



Alternative Jewish Voices

שמע קולנו

Briefing on Palestine to the Incoming Minister of Foreign Affairs

Tēnā koe Hon Nanaia Mahuta, Minister of Foreign Affairs,

Alternative Jewish Voices and Wellington Palestine congratulate you on your appointment as Minister of Foreign Affairs. As you familiarise yourself with your new role we urge you to take action this term on the situation in Palestine, in accordance with Labour's commitment to respect for international law and human rights.

Alternative Jewish Voices is a collective of Jews whose views are not represented in the current public discourse on Jewish affairs. There are many ways to be Jewish and we exist to explore and enjoy the breadth of our community. We support efforts to ensure that Palestinians have the same human rights that we ourselves enjoy here in New Zealand. We oppose the illegal occupation by Israel of Palestinian land, the usage of the IHRA (International Holocaust Remembrance Alliance) working definition of antisemitism to silence critics of Israel, and we call out racism in all of its forms.

Wellington Palestine/Pōneke Parihitini is a human rights organisation working to promote justice, peace and freedom for the Palestinian people. Wellington Palestine is a democratic, membership organisation that works to educate and inform New Zealanders about issues relating to Palestine and to advocate for New Zealand to contribute to international solidarity with Palestinian efforts to achieve equal rights.

Our two groups represent different and diverse communities – Jewish, Muslim and other identities – but we collaborate in order to demonstrate in our actions the importance of engagement and dialogue between our communities. Together we pursue freedom, justice and equality.

Why should Aotearoa New Zealand take action on the situation in Palestine?

In 2016 New Zealand sponsored a United Nations Security Council resolution (adopted December 2016), which reaffirmed that Israel's settlements in Palestinian territory, occupied by Israel since 1967, have no legal validity, constitute a flagrant violation under international law and "a major obstacle to the vision of two States living side-by-side in peace and security, within internationally recognized borders."

Consistent with this Resolution, the UN General Assembly and Security Council, the International Court of Justice, the International Committees of the Red Cross, human rights and legal NGOs all agree that International Humanitarian Law and the laws of occupation apply in full throughout the Occupied Palestinian Territories. Occupied people are legally protected people. The duty of states like New Zealand, and one of the first duties of the occupying power, Israel, is to uphold the rights of the occupied people of Palestine.

The rights of Palestinians to freedom, justice and equality, Palestinian experiences of the occupation and the aspirations of Palestinians for the future of their State should be at the centre of New Zealand's foreign policy in this area.

As Prime Minister Jacinda Ardern said in her address to the UN General Assembly, at the Nelson Mandela Peace Summit in 2018: "We must not be silent in the face of intolerance, hate and discrimination. We must speak for those who do not have a voice. We must pursue equal rights for all." Aotearoa New Zealand is proud of its record as a moral actor on the international stage on issues like nuclear non-proliferation and the solidarity shown by ordinary New Zealanders and ultimately the New Zealand Government in the fight against apartheid in South Africa. In 2020 we must live up to this legacy - we must not be silent on the rights of Palestinians. The COVID-19 pandemic is demonstrating the structural deterioration of Palestine's most basic infrastructure and prospects. It is urgent that we act.

We, New Zealanders of Muslim, Jewish and other identities, urge our Government to:

- 1. Uphold international law and condemn the illegal occupation of the Palestinian territories.**
- 2. Call for an end to the blockade of Gaza.**
- 3. Recognise the state of Palestine.**
- 4. Adopt an approach to foreign policy that respects Palestine as a partner and Palestinians as whole people.**
- 5. End the detention and abuse of Palestinian children.**

Key actions the Government should take on Palestine:

1. Uphold international law and condemn the illegal occupation of Palestinian territories.

In accordance with the UN Security Council resolution New Zealand sponsored, the Government should condemn the illegal occupation of Palestinian territories, demand Israel immediately cease settlement activities in occupied Palestinian territory and abide by its legal obligations as an occupying power.

Alongside the international community, New Zealand must take action to uphold international law in Palestine, including International Humanitarian Law and human rights obligations.

2. Call for an end to the blockade of Gaza.

Gaza has been subject to an illegal blockade¹ by the occupying power Israel since 2007. The blockade severely limits the movement of people and goods, including basic necessities, and is decimating the economy, leading to a socio-economic and humanitarian crisis in the Gaza Strip.

The UN has affirmed that as part of Israel's obligations as an occupying power it is responsible for upholding the rights of Gazans. New Zealand, alongside the international community, must take action to enforce these obligations and hold Israel to account for its breaches of international law; which includes inflicting collective punishment on the people of Gaza by way of the blockade.

3. Recognise Palestinian statehood.

Aotearoa New Zealand should join the 138 States that already recognize the state of Palestine. Recognition of the state of Palestine is a necessary precursor to any peaceful co-existence of two states - the stated vision of the UN Security Council Resolution sponsored by New Zealand.

4. Adopt foreign policy that respects Palestine as a partner in efforts for peace.

Consistent with the recent approach in other areas of Aotearoa New Zealand's foreign policy, we must move away from seeing our role as a donor of aid and resources, and seeing Palestine and Palestinians as aid-recipients and as a security concern. Instead, our foreign policy should demonstrate respect for Palestine's right as an independent state actor and an essential partner for our efforts to support peace in their region.

New Zealand must enact on the global stage the Government's inclusive and empathetic approach to resisting intolerance, hate and discrimination domestically. We must have equal regard for the lives, rights and aspirations of Palestinians as we do for our own people. Our foreign policy should engage with Palestinians as diverse communities of families, workers, professionals, artists, students and political actors. We must work with Palestinians to resolve issues.

¹ <https://www.dailysabah.com/world/un-rights-chief-bachelet-slams-israels-illegal-gaza-blockade-decries-racism-in-us/news>

5. End the detention and abuse of Palestinian children.

We call upon the New Zealand government to use all available means to pressure the Israeli government to end the detention and abuse of Palestinian children. We ask that they make a public statement of intent to take meaningful action – including through international bodies – to ensure the Israeli government complies fully with international juvenile justice standards and the UN Convention on the Rights of the Child.

Conclusion

The approach we advocate for in this briefing is entirely orthodox. It is founded in established international law norms, rules and institutions which Aotearoa New Zealand has long been committed to and relies upon for our own national interest.

More fundamentally, Alternative Jewish Voices and Wellington Palestine firmly believe that if we want to live in a world governed by law, justice, human rights and dignity, we must act in solidarity when they are violated or disregarded.

We call on this Government, and you as the Minister of Foreign Affairs, to fulfil our obligations and work to uphold the obligations of other actors to the Palestinian people and to restoring to them justice, freedom and equal human rights.

Finally, as we acknowledged at the outset, the situation in Palestine requires our urgent engagement and dialogue. So we would welcome an opportunity to meet with you and discuss in more detail the matters raised in this briefing. We can be contacted via: shma.koleinu.nz@gmail.com and contact@wellingtonpalestine.nz

Ngā manaakitanga,

Marilyn Garson
David Weinstein
Fred Albert
Sue Berman
Sarah Cole
Jeremy Rose

Alternative Jewish Voices

www.ajv.org.nz

Shahd El-Matary and Neil Ballantyne

*Co-Conveners, on behalf of the members of
Wellington Palestine*

Wellington Palestine

www.wellingtonpalestine.nz

9 November 2020