

**Remarks by Dr GNM Pandor  
Minister for International Relations and Cooperation  
At the Day of Solidarity with the Palestinian**

**People**

**2 December 2022  
Freedom Park, Pretoria**

Your Excellency, Ambassador Hanan Jarrar

Your Excellency, Dean of the Diplomatic Corps, Ambassador Salih Omar Abdu

Your Excellency, Dean of the Council of Arab Ambassadors, Ambassador Mubarak Mahash Saeed Al Hamily

Excellencies

Members of the Diplomatic Corps

Officials of the South African Government

Distinguished Guests

Ladies and Gentlemen

It is a great honour to address this august gathering in commemoration of the 45<sup>th</sup> UN International Day of Solidarity with the Palestinian People. I am deeply humbled by the decision of His Excellency President Mahmoud Abbas to bestow on me the Grand Star of the Order of Jerusalem.

In 1977, the General Assembly called for the annual observance of 29<sup>th</sup> November as the International Day of Solidarity with the Palestinian People. On that day, in 1947, the Assembly adopted the resolution on the partition of Palestine. The question of Palestine remains unresolved after 70 years. Despite flare-ups in other regional hotspots, the Palestinian question remains at the heart of tensions in the Middle East. A just and equitable settlement is a prerequisite for peace and security in the region.

According to the report of new UN Independent International Commission of Inquiry on the Occupied Palestinian Territory issued on June 7<sup>th</sup>, the continued occupation by Israel of Palestinian territory and discrimination against Palestinians are the key root causes of the recurrent tensions, instability, and protraction of conflict in the region.

A lasting peace requires restoration of all legitimate rights of the Palestinian people in line with the principles of international human rights and humanitarian law. South Africa continues to support the pursuit of a

two state solution to bring peace and security to the region and to the people of both countries.

The Palestinian struggle evokes memories of our own anti-apartheid struggle against racial segregation and oppression. Since 1994, the South African position on Palestine has been clear, consistent, and convergent with the international community. We will continue to support the achievement of a two state solution, with a viable, contiguous Palestinian State, existing side-by-side in peace with Israel, within the internationally recognised 1967 borders, with East Jerusalem as its capital, in line with all relevant UN resolutions, and international law. A viable and sustainable peace plan for the Middle East must ensure that Palestine's sovereignty, territorial integrity, and economic viability is guaranteed, with sovereign equality between Palestine and Israel.

The continued disregard for the rights of Palestinians cannot be allowed to continue, particularly regarding the circumvention of final status issues such as the borders, the status of Jerusalem, the release of political prisoners, and the right of return of refugees. We have noted the growing number of human rights reports from reputable human rights organisations like Amnesty International, Human Rights Watch, the UN Human Rights Council, and Israeli non-governmental organisations like B'tselem, that have found Israel guilty of gross human rights abuses towards Palestinians.

The Amnesty International investigation details how Israel enforces a system of oppression and domination against the Palestinian people wherever it has control over their rights. This includes Palestinians living in Israel and the Occupied Palestinian Territories (OPT), as well as displaced refugees in other countries. The comprehensive report sets out how massive seizures of Palestinian land and property, unlawful killings, forcible transfer, drastic movement restrictions, and the denial of nationality and citizenship to Palestinians are all components of a system which amounts to apartheid under international law. This system is maintained by violations which Amnesty International found to constitute apartheid as a crime against humanity, as defined in the Rome Statute and Apartheid Convention.

In international criminal law, specific unlawful acts which are committed within a system of oppression and domination, with the intention of maintaining it, constitute the crime against humanity of apartheid. These acts are set out in the Apartheid Convention and the Rome Statute, and

include unlawful killing, torture, forcible transfer, and the denial of basic rights and freedoms. The UN Special Rapporteur on the situation of human rights in the Palestinian Territory, Michael Lynk, has called on the international community to accept and adopt the findings in his current report. The report echoes recent findings by Palestinian, Israeli and international human rights organisations, that apartheid is being practised by Israel in the occupied Palestinian territory.

The international community has an obligation to act. There is no possible justification for a system built around the institutionalized and prolonged racist oppression of millions of people, as apartheid has no place in our world.

It is of great concern that successive Israeli governments have considered Palestinians a demographic threat, and imposed measures to control and decrease their presence and access to land in Israel and the OPT. These demographic aims are well illustrated by official plans to “Judaize” areas of Israel and the West Bank, including East Jerusalem, which continue to put thousands of Palestinians at risk of forcible transfer.

In the West Bank and Gaza, where Israel has controlled the population registry since 1967, Palestinians have no citizenship and most are considered stateless, requiring ID cards from the Israeli military to live and work in the territories. Palestinians are effectively blocked from leasing on 80% of Israel’s state land, due to land seizures and a web of discriminatory laws on land allocation, planning and zoning.

Since the mid-1990s Israeli authorities have imposed increasingly stringent movement restrictions on Palestinians in the OPT. A web of military checkpoints, roadblocks, fences, and other structures control the movement of Palestinians within the OPT and restrict their travel into Israel or abroad. The wall and 700km fence, which Israel is still extending, has isolated Palestinian communities inside “military zones”, and they must obtain multiple special permits any time they enter or leave their homes.

The unconscionable practice of Israel of home demolitions as a form of collective punishment continues. We join a growing chorus of voices calling for an end to the brutal practice of home demolitions and forced evictions.

Israel's continued pronouncements about the annexation of large parts of the West Bank and the building of additional settlements, further undermines the prospects of peace and are glaring examples of violations of international law.

The construction of these settlements in the OPT has been a government policy since 1967. Since that time, Israel has systematically constructed over 180 settlements and outposts on land seized from the Palestinian people. Over 700, 000 Israelis are living in settlements which today cover over 10% of the land in the West Bank. The possibility of establishing a viable, contiguous Palestinian State is systematically being eroded and impacted by negative developments on the ground.

I would like to remind us of the unanimous adoption of the UNSC resolution 2334 on 23 December 2016. It clearly states that the Council, and I quote:

*Reaffirms that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting, and comprehensive peace.*

No Member State is exempt from their obligations under the UN Charter. If we abandon the principles enshrined in the Charter, it renders the UNSC and its decisions obsolete.

This year marks 15 years since the closure of the Gaza strip by Israel, which has deprived its more than two million residents of opportunities to better their lives. The closure has devastated the economy in Gaza and contributed to fragmentation of the Palestinian people. It is near-impossible for Gazans to travel abroad or into the rest of the OPT, and they are effectively segregated from the rest of the world in what resembles an open-air prison. Part of our responsibility as the international community is to provide material and practical support to Palestinians that find themselves in these difficult circumstances.

In recent months we have seen some of the worst violence exacted by the Israeli Defence Force on young people and journalists. Al Jazeera journalist Shireen Abu Akleh's assassination was just one in a long string of shootings and killings that have been carried out with impunity. The

world was shocked by the assassination of Abu Akleh on May 11th, and the subsequent attacks on mourners and pall bearers at her funeral. A series of investigations by international media outlets found that her killing was targeted and not accidental. We have continued to raise our voice that justice needs to be served not only for Shireen but for the many others who have suffered a similar fate.

We welcome the decision of the International Criminal Court (ICC) Pre-Trial Chamber last year that Palestine has acceded to the Rome Statute and has become a State party to it, and that the ICC's territorial jurisdiction extends to “the territories occupied by Israel since 1967, namely Gaza and the West Bank, including East Jerusalem.” The ruling is a first step towards breaking the cycle of impunity for crimes under international law committed by all parties to the conflict.

Israel's security and that of its future generations does not lie in the annexation of all Palestinian territories, the imprisonment of Palestinians, the erecting of high concrete walls and checkpoints, or the continued blockade of Gaza. Rather it lies in a peaceful and stable neighbour, a sovereign and independent Palestinian State, whose children, like Israeli children, can go to school, play, attend places of worship and compete in sporting activities in peace and security.

As Former President Mandela said at a banquet in Cape Town for visiting President Yasser Arafat in 1998, I quote.

*“Our own humble experience has shown that negotiated solutions can be found even to conflicts that the world has come to regard as insoluble. It has taught us that such solutions emerge when former opponents reach out to find common ground”.*

As South Africans we believe that as intractable as this conflict may seem, peace is possible. If all sides are prepared to find solutions to the thorny final status issues and engage in honest mediation without outside interference, both Israelis and Palestinians can live in two viable independent states, in security and prosperity. None of us can afford to give up on this endgame, as until this is accomplished the region will be mired in instability and conflict.

I thank you.