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Statement by Ms. Nadya Rasheed, Counsellor, before the Special Political and Decolonization Committee (4th Committee), Agenda item 53: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 66th Session of the U.N. General Assembly, 4 November 2011 (Check against delivery)

At the outset, I wish to convey Palestine's appreciation to the members of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. We thank the Special Committee for the comprehensive report submitted and for the presentation made today which presents a disturbing account of just some of the countless human rights violations that continue to be endured by the Palestinian people under Israel's occupation.

Mr. Chairman,

This year has been a historic one for our region as millions took to the streets demanding freedom, social and economic opportunity, democracy, and respect for human rights. The international community declared its support for the efforts, and in some instances invoked the responsibility to protect, acting to ensure the safety and rights of the civilian populations. Similarly, the Palestinian people have struggled to realize their aspirations for freedom, independence and peace in the face of occupation, as they have for the past 44 years. The difference is, however, that the Palestinian people's call for the respect for their human rights and for the fulfillment of their legitimate and national aspirations continues to be forcefully withheld by a ruthless occupying Power. And unfortunately in this case, the international community has yet to take decisive action to bring Israel's occupation to an end, or heed to the appeals by the civilian Palestinian population for much-needed protection.

As time restrictions prevent an exhaustive discussion of all the violations committed by Israel, the occupying Power, against the Palestinian people under its occupation, my delegation will do its best to provide a brief insight into the real situation on the ground and the facts that have completely obstructed progress in the achievement of a peaceful settlement.

For the purpose of this debate, my delegation feels it necessary to restate the basic obligations of Israel under international humanitarian law as an occupying Power of the West Bank, including East Jerusalem, and the Gaza Strip. The obligations are mainly set forth in the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to which Israel is party. In this regard, one of the overarching objectives of international humanitarian law, whether in treaty or customary form, is to ensure that the civilian population is not made to suffer unduly from a belligerent occupation - which is assumed to be a temporary condition - and that the occupying Power does not take advantage of the occupation to secure benefits for its Government and society. Tragically, and to the enormous detriment of the Palestinian people, the occupation has not been in any way a temporary condition, lasting now for more than four decades, nor has the occupying Power taken any consideration to ensure the well-being of the civilian Palestinian population. Rather, through its illegal acts and policies, the occupying Power has not only taken full advantage, but has actually violently abused the people, land and resources it has occupied.

In this same connection, it is also important to recall that the International Covenant on Civil and Political Rights (ICCPR) the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC) are all applicable to the Occupied Palestinian Territory, including East Jerusalem. However, in spite of this, the occupying Power has chosen to make a mockery of our international legal system by continuing to deliberately engage in the violation of international law, including international humanitarian law and human rights law, by committing systematic human rights violations against the Palestinian people, including countless acts constituting war crimes and State terrorism.

Given that context, statements made by Israeli officials in the media or even here at the UN may mislead those who are unfamiliar with the reality on the ground. Let us just take one example of a statement that was delivered here at the UN, which highlights Israel's desired narrative of a government committed to realizing peace. "Let there be no doubt: Israel wants peace with a future Palestinian state. Let me repeat that: Israel wants peace with a future Palestinian state. In word and in deed, my Government has demonstrated time and time again that we seek two States for two peoples, living side-by-side in peace."

Let's look at some facts on Israel's "deeds" to assess if they truly suggest a government striving for peace with the Palestinian people. According to the report of the Special Committee more than 91 Palestinians were killed at the hands of Israeli occupying forces during the reporting period. One example of Israel's "deeds" is the story of 66 year-old Suleiman Qawasmeh who was shot and killed by Israeli occupying forces while he was sleeping in his bed in the West Bank town of Al-Khalil (Hebron) during a military night raid. Only after killing him in cold blood as he slept in his home did the Israeli occupying forces realize they had raided the wrong apartment. Tragically, this type of utter disregard for the lives of Palestinians is the norm and not the exception. During the same reporting period, in another military night raid in a refugee camp in the West Bank, Eyad Abu-Sheibayeh was also shot and killed. He like Mr. Qawasmeh was killed as he lay sleeping in his bed.

Mr. Chairman, there are too many tragic stories to recount that illustrate the unnecessary and brutal loss of lives of the Palestinian people, including children and women. Are these the "deeds" that Israeli officials are referring to when it makes such statements of their efforts to push peace forward? Or perhaps they are referring to other facts that took place during the reporting period. Let us continue to examine a few more facts on Israel's "deeds".

Mr. Chairman,

The Office for the Coordination of Humanitarian Affairs (OCHA) reported that since the beginning of the year, over 750 Palestinians in the West Bank have been displaced after their homes were demolished by the Israeli occupying forces, nearly five times more than in the same period last year. Is destroying the homes of families and rendering hundreds homeless Israel's idea of a "deed" that supports peace?

Or, what about the most striking example of Israel's deeds; settlements, in which more than half a million settlers have already been illegally transferred to the Occupied Palestinian Territory by the occupying Power. In just the past month alone, in the midst of serious diplomatic efforts being exerted by all concerned parties, Israel has announced the construction of nearly 6,000 more settlement units in the Occupied Palestinian Territory, including East Jerusalem, where its settlement expansion continues to be the most prevalent. Clearly, Mr. Chairman, such "deeds" prove that Israel is not interested in the two-State solution nor is it interested in peace and security. Even in "word" Israel has made that very clear. This past week, in connection with the announcement of new settlement building in occupied East Jerusalem, which the occupying Power, linked to the admittance of Palestine as a Member State of the United Nations Education, Scientific and Cultural Organization (UNESCO), the Prime Minister of Israel stated during a session of the Knesset that, "We will continue developing Jerusalem, its neighborhoods, and people," and continued to state

that it is their "right and obligation" to do so. We call on the international community, including the Security Council, to condemn these retaliatory measures which are typical of the occupying Power, which I may also add include the withholding of funds to the Palestinian National Authority, and to take all necessary actions to bring Israel into compliance with its obligations.

It must be repeated that all settlement activity is illegal, constituting a breach of the Fourth Geneva Convention, relevant provisions of customary law, and relevant provisions of the Rome Statute of the International Criminal Court. It also must be stated that it poses the single greatest threat to the establishment of a sovereign Palestine State and the two-State solution and, by extension, to a just and lasting peace between Israelis and Palestinians.

In connection with the settlements, there has been a sharp increase in settler terror, violence, harassment and intimidation against the Palestinian civilian population throughout the Occupied Palestinian Territory, including East Jerusalem. In fact, OCHA reports a more than 50 percent increase in incidents in the West Bank involving violence against Palestinians during the first half of 2011 as compared to 176 for the entire year of 2010. The constant threats of greater violence and destruction against the Palestinian people by Israeli settlers is a real danger that will further destabilize the volatile situation on the ground and that requires immediate redress by the occupying Power, which must be held fully accountable for the acts of its settlers, whom it protects and allows to rampage.

We should also note, that at the same time, Israel's expansionist Wall, 85 percent of which is being constructed on lands in Occupied Palestinian Territory, including in and around East Jerusalem, continues unabated. The Wall is both a violation of the basic obligation of the occupying Power to respect the territorial integrity of the land occupied since 1967 and a serious infringement on the Palestinian right to self-determination as affirmed by the International Court of Justice in its 2004 Advisory Opinion.

Mr. Chairman,

The situation in and around East Jerusalem also continues to cause alarm as Israel continues pursuing measures aimed at the "quiet transfer" or de-population of the indigenous Palestinian inhabitants and at ensuring a Jewish majority in the city. All of its actions, such as the revocation of residency permits, imposition of a severe permit regime, movement restrictions with hundreds of checkpoints which subject Palestinians to daily abuse and harassment and the continued closure of Palestinian institutions in East Jerusalem are clearly aimed at altering the city's demographic and physical landscape in order to illegally and unilaterally determine its fate.

Mr. Chairman,

Before turning your attention to Gaza, my delegation would like to touch upon the issue of prisoners. We welcome the agreement on the release of prisoners a couple weeks back, including some Palestinians who had been imprisoned for more than 30 years. However, the Palestinian leadership continues to call for the release of the rest of the Palestinian political prisoners, totaling more than 5,000, among them hundreds of children, who are still held under harsh and inhumane conditions in Israeli prisons and detention centers. Many continue to be subjected to physical and mental abuse, held in solitary confinement and some even tortured. Moreover, prisoners and detainees are also routinely denied family visits, adequate medical care and food, and due process, and the occupying Power continues transferring them from the Occupied Territory to prisons in Israel itself. The mistreatment of children who are detained by the occupying Power warrants immediate attention by the international community. An example of the sheer cruelty of the occupying Power is the story of a 3-year-old girl who was taken out of her home at 3 am and threatened at gunpoint. She was told she would be shot and her family home destroyed unless she reported on the whereabouts of her brother.

Imagine for a moment, the fear that she must have experienced during that moment and imagine what implications that horrifying incident will have on her overall psychological and mental health for the rest of her life. Such actions are not "deeds" of peace; rather they "deeds" that are tantamount to psychological warfare. Needless to say, all of the above has been committed in grave violation of international humanitarian and human rights law.

Now to Gaza. During the reporting period Israeli military attacks continued against the besieged Gaza Strip and the more than 1.5 million inhabitants living there. In the past week alone at least 11 Palestinians were killed, including as a result of extrajudicial executions which are strictly prohibited under international law. Moreover, cruel Israeli practices and policies have led to increasing poverty and deprivation in Gaza, which has been compounded by Israel's unlawful blockade that entered its fifth year in June 2011. All pretexts for continuing this illegal blockade must be rejected and the international community must be unanimous in demanding that Israel fully lift the blockade and allow for the sustained and regular movement of persons and goods into and out the Gaza Strip, the reconstruction of destroyed homes, properties and infrastructure, and the rehabilitation of a society that has been decimated by this vicious form of collective punishment by the occupying Power. Here, we could not agree more with the statement made by UNRWA's spokesman Chris Gunness "it is hard to understand the logic of a man-made policy which deliberately impoverishes so many and condemns hundreds of thousands of potentially productive people to a life of destitution."

Mr. Chairman,

The many examples of Israel's violations of international law, human rights and its peace process commitments that have been noted in the report by the Special Committee and in our statement today make it clear that Israel is not committed to a path of peace. In fact, the actions, in "deed" and in "word" by Israel, must be seen for what they are: a concrete, negative reaction to the efforts by the international community, including the Quartet, to promote peace in favor of its occupation and expansionist annexation agenda.

The rule of law must apply to all members of the international community, including Israel, without exception and the international community must hold the same legal and moral yardstick it has applied to all other issues on the global agenda and bring an end to Israel's occupation and all of its violations against the Palestinian people. The Palestinian people and their leadership are committed to peace and to the two-State solution but the opportunity for peace is slipping away. We thus reiterate our appeal to the international community to uphold its political, legal and moral responsibilities towards the question of Palestine and exert all efforts to advance the achievement of a final peace settlement based on relevant UN resolutions, the Madrid terms of reference, the Arab Peace Initiative, and the Quartet Road Map in order to allow for the realization by the Palestinian people of their right to self-determination and freedom in their independent State of Palestine on the basis of the pre-1967 borders, with East Jerusalem as its capital, as well as to ensure a just and lasting solution to the plight of the Palestine refugees.

In conclusion, Mr. Chairman, I reiterate Palestine's appreciation once more to the Special Committee for its efforts to raise awareness of the critical human rights situation of the Palestinian people under Israeli occupation. We took note of the fact that this was the first time that the Committee was able to visit the Occupied Palestinian Territory. We call on the UN, including the Secretary-General, to ensure that this firsthand visibility into the situation continues as long as it is necessary for the Committee's mandate to exist and we call for the same cooperation to be given to the Special Rapporteur on the Human Rights Situation in the Palestinian Territories occupied since 1967. We would like to again reaffirm our gratitude to all of the U.N. committees and agencies exerting efforts to address the question of Palestine; to provide vital assistance to the Palestinian people; to protect their human rights; and to promote the achievement of peace, justice and stability for our people and the Middle East region as a whole, and express appreciation as well to those Member States consistently supporting these important efforts. I thank you, Mr. Chairman.