



Statement

By

**H.E. Ambassador Nawaf Salam
Permanent Representative of Lebanon
to the United Nations**

**at the
United Nations General Assembly**

**on the
International Day of Solidarity with the Palestinian People**

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Mr. President,

Does one need to recall that the principle of “self-determination of peoples” is among the fundamental purposes of the United Nations as enshrined in Chapter 1, Article 1, of the Charter?

And does one need to recall that the principle of “self-determination of peoples” was confirmed by this Assembly in its resolution 637 of 1952 on “The Right of People and Nations to Self-Determination”, in its “Declaration on the Granting of Independence to Colonial Countries and Peoples” adopted in 1960 as resolution 1514, in its "Permanent sovereignty over natural resources" resolution 1803 of 1962, and in its “Declaration of Principles of International Law Concerning Friendly Relations and Co-operation Among States”, which was unanimously adopted in 1970 as resolution 2625, and has been considered as an expression of customary international law?

Moreover, does one need to recall that Article 1, which is common to both the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), reaffirms the right of all peoples to “self-determination”?

Mr. President,

“Self-determination” has almost become synonymous with the long struggle of the Palestinian people for the exercise of its internationally recognized inalienable rights, including the right to national independence and sovereignty, and the right to return to their homes and property from which they had been uprooted.

The mere fact, however, that this Assembly is still meeting on a yearly basis since 1978 to celebrate the International Day of Solidarity with the Palestinian People, is in itself an indication of the enormity of the obstacles preventing the Palestinian people from exercising its right to self-determination

Mr. President,

The aforementioned resolutions of this Assembly put upon states not just the obligation to respect the principle of self-determination, but also the duty to refrain from actions which deprive peoples of such a right. But in this case, not only has Israel failed to withdraw from the Palestinian territories which it occupied in 1967, as per its legal obligations under Security Council resolutions 242 and 338, it has also been creating in the occupied territories a series of “on the ground facts” in the form of security zones, settlements, bypass roads and checkpoints, not to mention the annexation of East Jerusalem and the erection of “The Wall”, which all furthermore prevent the Palestinian people from exercising its right to self-determination.

The magnitude of these “on the ground facts” is well illustrated by the size and growth of settlement activities in the occupied territories. “Official settlements” have recently exceeded 120, in addition to some 100 so-called “unofficial outposts”. According to the Israeli Information Center for Human Rights, B’tselem, the number of settlers in the West Bank by the end of 2008 stood at 479,500 including 193,700 in East Jerusalem. Noteworthy here is also the fact that by 2008, the settler population (excluding East Jerusalem) had grown at a much faster rate than the general population of Israel: 4.7 percent compared to 1.6 percent respectively. The same was true in 2007.

And while the International Court of Justice (ICJ) in its Advisory Opinion of July 2004 found that the vast sections of the wall that are on Occupied Palestinian Territory “severely impede[s] the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel’s obligation to respect that right”, and ruled that Israel is legally obliged to “return the land, orchards, olive groves and other immovable property seized”, five years on, construction of “The Wall” continues with approximately 200 kilometers built since this advisory opinion was rendered. Approximately 58% of the 709-kilometre-long Wall is complete; a further 10% is under construction and 31.5% is planned. The total area located between “The Wall” and the Green Line amounts to 9.5% of the West Bank. When completed, the majority of the route, approximately 85%, will run inside the West Bank and East Jerusalem rather than along the 1949 Armistice Line (Green Line). Also when completed, this Wall will be four times as long as the no less infamous Berlin wall which was 155 kilometers long. Reaching in places a height of 8 meters, it will also be twice as height as the Berlin wall whose average height was 3.6 meters.

Mr. President,

Until such time as it complies with its obligations to withdraw from the Occupied Palestinian Territories, thus removing the main impediment preventing the Palestinian people from exercising its right to self-determination, Israel’s duties, as the occupying power in the West Bank and Gaza, shall remain those of International Humanitarian Law as set out in the Hague Regulations and the Fourth Geneva Convention Concerning the Protection of Civilian Persons in Time of War. This was reaffirmed in repeated resolutions by the UN General Assembly and Security Council, by the High Contracting Parties to the Fourth Geneva Convention, and by the ICJ in its advisory opinion on “The Wall”.

However, since 1967, Israel, as an occupying power, has constantly and systematically violated its basic duties under International Humanitarian Law.

Such violations have included:

- The annexation of land.
- The punitive demolition of houses.
- The transfer of population.
- Collective punishments.
- Political assassinations.
- Use of torture.

In addition, based on evidence gathered by internationally respected Human Rights organizations such as Amnesty International and Human Rights Watch, and by the United Nations Fact-Finding Mission on the Gaza Conflict chaired by Judge Richard Goldstone, Israel has been charged with grave violations of human rights and with a number of “war crimes” in its conduct of military operations in the occupied territories.

They include:

- The failure to protect civilian populations.
- Deliberate attacks against civilian targets.
- Premeditated killings of civilians.
- Denying medical aid to wounded Palestinians.
- Firing at civilians carrying white flags.
- Attacks on the foundations of civilian life such as the destruction of industrial infrastructure, food production, water installations, and sewage treatment plants.
- The use of Palestinian civilians as human shields.
- Detention of civilians, including women and children, in humiliating and degrading conditions.
- Arbitrary deprivation of liberty and violation of due process rights.
- Use of phosphorus bombs in residential areas and of DIME munitions.

Mr. President,

For too long, Israel has systematically challenged the will of this August Assembly. For too long, it has shown flagrant disrespect for International Law. For too long, its “war criminals” have benefited from impunity.

Seeking to reverse this trend, earlier this month this Assembly demonstrated resolve in endorsing the report of the United Nations Fact-Finding Mission on the Gaza Conflict chaired by Judge Richard Goldstone. More resolve however will be needed so that we one day can celebrate the day we will no longer need to celebrate the International Day of Solidarity with the Palestinian People.

My delegation is confident that this day will come because the cause of the Palestinian People is just, and because International Law ultimately must prevail.

Thank you Mr. President.

