

INTERNATIONAL CONFERENCE ON THE QUESTION OF JERUSALEM

“Addressing the present and shaping the future of Jerusalem”

Jakarta, 14 and 15 December 2015

CHAIRMAN'S SUMMARY

The **International Conference on the Question of Jerusalem** was convened in Jakarta, Indonesia on 14-15 December 2015, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) in cooperation with the Organization for Islamic Cooperation and the Government of the Republic of Indonesia. The Conference provided up-to-date information on the current situation in Jerusalem to inform policy and decision makers, civil society, and general public; a forum on how to enhance international efforts for a halt to unilateral Israeli actions, and discuss possible ways forward for Jerusalem and its inhabitants; and a venue for an open exchange among experts, practitioners, activists and academics.

Invited to the conference were all United Nations Members and Observers, inter-governmental organizations, UN Agencies, civil society organizations, think tanks, and the media. Fifty-five Member States and two Observer States participated. The Meeting was open to the public and generated significant media interest.

The **Minister of Foreign Affairs of Indonesia, H.E. Mrs. Retno L.P. Marsudi**, said support for all people under occupation including Palestine was a constitutional mandate of Indonesia. Recalling the 60th anniversary of the Bandung declaration, she said Jakarta was a twin city of East Jerusalem. Indonesia was supporting Palestine politically; it co-sponsored the resolution to raise the Palestinian flag at the United Nations, and also built capacity for Palestinians. Despite the best intentions and efforts of the international community, however, Israel continued to impose a “reign of terror” in the Occupied Palestinian Territory. As the prolonged Israeli occupation further destabilized the region, she called on the Security Council to ensure Israeli compliance with international law. The issue of East Jerusalem was of strategic importance not just to Palestine and Israel, but for all Muslims, Christians and Jews. Indonesia envisaged East Jerusalem as the capital of the State of Palestine. While looking for a political solution, one of the areas to be examined is how people-to-people relations between Israelis and Palestinians can be strengthened. The spirit of co-existence is a necessary foundation for a meaningful peace process.

In his message to the Meeting at the opening session, the **Secretary-General of the United Nations** emphasized that the conference was taking place against the backdrop of one of the largest eruptions of violence in years. Jerusalem is sacred to billions including Muslims, Jews and Christians, and any action interpreted as changing the status quo carried the risk of conflict. He called on both sides to rein in incitement and for Israeli forces to use force in a calibrated way. Continued security cooperation between Israel and Palestine remained vital, but security measures alone could not solve what was in essence a political conflict. Parties must refrain from establishing facts on the ground, and attacks against civilians must stop. He looked forward to the revitalized Quartet, in cooperation with regional partners, to create conditions for a return to negotiations.

The **Vice Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Ambassador Desra Percaya** noted that Palestinian life in the occupied territory were characterized by the lack of freedom and prospects for the future in their own land. He emphasized that this conflict, including the latest round of tensions and violence around Jerusalem, was not about religion but about the dispossession of a land and people living under occupation. Injecting a religious dimension to the conflict should be avoided at all costs, he stressed. At the same time, the status quo of religious sites must be respected, in line with existing agreements between Israel and Jordan.

The **Minister for Foreign Affairs of the State of Palestine, H.E. Mr. Riad Al Malki** said that Jerusalem was under attack. Israel attempted to blame Palestinians for a fire it had ignited. But Palestinians would continue struggling to fulfil their inalienable rights; yet, the world had failed to activate the existing mechanisms of protection and accountability. Resolutions and reports were not designed to describe realities but to trigger action, he stressed. It was the responsibility of States not to render aid or assistance to illegal Israeli actions. Furthermore, States must also consider settlers' organizations as criminal and terrorist organizations and act accordingly. The Security Council must adopt a resolution for ending the occupation with a clear timeframe to achieve a two-State solution based on the 1967 borders, including as regards Jerusalem. States must prohibit any ties between their Governments, their entities, their companies and their citizens with the occupation and notably the settlement regime by refusing to hold meetings with settlers, including officials or members of Knesset, prohibiting companies from being involved in the occupation and banning settlement products. States must also condition their relations with Israel with its respect for the inalienable rights of the Palestinian people. States not only have a right but also a duty to recognize the State of Palestine on the 1967 borders, including East Jerusalem.

The **Assistant Secretary-General of the Organization for Islamic Cooperation States, H.E. Mr. Samir Bakr** recalled that the OIC was originally established to defend Jerusalem. The grave violations perpetrated by Israel to empty the Holy City of its Palestinian inhabitants in addition to the violations committed against Jerusalem's Islamic and Christian sanctuaries, represented an act of "ethnic cleansing" which constituted war crimes and crimes against humanity, which makes it incumbent on the international community to confront them, he opined. The continuation of the Israeli

aggressions would further spread the conflict and risked giving it a religious dimension. The international community needed to ensure international protection for the Palestinian people. He paid tribute to the European Union for its policies in favour of the two-State vision, particularly the recent decision to label settlement products. However, much more was needed. The Security Council should adopt a resolution that provides a clear political reference and a specific timeframe for an end to the Israeli occupation, coupled with international guarantees and agreed mechanisms for its implementation.

In the **ensuing sessions**, participants discussed the situation in Jerusalem, the status of holy sites under international law, and international protection and human rights. Participants described a reality in which Israel implemented a discriminatory policy to weaken the Palestinian presence, which some described as "ethnic cleansing". Thousands of Palestinian homes are slated for demolition, with few building permits issued to Palestinians compared to illegal settlements which continue to flourish. Palestinians continued to face residency revocations. Following recent unrest Israel has used excessive force and punitive house demolitions, and targeted children. Contrary to Israeli rhetoric of a "united and indivisible" Jerusalem, the separation wall built during the second intifada had isolated over 100,000 Palestinian inhabitants of Jerusalem in a "no man's land" with no municipal services, no law enforcement and with access obstructions to the rest of Jerusalem. A similar dynamic has recently been imposed on other Palestinian neighbourhoods in the wake of the current unrest. A participant identified a deliberate Israeli plan to purge Jerusalem of its Palestinian inhabitants, while another described it as an ad hoc response driven by developments.

On the **status of religious sites under international law**, it was noted that while the sovereignty over the city remains in dispute, pending a permanent status agreement, no State currently recognizes Israel's claim to any part of the city, East or West, or to the holy places. After Jordan renounced all claims of sovereignty over East Jerusalem in 1988, it retained its custodianship over the holy places, which was reaffirmed by treaties with Israel and Palestine. Jordan is protecting the Al-Haram Al-Sharif for the Palestinian people pending the establishment of an independent State. Peace begins with respect for **human rights**, it was stressed, yet the Palestinians, a protected population under the laws of occupation, enjoy little effective **protection** either from the Occupying Power or the international community. The international community had an important role to play, but the issues of protections have been subordinated to the politics of the conflict. A Palestinian participant called on States to sever cooperation with Israel; ban settlement products and impose sanctions, given its human rights record towards Palestinians.

The conference then considered **historical and contemporary models of coexistence**. It was pointed out that, contrary to popular belief, pre-1948 Jerusalem was never a segregated city. Arabs and Jews lived side by side and interacted with each other. Violence has hardened religious, political and ethnic identities since then. Militantly religious groups have formed on both sides. After 50 years of occupation Jerusalem is a city with a divided population susceptible to intermittent violent conflict. Al-Haram Al-Sharif (Temple Mount) is particularly contested, politicized and violent. While history could not be reversed, history teaches that physically partitioned cities do not prosper.

Diversity, and also conflict, is the lifeblood of cities in general. Barriers between ethnic neighbourhoods offer a tempting solution in times of violent conflict but they create greater alienation and more extreme conflict down the road. Shared public spaces should be considered essential to a viable city. Indonesia's experience as an amalgam of pluralism, inclusiveness and religious harmony can be drawn upon. It is important to mainstream the moderates on both sides and promote dialogue within the Palestinian and Israeli communities first and then between them. A participant questioned whether given the patchwork of settlements the city could be re-divided without violent upheavals and proposed an open city for all residents, with the political capitals removed to Tel Aviv and Ramallah. The representative of Palestine however said statements that Jerusalem could not be divided did not stand the test of reality.

In closing remarks, **Deputy Minister for Foreign Affairs of Indonesia**, Ambassador Hasan Kleib underlined the importance of protection of Jerusalem and access for people of all faiths, and peaceful coexistence as a way forward towards a sustainable future for Jerusalem. However, Israeli illegal actions to alter the status and demographic composition of the city are obstacles. Condemnations, however are not a policy, he stressed. The International Community should exercise its utmost efforts in mainstreaming the issue back again into the global arena. The members of the Palestinian Rights Committee must play a stronger role to confront these violations. The conference had been successful in putting the Palestine issue back on the international radar, he said. Indonesia will continue its unwavering and unconditional support until the freedom of Palestine prevails.

The Permanent Observer of the State of Palestine to the UN said it was significant that the conference was convened in Indonesia, a large democracy with the biggest Muslim population in the world. Jerusalem was the heart of the State of Palestine and the issue of Jerusalem should be addressed within the framework of occupation. While Palestinians accepted three major religions having spiritual bonds with Jerusalem, this cannot be translated into a justification for a connection with a single State.

The Committee Vice Chair acknowledged the fruitful exchanges during the conference. While Jerusalem was the most difficult of the final status issues, and it was fraught with religious significance, he reiterated that this conflict was not about religion. Any attempt to portray it in these terms would only serve those who want to present the Palestinian cause as an extremist and intractable issue, justifying a strong security response appealing to the fears of the international community, and thus perpetuating the occupation.

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****Note: This Summary attempts to provide an overall picture of the deliberations of the Conference. A detailed report will be published by the Division for Palestinian Rights in due course.*