

BADIL Resource Center

UNHRC Regular Session #57, Oral Statement, Short Version

Item 3: Interactive Dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

President,

Nearly a year has passed with Israel's genocide in the Gaza Strip and the escalation of its pillars of [forced displacement and transfer](#), [colonization](#) and apartheid becoming more entrenched throughout Mandatory Palestine due to the inaction and complicity of third party states.

While refusing to uphold their legal obligations and ignoring the [ICJ's provisional measures](#) and [advisory opinion](#), [all states are](#) cementing their complicity.

Israel's crimes are all occurring due to the lack of accountability for over 76 years of ongoing Nakba, and marked by the forced displacement and denial of reparations to 9.17 million Palestinian refugees and internally displaced persons.

Supporting the Special Rapporteur's vision for transitional justice, BADIL urges states to:

- Implement sanctions to hold Israel accountable for its crimes of forced displacement, colonization, apartheid, and genocide.
- Adopt a comprehensive rights-based decolonization approach to Palestine that centers the Palestinian people's inalienable rights to self-determination and reparations, especially for Palestinian refugees and internally displaced persons, which includes their rights to return, property restitution, compensation and guarantees of non-repetition.

Thank you

BADIL Resource Center

UNHRC Regular Session #57, Oral Statement, Long Version

Item 3: Interactive Dialogue with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

President,

Almost a full year has passed, and Israel's genocide targeting the Palestinian people in the Gaza Strip has only become more entrenched, while policies of suppression, forced displacement and colonization in the West Bank intensify. In the fully besieged Gaza Strip, Israel has massacred over [40,000](#) Palestinians, and forcibly displaced over [90 percent](#) of Palestinians (some over 10 times), who have no safe place to go.

Israel's crimes are all occurring due to the lack of accountability for over 76 years of ongoing Nakba, and marked by the forced displacement and denial of reparations to 9.17 million Palestinian refugees and internally displaced persons.

Third party states continue to fail to uphold their legal obligations under international law, including following the provisional measures issued by the [ICJ](#) which concluded to the plausibility of genocide and the ICJ advisory opinion which recognized 'Israel's legislation and measures constitute a breach of Article 3 of CERD' pertaining to racial segregation and apartheid. States that continue to provide [military](#), economic and political support to Israel, while [suppressing](#) fundamental freedoms such as [expression and assembly](#), as well as [attacking](#) independent courts and [experts](#), and defunding humanitarian aid ([UNRWA](#)), are [complicit](#) in the commission of crimes.

BADIL welcomes the SR's vision of a "transitional justice [...] grounded in international legal principles", "and rigorously informed by a victim-centred approach, gender perspectives and the input of historically marginalized populations".

In this regard, BADIL urges third states to:

- Adopt a comprehensive rights-based decolonization to Palestine, which is the only way to achieve the Palestinian people's inalienable rights to self-determination and return.
- Center the rights of Palestinian refugees and IDPs, especially their right to reparations, including the right of return, as well as property restitution, compensation and guarantees of non-repetition, as enshrined in UNGA Resolution 194 of 1948.
- Implement the Palestinian people's rights to truth, justice, reparation and guarantees of non-recurrence, as obligations of third states and in line with the ICJ advisory opinion