

**Palestine initiative to seek an enhanced status as an Observer State at the United Nations**

**Frequently Asked Questions**

The Palestinian people, like all peoples of the world, have the right to live free in their own country and to enjoy a life of dignity, security, and prosperity. This right to self-determination is an inalienable right that is not up for negotiation.

For almost seven decades now, the Palestinian people have been denied their natural and historical right to independence and freedom. The independence of a sovereign and viable Palestinian State is a debt owed by the international community to the Palestinian people that is long-overdue. This right has awaited implementation for nearly seven decades. Now, it is Palestine's time.

Palestinians will go to the UN General Assembly, to ask for international recognition of the State of Palestine on the pre-1967 borders, including East Jerusalem, and an enhancement of their status at the Assembly to that of Observer State. This is an interim step, in light of the situation of impasse faced by the Palestinian application in the Security Council, for full membership at the United Nations, which was lodged on 23 September 2011.

International recognition of the State of Palestine and its admission to the UN are consistent with numerous UN resolutions and international law, and support the formula which the world agrees is the only way to peace. That formula is two States, Palestine and Israel, living side by side in security, freedom, and peace on the basis of the pre-1967 border.

**Why are Palestinians asking for recognition and enhanced status at the UN?**

This is a natural, historical, and legal right for the Palestinian people. Statehood and its declaration is a sovereign right of all nations, as stipulated in international law. The world has repeatedly affirmed that the Palestinian people have an inalienable right to self-determination and have a right to a "sovereign and independent" State. Moreover, the International Court of Justice (ICJ), in its 2004 Advisory Opinion, made it clear that impeding the Palestinian people's exercise of its right to self-determination is illegal.

## **What do Palestinians want out of the UN?**

Palestinians want to be an equal member of the community of nations, with equal rights and obligations under international law. We want to build on the historic 1988 declaration of independence and subsequent international recognition accorded to Palestine. We want to formalize this international recognition at the United Nations, the highest international body.

Enhancement of Palestine's status to Observer State is an interim step on the way to Member State Status. This will further advance Palestinian aspirations for statehood and freedom, which, once achieved, will lead to peace in the region. It will safeguard the internationally-endorsed two-State solution and provide a framework for negotiations with clear parameters, so that all final status issues can be resolved through direct negotiations with Israel.

## **Why should the world support Palestine's bid?**

Recognition of the State of Palestine on the pre-1967 border is a sovereign decision of each State. 132 countries, including 9 of the 10 most populous countries in the world, already recognize Palestine. Combined, these countries represent over 75% of the world's population.

Support for the enhancement of Palestine's status at the UN will reaffirm that Israel has no valid claim to any parts of the territory it occupied in 1967, including East Jerusalem, and that Israel's colonization of Palestinian land is illegal.

For over 65 years, the international community has promised Palestine its independence, as enshrined in the General Assembly Resolution 181. This right is now long overdue. The international community therefore has a moral obligation to support the Palestinians in their endeavors to achieve their freedom and independence.

The international community has a legal obligation towards Palestine. [The legal obligation is in accordance with 181 and all other relevant resolutions.] According to the International Court of Justice Advisory Opinion on the Wall (2004), supporting the Palestinian people's right to self-determination and statehood is considered an international responsibility. In addition, the UN has repeatedly recognized that Palestinians are entitled to the human rights outlined by relevant Covenants and Declarations. This includes the opportunity to "freely determine their political status and freely pursue their economic, social and cultural development", as provided by Common Article 1 of the International Covenants on Civil and Political Rights and on Economic and Social Rights.

Finally Palestine's bid for enhanced status is a non-violent and diplomatic action that supports the enforcement of international law and one that reaffirms the international community's commitment to the two-State solution. It is an investment in peace.

### **Do Palestinians plan to declare a state?**

Palestinians have already declared independence. On 15 November 1988, the Palestine Liberation Organization's National Council, the highest representative body of the organization, declared Palestinian independence. This declaration was historic because it signalled the PLO's endorsement of the two-State solution formula for the conflict based on the 1967 border, including relevant UN resolutions. Subsequently, the UN acknowledged the 1988 declaration and approximately 100 countries recognized Palestine. Today, 132 countries recognize Palestine.

### **Does Palestine fulfil the prerequisites to Statehood?**

The State of Palestine has met all prerequisites to statehood listed in the 1933 Montevideo Convention on the rights and duties of States:

The permanent population of our land is the Palestinian people.

Our right to self-determination has been repeatedly recognized by the UN and by the International Court of Justice in 2004.

Our territory is recognized as the lands framed by the 1967 border, though it is militarily occupied by Israel.

Palestine has the capacity to enter into relations with other States and already has embassies and missions in more than 100 countries.

The State of Palestine also fulfils the UN membership requirements of being a peace-loving nation and committing to the principles of the United Nations Charter as well as being able and willing to carry out these obligations, as affirmed in the Declaration appended to Palestine's application for admission to the United Nations membership.

### **Is Palestine economically and institutionally ready for statehood?**

This question is a red herring. Economic stability and institutional "readiness" are not requirements for statehood or UN membership. The question of Palestine's "readiness" is a diversionary tactic used by those who oppose Palestine's request for enhanced status.

Although economic readiness is not a consideration for UN membership, it should be pointed out that the single biggest obstacle to the development and viability of the Palestinian economy is the Israeli occupation, which cost the Palestinian economy a staggering 84.9% of its GDP in 2010. This is a point of international consensus that has been repeatedly reaffirmed by the UN and other international organizations, including the IMF and World Bank.

Nevertheless, despite the severe economic effects of the occupation, the Palestinian government has successfully completed a two-year State-building plan, which was endorsed and supported by the international community, building the strong foundations for the Palestinian State.

### **Will this step end the Israeli occupation?**

While enhanced status at the UN and recognition will not physically remove the Israeli occupying forces from the Occupied Palestinian Territory, Palestinians believe this effort represents a crucial step that will contribute to the end of occupation and the realization of Palestinian rights. It will realign the political process and discourse with international law and lay to rest any questions on the issue of Palestinian statehood.

### **Is this merely a symbolic step?**

No. International recognition and enhancement of status in the UN bring Palestinians closer to freedom by strengthening the basis of the two-State solution, which is the internationally agreed-on formula for peace in the region. This, in turn, strengthens the possibility of reaching a just and lasting peace based on the internationally-endorsed terms of reference for resolving the conflict that are rooted in international law.

By recognizing Palestine, the international community would be formalizing these terms of reference and protecting the two-State solution as well as reaffirming the universality of human rights.

Enhanced status in the UN will also enable Palestine to better use the UN and other international forums to advance its just cause for freedom and independence. As an occupied people, Palestinians have long been at a certain disadvantage at the United Nations. They are currently unable to sign treaties or enter international bodies and agreements. By achieving Observer State status, these avenues would finally be opened up to Palestine and its just cause for freedom.

### **Is this a unilateral step?**

On the contrary, going to the United Nations, which represents the voice of the world, is the ultimate expression of multilateralism. Palestine is asking the world to act collectively in the interest of peace.

Meanwhile, statehood is a sovereign right which has never been negotiated bilaterally. Palestine declared independence in 1988. The notion that Israel should approve the Palestinians' inalienable right to self-determination is illogical and unacceptable. The request for enhanced status concerns recognition of the State of Palestine by the international community, not the granting of statehood to Palestine.

In fact, it is Israel that continues to carry out numerous illegal and unilateral actions, including the continued expansion of Israeli settlements and construction of the Wall. In fact, since the Oslo Accords, the Israeli settler population in the Occupied Palestinian Territory has doubled; from nearly 250,000 in 1993 to over 510,000 today. Furthermore, Israel's attempted annexation of occupied East Jerusalem and closure of the Jordan Valley and Dead Sea are also unilateral measures which the international community totally rejects and considers illegal impediments to peace. Today, Israel's unilateral actions of settlement expansion and Wall construction take up almost 50% of the occupied West Bank.

### **Does recognition of Palestine delegitimize Israel?**

No; especially since Palestine recognized Israel in 1993. Additionally, many countries which have already recognized the State of Palestine, including large countries such as the Russian Federation and the People's Republic of China, maintain solid relations with Israel.

Claims that recognition of Palestine can only occur following final resolution of the conflict, which is long overdue, ignore the fact that Israel has been recognized by many States and admitted as a Member State of the United Nations for over six decades, despite the ongoing conflict and despite its existence for over forty-five years as a military occupying Power and violator of international law.

The Palestinian initiative for enhanced status at the UN is first and foremost an important step towards legitimizing the State of Palestine as a free, independent and sovereign state. The eventual result of this step will be peace in the region. In this regard, Palestinians seek to reinforce the international position that does not recognize Israel's occupation and practices of colonization and annexation as legitimate.

### **Does this step violate or contradict previously signed agreements?**

No. Recognizing the State of Palestine is consistent with the basis of the 1993 Declaration of Principles, including the principle of the two-State solution and relevant UN resolutions, such as 242,338, and 1515 among many others. These terms of reference have been consistently undermined by Israel's unilateral actions, primarily the continued illegal construction and expansion of Israeli settlements and Wall in the Occupied Palestinian Territory, including East

Jerusalem. Recognizing Palestine is consistent with the spirit and letter of signed agreements and relevant UN resolutions and shall work to reinforce the two-State solution and protect it from unilateral Israeli actions.