

Seminar - Nation-State Law: Occupation and Discrimination in Israel

Tuesday, 22 January 2019

European Parliament - 60 Wiertzstraat - 1047 Brussels – Belgium

Seminar Report

- **The seminar focuses on both how the Nation-State Law constitutes legislative codifying of discrimination and the normative measures available to the international community to end the ongoing occupation and discriminatory practice in Israel**
- **‘The Nation-State Law constitutes the legislative codifying of discrimination towards non-Jewish minorities living in Israel and is disastrous for the national aspirations of Palestinians’.**
- **‘The Law has to be understood as a codification of the exclusive right of the Jewish people to self-determination within historic Palestine as a whole (including other areas of historic Palestine such as the West Bank and Gaza)’.**
- **‘The Nation-State Law represents marked evidence of discriminatory practice vis-à-vis the Palestinian community and has followed a precedent of legislative abuse of Palestinian rights’.**
- **‘In order to ameliorate the rights of the Palestinians, the European Commission needs to shelve its hypocrisy and “do much more” and trigger the tools available to it when states break international law’.**

EuroPal Forum organised a seminar at the European Parliament on 22 January 2019 entitled ‘Nation-State Law: Occupation and Discrimination in Israel’. The seminar focused on two main areas of discussion regarding the Jewish Nation-State Law, ratified by the Israeli Knesset in July 2018. Firstly, the seminar attempted to shed light on the ways in which the Law constitutes legislative codifying of discrimination towards non-Jewish minorities living within the purview of the Israel state. Secondly, the seminar discussed the normative measures available to the international community in order to end the ongoing occupation and discriminatory practice in Israel. To discuss these issues in greater detail, the seminar

heard from four speakers at the forefront of discourse on the Israeli-Palestinian issue: 1) Yousef Jabarin MK; 2) Julie Ward MEP; 3) David Cronin; and, 4) Martina Anderson MEP. The event was hosted by Keith Taylor MEP and also heard from the Chairman of the organising group (EuroPal Forum), Zaher Birawi.

The talk started with introductory notes from the host of the event, Keith Taylor MEP. Here, Keith noted that the declaration to 'prevent the crime of silence', echoed by Lord Bertrand Russell during his investigation of crimes committed in Vietnam, is still a challenge in the case of Palestinian human rights. Keith's characterisation of the situation in Palestine is indeed one of apartheid, akin to the plight of non-white South Africans during the apartheid era. The Nation-State Law, according to Keith, is just one example of a manifestation of racialised discrimination taking place in Israel and Palestine that has also witnessed the recent news that from next year UNRWA schools in East Jerusalem will have their license to operate removed. Following his introductory notes, Keith then proceeded to introduce the speakers and noted that the talk will both focus on how the Nation-State Law impacts the Palestinian people as well as the ways in which the international community can help ameliorate the oppression of Palestinians.

Following Keith's opening introduction, EuroPal Forum Chairman and Palestinian-British journalist Zaher Birawi delivered some opening remarks regarding the impact of Nation-State Law. Zaher noted that the Law's impact is such that it has proved significantly damaging to Palestinian aspirations for self-determination. This has occurred, as Zaher notes, because the Law has exclusively labelled 'Israel as the home of the Jewish people . . . [asserted] that Jerusalem is the eternal capital of Israel . . . [and has] removed Arabic as an official language in Israel'. These measures, according to Zaher, constitute the legislative codifying of discrimination towards non-Jewish minorities living in Israel and are disastrous for the national aspirations of Palestinians.

Following Zaher's remarks, the talk heard from Member of the Knesset, Yousef Jabarin. Yousef focused on the impact of the Nation-State Law on the Palestinians with specific reference to how the Law has affected the legal and political status of the Palestinian community within Israel. Under this umbrella, Yousef notes that the Law has to be understood as a codification of the exclusive right of the Jewish people to self-determination within historic Palestine as a whole (including other areas of historic Palestine such as the West Bank and Gaza). This represents, according to Yousef, a 'clear denial of the Palestinian right to self-determination [and the rejection] of an independent, sovereign Palestinian state . . . [and is in line with] the current political agenda of the Israeli government'. Here, Yousef notes that the current rhetoric being disseminated by the Israeli government is in line with this rejection of Palestinian self-determination and only grants Palestinian sovereignty insofar as it would acquiesce to 'limited self-ruling'.

Further, Yousef notes that the Law also has a significant impact on other areas of interest for the Palestinian community in Israel: property rights and the right to language. In regard to housing and land, the Law's encouragement of Jewish settlement as a national value 'gives clear preference to the dominant Jewish majority and does not even specify that this settlement will take place in Israel proper'. This is an absolute denial of the property rights for Palestinians represents a clear 'apartheid law', Yousef notes. Additionally, the Nation-State Law, Yousef notes, is the 'first time that there has been an attempt to make Hebrew the only official language [in Israel]'. The status granted to Arabic language is incredibly vague and the Law has promoted this consciously so as to create a hierarchy between Hebrew and Arabic. Collectively, these elements of the Nation-State Law represents marked evidence of discriminatory practice vis-à-vis the Palestinians and has followed a precedent of legislative abuse of Palestinian rights that has included measures taken to restrict Palestinian immigration, symbolism, and property rights.

After hearing from Yousef Jabarin MK, the talk heard from Julie Ward MEP. She started off her talk by criticising attempts to silence her speech on violations of international law and noted her unbridled commitment to the progression of 'human rights, democracy and peace'. Following this, she noted that 'over the past decades Israel has engaged in a dangerous pattern of violations of international law . . . [and] it is interesting to see how cynical the state is [in the manner in which it handpicks elements of international law]'. Given this, Julie argues that the European Parliament, however, is an avenue through which parliamentarians and others can articulate their grievances regarding human rights abuses; indeed, the European Parliament and Frederica Mogherini expressed criticism following the passage of the Nation-State Law. This criticism needs, however, to be conscientiously followed up by parliamentarians as a matter of urgency.

In regard to the Nation-State Law itself, Julie notes that the passage of the Law 'sends a clear signal that the current government [in Israel] is not interested in creating an inclusive state . . . [and] wants to establish Jewish supremacy in Israel and Palestine'. This is not indicative, according to Julie, of a democratic state, and democracy, by definition, 'requires the inclusion of marginalised people and requires that barriers are taken away and not constructed'. In this light, Julie sentiment is that we should all be striving to achieve, and to help implement wherever possible, 'quality democracy' and inclusiveness.

Following Julie's talk, journalist and author David Cronin, spoke about the nature of the Israeli state and the most recent manifestation of institutionalised discriminatory practice, the Nation-State Law. He started off his talk by noting that 'Israel has always been a racist state [and] that is no accident . . . the foundation of Israel [emanates] from a colonialization program aimed at denying the most basic rights to the Palestinians'. This denial of Palestinian rights, according to David, has now been entrenched in legislation . . . [and by] passing the Nation-State Law Israel has confirmed it is an apartheid state'. David notes that

the word apartheid is used to 'describe states that deny equality based on race or identity (which Israel is pursuing systematically)'.

Additionally, David notes that continued attempts to suppress criticism of Israel, as exemplified through the widespread adoption of the IHRA definition on anti-Semitism, should not silence those who attempt to criticise violators of human rights. Indeed, he echoes: 'Bigotry against Jews is something that must be fought by all people of conscience . . . and many Jews are horrified by Israel's crimes and insist that they are not carried out in the name of Judaism. It is entirely possible to reject bigotry in all its forms and still speak the truth about Israel'. The Nation-State Law is 'a case of that racism [emanating from the foundation of the state of Israel] being stretched to new extremes'.

The final speaker of the talk, Martina Anderson MEP, concentrated her segment on the normative prescriptions we should be employing to help reduce the discrimination and oppression of the Palestinian people. She argues that the EU can 'do much more than monitor [developments in Palestine] . . . [it can] pay attention and express concern [to human rights abuses]'. Indeed, 'when you consider that Israel has imposed more than 65 laws that discriminate against the Palestinian people [of which] 35 of those laws have been imposed over the last 18 years [the EU can do more]'. Under this guise, Martina notes that when we contextualise EU agency in the case of Palestinian rights, we also need to note (within this point of emphasis) the overwhelming apathy of the Israeli youth towards securing Palestinian rights, which makes external action even more imperative.

In order to ameliorate the rights of the Palestinians, Martina argues that the European Commission needs to shelve its hypocrisy and 'do much more' and trigger the tools available to it when states break international law. She notes that rather than employ these tools, paradoxically, the EU has increased its trade with Israel. This is symbolic of a policy of hypocrisy from the EU in which the European Union advances the idea of a two-state solution while simultaneously 'refusing to recognise a Palestinian state'. The first step of any peace plan that seeks to change the status quo is rejecting a belief system that seeks to increase settlements, institutionally discriminate against Palestinians, and break international law with impunity.

📍 europalforum.org.uk
✉ admin@europalforum.org.uk

EUROPALFORUM
منتدى التواصل الأوروبي الفلسطيني

   [europalforum](https://www.europalforum.org.uk)

 [europalforumorguk](https://www.youtube.com/europalforumorguk)  [+europalforumorguk](https://plus.google.com/europalforumorguk)