

Oral statement submitted by *BADIL Resource Center for Palestinian Residency and Refugee Rights*, a non-governmental organization with special consultative status¹

HUMAN RIGHTS COUNCIL, Session 24, Item no. 7 (09 Sep - 27 Sep 2013)

Dear Mister President and dear members of the Council,

Israel does not simply seek domination over the Palestinian people, but rather their forcible displacement. In this light, any discussion on the situation in Palestine has to consider that the essential question is the rights of existing Palestinian refugees, as well as the prevention of future forcible displacement.

This is why it is hugely important to seek solutions rooted in a strict rights-based approach. Only approaches based on international law rather than political negotiations will achieve a long lasting and just solution. In this light, it should be unacceptable to refer to Israeli settlements in the occupied Palestinian territory as anything but a violation of numerous international standards and principles representing Israel's ongoing impunity. Therefore, the implementation of international law and standards should be the driving principle of political negotiations and not the other way around. Rights are nonnegotiable.

Enabling Israel's repeated noncompliance with international law for the sake of political negotiations contradicts international legal principles.

In fact, the ongoing absence of international accountability undermines the legitimacy of international law, in particular human rights, humanitarian law and international criminal law. This Council is presented with an opportunity to ensure that international law is more than utopian rhetoric, but instead a robust legal system which effectively protects rights, establishes obligations and most importantly, creates realities that mirror its core values.

As the United Nations body responsible for protecting and promoting universal human rights and addressing systematic violations of international law, we urge this Council to:

- Categorize the prolonged Israeli occupation, which includes illegal and discriminatory policies and practices that are leading to permanent control over the occupied territory, as a form of colonization;
- Suggest practical steps to ensure that all Member States respect their erga omnes obligations and refrain from providing any support to Israeli policies that deny the Palestinian people the right to self-determination.

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