

Draft Resolution on Asian Parliaments’ Unwavering Support for the Palestinian People

 **SC-Political/Draft Res/2021/07**

 **-- December 2021**

*We, the Members of the Asian Parliamentary Assembly,*

*Recalling* APA Resolutions on Supporting Palestinian State and Protecting Rights of Palestinian People, (APA/Res/2013/03, 9 December 2013); Violations of International Humanitarian Law in the Palestine and the War Crimes Committed By the Zionist Regime in Gaza (APA/Res/2009/01, 8 December 2009); and Humanitarian Crisis in Palestine Particularly in the Gaza Strip (APA/Res/2008/08, 29 November 2008); and the catastrophic humanitarian impact of the aggressive war on the Gaza Strip in July 2014. In addition to the disastrous effects and war crimes committed by the Israeli occupation authorities in May 2021 during their aggression on the Palestinian territories in the West Bank and Gaza Strip (Palestine).

*Also recalling* the resolutions of the United Nations Security Council, including resolutions 181 (1947), 194 (1948), (Palestine) 242 (1967), 252 (1968), 267 (1969), 298 (1971), 446 (1979), 465, 474, 476, (Palestine) 478 (1980), 468 (1980) and 1322 (2000), 2334 (2016), and General Assembly Resolution ES-10/L.23. for 2018, (Palestine) and resolutions of the United Nations General Assembly and other relevant international documents.

*Underscore* that respect for international law is critical to maintain a world order based on solidarity and cooperation, therefore any violations of international law must not be tolerated and relations between states must be guided by the principles of peaceful coexistence; (Indonesia)

*Inspired* by the Principles and objectives enshrined in the APA Charter and the relevant APA resolutions;

*Committed* to contribute to the promotion of peace and security at regional and global levels on the basis of justice and the rule of law;

*Expressing* grave concern that the existing and continuing Israeli settlement activities are dangerously hindering the viability of two-state solution based on the 1967 lines; (Indonesia)

*~~Affirming~~* ~~the~~ *Acknowledging* the (Indonesia) responsibility of the international community to support implementation of resolutions and recommendations of the United Nations Security Council; the UN General Assembly; the Human Rights Council; and the APA pertinent to the situation in Palestine, particularly in Al-Quds;

*Supporting* the struggle of Palestinian people against Israeli occupation by its all means to liberate its land and establish an independent Palestinian State with Al-Quds city as its capital;

*~~Denouncing~~* ~~the transfer of the American Embassy~~ We demand the new US administration to cancel the previous administration's decision to move the US embassy (Palestine) from Tel-Aviv to the occupied city of Jerusalem ~~in disregard of~~ to comply with (Palestine) the principles and rules of international legitimacy and UNSC Resolutions; and take the initiative to reopen the US Consulate in (East) Jerusalem, which was established in 1844. (Palestine)

*Expressing* serious concerns on Israel’s lack of commitment to abide by resolutions and recommendations of the UN Security Council, the General Assembly, the Human Rights Council, the Inter-Parliamentary Union, and the APA regarding the human rights situation in the ~~occupied Palestinian territories~~ territory of the occupied State of Palestine (Palestine), particularly in Al-Quds;

*Reaffirming* the applicability of the fourth Geneva Convention relative to the protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territories, including Al-Quds;

*Recognizing* that Israel’s severe violations of international humanitarian law and of the human rights of Palestinian people undermine international efforts towards achieving a just and lasting peace in the region;

*Condemning* all acts of violence committed by Israel targeting Palestinian’s civilians, including women and children, as well as other acts of terrors, provocation, incitement, and destruction of public facilities such as schools, hospitals, and residential homes; (Indonesia)

The Palestinian prisoners became prisoners of the State of Palestine, which took its status as a legal person of international law under United Nations General Assembly Resolution No. 19/67 of 2012, which gave them more legal status as prisoners of war and legitimate fighters, and prisoners of an independent state being held as hostages who must be released immediately. (Add a new paragraph: Palestine)

*Affirming* that the road to peace, stability and prosperity in the Middle East comes first by ending the Israeli occupation of Palestine in implementation of the relevant resolutions of international legitimacy, ~~and not to replace the political solution with economic solution through economic conferences aimed at legitimizing the Palestinian lands occupation and coexistence, and prolongs the occupation tenure~~. (Indonesia)

 *Emphasizing* that the practice of worship, prayers and all Islamic religious rituals in Al-Aqsa Mosque ~~is a natural and guaranteed right~~ must be guaranteed (Indonesia) for only Muslims. The Israeli occupation has no right to intimidate and prevent them from carrying out their duties, while Israeli occupation allows settlers and extremists to break into the sanctity of ~~islamic~~ Islamic (Indonesia) sacred places, especially Al-Aqsa Mosque.

The practice of racial discrimination, including “forced deportation”, “expropriation of real estate”, “creation of segregated ghettos” and depriving people of “the right to leave and return to one’s homeland, are crimes against humanity under the International Convention to Prevent and Punish Apartheid Crimes” 1976, the Rome Statute of the International Criminal Court (1998).The practice of the crimes of apartheid and persecution have been documented by international human rights organizations, such as Human Rights Watch on April 27, 2021, the ESCWA report on March 15, 2017, and the last report of Baitsailem Issued on January 12, 2021. (Add a new paragraph: Palestine)

With reference to the human rights situation in the Palestinian territories occupied since 1967 as presented by Michael Lynk, before the Human Rights Council, on July 11, 2021, and what was specifically focused on the legal status of settlements in accordance with the 1998 Rome Statute of the International Criminal Court. (Add a new paragraph: Palestine)

Specifically, states have a duty not to recognize, assist or support any state that perpetrates any form of illegal activities, such as annexation or the establishment of settlements in occupied territories, population transfers, and control of their natural resources. (Add a new paragraph: Palestine)

The parliaments of the APA countries: (Add a new paragraph: Palestine)

Urged the international bodies to support the efforts of the Palestinian people and their national institutions in Jerusalem, to continue the process of reconstruction of what was destroyed by the occupation in the Gaza Strip, and to strengthen the basic infrastructure of electricity, water and other basic needs; (UAE)

importance of addressing UNESCO, to implement the organization’s decision on May 2, 2017, and the decision of the UNESCO Executive Board in October 2016 regarding the preservation of the historical, heritage and civilization aspects of Jerusalem. Emphasis on ensuring the right of Muslims to practice their religious rites in their holy places freely, and stopping any attempts to change the legal and historical situation in Jerusalem; (UAE)

Importance of parliaments calling on their national government to commit to supporting UNRWA to ensure continued support and the role it plays in protecting the rights of Palestinian refugees so that it can continue to provide all its services to more than 6 million Palestinian refugees; (UAE)

1. **Urge** all Members of the APA to support and treat the State of Palestine as a full member of the United Nations.
2. **Reject** and strongly condemn the ~~statements made by the Israeli Prime Minister on 10~~~~th~~ ~~of September 2019, in which he announced his intention~~ continued implementation of the occupation government (Palestine) to annex the entire Palestinian Jordan Valley, the northern Dead Sea and settlements in the Occupied Palestinian Territories, in a massive and flagrant violation of the rules of international law and the provisions of the Charter of the United Nations and its resolutions, particularly Security Council resolution 2334 for 2016. We call upon the United Nations to defend its resolutions that end the Israeli occupation and enable the Palestinian people to self-determination on their land.
3. **Affirm** our adherence to the relevant resolutions of international legitimacy as the sole reference to the resolution of the Palestinian issue, and we confirm our absolute rejection of all solutions, (Palestine) plans ~~and~~ (Palestine) deals ~~of the so-called "American Deal of the Century"~~ (Palestine) and conferences that do not abide by those resolutions. We affirm that there is no peace, no security or stability in the Middle East without ending the Israeli occupation, and establishing of an independent Palestinian state with Jerusalem as its capital on the borders of 4th of June 1967, and the resolution of the refugees issue in accordance with Resolution 194.
4. **Condemn** all violations of international law that threaten international peace and security, including all acts of terrorism and organized crime, and human rights violations by Israeli occupying forces and settlers in Palestine, and call for international protection of the Palestinian people in accordance with General Assembly resolution A / Es-10 / L. 23 of 11 June 2018, and the relevant Geneva Conventions.

Condemn all measures and arrangements, including the construction and expansion of settlements, the transfer of Jewish settlers to the settlements, the demolition of homes and the forced displacement of Palestinian civilians, aimed at changing the demographic composition, character and status of the Palestinian territories occupied since 1967, including the city of Jerusalem, and reaffirm their illegality under international law and it constitutes a war crime, and prevents the achievement of peace in the Middle East, and requires punishment or accountability for its perpetrators, and it violates all human rights standards of the Palestinian people. (Add a new paragraph: Palestine)

1. **~~Encourage~~** ~~all members of the international community to take up with the pressure on Israel to immediately release all the Palestinian prisoners including the Members of the Palestinian Parliament and condemns the Israeli Knesset's failure to respond to the fact-finding and investigation committees established by the Inter-Parliamentary Union on prisoners in Israeli jails as evident in to International Parliamentary meetings in St. Petersburg and Geneva in March 2018, and dismantle all illegal settlements as well as the entire separating wall and put an end to confiscating Palestinian lands.~~

Condemn the occupation authorities’ continued policy of detention against Palestinian children, women, youth, elderly and members of the Palestinian Parliament, and the continued use of the so-called “Administrative Detention” policy, without charge or trial, which violates the provisions of Articles 83-96 of the Fourth Geneva Convention, where detainees who are in the occupation prisons are approximately (530) administrative detainees. This is the policy that the occupation applies on a large scale despite its abnormal, exceptional and temporary nature, as a form of collective punishment. We demand the immediate release of all Palestinian prisoners and detainees in Israeli occupation prisons. (Palestine)

Invite the Member parliaments to contribute to the convening of an international conference to discuss the issue of Palestinian prisoners and their rights, and to clarify the nature of the legal obligations arising from the State of Israel towards the prisoners of an occupied country, and the role of states parties to the Fourth Geneva Conventions of 1949 in confronting Israeli violations of the rights of Palestinian prisoners. (Add a new paragraph: Palestine)

Call International human rights and humanitarian organizations to pressure the occupation to stop its policy of detaining the bodies of Palestinian and Arab martyrs, which is considered an illegal humanitarian and illegitimate act, and violates the rules of international humanitarian law, Article 17 of the First Geneva Convention, Article 120 of the Third Geneva Convention, Article 130 of the Convention Fourth Geneva, Articles 32, 33 and 34 of Additional Protocol I to the Fourth Geneva Conventions of 1949, and Article (8) of Rome Statute of the International Criminal Court 1998. (Add a new paragraph: Palestine)

1. **~~Declare~~** ~~all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties which tend to change the legal status of Jerusalem as invalid and bearing no legal effect on their original status.~~

Call on the United Nations, especially the UN Security Council, to carry out its responsibilities to implement its resolutions, especially Resolution No. 2334 of 2016, which rejected all forms of settlement, demanding Israeli immediate cessation, and affirming the city of Jerusalem is an occupied Palestinian city, and nullify any Israeli claim to sovereignty over Jerusalem, and the implementation of Resolutions 476 and 478 of 1980 which rejected Israel's annexation of East Jerusalem, and considered that all legislative and administrative measures and actions taken by Israel as the occupying power, especially the Israeli "Basic Law" regarding the annexation of Jerusalem, are inherently invalid and must be repealed. (Palestine

1. **~~Condemn~~** ~~Israel’s continuation of building settlements defying applicable international law particularly Security Council resolution 2334 of December 2016; disregarding the legitimate rights of the Palestinian People including their right to resist and protest against foreign occupation of their lands; and hampering international efforts towards achieving a just and lasting peace in the region;~~

Strongly condemn all colonial settlement policies and measures implemented in the occupied Palestinian territory by the occupying power - Israel -, the latest of which was announced by the so-called “Guardian of Absentee Property” on 13 Dec. 2021 of a plan to build 6 settlements in the center of occupied Jerusalem, which will entail the displacement of a large number of Palestinians from their homes, in a precedent for the construction of neighborhoods, and building in 5 areas in East Jerusalem, namely: Sheikh Jarrah, Bab Al-Amoud, Bait Safafa, Bait Hanina, and Sur Baher, which means, the establishing of an entire settlement neighborhood extending from Sheikh Jarrah to Bab Al-Amoud, as well as Israel declared the construction of two new settlement colonies in the occupied Syrian Golan. (Palestine)

1. **Express** grave concerns on the suppression and injustice, as well as continuing violence practiced against the Palestinian people, particularly women and children, in the occupied Palestinian territories under the Israeli occupation including East Jerusalem, and in the Syrian Golan occupied by Israel;

Demand the prevention of the systematic impunity by the occupation and its civilian, military and security leaders, along with the settlers, from accountability and punishment of their criminals, in order to deter the occupation from continuing its crimes of killing Palestinian civilians, especially children. Since the beginning of this year, about 85 children have been killed. (Add a new paragraph: Palestine)

Strongly condemn the practice of the occupation, of the apartheid regime in the occupied Palestinian territories, and the implementation of the policy of forced displacement, which is taking place now in Sheikh Jarrah neighborhood and the neighborhood of Silwan in occupied Jerusalem. We demand the start of implementing the United Nations Human Rights Council resolution on May 27, 2021, to form a standing international investigation committee to address the Israeli violations against the Palestinian people, and to address the root causes of settler colonialism and the crime of Israeli apartheid. (Add a new paragraph: Palestine)

Strongly condemn the occupation’s implementation of the policy of ethnic cleansing, especially in occupied Jerusalem and the occupied Palestinian valleys, sometimes by seizing homes and destroying them, and other times by confiscating thousands of dunums of land, and some properties of Islamic endowments, churches and citizens, and confiscating the lands of Islamic cemeteries while violating the sanctity of the dead, in a try to bring about more changes to its legal and demographic reality. (Add a new paragraph: Palestine)

Deplore the occupation policy and its practices of demolishing Palestinian homes and facilities on a large scale in the territories occupied since 1967 in grave violation of the Fourth Geneva Convention. This Israeli act amounts to a war crime, and a crime against humanity, under the “Rome Statute” of the International Criminal Court. Since the beginning of the year, the OCHA office in Palestine has documented the destruction of 500 Palestinian buildings, resulting in the displacement of about 700 people, including about 379 children. In addition, the occupation announced its intention to demolish 22,000 homes, commercial and industrial stores. (Add a new paragraph: Palestine)

Condemn the false decision of the Israeli Minister of War to classify six Palestinian human rights organizations in the occupied Palestinian territories as “terrorist” organizations, in an attempt to terrorize them and silence their voice that exposes the violations agaist Palestinian human rights, in the context of suppressing and labeling every voice rejecting the occupation, and accusing it of terrorism. (Add a new paragraph: Palestine)

1. **Call Upon** all members of the APA and the United Nations as well as all regional and international organizations concerned, particularly the United Nations Security Council ~~and the International Criminal Court to address,~~ (India) under the UN Charter and the Rome Statute, the crimes against humanity and the war crimes committed by Israel in Palestine which threaten the international peace and security;
2. **Condemn** the closure of the PLO diplomatic mission in Washington ~~in retaliation for the membership of Palestine to the International Criminal Court~~; (India)

Demand the new US Administration to reopen the diplomatic mission of Palestine Liberation Organization in Washington, and to ask it to address the US Congress to cancel its decision issued in 1987 regarding designating Palestine Liberation Organization as a terrorist organization. (Palestine)

1. **Praise** the decision taken by the European Union not to purchase any products produced in the settlements based in the occupied territories and call on states of the APA Member Parliaments to act in a similar way and affirm the full support for international boycott movement against Israeli occupation;
2. **Reject** the occupation policies and measures contrary to international law and the international legitimacy resolutions practiced by the Zionist entity to change the historical, cultural, religious and demographic features of the Occupied Palestinian Territory, especially the city of Jerusalem and its Islamic and Christian sanctities in general, and Al-Aqsa Mosque in particular, and also reject the Knesset law aimed at splitting the Al-Aqsa Mosque temporally and spatially; This constitutes a blatant attack on the freedom of worship and the practice of religious rites, as stipulated in human rights charters, and the First Geneva Protocol of 1977, Article 53 of which prohibits hostilities directed against places of worship.
3. **Reject** the ~~illegal~~ (Palestine) decisions and racist laws (Palestine) taken by the Israeli Knesset, the last of which was on 14 Dec, 2021, when the Knesset passed three racist laws targeting prisoners and affecting the rights of Palestinians. (Palestine) such as the Judaization of Jerusalem, the Law of Loyalty to Citizenship, the Denial of the Palestinian State and the rights of the Palestinian people in the Occupied Territories, the Law of Jewish Nationalism, and / withholding the Financing of the State of Palestine, and the theft of clearing funds that belong to the State of Palestine under the pretext of Palestinian caring for the families of the martyrs and wounded and the families of prisoners and detainees, who are victims of the occupation, in violation of Articles 89 and 98 of the Geneva Convention.

Call on the relevant international institutions to assume the responsibility to ensure that the occupying power complies with its legal obligations, as stated in the Fourth Geneva Convention and its annexed protocols, and as stipulated by UN Security Council Resolution 2334 of 2016. Activating the legal mechanisms and procedures contained in the Geneva Conventions and the Statute of the Criminal Court, including imposing sanctions on the occupation, to ensure its implementation of the relevant legitimacy decisions. (Add a new paragraph: Palestine)

1. **Reject** and condemn ~~the US Administration's decision to suspend its financial contributions to UNRWA, and~~ (Palestine) all attempts, resolutions and alternatives that affect the status and role of UNRWA established by UN Resolution 302 of 1949. We call on all countries in the world, especially the members of this Assembly, to support and protect UNRWA's budget so that it can fulfill its obligations to about 6 million Palestinian refugees until their case is resolved in accordance with UN Resolution 194.
2. **Call upon** the international community to fulfill its pledges to rebuild infrastructure and rehabilitate people in Gaza, which have been destroyed by Israeli forces, and to support the Palestinian economy in the occupied Palestine.
3. **Call upon** countries that have established embassies, offices or diplomatic missions in occupied Jerusalem, to draw back the decisions in compliance with the UN Security Council resolutions referred to in the preamble to the resolution, in particular resolution 478 of August 1980, and UN General Assembly Resolution: A / ES-10 / L. 22 of December 2017, which considered the recognition of Jerusalem as Israel's capital as null and void, and calling on all APA member states to refrain from establishing diplomatic missions in occupied Jerusalem.
4. **Affirm** that development, investment and improvement of the standard of living are rights denied to the Palestinian people for 52 years now, due to the continuation of the Israeli occupation. It’s a must first to end the occupation, in order to liberate the Palestinian economy, and enable the Palestinian people to control their natural resources and economic wealth, and invest to live a decent life away from blackmail and bargaining.
5. **~~Reaffirms~~** ~~its rejection of US Secretary of State declaration on 18th of Nov 2019 that Israeli settlement in the Occupied Palestinian Territories is not inconsistent with the international law and considers the declaration a flagrant violation of international law and UN resolutions in particular UN Security Council resolution 2334.~~ (Palestine)
6. **~~Invites~~** ~~the United Nations High Commissioner for Human Rights to expedite the publication of the “Black List” of Israeli and foreign companies dealing and/or working in Israeli settlements in the Occupied Palestinian Territories as a necessary step to isolate settlements and protect human rights.~~

Call on states and companies that still operate and/or deal with Israeli and foreign companies which deal and/or operate in Israeli settlements in the occupied Palestinian territories, to immediately stop dealing with the settlements, as a necessary step to isolate it and protect human rights, in compliance with what has been issued by the United Nations High Commissioner for Human Rights regarding the "black list" of those companies. (Palestine)

1. **Urge** the intensification and acceleration of all diplomatic efforts and support aimed at achieving, without delay a comprehensive, just, and lasting peace in the Occupied Palestinian Territories on the basis of UN resolutions and other related international documents.(Indonesia)