



*Contributing to justice, peace and
reconciliation in the Middle East*

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Israel, Palestine, and Law

Balfour Project statement, 26 May 2021

Equal rights under the law are the foundation stone of all democracies.

Israel views itself as a democracy. But many in Israel and around the world, including in Britain, were dismayed by the Knesset's adoption in 2018 of the discriminatory Nation State Law. This declares that the right to self-determination in "Eretz Israel" – that is former British Mandate Palestine – is reserved exclusively for Jews.

Israel is high-handed in its disregard for Palestinian rights in the territories it occupied in 1967. There, in what we in the Balfour Project call Palestine, it imposes military law and systematic inequality.

In 2016, then US Secretary of State John Kerry said he feared that without policy change, Israel would become "separate and unequal". In 2017, then Foreign Secretary Boris Johnson told Benjamin Netanyahu "You either have a two-state solution or some kind of apartheid system". This year, B'Tselem and Human Rights Watch have concluded that the Israeli authorities practise apartheid on a systematic basis.

The separate legal regimes the Israeli government implements through use of arms in territories beyond the pre-1967 Green Line intended to become the State of Palestine are deeply harmful to all concerned. Above all, they injure those living under occupation. But they also damage those tasked with enforcing these discriminatory practices.

Israel may be a friend and ally, as Prime Minister Johnson recently reasserted. But its actions result in injustice in Palestine. In turn, injustice and inequality breed insecurity and radicalisation, increasing the risk of violence – as has been seen in recent days. Israel and Palestine both have legitimate security concerns, which must be addressed mutually.

In the firmly held view of the Balfour Project, the occupation must come to an end, peacefully. Upholding the core principle of equality between peoples is the only way to achieve lasting peace.

Patrons: Rt Hon Tom Brake, Richard Burden, Rt Revd Christopher Chessun,
Rt Revd Declan Lang, Very Revd Dr Andrew McLellan, Rt Revd John Pritchard, Rabbi Danny Rich,
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The Palestinian leadership has often disappointed its own people. Recently, this was by postponing the first national elections in over 15 years, needed to restore its democratic credentials. The PLO needs to reform itself to overcome Palestinian divisions and reunify the people around a common cause. The reality though is that it has virtually no power – and only Israel can end the occupation.

We commend the Foreign Secretary's insistence on rescheduling early elections across the occupied territories, and especially his call upon Israel to enable Palestinians in East Jerusalem to vote. And we now appeal to our Government to heed the following calls. All are based on international law and those basic human rights the United Kingdom has pledged to uphold.

They are:

1. **Uphold** equal rights for all in Israel and Palestine.
2. **Recognise** the State of Palestine now alongside Israel, along pre-June 1967 lines. Both peoples have an equal right to self-determination, as the Balfour Project has consistently argued.
3. **Reaffirm** publicly that the systematic, illegal annexation of Palestinian land is destroying the premise of British policy – two independent, sovereign states – and must be reversed.
4. **Affirm** that international law must apply in deed, not just in word. Specifically, this means:
 - **Declaring** the continued closure of Gaza, now in its fourteenth year, to be collective punishment, with consequences for the Israeli occupying power until it ends the closure;
 - **Sponsoring** an independent fact-finding mission on the treatment of Palestinian children in Israeli military detention, seeking implementation of the findings of a 2011 FCO-funded review;
 - **Pressing** the Palestinian Authority to create an independent judiciary, and to incorporate the category of “crimes against humanity” into Palestinian law;
 - **Ensuring** the International Criminal Court is properly resourced, so as to be able to conduct its work independently and remain immune from interference; and
 - **Supplying** information to the UN database on foreign companies engaging with settlements and those who sustain them, and asking the UN High Commissioner for Human Rights to publish reports regularly.
5. **Put** into UK domestic law the principle that Israel should not benefit economically from its de facto annexation of Palestinian land. In practice, this means ending:
 - access to UK markets for settlement products; and
 - UK business dealings with settlements and those who sustain them, such as banks.

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And strengthening:

- UK support for legal efforts to keep Palestinians on their land in East Jerusalem and across the West Bank; as well as
- the international response to systematic land theft, house demolitions, destruction of aid projects and settler violence against Palestinian civilians.

Upholding the rule of law consistently, without fear or favour, should be the hallmark of Global Britain, promoting those universal values shared by our friends and partners in Europe, America and further afield.

The British Government will be judged by its response to this call by the Balfour Project, made in the interest of both peoples in the region, and in our own national interest.

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