



Palestine Position Statement

As the peak representative body for Muslims in Victoria, the ICV's mission is to protect and advance the rights of the Muslim community in Victoria, across Australia, and globally. The occupation of Palestine by the Israeli state, and the human rights of Palestinians have always been key issues of concern for the ICV and our constituents, and the ongoing genocide in Gaza since October 7th, 2023, has again brought this issue to the forefront of our community's hearts, minds and political concerns.

The ICV is committed to advocating for, protecting, and advancing the human rights of Palestinians, and promoting peace, stability and justice in Israel and Palestine. We put forward this position statement in a sincere endeavour to meaningfully contribute to public discourse and policy change that will lead to justice, an end to the occupation, and Palestinian self-determination. This will ultimately be the only way that peace can be achieved in the holy land.

We aim to inform the public of the historical context and key issues informing the ICV's position and advocacy efforts in relation to Palestine.

“ The ICV has been a strong and reliable partner to the cause of a free Palestine through its ongoing advocacy over many years. This well researched and convincing Position Statement presents the facts behind the occupation and dismantles the myths that have been propagated by the Zionist lobby to justify the crimes against the Palestinian people before and since the creation of the state of Israel. It is a call to action to all people of good will, to government, to media, and to faith communities. APAN congratulates the ICV for this timely and important contribution. ”

— **Australia Palestine Advocacy Network**

“ The ICV have produced a thoughtful, historically informed and measured position paper on Palestine. It is a sincere contribution to the ongoing struggle for an end to the occupation and Palestinian self-determination. Its sensible and necessary recommendations should be taken very seriously. ”

— **Dr. Max Kaiser, Jewish Council of Australia**

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President's Statement: Palestine in our Hearts

There are Muslims experiencing deep suffering and ongoing oppression in many other parts of the world including Myanmar, China, Kashmir, Yemen, and Sudan, and the ICV is acutely concerned about their plight and has called for justice and an end to their persecution and will continue to do so. However, Palestine has a deeper meaning for many of us.

The land of Palestine and the plights of the Palestinian people is a visceral issue for the world's two billion Muslims. It is home to the third holiest mosque in Islam, Masjid Al Aqsa, and it is the land from which many of the Prophets and Messengers have come. It is sacred land. But the story of Palestine is not confined to religion. It is a story of occupation, dispossession, and injustice. It is about land and the deep connection that the indigenous people of the land, the Palestinians, have to this land. The *Nakba* (catastrophe) that befell the Palestinian people continues to this day and does not distinguish between Christian, Muslim, and Jew.

Israel's ongoing occupation, apartheid, and now genocide against the Palestinian people has not defeated them. It in fact strengthens their resolve to achieve justice, liberation, peace, and equality for all peoples from the river to the sea. The ICV, Victoria's Muslim community, and all people of good faith and basic humanity stand with them.



Adel Salman,
President

Background: The establishment of modern Israel

1860 - 1929: The Development of Zionism

Zionism is a political and cultural nationalist movement established in the 1880s by Theodor Herzl, with the goal of establishing a modern Jewish homeland in Palestine. Herzl argued that if Jews were forced out of Europe and other nations, they should form their own.¹

Following the Industrial Age, several political, social and economic trends across Europe contributed to rising antisemitism, including new socio-economic hardships that led non-Jewish Europeans to make Jewish populations a scapegoat for societal ills.

Zionism developed as a movement believing that Jews had the same right to self-determination as other nations. They envisioned Jewish immigration to Palestine as a return to their ancient homeland and as a solution to the mounting threat of antisemitism facing Jewish diasporas. Palestine was chosen for its sanctity in Judaism, being the land believed to be promised to the ancient Jews by God, as well as being the site of Jewish Kingdoms in antiquity before its later conquest by the Assyrian, Babylonian, Persian, Macedonian and Roman Empires.² While Jewish people subsequently continued to live in this land under the rule of various civilisations, alongside peoples from across the Levant and wider Mediterranean and Middle East, the final Jewish kingdom ruling the area was lost in the 1st Century CE.³

1917 - 1933: British colonial control of Palestine

Following the end of the First World War, the major world powers set out to divide their newly conquered territories, including Palestine which had previously been ruled over by the Ottoman Empire for over 400 years.⁴ The League of Nations thus granted the British Empire temporary authority over Palestine, until Palestine would attain its full independence.⁵ The Mandate did not take into account the wishes of the people of Palestine, despite the League's Covenant requiring that *"the wishes of these communities must be a principal consideration in the selection of the Mandatory."*⁶

In fact, the British government had promised the emerging Zionist organisations the establishment of a Jewish national home in Palestine and was already committed to honouring that promise when Palestine came under British control.⁷ The British government had given conflicting assurances to both sides. While Palestine was promised independence after centuries of imperial rule, Zionist leaders were assured the establishment of a national home for Jewish people in Palestine.⁸ While Zionist

¹ Theodor Herzl, *The Complete Diaries of Theodor Herzl*, Volume 1, Herzl Press and Thomas Yosecoff, 1960.

² Mission of Israel to the UN in Geneva, 'History of Israel (Timeline)'

<https://embassies.gov.il/UnGeneva/AboutIsrael/history/Pages/History-Israel-Timeline.aspx>.

³ Steven Leonard Jacobs, *A Short History of Judaism and the Jewish People*, Bloomsbury Publishing Plc, 2023, 103.

⁴ Encyclopaedia Britannica (Online), *The Crusades of Palestine*, <https://www.britannica.com/place/Palestine/The-Crusades>.

⁵ United Nations 'Origins and Evolution of the Palestine Problem: 1917-1947 (Part I),' <https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/>.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid

organisations worked to secure this new state, the existing indigenous people of Palestine felt violated of their natural and inalienable rights.⁹ As a result, many in Palestine resisted the Mandate.

A few years earlier in 1917, Britain had formally declared its support for the Zionist movement with the Balfour declaration, which stated in part: *“His majesty’s government views with favour the establishment in Palestine of a national home for the Jewish people and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.”*¹⁰

The document, however, did not refer to these “non-Jewish communities” by name, and said nothing of their political, national and cultural rights. American Lawyer and Diplomat Sol Linowitz later said of the declaration, *“by itself the Declaration was legally impotent. For **Great Britain had no sovereign rights over Palestine, it had no proprietary interest, it had no authority to dispose of the land.**”*¹¹

Nevertheless, the declaration aroused enthusiastic hopes among Zionists and seemed to represent the fulfilment of their dream.¹² Arguably, if other European states had extended themselves into Asia and Africa, and annexed their own empires then the new Jewish nation was entitled to follow the settler-colonial model.¹³ This relied on a system of power that perpetuates genocide and repression of the indigenous Palestinian people and their cultures.¹⁴ Britain was the leading and most enthusiastic proponent for settler colonialism at the time, and created the appropriate conditions for Zionist colonisation.

1933 - 1948: The Holocaust and mass displacement of Jews

Rising antisemitism in Europe and its colonies, culminating in the Holocaust (1939-1945), killed approximately six million Jews and displaced millions more across the world, further increasing emigration to Palestine which was still under British control. Zionists and the major Western powers agreed that the establishment of a state for Jews in Palestine was needed more than ever, and due to waves of migration, the Jewish population in Palestine had then reached 33%.¹⁵ However, little acknowledgement was given to the over one million Palestinians inhabiting the land since ancient times.

In November 1947, the newly created United Nations attempted to resolve both issues by approving a plan to divide Palestine into Jewish and Arab states, against the will of the majority Palestinian population. It gave 56% of the land to the proposed Jewish state. This was despite Jews owning only about 6.5% of the land in Palestine and making up only about 33% of the population, a large percentage of whom were recent immigrants from Europe and European colonies.¹⁶ The Palestinian

⁹ Ibid.

¹⁰ The Balfour Declaration, 1917.

¹¹ Linowitz, Sol M., “The Legal Basis for the State of Israel” American Bar Association Journal, vol. 43, 1957, p. 522.

¹² “Arthur James Balfour, 1st Earl of Balfour,” Britannica, 2023, <https://www.britannica.com/biography/Arthur-James-Balfour-1st-earl-of-Balfour>.

¹³ Fayes Sayegh, “Zionist Colonialism in Palestine (1965),” *Settler Colonial Studies* 2, no.1 (2012): 207.

¹⁴ Patrick Wolfe, ‘Settler Colonialism and the Elimination of the Native’ *Journal of Genocide Research* 8, no. 4 (2006) 387.

¹⁵ Institute for Middle East Understanding, ‘The Palestinian Nakba,’ <https://imeu.org/article/quick-facts-the-palestinian-nakba>.

¹⁶ Ibid.

Arab state was to be created on just 42% of Palestine, even though the Palestinian population, mostly Christian and Muslim, made up the majority, and were indigenous to the land. Jerusalem, a sacred land for Muslims, Christians and Jews alike, was to be governed by a special international administration.¹⁷

1948: The new State of Israel & the *Nakba*

With the partition plan, the expulsion of the Palestinians by the Zionists accelerated, and as a result of Israel's declaration of statehood, the *Nakba* occurred in 1948. *Nakba* or 'catastrophe' refers to the violent expulsion of approximately three-quarters of Palestinians from their homes by the armed Jewish gangs which morphed to form the new Israeli army.¹⁸ This was a systematic method to establish a Jewish-majority state by destroying Palestinian cities, towns and villages to make room for the new settlers. This resulted in the death of 15,000 Palestinians and the forced expulsion of 750,000 more, whose descendants number over 5 million refugees today.¹⁹

Israel's first Prime Minister, David Ben-Gurion, said of this displacement in 1948: *"In many parts of the country new settlement will not be possible without transferring the Arab fellahin."* He concluded: *"Jewish power [in Palestine], which grows steadily, will also increase our possibilities to carry out this transfer on a large scale."*²⁰

Similarly, Joseph Weitz, Director of the Jewish National Fund's Lands Department in 1940, wrote *"There is no way besides transferring the Arabs from here to the neighbouring countries ... **Not one village must be left, not one tribe.** And only after this transfer will the country be able to absorb millions of our brothers and the Jewish problem will cease to exist. There is no other solution."*²¹

The Israeli army massacred defenceless civilians, wiping out entire towns to make room for the new settler state. Accounts of one massacre in the Palestinian village of Tantura recall *"the systematic execution of able-bodied men"* and a siege of the village blocking off all escape routes.²² Deir Yassin was another village assumed to remain neutral, and thus had no military forces present, but was attacked by Israeli paramilitary forces in April 1948 killing at least 107 civilians.²³ Testimonies from surviving victims highlight the brutality of the massacre.

CONTENT WARNING: EXPLICIT/VIOLENT DESCRIPTIONS

"I saw the Zionist terrorist soldiers ordering the bakery man of the village to throw his son in the oven and burn him alive. The son is holding the clothes of his father tightly and crying from fear and pleading to his father not to do it. The father refuses and then the soldiers hit him in his gut so hard it caused him to fall on the floor. Other soldiers held his son Abdel Rauf and threw him in the oven and told his

¹⁷ Ibid.

¹⁸ United Nations, 'About the Nakba' *The Question of Palestine*, <https://www.un.org/unispa/about-the-nakba/>.

¹⁹ Ibid.

²⁰ Benny Morris, 'A new Exodus for the Middle East?' *The Guardian*, 4 October 2002, <https://www.theguardian.com/world/2002/oct/03/israel1>.

²¹ Institute for Middle East Understanding, 'Fact Sheet: What is the Jewish National Fund?' <https://imeu.org/article/fact-sheet-what-is-the-jewish-national-fund>.

²² Ilan Pappé, *The Ethnic Cleansing of Palestine*, 1st ed, Oneworld Publications, 2007, 154-157.

²³ 'The Deir Yassin Massacre,' *Al Jazeera*, 2023, <https://www.aljazeera.com/news/2023/4/9/the-deir-yassin-massacre-why-it-still-matters-75-years-later>.

father to toast him well-done meat. Other soldiers took the baker himself, Hussain al Shareef, and threw him too, in the oven, telling him “follow your son, he needs you there.”²⁴

- Othman Akel, survivor of the Deir Yessin Massacre

Other testimonies recount civilians being tied to trees and burned to death or lined up against a wall and shot.²⁵

1948 – Present Day: The Expansion of Israel

Tensions between Israel and its neighbour states boiled, culminating in Israeli attacks on Egypt, Jordan and Iraq in 1967.²⁶ In what came to be known as the ‘Six Day War’ between Israel and its neighbouring sovereign states, Israel seized extensive territories beyond those allocated by the UN’s 1947 partition plan and those recognised under international law. These included areas designated as Palestinian territories by the UN and international community, including Gaza and the West Bank, areas designated by the UN as a Special International Mandate zone, including East Jerusalem, and parts of Egypt and Syria, most of which remain under Israeli occupation to this day.²⁷ Israel has since expanded to over 100,000 hectares of land, covering 78% of Palestine, and subjects the remaining Palestinian territories to permanent military occupation and siege.²⁸ This has become the world’s longest current conflict despite various international efforts to achieve a resolution.

The ICV’s Position on the Occupation of Palestine

1 The ICV recognises the indigeneity of the Palestinian people to the land of historic Palestine, and their strong and unbroken connection to this land and unceded rights as its inhabitants.

*Recognising and respecting the sanctity of the lands of historic Palestine in Islam, Judaism and Christianity alike, and the sustained presence of these religious groups within the region throughout history, the ethnic Palestinian people are indigenous to the region and have maintained a strong, unbroken connection to the land since antiquity. The existing Palestinian population have inhabited the land consistently for over 2,000 years, surviving the rule of various Jewish, polytheist, Christian and Muslim Empires that have reigned over the region throughout history.*²⁹

²⁴ Dawud A Assad, *Palestine Rising: How I survived the 1948 Deir Yasin Massacre*, 1st ed, Xlibris, Corp, 2010, 121-122.

²⁵ Ibid.

²⁶ Benjamin Macqueen, *An Introduction to Middle East Politics*, 2nd Edition, 2018, Sage Publishing, 115.

²⁷ Ibid, 116.

²⁸ Institute for Middle East Understanding, ‘The Palestinian Nakba,’ <https://imeu.org/article/quick-facts-the-palestinian-nakba>.

²⁹ United Nations ‘Origins and Evolution of the Palestine Problem: 1917-1947 (Part I),’ <https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/>.

The phrase “a land without a people, for a people without a land” is an infamous slogan used in early Zionist literature describing Palestine.³⁰ Historiographers believe that the author of the phrase was Israel Zangwill, a British author and one of the most prominent early Zionist theorists, who wrote in 1901 in the *New Liberal Review*, “*Palestine is a country without a people; the Jews are a people without a country. The regeneration of the soil would bring the regeneration of the people.*”³¹

Israel, in truth, is a settler colony. Zionism set out to carve out a new homeland for Jews fleeing antisemitic regimes and societies – predominantly in Europe – ignoring the rights and will of indigenous Palestinians. The Zionist movement relies on the most basic settler-colonial ideology, the “logic of elimination,” or the process of developing moral justifications for the removal of native populations, which includes through ethnic cleansing and genocide.³² Zionism is a settler-colonial movement intent on replacing the native population of what is now Israel and the Occupied Palestinian Territories.

This Zionist ideology resembles the *terra nullius* argument which was widely used by the British colonisers to justify the settlement of Australia.³³ The idea that Palestine was a ‘land belonging to no one’ was used to eliminate the existence of native Palestinians and validate the settlement of Jews. Similarly in Australia, the existence, culture, and rights of the First Nations people were disregarded, and Australia was falsely deemed a land belonging to no one, supposedly excusing the settlement of British colonisers.

In fact, the presence of an indigenous population in Palestine is explicitly recognised by historical data, such as the *Nufus* - the Ottoman population registry, and even census data from the British mandate.³⁴ Even the earliest Zionists acknowledged the presence of a population living in Palestine. Zangwill explained in a speech in 1904:

*“There is, however, a difficulty from which the Zionist dares not avert his eyes, though he rarely likes to face it. **Palestine proper has already its inhabitants...we must be prepared either to drive out by the sword the tribes in possession as our forefathers did, or to grapple with the problem of a large alien population, mostly Mohammedan and accustomed for centuries to despise us. This is an infinitely [grave] difficulty...**”*³⁵

The early Zionist voices, and their modern adherents, did not truly believe Palestine to be vacant, “without a people,” but that these people were implants or “aliens” from neighbouring Arab nations who moved to Palestine largely during Ottoman rule, to negate the land’s Jewish history. In reality, however, archaeologists and historiographers recognise that the existing Palestinian population had inhabited the land for over two thousand years.³⁶

³⁰ Israel Zangwill, ‘The Return to Palestine’, *New Liberal Review*, 1901, 615.

³¹ Ibid.

³² ‘Zionism is not colonialism, just Jewish self-determination,’ *Decolonise Palestine*, <https://decolonizepalestine.com/myth/zionism-is-not-colonialism-just-jewish-self-determination>.

³³ Ibid.

³⁴ Justin McCarthy, *The Population of Palestine: Population History and Statistics of the Late Ottoman Period and the Mandate*, Columbia University Press, 1990.

³⁵ Speech by Israel Zangwill in New York, 1904, reprinted in Zangwill, *The Voice of Jerusalem* (1921).

³⁶ United Nations ‘Origins and Evolution of the Palestine Problem: 1917-1947 (Part I),’ <https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/>.

Another characteristic feature of early Zionist political discourse is claiming that Palestinians existed only as individuals or sometimes communities, but never as constituting a people or a nation. Despite interacting with the indigenous population, the early Zionist settlers still claimed the land was empty. According to these colonists, even if some scattered, disorganised people did exist, they were not worthy of the land they inhabited.

Zionist colonisation of Palestine was partially driven by the belief that this native population was unable to transform the land into a modern functioning nation-state, extract resources efficiently and contribute to 'civilization' through the free market, unlike the settlers. The movement was clearly influenced by contemporary European colonial rhetoric, espousing similar racist and colonial attitudes towards native inhabitants of colonised land.

This becomes exceedingly clear when reading the discussions of early Zionists, such as Chaim Weizmann, who when asked about the inhabitants of Palestine responded with: *"The British told us that there are there some hundred thousand negroes [Kushim] and for those there is no value."*³⁷

This attitude became a cornerstone of Zionism as a political and colonial movement, and the Zionist narrative is selective in order to create moral and legal grounds for settlement. Some early Zionists, such as Ahad Ha'am, did warn against a potential violation of indigenous rights by the emerging colonial entity: *"Yet what do our brethren do in Palestine?... **They treat the Arabs with hostility and cruelty, deprive them of their rights, offend them without cause and even boast of these deeds; and nobody among us opposes this despicable and dangerous inclination...**"*³⁸ but they were decidedly in the minority.

2

The ICV supports the Palestinian people's right to self-determination, including their right to universal formal recognition, and their right to determine their own form of governance and social, economic and cultural development.

We support the Palestinian people's struggle for self-determination, recognising that this is not one driven by religious or ethnic animosity, but it is an anti-colonial struggle for the rights of the original inhabitants of the land to live as free and sovereign citizens. We reject completely the false conflation of anti-Zionism, or criticism of the government, institutions and policies of the Israeli state, with antisemitism.

³⁷ 'A Land Without a People for a People Without a Land,' *Decolonise Palestine*, <https://decolonizepalestine.com/myth/a-land-without-a-people-for-a-people-without-a-land/>.

³⁸ United Nations 'Origins and Evolution of the Palestine Problem: 1917-1947 (Part I),' <https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/>.

Since 2016, a coalition of over 30 national governments has supported the proposition of the International Holocaust Remembrance Alliance (IHRA), that opposing Zionism is antisemitic.³⁹ The IHRA defines antisemitism as *“a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*⁴⁰

This definition provides specific examples of antisemitism, which include flagrant examples of religious and cultural discrimination such as:

- *“Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.*
- *Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective...*
- *[Holocaust denial or] ...accusing the Jews as a people...of inventing or exaggerating the Holocaust.”*

However, the definition conflates these conspiratorial and prejudice-motivated acts with valid political discourse, stating that it is antisemitic to *“[deny] the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.”*⁴¹ In reality, however, criticism of Zionism as a supremacist ideology and of the state of Israel for countless human rights abuses is not a matter of prejudice.

Anti-Zionism is not inherently antisemitic, and claiming so uses Jewish suffering to erase the Palestinian experience.⁴² It is undeniable that antisemitism is growing in various states across the globe, but denying the Palestinian suffering is an inapt response. Perhaps the most prominent argument put forward for the conflation of anti-Zionism with antisemitism is that it is discriminatory to deny Jews the right to a Jewish state, as though this is a privilege that all cultural and religious groups inevitably enjoy.

“The idea that all other peoples can seek and defend their right to self-determination, but Jews cannot; that other nations have a right to exist, but the Jewish state of Israel does not.”

- Chuck Schumer, US Senate minority leader, 2017⁴³

Self-determination among nations and religious or cultural groups comes in many forms, including being able to coexist within egalitarian states while maintaining distinct cultures and collective identities. Self-determination does not rely on the establishment of an ethnostate, particularly through the violent colonisation and oppression of an indigenous people. Ironically, while Zionist leaders are loudly calling for their self-determination, they are actively depriving Palestinians of the

³⁹ Peter Beinart, ‘Debunking the myth that anti-Zionism is antisemitic,’ *The Guardian*, 8 March 2019, <https://www.theguardian.com/news/2019/mar/07/debunking-myth-that-anti-zionism-is-antisemitic>.

⁴⁰ ‘Working definition of antisemitism’ *International Holocaust Remembrance Alliance*, <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>.

⁴¹ Ibid.

⁴² Peter Beinart, ‘Debunking the myth that anti-Zionism is antisemitic,’ *The Guardian*, 8 March 2019, <https://www.theguardian.com/news/2019/mar/07/debunking-myth-that-anti-zionism-is-antisemitic>.

⁴³ ‘On Senate Floor, Schumer condemns anti-Zionism as antisemitism’ *Chuck Schumer, US Senator for New York*, <https://www.schumer.senate.gov/newsroom/press-releases/on-senate-floor-schumer-condemns-anti-zionism-as-anti-semitism>.

same. Denying the right of Jews to have self-determination, including political representation and the ability to freely practice their religion and culture globally without discrimination or persecution is not the same as opposing the colonisation and genocide of a native population by an outside force.

The predominant Zionist mission has never been peaceful coexistence ensuring religious freedom for Jews, but to form a new ethnonationalist Jewish state in Palestine. As immigration skyrocketed in the early 20th Century and this mission became increasingly apparent, Palestinian resistance began.⁴⁴ Evidence shows that the native Palestinian population was largely welcoming to early Jewish settlers.⁴⁵ Attempts at coexistence were made in the early stages of mass immigration, including Palestinian leaders voting in 1928 to allow Jewish settlers equal representation in future state bodies despite being a minority population at the time, and advocating for a unitary, egalitarian state between the River Jordan and the Mediterranean Sea to replace the British mandate in 1947, all to no avail.⁴⁶

David Ben Gurion, the first Prime Minister of Israel, said in 1937: “*After the formation of a large army in the wake of the establishment of the state, **we will abolish partition and expand to the whole of Palestine.***”⁴⁷ This statement illuminates the motive behind the formation of Israel, and how far these motives were, and are, from peaceful coexistence. Menachem Ussishkin, the chairman of the Jewish National Fund in 1936, declared that “*the [Palestinian] Arabs do not want us **because we want to be rulers. I will fight for this. I will make sure that we will be the landlords of this land... because this country belongs to us not to them.***”⁴⁸

Israel’s staunch ethnonationalism excludes the almost 5 million Palestinians who live under its control. This ensures that Israel remains a majority Jewish state designed to protect and represent Jews. New York Times columnist Bret Stephens emphasised that Israel is the home of nearly 9 million citizens with a distinct Israeli identity and anti-Zionism is an elimination of that identity, constituting antisemitism.⁴⁹ He, like many Zionist proponents, ignores the presence of Palestinians and the fact that Zionism as an ideology denies equality, national identity and sovereignty to the non-Jews who live under Israeli control.

Moreover, many Jews do not identify as Zionists for religious, political and other reasons. The largest Hasidic sect has declared that there should not be and could not be a state of Israel before the Messiah comes, highlighting that the formation of Israel is not supported by a significant portion of Jews, religiously.⁵⁰

An increasing number of “cultural” Jews are not Zionists, and many Zionists have no affiliation with Judaism. A number of the most powerful Zionist voices globally are not Jewish. Since the 19th

⁴⁴ Ilan Pappé, *A History of Modern Palestine: One Land, Two Peoples*, 2003, Cambridge University Press.

⁴⁵ Hayyim Hisin, *A Palestine Diary: Memoirs of a Bilu Pioneer, 1882-1887*, Herzl Press, 1976.

⁴⁶ ‘Zionism is not colonialism, just Jewish self-determination,’ *Decolonise Palestine*, <https://decolonizepalestine.com/myth/zionism-is-not-colonialism-just-jewish-self-determination>.

⁴⁷ Noam Chomsky, *Fateful Triangle: The United States, Israel and the Palestinians*, Pluto Press, 1999, 287.

⁴⁸ Nur Masalha, Expulsion of the Palestinians: The Concept of “Transfer” in Zionist Political Thought 1882-1948,” *International Journal of Middle East Studies* 26, no.1, 1994, 51.

⁴⁹ Bret Stephens, ‘The Progressive Assault on Israel’ *New York Times*, 8 February 2019,

<https://www.nytimes.com/2019/02/08/opinion/sunday/israel-progressive-anti-semitism.html>.

⁵⁰ Chaim Waxman, ‘Messianism, Zionism and the State of Israel’ *Modern Judaism* 7, no. 2, 1987.

Century, right-wing Christian leaders in Britain and the United States have staunchly supported the modern Zionist ideology.⁵¹ Notable figures in the establishment of the modern Israeli state, including Lord Balfour, espoused the political ideology of Zionism while not subscribing to the religious beliefs of Judaism.

In 2018, the former speaker of the Knesset, Avrum Burg, declared that the growth in the West Bank had rendered the two-state solution impossible and that Israelis must “*depart from the Zionist paradigm, and move into a more inclusive paradigm. Israel must belong to all of its residents, including the Arabs, not to the Jews alone.*”⁵² These statements emphasise the innate difference between antisemitism and anti-Zionism, one being opposition to a political ideology producing a particular model of statehood, and the other being ethno-cultural and religious prejudice.

There have been many attempts to broker peace between Israel and Palestine, but these have often been undermined by Israel’s continued expansion of settlements and demands such as that Palestinians relinquish any future right of return and control of its own borders, land and airspace, effectively erasing any viable chance of Palestinian statehood. Overall, many peace efforts have failed because these efforts do not serve the overriding purpose of the Zionist movement: a Jewish ethnocracy on Palestinian land.

As stated by journalist Peter Beinart: “***Silencing Palestinians isn’t a particularly effective way to fight rising antisemitism, much of which comes from people who like neither Palestinians nor Jews. But, just as important, it undermines the moral basis of that fight. Antisemitism isn’t wrong because it is wrong to denigrate and dehumanise Jews. Antisemitism is wrong because it is wrong to denigrate and dehumanise anyone. Which means, ultimately, that any effort to fight antisemitism that contributes to the denigration and dehumanisation of Palestinians is no fight against antisemitism at all.***”⁵³

3

The ICV condemns Israel’s system of apartheid which enforces systemic inequality across Israel and the Occupied Palestinian Territories. We call on Israel and the international community to dismantle all systems of oppression.

The term ‘apartheid’ was initially used to describe the institutionalised racial segregation enforced in South Africa from the 1940s to the 1990s.⁵⁴ Prohibited under various instruments of international law, apartheid is defined to include the commission of inhumane acts to create or maintain a systematic regime of domination of one group over another.⁵⁵

⁵¹ William Dale, ‘The Impact of Christian Zionism on American Policy’ *American Diplomacy* IX, No 2, 2004.

⁵² Peter Beinart, ‘Debunking the myth that anti-Zionism is antisemitic,’ *The Guardian*, 8 March 2019, <https://www.theguardian.com/news/2019/mar/07/debunking-myth-that-anti-zionism-is-antisemitic>.

⁵³ Ibid.

⁵⁴ Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 44.

⁵⁵ International Convention on the Suppression and Punishment of the Crime of Apartheid (1973) Article II, Rome Statute of the International Criminal Cour (2002), Article 7(2)(h).

Several international treaties signed by Israel, including the International Convention on the Elimination of Racial Discrimination (ICERD) create legal obligations to prevent and suppress apartheid and all forms of systemic racial discrimination within both Israel and the Occupied Palestinian Territories.⁵⁶ Nonetheless, Israel has created and maintains a system of racial oppression and domination over Palestinians. Numerous international human rights organisations, including Amnesty International, Human Rights Watch, and the Israeli Information Centre for Human Rights in the Occupied Territories, have defined Israel's system of governance and society as an apartheid system.⁵⁷

Denial of citizenship and equal civil rights

Palestinians are denied the right to equal nationality and status within Israel and the Occupied Palestinian Territories. Palestinians living in the West Bank and Gaza who have not obtained citizenship from a third country remain without citizenship and are considered stateless.⁵⁸

During the *Nakba* of 1948, approximately three-quarters of Palestinians were forcibly displaced. However, 150,000 were granted Israeli citizenship. Today, Palestinian citizens of Israel make up about 20% of the Israeli population, but 92% of these live segregated from the general Israeli population.⁵⁹ Palestinians who have accepted Israeli citizenship over the years are forced to deny their nationality, culture and heritage, and live as second-class citizens in exchange for citizenship. They continue to face arrest, harassment, loss of employment and denial of opportunities if they voice support for Palestinian human rights. Within four months after October 2023, more than 100 Palestinian citizens of Israel were fired from their jobs because of social media posts criticising Israel's attacks on Gaza, and 221 were arrested.⁶⁰

Moreover, whilst Palestinian citizens of Israel have Israeli citizenship, they are not entitled to nationality. This establishes a pertinent legal difference between Jewish Israelis and Palestinian citizens of Israel, resulting in the discrimination of Palestinians in the civic space as they are afforded inferior legal rights and privileges.⁶¹

Jewish Israeli settlers in East Jerusalem – an area never recognised as part of Israel by the UN or the vast majority of states – enjoy full citizenship and civil rights, while Palestinians therein are not classed as citizens but are granted fragile and easily revocable permanent residency status.⁶²

⁵⁶ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 46.

⁵⁷ Ibid, 46, Human Rights Watch, 'A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution,' 27 April 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>. B'Tselem 'A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid,' 2021, https://www.btselem.org/publications/fulltext/202101_this_is_apartheid.

⁵⁸ Ibid, 82.

⁵⁹ Layla Gantus, 'The Many Civil and Human Rights Challenges Facing Israel's Palestinian Citizens,' *Carnegie Endowment*, 2024, <https://carnegieendowment.org/posts/2024/02/the-many-civil-and-human-rights-challenges-facing-israels-palestinian-citizens?lang=en>.

⁶⁰ Ibid.

⁶¹ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 82.

⁶² Ibid, 84.

The one-sided law of return

Israel also continues to deny displaced Palestinian refugees and their descendants Israeli citizenship or residency status,⁶³ effectively denying them their right to return. Currently, more than 1.5 million refugees of the *Nakba* and their descendants live in UN-administered refugee camps in Palestine, Jordan, Syria and Lebanon, remaining stateless and unable to access stable housing, education, employment opportunities and social welfare.⁶⁴ The denial of the right to return has not only resulted in the mass suffering of Palestinians but is also a clear violation of international human rights law by Israel.⁶⁵ This lies in stark contrast to Israel's 'Law of Return' which gives every Jew worldwide the right to settle in Israel with full legal and political rights.⁶⁶

Restriction of freedom of movement

Israel has also imposed several restrictions on the movement of Palestinians, which further enables the segregation of Palestinians and facilitates Israel's control over the people and land.⁶⁷ Israel controls all entry and exit points to the West Bank and Gaza, and only allows Palestinians within the occupied territories to travel internationally with special permits reserved for certain business and severe humanitarian needs.⁶⁸ Even where such permits are granted, Palestinians from the occupied territories face restrictions not applied to Jewish Israelis such as discriminatory screening policies and checkpoints, and having to return to the same port of entry to both exit and re-enter their territory.

Palestinians face almost 600 permanent obstacles to movement, involving the use of military checkpoints, blockades, fences and walls.⁶⁹ This includes a 700-kilometre wall that Israel is constructing on Palestinian land inside the occupied West Bank which has isolated and trapped numerous Palestinian localities.⁷⁰ Not only does Israel's system restrict the movement of Palestinians between communities, but in many cases, it has prevented access to Palestinian agricultural land and to essential services like healthcare.⁷¹

Moreover, for Palestinians living in Gaza, entering the West Bank or East Jerusalem is only permitted in cases of life-threatening medical conditions or where there is an exceptional business or humanitarian reason, and obtaining an Israeli permit is virtually impossible with no clear application procedure.⁷² Not only are these restrictions placed only upon Palestinians, but they also help to specifically facilitate the movement of Jewish Israeli settlers, whose occupation of the West Bank is illegal under international law.⁷³

⁶³ Ibid, 93.

⁶⁴ UNRWA, 'Palestinian Refugees' <https://www.unrwa.org/palestine-refugees>.

⁶⁵ *Universal Declaration of Human Rights* (1948), Article 13, *International Covenant on Civil and Political Rights* (1966), Article 12(4). The United Nations Human Rights Commission has asserted that that the right to return applies in relation to disputed territories, or territories that have changed hands (*General Comment 27* (1999, paragraph 20)).

⁶⁶ *Citizenship Law* 1952 (Israel), Article 2(a).

⁶⁷ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 85.

⁶⁸ Ibid, 95.

⁶⁹ Ibid, 96.

⁷⁰ B'Tselem, *The Separation Barrier*, 2017, btselem.org/separation_barrier.

⁷¹ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 85.

⁷² Human Rights Watch, 'A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution,' 27 April 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

⁷³ Amnesty International, *Enduring occupation: Palestinians under siege in the West Bank*, 2007, [amnesty.org/en/documents/mde15/033/2007/en](https://www.amnesty.org/en/documents/mde15/033/2007/en).

Mass arbitrary detention

Israel has placed thousands of Palestinians, including children, under administrative detention, effectively imprisoning them without trial or charge for indefinite periods of time. Administrative detention involves state authorities detaining individuals without intent to criminally prosecute them and is based on secret security grounds that the defendant and their lawyer cannot review.⁷⁴ Given its ability to circumvent the internationally guaranteed legal protections and due process, administrative detention is only permitted in exceptional circumstances under international law.

Although Israel attempts to justify its use of administrative detention as a preventative and exceptional measure, evidence collected by human rights groups and international law enforcement bodies shows otherwise. Administrative detention is a policy intended to persecute and punish individuals exercising their right to freedom of expression and association by challenging Israel's policies and occupation.⁷⁵ Palestinians can face indefinite detention for social media posts criticising the Israeli government, for peacefully protesting without a permit, or as a speedy alternative to a criminal trial where they are accused of a crime but there is insufficient evidence to prosecute them.⁷⁶

Further demonstrating the discriminatory nature of Israeli law enforcement, Palestinians within the occupied territories do not have access to the standard Israeli courts and law enforcement bodies. For example, administrative detention orders issued to Israeli settlers in the West Bank are brought under Israeli civil law and Israeli administrative detainees are brought before civilian courts.⁷⁷ Comparatively, Palestinians in the West Bank who are placed under administrative detention are brought before military judges under Military Order 1651.⁷⁸ Palestinians are subject to a separate court system that falls appallingly short of international standards for fair trials and the proper administration of justice.⁷⁹ Although judicial reviews for Palestinians placed under administrative detention from Gaza are brought before civil courts, as opposed to military court, the procedural safeguards for these individuals are even weaker than those of Military Order 1651.⁸⁰ According to an IDF Spokesperson, of 3,909 administrative detention orders issued from 2015 – 2017, only 1.2% were cancelled upon review by a civil court.⁸¹ Israel also systematically fails to adequately investigate and enforce the law for acts of violence by Israeli settlers against Palestinians.⁸²

Furthermore, an Israeli citizen charged with a crime, including Israeli settlers in the occupied territories, must be brought before a civilian court within 48 hours of arrest, compared to 14 days for a Palestinian from Gaza and 8 days for a Palestinian from the West Bank to be brought before a military judge.⁸³

⁷⁴ Ibid, 241.

⁷⁵ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 242.

⁷⁶ Human Rights Watch, 'Why Does Israel Have So Many Palestinians in Detention and Available to Swap?' <https://www.hrw.org/news/2023/11/29/why-does-israel-have-so-many-palestinians-detention-and-available-swap/>

⁷⁷ Ibid.

⁷⁸ Ibid, 241. Military Order 1651 went into effect on 2 May 2010, replacing and consolidating a number of Israeli military orders effective since 1967 (an unofficial English translation is available at militarycourtwatch.org/files/server/military_order_1651.pdf).

⁷⁹ Amnesty International, 'Israeli Settlements and International Law,' 2023, <https://www.amnesty.org/en/latest/campaigns/2019/01/chapter-3-israeli-settlements-and-international-law/>.

⁸⁰ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 242.

⁸¹ B'Tselem, *Administrative Detention*, https://www.btselem.org/administrative_detention.

⁸² Ibid.

⁸³ Ibid. B'Tselem and HaMoked, *Without Trial: Administrative Detention of Palestinians by Israel and the Internment of Unlawful Combatants Law*, 2009, https://www.btselem.org/download/200910_without_trial_eng.pdf.

Palestinians in Gaza may be placed under administrative detention if there is reasonable cause to believe the person has participated directly or indirectly in hostile acts or is a member of a hostile force against Israel and their release will harm national security.⁸⁴ Where an organisation is deemed hostile, the person is presumed to be a threat to national security and thus bears the burden of proving they are not, contrary to international humanitarian law.⁸⁵

Whilst Israeli authorities have not consistently made figures on the number of administrative detention orders issued available,⁸⁶ local human rights groups have reported that at least 1,319 Palestinians were in administrative detention on October 7, 2023, which rose to 2,070 within a month thereafter.⁸⁷ As of August 2024, it is reported that 3,432 people are held in administrative detention in Israel, including 250 child prisoners, most of them never convicted or even properly tried for a crime.⁸⁸

Where the use of administrative detention is frequent and prolonged this may also result in arbitrary detention as well as cruel, inhumane, and degrading treatment or punishment.⁸⁹ There have been multiple reports by Palestinian administrative detainees of routine torture and cruel treatment during arrests and interrogation, especially by the Israel Security Agency.⁹⁰ Additionally, the UN Committee against Torture has concluded that Israel's use of administrative detention has violated the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) and has called upon Israel to urgently end this practice, to no avail.⁹¹

Military and police brutality against Palestinian civilians

Israel's apartheid and ethnocentric system also inflicts systemic violence against civilians, both non-Jewish citizens of Israel and Palestinians in the occupied territories. Holy sites such as al-Aqsa Mosque are regularly targeted by police and military raids, with hundreds killed, injured or arbitrarily arrested in the process.⁹²

In May 2022, following raids on the Al Aqsa Mosque during the Holy Month of Ramadan, Amnesty International released a statement saying: ***“Israeli authorities must end unlawful killings, wilful injury, arbitrary arrests, torture and other ill-treatment, persecution and collective punishment***

⁸⁴ Human Rights Watch, 'Gaza: Unlawful Combatants law Violates Rights,' 2012, <https://www.hrw.org/news/2012/03/01/gaza-unlawful-combatants-law-violates-rights>.

⁸⁵ Ibid.

⁸⁶ B'Tselem, 'Statistics on Palestinians in the custody of the Israeli security forces,' 2023, https://www.btselem.org/statistics/detainees_and_prisoners.

⁸⁷ Amnesty International, 'Israel/OPT: Horrifying cases of torture and degrading treatment of Palestinian detainees amid spike in arbitrary arrests,' 2023, <https://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/>.

⁸⁸ HaMoked, '9,112 "Security" Inmates Are Held In Prisons Inside Israel,' <https://hamoked.org/prisoners-charts.php>. Addameer, 'Statistics' <https://www.addameer.org/statistics>.

⁸⁹ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), Article 2; ICCPR, Article 4(2).

⁹⁰ Palestinian Centre for Human Rights, *Torture and ill treatment of Palestinian detainees & prisoners*, Written Statement to the UNHRC 22nd session, 2013. Addameer, *The Systemic Use of Torture & Ill-treatment at Israeli Interrogation Centres... Cases of Torture Committed at al-Mascobiyya Interrogation Centre*, 2020, https://www.addameer.org/sites/default/files/publications/story_based_torture_final.pdf.

⁹¹ Committee Against Torture, Concluding Observations: Israel, 3 June 2016, UN Doc. CAT/C/ISR/CO/5, paras 22-23; Committee Against Torture, Concluding Observations, Israel, 23 June 2009, UN Doc. CAT/C/ISR/4, para. 17; Committee Against Torture, Concluding Observations: Israel, 23 November 2001, UN Doc. CAT/C/XXVII/ Concl.5, para. 6(e).

⁹² "Palestinians arrested and injured in Israeli raid on al-Aqsa Mosque," The Guardian, 5 April 2023, <https://www.theguardian.com/world/2023/apr/05/israel-al-aqsa-mosque-rocket-sirens-around-gaza>.

against Palestinians, including many children. As priority the Israeli authorities must take serious and immediate steps to protect **Palestinian children who have been and continue to be victims.** The international community must act immediately to put pressure on the Israeli authorities to end unlawful killings and other gross violations and take concrete steps towards dismantling its system of apartheid against Palestinians. These **[are] crimes under international law and serious human rights violations.** Many fatalities... were a result of the Israeli forces' use of excessive force in the context of law enforcement activities, including policing protests and crowds and arrest and search raids."⁹³

The Israeli Army is portrayed with a significant positive bias in Western media. Reports largely suggest that they are simply reacting defensively and that the Israeli Defense Forces (IDF) merely engage in normal and necessary acts of self-defence. It is implied that Israel's military assaults are reasonable and are a legal act of a state to protect itself against security threats and enemy combatants. In fact, the armed forces' repeated violence against civilians and support of illegal land seizures and settlement expansion supports the Zionist project of ethnic cleansing of Palestine.

Numerous independent reports about Israel's conduct during its military campaigns point to wilful disregard for civilian lives including those of children, women, the elderly, journalists, medical practitioners, aid workers and more. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reports that between 2008 and August 2023, because of the confrontations between Palestinians and Israelis in the context of the occupation and conflict, 6,398 Palestinians were killed, and 141,297 Palestinians were injured.⁹⁴ Most Palestinians were non-combatants, and a large number of deaths were a result of the indiscriminate bombing campaigns against Gaza. In contrast, the Israeli figures totalled 310 fatalities and 6,056 injuries, most being military combatants.⁹⁵ Moreover, as stated in 2023 by the UN Special Rapporteur, the IDF's claim to 'self-defence' under international law cannot apply to the territories it illegally occupies, including the West Bank and Gaza Strip.⁹⁶

4

The ICV condemns the ongoing illegal expansion of Israeli settlements in the Occupied Palestinian Territories, and the continuing forced displacement of Palestinians living in their internationally recognised territories. We call on all governments and private businesses to refuse to recognise and engage with these illegal settlements.

Even after the formal division of the Israeli state and Palestinian territories in 1948, Israel has enforced cruel land seizures which continue to this day. Palestinians living both within and outside Israel's internationally recognised borders are systematically dispossessed of their homes and

⁹³ Amnesty International, 'Israel/OPT: Continuing patterns of unlawful killings and other crimes further entrench apartheid', 2022, <https://www.amnesty.org/en/documents/mde15/5589/2022/en/>.

⁹⁴ OCHA, 'Data on Casualties,' 2023, <https://www.ochaopt.org/data/casualties>.

⁹⁵ Ibid.

⁹⁶ Kunal Purohit, 'Does Israel have the right to self-defence in Gaza?' *Al Jazeera*, 17 November 2023, <https://www.aljazeera.com/news/2023/11/17/does-israel-have-the-right-to-self-defence-in-gaza>.

privately owned land for the benefit of Israel’s Jewish population.⁹⁷ Israel has continuously pursued its Judaisation policy which seeks to maximise Jewish control over land whilst restricting Palestinians to living in separate, densely populated enclaves.⁹⁸

In 1948, the total land purchased by Jewish individuals and institutions in British-mandated Palestine constituted around 6.5% of its total area.⁹⁹ Palestinians owned about 90% of the privately owned land in the territory.¹⁰⁰ At that time, Jews comprised around 30% of the population and Palestinians around 70%.¹⁰¹ However, this situation has been deliberately reversed by Israeli state policy within a period of just over 70 years.

Palestinians expelled

In 1948, Zionist military forces expelled at least **750,000 Palestinians and captured 78 percent of historic Palestine.** The remaining 22 percent was divided into the West Bank and Gaza Strip.



Caption: Map depicting Palestinian loss of land 1917-1995.

Source: Al Jazeera / UN OCHA.

<https://www.aljazeera.com/news/2021/5/18/mapping-israeli-occupation-gaza-palestine>



Caption: Map depicting land remaining under Palestinian control in 2015.

Source: The New Yorker.

<https://www.newyorker.com/news/news-desk/the-map-of-israeli-settlements-that-shocked-barack-obama>

Israel has achieved this through the implementation of various discriminatory land and expropriation laws such as the selective registration of ownership rights which favours Jewish Israelis, a discriminatory allocation of expropriated Palestinian land for Jewish settlement and the use of a discriminatory urban planning and zoning regime, both in Israel and the Occupied Palestinian Territories.¹⁰²

⁹⁷ Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 113.

⁹⁸ Human Rights Watch, ‘A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution,’ 27 April 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

⁹⁹ Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 113.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² B’Tselem, *Land Grab: Israel’s Settlement Policy in the West Bank*, https://www.btselem.org/publications/summaries/200205_land_grab, Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 113.

One example of such a policy includes the Absentee Property Law which effectively gives Israel power over all moveable and immovable property of all Palestinians deemed as “absentee owners”.¹⁰³ Absentees are defined to include Palestinians who have been expelled from or fled their homes, regardless of whether or not they became refugees or internally displaced persons in Israel.¹⁰⁴ This has even included internally displaced Palestinians who relocate within a few kilometres of their land and never cross any international borders.¹⁰⁵ Whilst the Knesset passed legislation in 1973 to compensate these “absentees”, they were still not allowed to return to their properties even where their properties were empty and not possessed by a third party.¹⁰⁶ Moreover, application to receive compensation would essentially amount to forcing these Palestinians to surrender their title to privately owned land, often passed down through generations, whilst simultaneously legitimising the occupation.¹⁰⁷

The Absentees Property Law was also deemed to apply to *waqf* property in Israel with as much as 85% of *waqf* properties such as Muslim holy sites, houses and trade centres being transferred to the Custodian of Absentee Property.¹⁰⁸ In addition, Israeli authorities also demolished the vast majority of the nearly 500 Palestinian villages deserted during the 1947-49 conflict and enabled the Custodian of Absentee Property to transfer Palestinian properties to third parties, in an effort to prevent the return of Palestinians to their land.¹⁰⁹ It is estimated that Israel has expropriated over 10,000 shops, 25,000 buildings and almost 60% of the fertile land once privately owned by Palestinians under the Absentees’ Property Law.¹¹⁰

Not only does the continuing application of the Absentee Property Law to Palestinian and non-Jewish owned property clearly demonstrate Israel’s discriminatory laws,¹¹¹ but the effects of this law continue to severely impact Palestinians who are excluded from their or their families’ lands and prohibited from accessing and using land for livelihood, agriculture, public use or any other purposes that would facilitate a self-sufficient and independent Palestinian state.¹¹²

The majority of the international community recognises Israel’s borders as excluding Gaza and the West Bank, as well as East Jerusalem. However, since the 1967 War, these territories internationally recognised as Palestinian lands have constantly been under military occupation or siege by the IDF, and those not under military siege are constantly fragmented and suffocated by the proliferation of illegal settlements. These illegal settlements have increased at an unprecedented rate since 2022. Between November 2022 - October 2023, 917 Palestinian-owned buildings in the West Bank alone were demolished, including residential buildings, donor-funded public buildings and water and

¹⁰³ Ibid, 115.

¹⁰⁴ Ibid, 115.

¹⁰⁵ Ibid, 116.

¹⁰⁶ *Absentees’ Property Law (Compensation)* (Israel) 1973.

¹⁰⁷ Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 116.

¹⁰⁸ Ibid, 118.

¹⁰⁹ Ibid, 116.

¹¹⁰ Anna Roiser, ‘Why we need to talk about the Absentee Property Law’ *The Times of Israel Blogs*, 2020, <https://blogs.timesofisrael.com/why-we-need-to-speak-about-the-absentee-property-law/>

¹¹¹ Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 120.

¹¹² Amnesty International, *Israel’s Apartheid Against Palestine*, 2022, 114.

sanitation facilities, displacing at least 1,015 Palestinians.¹¹³ In the same period, the government progressed with 24,300 new housing units for Israeli settlers in the Occupied Palestinian Territories,, and 'legalised' 9 new privately-developed Israeli towns in the occupied territories.¹¹⁴

Moreover, the expansion of illegal settlements has also seen a rise in violent assaults on Palestinian civilians by settlers. In the first ten months of 2023, 1,038 violent attacks on Palestinians by settlers were reported to the UN OHCHR, including both racially motivated and gender-based violence, with nearly one-fifth of these incidents occurring between 7 and 31 October.

5

The ICV condemns the unyielding siege of Gaza and calls upon Israel to immediately lift this blockade and allow those in Gaza uninhibited access to the outside world. We condemn the ongoing military assault on civilians in Gaza and the unfolding genocide of the Palestinian people. We call for an immediate ceasefire and the provision of humanitarian aid.

Gaza remained under full Israeli military occupation between its seizure in the Six-Day War of 1967 and the 1990s. Israel announced a policy of "full disengagement" from Gaza in 2005, but has since maintained an unlawful blockade of the Gaza Strip, now one of the most densely populated areas on earth.¹¹⁵ After being declared "hostile territory", Palestinians living in the Gaza Strip have been isolated from the rest of the world under what has been termed an official "separation" policy, helping to prevent the establishment of a Palestinian state.¹¹⁶

There is a total blockade by air, land and sea, that prevents the movement of people and goods in or out of Gaza and has left the vast majority of the population dependent on international aid.¹¹⁷ Considered to be the world's largest "open-air prison",¹¹⁸ 1.4 million of the 2 million (over 70% of) Palestinians living in the Gaza Strip today are registered as refugees with UNRWA.¹¹⁹ Gaza also has one of the world's highest unemployment rates at over 46%.¹²⁰ 31% of households in Gaza have difficulty meeting essential education needs and 76% of the population requires food assistance.¹²¹

¹¹³UN Office of the High Commissioner for Human Rights, 'STATE OF PALESTINE: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan,' <https://www.ohchr.org/sites/default/files/2024-03/Palestine-March2024.pdf>.

¹¹⁴ Ibid.

¹¹⁵ UNICEF 'Time is running out for children in Gaza,' 2023, <https://www.unicef.org/turkiye/en/press-releases/time-running-out-children-gazaunicef>, Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 144.

¹¹⁶ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 80, citing Gisha, *Area G: From Separation to Annexation Israel's isolation of the Gaza Strip and how it serves annexationist goals in the West Bank*, 2020, and, *What is the 'separation policy'?*, 2012.

¹¹⁷ Amnesty International, *Israel's Apartheid Against Palestine*, 2022, 60, citing State of Israel MoFA, 'Security Cabinet declares Gaza hostile territory', 19 September 2007, mfa.gov.il/mfa/government/communiques/2007/security+cabinet+declares+gaza+hostile+territory+19-sep-2007.

¹¹⁸ Human Rights Watch, 'A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution,' 27 April 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

¹¹⁹ UNRWA, 'Where we work,' 2023, <https://www.unrwa.org/where-we-work/gaza-strip>.

¹²⁰ Ibid.

¹²¹ OCHA, "Humanitarian Needs Overview," *Humanitarian Programme Cycle*, December, 2021, 44, 40.

Clean water is unavailable for 95% of the population.¹²² Israel's blockade and restrictions on Gaza have been found to contravene international humanitarian law as they target and impose hardship on the civilian population, effectively penalising them for acts they have not committed.¹²³

On October 7, 2023, Hamas and the Palestinian Islamic Jihad launched an unprecedented land, sea and air attack on Israel from the Gaza Strip, changing the politics of the region forever. It is estimated that 1,139 Israelis were killed and over 200 hostages were taken.¹²⁴ This attack was in response to the total siege of the Gaza Strip (effectively making Israel an occupier under international law), the expansion of illegal Israeli settlements, and the repeated violent raids on Al-Aqsa. The hostages were taken in return for the release of the illegally imprisoned Palestinians.

In response, Israel launched a ground and air military attack, initiating a brutal genocide that continues to this day. The relentless attacks have destroyed Gaza completely, from civilian homes to hospitals to refugee camps, killing innocent civilians, children, journalists, aid workers and medical staff. During this campaign, Israel has used false propaganda to justify its disproportionate response. Amongst the many lies propagated are that Hamas fighters conducted mass rapes of women and beheaded 40 babies and burned them. Detailed investigations from several sources have confirmed that there was no evidence to support such claims.¹²⁵ First-hand journalism from Gaza has gradually challenged Israel's narrative, but since October 7, Israel has killed an estimated 113 journalists and media workers.¹²⁶

Unfortunately, global governance institutions such as the United Nations (UN) and International Court of Justice (ICJ), have proven to be impotent to stop the mass slaughter and wholesale destruction of Gaza. Upon South Africa's submission against Israel, the ICJ refused to order a ceasefire or suspension of Israeli attacks. Rather it ordered that Israel shall take all measures within its power to prevent genocidal acts and punish public incitement against Palestinians. Furthermore, Israel was ordered to provide humanitarian aid and submit a report to the court in one month to show its compliance with these orders. None of these orders were followed.

Israel's motives are thinly veiled. The state's reluctance to negotiate, lack of initiative to recover Israeli hostages and carpet-bombing all over Gaza, despite the hostages therein, demonstrates that Israel is not interested in ending the conflict. Rather, the attitude of Israeli politicians and their public statements evidently shows that there is minimal regard given to Palestinian life and there is strong enthusiasm to destroy Gaza entirely.

In November 2023, after weeks of intense bombing in the North of Gaza had already killed over 9,100 Palestinians, Israel's Minister of Heritage Amichai Eliyahu posted a video of a bulldozer demolishing the remains of destroyed homes in Gaza on his social media. He wrote in the caption "*The North of*

¹²² UNRWA, 'Where we work,' 2023, <https://www.unrwa.org/where-we-work/gaza-strip>.

¹²³ Ibid.

¹²⁴ 'Israel social security data reveals true picture of Oct 7 deaths' *France24*, 2023, <https://www.france24.com/en/live-news/20231215-israel-social-security-data-reveals-true-picture-of-oct-7-deaths>.

¹²⁵ Assma Maad, William Audureau and Samuel Forey, '40 beheaded babies': Deconstructing the rumor at the heart of the information battle between Israel and Hamas' *Le Monde*, 2024, https://www.lemonde.fr/en/les-decodeurs/article/2024/04/03/40-beheaded-babies-the-itinerary-of-a-rumor-at-the-heart-of-the-information-battle-between-israel-and-hamas_6667274_8.html.

¹²⁶ 'Journalist casualties in the Israel-Gaza war,' *Centre to Protect Journalists*, 2024, <https://cpj.org/2024/06/journalist-casualties-in-the-israel-gaza-conflict/>.

*the Gaza Strip, more beautiful than ever. Blow up and flatten everything, delightful. After we are done, we allocate the lands of Gaza to the soldiers fighting and the settlers who lived in Gush Katif.*¹²⁷

More than 40,139 Palestinians, most of them women and children, have been killed to date since October 7th, and a further 94,743 wounded.¹²⁸ In June 2024, Doctors Without Borders reported that “virtually every hospital in Gaza has either been issued ‘evacuation orders’, is under an Israeli siege or will soon run out of fuel and supplies.”¹²⁹ On average, 10 Gazan children require an amputation each day, often with no anaesthesia and nothing more than Panadol available.¹³⁰

Israel’s genocidal assault and siege of Gaza continues at the time of releasing this position statement.

Our Recommendations

Recommendations to our community

1. We encourage the public to use their individual and collective voice to advocate for the human rights of the Palestinian people and recognition of Palestinian statehood. We encourage involvement in community activism, peaceful demonstrations, and advocating through the democratic process.
2. We encourage the community to support the **Boycott, Divestment, Sanction (BDS)** campaign, a Palestinian-led movement for freedom, justice, and equality, and to engage in boycotts supported by BDS. You can follow and get involved with BDS through their website and social media. <https://bdsmovement.net>
3. We encourage the community to get involved in local organisations supporting Palestine, a detailed list of which can be found in the Appendix of this statement.

Recommendations to the Australian Government

1. We call on the Australian government to use all available diplomatic, political and economic means available to push for a total, immediate and permanent ceasefire in Gaza.
2. We call for the Australian government to immediately recognise Palestinian statehood and establish full diplomatic relations with Palestine.

¹²⁷ <https://www.facebook.com/watch/?v=148918588283326>. For previous caption and English translation, see Safaa Kasraoui, ‘More Beautiful Than Ever’: Israeli Minister Delights in Gaza Genocide’ *Morocco World News*, 2023, <https://www.morocoworldnews.com/2023/11/358737/more-beautiful-than-ever-israeli-minister-delights-in-gaza-genocide>.

¹²⁸ ‘Israel-Gaza war in maps and charts: Live tracker,’ *Al Jazeera*, updated August 6 2024,

<https://www.aljazeera.com/news/longform/2023/10/9/israel-hamas-war-in-maps-and-charts-live-tracker>.

¹²⁹ Médecins Sans Frontiers ‘Gaza: A warning from Aid Agencies as humanitarian access disintegrates’ 2024

<https://msf.org.au/article/statements-opinion/gaza-warning-aid-agencies-humanitarian-access-disintegrates>.

¹³⁰ Save the Children, ‘Gaza: More than 10 children a day lose a limb in three months of brutal conflict,’ 2024,

<https://www.savethechildren.net/news/gaza-more-10-children-day-lose-limb-three-months-brutal-conflict>, Chantelle Al-Kouri, ‘Australian doctors describe Gaza as ‘hell on Earth’ with no strong pain relief for life-threatening amputations,’ *ABC News*, 3 June 2024, <https://www.abc.net.au/news/2024-06-03/nsw-doctors-and-psychologist-return-gaza-israel-conflict/103890956>.

3. We call on the Australian government to fulfil its international legal obligations to protect human rights and take all necessary measures to prevent and punish mass atrocity crimes, including genocide. We call for the imposition of targeted sanctions, including travel bans and asset freezes, against officials, entities and militants responsible for ongoing grave international crimes.
4. We urge the government to cease all military ties with Israel, including the trade of weapons and parts and the sharing of intelligence. Any military relations with Israel should be conditioned on Israel ending its illegal occupations and commission of the gravest international crimes.
5. We urge the government to support international efforts to prevent and punish mass atrocity crimes, including the prosecution of Israeli officials in the International Criminal Court, and by joining South Africa's genocide case against Israel in the International Court of Justice.
6. We urge the Australian government to prohibit Australian citizens from joining the Israeli Defense Forces (IDF), due to overwhelming credible evidence of the IDF's involvement in violations of international law, including war crimes and mass atrocity crimes against civilians, and to prosecute Australians that have been involved in atrocity crimes in Gaza.

Recommendations to the Media

1. We call for accurate and balanced reporting on Palestine and on the ongoing genocide of Palestinian civilians. Currently, mainstream media coverage is often unfairly and misleadingly biased towards Israel, framing military aggression against civilians as lawful acts of self-defence and failing to acknowledge the decades of oppression inflicted on Palestinians. In general, media reporting of the Gaza conflict and of Palestine more generally exaggerates Israeli suffering and minimises or ignores Palestinian suffering. The Israeli narrative is given priority at the expense of objective reporting of the facts.

Recommendations to Other Faith Groups

1. We call on leaders and community organisations from all faiths to stand for our shared values of humanity, compassion and justice. This includes unreservedly condemning all forms of violence against civilians, which includes Israel's indiscriminate military attacks on residential areas, schools, hospitals, places of worship and refugee camps.
2. We remind these organisations that the Palestinian people represent a variety of faiths, and Israel's violence, systemic inequality and forceful displacement indiscriminately target Palestinians of all faiths. This includes almost entirely wiping out Gaza's Christian community and bombing several of the world's oldest churches in Gaza, as well as almost halving Palestine's Christian population through displacement and violence since 1967.¹³¹

¹³¹ UNHCR, *World Directory of Minorities and Indigenous Peoples - Palestine: Christians*, <https://www.refworld.org/reference/countryrep/mrqi/2018/en/56759>

Appendix 1:

List of community organisations supporting Palestine

Advocacy Organisations

Australian Palestine Advocacy Network (APAN)

A national coalition harnessing the passion of Australians for Palestinian human rights, justice, and equality.

<https://apan.org.au>

Free Palestine Melbourne

A group of activists, advocates, and community mobilisers – both Palestinian and non-Palestinian, who have come together to coordinate solidarity action and community awareness raising for a Free Palestine in Melbourne, Australia.

<https://www.freepalestinevic.org>

Boycott, Divestment, Sanction (BDS)

A Palestinian- led movement for freedom, justice, and equality. BDS upholds the principle that Palestinians are entitled to the same rights as the rest of humanity.

<https://bdsmovement.net>

Jewish Council of Australia

A Melbourne-based advocacy network aiming to combat antisemitism in Australia, represent the diversity of the Australian Jewish community and support freedom and Justice for Palestinians.

<https://www.jewishcouncil.com.au/>

Palestinian Community Association of Victoria

A Melbourne-based non-profit which aims to engage the local Palestinian community with wider Australian society while supporting and promoting Palestinian culture and identity.

<http://www.palestine-victoria.org.au/>

Palestine Israel Ecumenical Network (PIEN)

A network of Australian Christians and supporters, seeking lasting peace and justice for the people of Palestine and Israel. PIEN works to achieve this peace with justice by educating Australians on relevant human rights issues, seeking public policy change, combining theological discussion with practical action and more.

<https://pien.org.au>

Coalition for Justice and Peace in Palestine (CJPP)

A community organisation supporting a just peace for Palestinians. They work to educate and raise awareness of Palestinian issues in the wider Australian community and run campaigns to assist Palestinians in Palestine and the Palestinian diaspora.

<https://coalitionforpalestine.org>

Charitable Organisations

Palestine Australia Relief and Action (PARA)

A non-profit organisation assisting Palestinian migrants and refugees resettle in Australia and navigate the trauma and challenges of displacement.

<https://para.org.au/>

Olive Kids

An Australian-based charity seeking to facilitate financial support, education and medical assistance for children in Palestine.

<https://olivekids.org.au/>

Palestine Fair Trade Australia

A non-profit social enterprise and registered charity based in Sydney. They import a unique range of ethically sourced and fair-trade products from Palestine. All proceeds are returned to purchase these artisan goods from Palestine, which supports Palestinian families, farmers, communities, and artisans to maintain their lands, culture, and heritage.

<https://www.palestinefairtradeaustralia.org.au>

National Zakat Foundation (NZF)

A charity which aims to utilise Zakat funds and voluntary donations collected in Australia for the benefit of local communities. NZF Australia's *Hearts for Palestine* program aims to facilitate the seamless settlement and integration of newly arrived Muslim families from Gaza.

<https://www.nzf.org.au/>

Human Appeal Australia

An international humanitarian organisation providing immediate relief and initiating self-sustaining development programs across 4 continents. Human Appeal regularly provides humanitarian aid to Palestine and is currently running an emergency campaign for Gaza.

<https://www.humanappeal.org.au>

Islamic Relief Australia

A humanitarian and development organisation dedicated to overcoming all kinds of injustice globally. From fighting poverty to alleviating the suffering of people caught in disasters and conflict. Islamic Relief is currently distributing meals, medical supplies and essentials in Gaza.

<https://islamicrelief.org.au/>