

The Nakba: The Perpetuation of an Unwanted Legacy

Written by Ref.: 109/2012
Tuesday, 15 May 2012 06:37



Sixty-four years have passed since Palestinian society was decimated by the forcible transfer of some 700,000 people by Israeli forces. Each year, on 15 May, 'Nakba Day' commemorates the anguish of those who were expelled from their homes and those who fled in panic under direct military assault. Today also serves as a day of remembrance for the mass murders of 1948 and the destruction of entire villages, of Deir Yassin and Tantura and Al-Dawayima, when hundreds of Palestinians were killed during a period that is now known simply as 'the catastrophe'.

While the term Nakba is seen as a reference to the murder, exile and devastation of the 1948 war, in reality, it could just as easily be used to describe the current belligerent occupation. It is an appropriate term for nearly six decades of demolitions, internment, the appropriation of land and the refusal by Israel to recognise and respect the basic human rights of the Palestinian people. It could very easily be used to describe the denial of the right to self-determination of the Palestinian people. The Nakba did not end in 1948. The mass forcible transfer that occurred during and in the aftermath of the war was only the first stage in Israel's illegal policy of displacement that is being implemented with equal determination and precision to this day.

For the last six decades, the rights of those dispossessed have never been addressed. Today, seven million Palestinian refugees are scattered across the globe. The right of the Palestinians displaced by the wars in 1948 and 1967 has been framed by Israeli rhetoric as a political claim and continuously rejected. In truth, the right to return of those displaced by a conflict is a well-established principle of international law. In particular, the right of Palestinian refugees has been unequivocally reiterated by the Security Council in its unanimously adopted Resolution 237 of 1967.

Indeed, the most recent bout of negotiations came about in response to a request from the Quartet for proposals on borders and security arrangements in a future two-State solution.

The Nakba: The Perpetuation of an Unwanted Legacy

Written by Ref.: 109/2012
Tuesday, 15 May 2012 06:37

However, this seems to ignore the fact that the conflict is not simply one of borders, but revolves around a multitude of interrelated issues, including the rights of refugees, Jerusalem, water, and prisoners, which need to be addressed in an equitable manner to bring about a just and durable solution to the conflict. By resolving the issues that Israel wants negotiated first, Palestinian representatives will be stripped of any leverage they have to negotiate other important questions, resulting in an illusory peace process and continued occupation.

Furthermore, Israel has repeatedly demanded that Palestinian representatives come to the negotiating table without preconditions. It should be clear to all involved that international law cannot be dismissed as a simple precondition. Rather, it is the foundation upon which constructive and well-balanced negotiations must be based and as such it must be upheld and respected by all parties involved.

Instead of fulfilling their obligations under international law to discourage the continuation of the ongoing breaches of international law in the Occupied Palestinian Territory, the international community has long reduced itself to advocating for the formalisation of such violations in the name of political expediency. At the same time, the tacit approval of the international community has only served to reward Israel's illegal policy of dispossession, including land appropriation for the purposes of settlement construction and expansion.

As such, denial of the right to self-determination, which encompasses the right to return, has become a legacy, passed down by Palestinian parents to their children. Palestinians in 2012 still experience 'the catastrophe', albeit in a slightly different format. The term is today a reference to the silent annexation of the Jordan Valley and the forcible transfer of families across Area C of the West Bank. It describes the effects of the Annexation Wall, the illegal blockade of the Gaza Strip and the violent suppression of freedom of expression. It is also a fitting portrayal of a situation where some 2,500 Palestinian prisoners must go on hunger strike, several to the point of near-death, to demand the most basic human rights.

For Palestinians, the Nakba has been perpetuated for decades. It will continue for decades more, for as long as justice is sidelined and Israel is granted impunity by the international community for an uninterrupted stream of violations of international law that began more than sixty years ago.

-End-

The Nakba: The Perpetuation of an Unwanted Legacy

Written by Ref.: 109/2012
Tuesday, 15 May 2012 06:37

The Palestinian Council of Human Rights Organisations (PCHRO):



Addameer Prisoners' Support and Human Rights Association

Sahar Francis
General Director



Aldameer Association for Human Rights

Khalil Abu Shammala
General Director



Al-Haq

Shawan Jabarin
General Director

The Nakba: The Perpetuation of an Unwanted Legacy

Written by Ref.: 109/2012
Tuesday, 15 May 2012 06:37



Al Mezan Center for Human Rights

Issam Younis
General Director



ENSAN CENTER

Ensan Center for Human Rights and Democracy

Shawqi Issa
General Director



Hurryyat - Centre for Defense of Liberties and Civil Rights

Helmi Al-araj
General Director



The Nakba: The Perpetuation of an Unwanted Legacy

Written by Ref.: 109/2012
Tuesday, 15 May 2012 06:37

Jerusalem Center for Legal Aid and Human Rights

Issam Aruri
General Director



Ramallah Center for Human Rights Studies

Iyad Barghouti
General Director



Women's Centre for Legal Aid and Counselling

Maha Abu Dayyeh
General Director