

The British Government and the Labour Party Position on Jerusalem

OPENING ADDRESS

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“Jerusalem in Islamic Jurisprudence and International Law”

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I would first of all like to thank the conference organizers from the Islamic Research Academy (ISRA) for inviting me here today. I would like also to take the opportunity to wish all those involved, success for today's Conference. We meet today against the backdrop of anger, frustration and violence in the Middle East and a critical breakdown in the diplomatic peace process. At times like these, now as in the past, one feels helpless in the face of such an eruption of anger and the tragic deaths of so many young people. Yet it is precisely at these times, that the type of work being done by the Islamic Research Academy - illustrating the place that Jerusalem holds in the Islamic faith and its central significance in the faith and lives of Muslims world wide - that is so important in calling world attention to one of the basic conditions of any resolution to the Middle East conflict. Simply that Jerusalem can never come under the sole ownership of one faith or nation – efforts to enforce such a solution, will end in the violence and sense of betrayal that we have been witnessing in the past 3 weeks. I would like to congratulate the Islamic Research Academy on its work and its efforts to promote discussion on the unique and central role that Jerusalem will play in any future peace deal.

There is an urgent need for the political leadership, engaged until recently in trying to broker a final deal in the Middle East, to listen to these discussions and to disavow Israel of its determination to achieve absolute sovereignty in Jerusalem. Peace will not be achieved by asserting the rights of one nation over the rights and beliefs of another.

One of the themes of today's Conference, is Jerusalem and International law. As Chairman of the Parliamentary Labour Party Foreign Affairs Committee and also as Chairman of the Labour Middle East Council, I have always argued for the importance of the principles of International law in the search for a lasting peace in the Middle East. Now, more than ever, this is a message that needs to feed into efforts for peace. The role of International Law on the future of Jerusalem has to many of us, never been used to its full potential and increasingly, its role has been ignored.

I would like to take this opportunity to remind you of the British Government and Labour Party position on Jerusalem and hope that you will be encouraged that it reflects some of the concerns that will doubtless be discussed during today's proceedings. Jerusalem's status of 'Corpus separatum' as stipulated by UN GA 303, and supported by the overwhelming majority of members of the UN, was designed to hold the status of Jerusalem in a holding position pending a negotiated settlement to the conflict. It was designed also, to prohibit any unilateral acts by either side, aimed at establishing control; for example through force, land confiscation or demographic changes, withdrawal of identity cards of Palestinian residents of Jerusalem and property transfer. The Oslo agreement, while in theory based on UN Resolutions 242 and 338, which held East Jerusalem to be occupied territory, did nothing to protect against ongoing violations of International Law in Jerusalem; perhaps most damaging, the settlement programme in East Jerusalem.

Neither the British Government or the Labour Party has ever accepted Israeli claims of sovereignty in East Jerusalem – indeed the official government position does not recognize

Israeli sovereignty in West Jerusalem and will not do so until a final resolution to the conflict has been negotiated between the parties. The reasons for this are clear and have been borne out over time. The position of Jerusalem under international law is covered by the provisions of the Fourth Geneva Convention, and is regarded as part of the Occupied West Bank and Gaza. Under UN resolution 242, the British Government along with the overwhelming majority of the International Community has never accepted the acquisition of territory by force.

Neither has it ever accepted the policies of colonization that have characterised Israeli practices in Jerusalem. Since 1967, Israel has made its intentions towards East Jerusalem very clear. It has sought to make East Jerusalem Israeli territory by changing the character of the city, forcing Palestinians to leave, prohibiting Palestinians from building, pursuing a policy of demolishing Palestinian homes, refusing to allow the expression of Palestinian national identity in Jerusalem, closing the city off to West Bank residents and surrounding East Jerusalem with a ring of Jewish settlements so that the number of Israelis in that part of the city now exceeds the Palestinian population.

While it might have been viewed as sensible to leave the so-called 'final status' issues including the issue of Jerusalem until last in the peace process, we have always sought to remind people of the danger to a wider peace of tolerating Israel violations of International Law in Jerusalem during the interim period. Those violations that I have just summarized, have continued and even accelerated over the last 7 years of the peace process. To regard the events of the last 3-4 weeks as the result of a single provocative act by Ariel Sharon, is to labour under a dangerous misapprehension. The anger and rage displayed by young Palestinians in the West Bank and Gaza is the result of 7 years of disappointed expectations and the continuation of a military occupation that the peace process was meant to end. Not once in the whole of that time, has settlement activity ceased in the Occupied Territories – in fact the period of the peace negotiations through Likud and Labour administrations in

Israel has seen relentless settlement activity in and around East Jerusalem.

The response of the international community has clearly been inadequate and those of us who have been involved in this issue for many years have always argued for a negotiating process that was based clearly on the principles of international law, which must mean and end to the military occupation. Now, as a result of the failure to get that message across, we must once again turn to the matter of protecting unarmed civilians many of whom are children, against the brutal human rights violations being carried out by the Israeli occupying army. I would like to bring to your attention to a report in last week's Ha'aretz paper which stated that local Israeli commanders have been authorized by the IDF to relax live-fire orders against Palestinian demonstrators. This is a move that contravenes standards of International law and human rights law and which will inevitably lead to more deaths and casualties among the civilian Palestinian population and which I utterly condemn.

Throughout the peace negotiations, an imbalance of power relations has been evident at all levels; it is a "peace" forced by one side with overwhelming military superiority and while still a belligerent occupant. Peace agreements made under such conditions tend to be both unstable and illegitimate. Over the years the Labour Middle East Council has worked not only to draw attention to the inherent injustice of the situation, but also to call for the protection of Palestinians civilians living under occupation. The Fourth Geneva Convention, which applies in full to Occupied East Jerusalem, states that "protected persons" ie the civilian Palestinian population