



Inter-Parliamentary Union
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131st IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 12 - 16.10.2014

Assembly
Item 2

A/131/2-P.5
30 September 2014

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 131st Assembly of the Inter-Parliamentary Union submitted by the delegation of Palestine

On 29 September 2014, the Secretary General of the IPU received from the Speaker of the National Council of Palestine, a request for the inclusion in the agenda of the 131st Assembly of an emergency item entitled:

“The role of the IPU in encouraging and supporting an initiative aimed at ensuring international protection for the Palestinian people under occupation until a two-State solution is achieved, in the light of the latest Israeli military aggression on Gaza”.

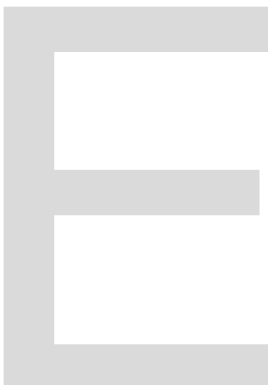
Delegates to the 131st Assembly will find attached the text of the communication submitting the request ([Annex I](#)), as well as an explanatory memorandum ([Annex II](#)) and a draft resolution ([Annex III](#)) in support thereof.

The 131st Assembly will be required to take a decision on the request of the delegation of Palestine on Monday, 13 October 2014.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.



**COMMUNICATION ADRESSED TO THE SECRETARY GENERAL BY
THE SPEAKER OF THE NATIONAL COUNCIL OF PALESTINE**

Ref. P.N.C. A6-5-1352

29 September 2014

Dear Mr. Secretary General,

I am pleased to bring to your attention the fact that the Inter-Parliamentary Group of the State of Palestine has the honour of requesting the inclusion in the agenda of an emergency item entitled:

"The role of the IPU in encouraging and supporting an initiative aimed at ensuring international protection for the Palestinian people under occupation until a two-State solution is achieved, in the light of the latest Israeli military aggression on Gaza".

Yours sincerely,

(Signed)

Saleem AL-ZA'NOON
Speaker of the Palestine National Council

THE ROLE OF THE IPU IN ENCOURAGING AND SUPPORTING AN INITIATIVE AIMED AT ENSURING INTERNATIONAL PROTECTION FOR THE PALESTINIAN PEOPLE UNDER OCCUPATION UNTIL A TWO-STATE SOLUTION IS ACHIEVED, IN THE LIGHT OF THE LATEST ISRAELI MILITARY AGGRESSION ON GAZA

Explanatory memorandum submitted by the delegation of Palestine

Since the occupation of the whole of Palestine in 1967, and even before the establishment of Israel in 1948 and to the present time, the Palestinian people are still subjected to serious violations of their internationally recognized human and national rights.

Hereunder are examples of acts not taken into consideration:

1. Israel annexed by brute force 22 per cent of the land of historical Palestine to its share (56 per cent) according to the UN Partition Plan issued in 1947, shortly after its establishment;
2. It destroyed and completely removed 500 Palestinian villages and displaced their population in other villages and towns directly after its establishment;
3. Jewish armed groups committed scores of massacres against Palestinian civilians before the establishment of Israel. After its establishment, Israel committed hundreds of massacres. The most poignant example of these massacres is the latest criminal aggression against the Gaza Strip, which caused a host of tragic events.

Overview of 51 days of Israeli aggression against occupied Gaza over the period 6 July to 25 August shows that:

- A total of 2,149 persons lost their lives, including 942 children, women and elderly persons; 11,166 were injured, including 5,802 children and elderly persons; about 86 families constitute 20 per cent of the total death toll; 11,000 homes were entirely demolished and 41,000 partially; 142 government schools and 75 UNRWA-run schools were damaged, 117 clinics, government hospitals and 25 primary care centres and 36 ambulances were damaged; 142 mosques were partially or entirely damaged, 10 Muslim cemeteries were targeted, two churches and one Christian cemetery were partially damaged; over 450,000 people were displaced; 1,700,000 people were affected by the destruction of electricity, water and waste water infrastructures; 450 factories were partially damaged in all sectors: industry, economy, commerce and agriculture. According to preliminary estimates, the economic losses amount to US\$ 6 billion.
4. Following the 1967 war, and in violation of international law and relevant United Nations resolutions, Israel annexed East Jerusalem to its territory;
 5. Since the 1967 war and to date, Israel has adopted a policy of confiscation of Palestinian lands and the building of settlements in Palestinian territory. Resolutions with international legitimacy have described these settlements as illegal and demanded Israel to dismantle them.
 6. Israel continues to construct the illegal Separation Wall which writhes in and around Palestinian cities, towns and villages like a snake, forcing Palestinian communities to live in ghettos similar to those that existed in South Africa during the apartheid regime and preventing the contiguity of the Palestinian territory, which makes a two-State solution impossible.
 7. Israel practises constant desecration of Islamic and Christian holy sites, prevents free access to places of worship and conducts continuous excavations beneath Al-Aqsa Mosque, undermining its foundations.

8. Israel set up more than 600 checkpoints in the West Bank, which prevents the free movement of people and goods and is a source humiliation and harassment for the inhabitants,
9. Israel pursues its policy of collective punishment and the imposition of unjust blockades, especially in the Gaza Strip,
10. Israel is still practising a policy of incursions, arrests and assassinations in all parts of the occupied Palestinian State. The number of Palestinian detainees in Israeli jails stands at about 7,000, including more than 30 parliamentarians. Israel still applies what is known as "administrative detention",

All of this and more requires ensuring international protection for the Palestinian people under occupation until an internationally recognized two-State solution is achieved.

**THE ROLE OF THE IPU IN ENCOURAGING AND SUPPORTING AN INITIATIVE AIMED
AT ENSURING INTERNATIONAL PROTECTION FOR THE PALESTINIAN PEOPLE
UNDER OCCUPATION UNTIL A TWO-STATE SOLUTION IS ACHIEVED, IN THE LIGHT
OF THE LATEST ISRAELI MILITARY AGGRESSION ON GAZA**

Draft resolution submitted by the delegation of PALESTINE

The 131st Assembly of the Inter-Parliamentary Union,

- (1) *Deeply moved* by the massive violations practiced by Israel, the occupying power, against the human and national inalienable rights of the Palestinian people since more than six decades, in general and the latest Israeli military aggression on the Gaza Strip, in particular.
- (2) *Considering:*
 - (a) UN Security Council Resolution 484 (1980) which reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to all the Arab territories occupied by Israel in 1967;
 - (b) UN Security Council Resolution 1435 (2002), which demands the expeditious withdrawal of the Israeli occupying forces [...] to the positions held prior to September 2000;
 - (c) UN Security Council Resolution 1544 (2004), which calls on Israel to respect its obligations under international humanitarian law and insists, in particular, on its obligation not to undertake demolition of homes contrary to that law;
 - (d) UN Security Council Resolution 1322 (2000), which deplores the provocation carried out at Al-Haram Al-Sharif in Jerusalem on 28 September 2000, and the subsequent violence there and at other Holy Places as well as other areas throughout the territories occupied by Israel since 1967, resulting in over 80 Palestinian deaths and many other casualties;
 - (e) UN Security Council Resolution 478 (1980), which determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem and in particular, the recent "basic law" on Jerusalem, are null and void be rescinded forthwith;
 - (f) Article 49, paragraph 5 of the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, ratified by Israel in 1951, which states: "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies";
 - (g) Article 8, paragraph (b) (6) (viii) of the Rome Statute of 1998 of the International Criminal Court, which considers the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies to be a war crime;
 - (h) The Advisory Opinion of the International Court of Justice of 9 July 2004 on the legal consequences of the construction of a wall in the occupied Palestinian Territory, which holds that the wall, along with the settlements, violate international law. It called upon Israel to halt its construction, dismantle portions already built and make reparation to Palestinians for the damage caused;

- (i) The Resolution adopted by the Human Rights Council on 23 July 2014, which reaffirms the right to self-determination of the Palestinian people and the inadmissibility of the acquisition of land by the use of force, as enshrined in the Charter. It also reaffirms that all High Contracting Parties to the Fourth Geneva Convention are under the obligation to respect and ensure respect for the obligations arising from the said Convention in relation to the Occupied Palestinian Territory, including East Jerusalem, and reaffirms their obligations under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and the responsibilities of the High Contracting Parties. It also deplores the massive Israeli operations in the Occupied Palestinian Territory, including East Jerusalem, since 13 June 2014, which have involved disproportionate and indiscriminate attacks and resulted in grave violations of the human rights of the Palestinian civilian population, including through the most recent Israeli military assault on the occupied Gaza Strip, the latest in a series of military aggressions by Israel, and actions of mass closure, mass arrest and the killing of civilians in the occupied West Bank. It also expresses grave concern at the critical humanitarian situation in the Gaza Strip, including in particular the forced displacement of tens of thousands of Palestinian civilians, the crisis in access to adequate water and sanitation services affecting nearly 1 million people, and the extensive damage to electricity infrastructure resulting in 80 per cent of the population receiving electricity only four hours a day, and underlining the importance of providing emergency humanitarian assistance to them and other victims,
1. *Strongly condemns* the widespread systematic and gross violation of the inalienable human and national rights of the Palestinian people for more than six decades by Israel, the Occupying Power;
 2. *Also strongly condemns* the failure of Israel, as the Occupying Power, to end its prolonged occupation of the territories of the occupied Palestinian State;
 3. *Demands* that Israel, as the Occupying Power, immediately and fully end its illegal closure of the occupied Gaza Strip, which in itself amounts to collective punishment of the Palestinian civilian population, including through the immediate, sustained and unconditional opening of the crossings for the flow of humanitarian aid, commercial goods and the movement of persons to and from the Gaza Strip, in compliance with its obligations under international humanitarian law;
 4. *Calls upon* the international community to provide urgently needed humanitarian assistance and services to the Palestinian people in the Gaza Strip;
 5. *Expresses deep concern* at the rising number of incidents of violence, destruction, harassment, provocation and incitement by extremist Israeli settlers illegally transferred to the occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, and *condemns* in the strongest terms these crimes;
 6. *Also expresses deep concern* at the condition of Palestinian prisoners and detainees in Israeli jails and detention centres, in particular following the arrest by Israel of more than 1,000 Palestinians since 13 June 2014, and *calls upon* Israel, as the Occupying Power, to immediately release all Palestinian prisoners whose detention is not in accordance with international law, including all children and all members of the Palestinian Legislative Council;
 7. *Strongly condemns* Israel's persistence in continuing its illegal policy of confiscation of Palestinian properties and lands to build settlements, bypass roads and the Separation Wall;
 8. *Calls upon* Israel to refrain from settling parts of its population and new immigrants in the Palestinian and other Arab territories occupied since 1967;
 9. *Greatly appreciates* the guidelines adopted by the European Union (EU), which state that any Israeli entity in the territories occupied in 1967, including the West Bank, East Jerusalem and Golan Heights are not eligible for EU grants, prizes or financial support;
 10. *Underscores* the importance of ensuring the protection of all civilians, the continued failure of Israel to protect the Palestinian civilian population under its occupation as required by international law, and in this context, *calls for* immediate international protection for the Palestinian people in the occupied Palestinian Territory, including East Jerusalem, in accordance with the relevant provisions of the Charter of the United Nations, international humanitarian law and international human rights law.