



# موقع تجمع اللاجئين الفلسطينيين

## PALESTINIAN REFUGEES PORTAL

13/50/2008

### I. Appeal to the Human Rights Council

We are going to send to the Human Rights Council an appeal, objective yet somewhat ironic, demanding that it undertakes its responsibilities of taking action to stop the systematic violations of the rights of the Palestinian refugees. It is not intended to discuss individual and group rights in detail. We will keep our focus broad and it will be on the problem of discrimination. In fact, it is a problem that has become too severe to be tolerated or justified, especially when associated to such organization as the United Nations. With more and more members having joined our action recently, the Council will have a really big problem that can by no means be ignored.

In this respect, the Palestinian refugees whose requests were rejected by the Office of the United Nations High Commissioner for Refugees (UNHCR) or who were subjected to unreasonably prolonged measures, particularly in Iraq and Egypt, are advised to defend their rights and send their complaints to the Human Rights Council. The appended form (**Complaint Form**) can be used, or you can write to us.

Our action has a value in itself. It is a cornerstone of our endeavors to obtain our respective rights, and an expression of our free will to choose our fate rather than leaving it to the ebb and flow of events. Naturally, our action is open for everyone and not restricted to the Palestinian refugees.

**Please copy the text of the appeal, then add your name and address to it and send it to the address or the e-mail herein.**

**Human Rights Council and Treaties Division  
Complaint Procedure  
OHCHR-UNOG  
1211 Geneva 10, Switzerland  
Fax: (41 22) 917 90 11  
E-mail: [CP@ohchr.org](mailto:CP@ohchr.org)**

I am writing this article to inform you that the UNHCR's interpretations relating to the rights of the Palestinian refugees constitute an discrimination and systematic violation of the rights of the Palestinian refugees. They starkly contradict with the resolutions issued and approved by United Nations General Assembly. As stipulated by the International Covenant on Civil and Political Rights:

**Article 2**

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.
3. Each State Party to the present Covenant undertakes:
  - (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
  - (b) To ensure that any person claiming such a remedy shall have his rights thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
  - (c) To ensure that the competent authorities shall enforce such remedies when granted.

**Article 5**

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or their limitation to a greater extent than is provided for in the present Covenant.
2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

Politicization and selectivity influence the interpretations and policies of the UNHCR. For decades, it has declined to fulfill the obligations stipulated by the International Covenant on Civil and Political Rights and imposed restrictions and prerequisites on the Palestinian refugees, ignoring the resulting legal status of those persons from being deprived of international protection and the cease of the United Nations Conciliation Commission for Palestine (UNCCP). By this, it is breaking the Statute of the Agency approved by the UN General Assembly, which stipulates the following:

1. The United Nations High Commissioner for Refugees, acting under the authority of the General Assembly, shall assume the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting Governments and, subject to the approval of the Governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities.

In the exercise of his functions, more particularly when difficulties arise, and for instance with regard to any controversy concerning the international status of these persons, the High Commissioner shall request the opinion of the advisory committee on refugees if it is created.

2. The work of the High Commissioner shall be of an entirely non-political character; it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees.

3. The High Commissioner shall follow policy directives given him by the General Assembly or the Economic and Social Council.

Thus, I appeal to your Council for undertaking its responsibilities of dealing with these systematic violations of human rights, for acting to eliminate all forms of discrimination under any excuses, and stopping such actions and interpretations so that human rights are given due respect by the measures of the International Agency for Refugees. Here, I cite Resolution A/RES/60/251:

3. *Decides also* that the Council should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon. It should also promote the effective coordination and the mainstreaming of human rights within the United Nations system;

4. *Decides further* that the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

Further, I urge your Council to agree to examine the complaints of individuals and provide an effective and fair route for the Palestinian refugees who claim that their rights are violated by the International Agency for Refugees.

