

Enhancement of Palestine's Status at the UN

Position Paper

The Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, seeks to enhance Palestine's status to that of an Observer State, as a significant step towards fulfilling the Palestinian people's natural, historical, and legal rights to self-determination and independence. This step is a continuation of the standing Palestinian application for membership at the United Nations, which was lodged on 23 September 2011.

Together with the international community, Palestine believes that the status quo of political deadlock, while occupation, colonization and apartheid policies become further entrenched, is neither acceptable nor sustainable. The Palestinian initiative intends to protect the prospects of peace and accelerate its realization. This step reaffirms and protects the internationally-endorsed two-state solution. It is anchored in relevant United Nations resolutions, including General Assembly resolutions 181 and 194, and international law.

According to international law, self-determination is a universally recognized inalienable right that is not subject to negotiation. Independence has never been a final status issue and statehood has never been negotiated bilaterally. The right of peoples to self-determination is non-negotiable and the Palestinian people will thus never negotiate this right or subject it to Israel's whims. Enhancing Palestine's status at the UN is a step towards justice and will be an affirmation of the international community's commitment to the universal values of human rights, as embodied in the United Nations Charter.

There is no doubt that the continued Israeli occupation of Palestine is illegitimate and constitutes a grave violation of the Palestinian people's most basic rights. Recognition and enhanced status at the United Nations will reinforce this legal fact and reaffirm the rights of the Palestinian people to seek their independence and freedom, so that they may one day live in peace and security — the same desires shared by all peoples of our region and the world.

The Palestinian initiative seeks to end occupation and realize the establishment of the State of Palestine; it does not seek to delegitimize or isolate Israel. Rather, this step seeks to delegitimize the policies of occupation and colonization and to overcome the paralysis in the international community, especially with regard to ending Israel's impunity and compelling its compliance with international law.

The Palestinian step is consistent with the formal Palestinian recognition of Israel in 1993, and consistent with the internationally endorsed goal of the peace process — two States living side by side in peace and security on the basis of the pre-1967 borders --- which necessarily requires an independent State of Palestine. Therefore, recognition is necessary to achieve the ultimate

objective of the two-state solution and expedite its realization at a time when Israel is incessantly and recklessly undermining that solution and the prospects for achieving a just peace.

The right of the Palestinians to a State has been awaiting implementation for over sixty years. It is consistent with the long-standing historic international covenant with Palestine enshrined in Resolution 181 (II). Moreover, the International Court of Justice Advisory Opinion on the Wall (2004) asserted that the Palestinian right to self-determination is a right *erga omnes*, i.e. the concern of all states. The international community therefore has a moral and legal obligation to help fulfill this right. Currently, 132 countries recognize the State of Palestine on the pre-1967 borders. The PLO calls on all countries that have not yet done so yet to recognize Palestine on these borders and invest in peace.

The Palestinian initiative at the United Nations does not contradict, nor is it a substitute for, negotiations. These are parallel paths that complement one another. Enhancing Palestine's status at the United Nations to Observer State will establish the right framework for negotiations and reaffirm the internationally-agreed upon terms of reference and end game of a credible political process, to which we remain committed.

Now is the moment of truth. Opposing the Palestinian step would mean Palestinians are the exception to the universality of human rights. Freedom and human rights cannot be supported selectively. Supporting the Palestinian initiative at the United Nations would send the right message: the world has not abandoned Palestinians and left their fate hostage to the whims of their occupiers. By lending support to Palestine, countries would be affirming their position in defense of international law and human rights and representing the will of their people's who overwhelmingly support our rights.

Finally, in undertaking this initiative, Palestine asks the world to reaffirm that the Palestinians are not the exception to the international rule; that they will not be punished for pursuing a peaceful, political and diplomatic initiative on the basis of international law. In resorting to the United Nations General Assembly where 193 States are represented, Palestine is undertaking a multilateral step par excellence. We invite the international community to lend us its support and, in so doing, undertake a practical and long overdue step towards reaffirming the illegitimacy of Israeli occupation and the urgency of realizing the two-State solution. It is time.