provide international protection and humanitarian assistance to the refugees and displaced Palestinians as a matter of legal responsibility and not charity. Do not use support of the Palestinian Authority as a pretext for cutting-back on financial support of UNRWA.

7 – Provide effective protection to the Palestinian people; in particular prevent the displacement of more Palestinians and empower Palestinians to resist forced displacement.

To global civil society

1 – Develop strategies for exposing the racist crimes of Israel's apartheid, settler colonialism and military occupation; support the struggle of the Palestinian people in historic Palestine and the exile so we can exercise our right to self-determination, return to our homes and achieve justice and equality.

2 - Maintain and develop the global Campaign for Boycott, Divestment and Sanctions against Israel in accordance with the Palestinian civil society call. We call in particular trade unions, professional associations, churches and civic organizations to take effective steps in order to ensure the isolation of Israel, including UN sanctions.

3 - Pressure governments to adopt policies that support the rights of Palestinian refugees, especially their right to return to their homes of origin; and to condition any relationship or agreement with Israel on the latter's respect for and implementation of the fundamental rights of the Palestinian people.

To Palestinian society and communities everywhere

1 - Adhere to the principle that the cause of the refugees and their rights are above factional politics and differences; and to maintain complete unity in the defense of the fundamental rights of the Palestinian people, particularly the right of Palestinian refugees to return.

2 – Develop mechanisms of coordination and cooperation among all organizations, institutions and leadership personalities working among refugees and displaced

persons, through the expansion of the scope of work, and the membership of the High National Committee to defend the right of return.

3 - Organizing campaigns and advocacy in all communities to preserve the Palestinian identity and to defend the rights of refugees and displaced Palestinians, and keeping alive the memory of the victims of the ongoing Nakba.

4 - The direct use of terminology adopted at this conference in all for a including formal and informal conversations, in the media, literature, and/or publications: Historic Palestine, to return to their homes of origin, ongoing Nakba, refugees and displaced Palestinians, Palestinians inside the Green Line.

5 - Working on the establishment of interactive symbols that highlight the ongoing Nakba, such as the construction of museums, exhibits of various types on the local and international levels.

6 - Develop general and / or specific programs and projects to enable communication among Palestinians in all locations in historic Palestine and the Diaspora can be achieved.

7 – Reinvigorate the national role of camp Service Committee, which should not be limited to service provision, through advocacy to organize democratic elections to enable these Committees to defend the refugee return cause.

8 - Opposing whomever explicitly or implicitly undermines the right of return to homes of origin by all means, including formal protests to the officials, excommunication, defamation, written or verbal response, demonstration, and others.

9 - Declaring 11th of December (anniversary of UNGA resolution 194) of each year a national day to confirm the right of return to homes of origin, organizing events and activities in all the sites in historic Palestine and the Diaspora that highlight the cultural identity of the Palestinian people and their rights.

10 – Benefiting of the potential of youth based in the Palestinian Diaspora through joint work with them in the proceeding, promotion and political mobilization to influence world public opinion.

11 - Play an active role in the civil and political Arab national and regional coalitions and movements, including the formation of a special information platform to defend the rights of refugees.

12 - Giving priority in the coming period to joining forces to develop and expand the existing right of return coalitions, particularly those working together at home and abroad as unifying forces that push to unite the efforts of the return movement by organizing coordinated events among all parts of the Palestinian people.

Glory to the martyrs, Freedom for the prisoners, and Recovery for the wounded, Victory for Palestine. Together till we return to our homes of origin.

Released by the Fourth National Conference to Defend the Right of Return, held in the occupied city of Al-Bireh, Palestine on 29 November 2008.