

*Permanent Observer Mission
of the State of Palestine
to the United Nations*



البعثة المراقبة الدائمة
لدولة فلسطين
لدى الأمم المتحدة

Statement by H.E. Dr. Riyad Mansour, Ambassador, Permanent Observer of the State of Palestine to the United Nations, before the United Nations General Assembly, Agenda Item 38: Question of Palestine, Agenda Item 37: Situation in the Middle East, 29 November 2017, New York: Check against delivery

Mr. President,

It is with somber spirit that we gather in the General Assembly today in this debate on the question of Palestine, seventy years since the Assembly's adoption of resolution 181 (II) and decision to partition Palestine, against the will and rights of the Palestinian people and leading to their *Nakba* in 1948. The infinite consequences of this decision continue to be borne out in the injustices being endured and witnessed to this day, as the Palestinian people are still being denied their rights, including to self-determination and to return, and a just, lasting and peaceful solution remains elusive.

The pain of this anniversary is only slightly eased by the compelling messages of solidarity conveyed to the Palestinian people and leadership on this day, reflecting the principled, unwavering support of countries from around the globe. For this, we are deeply grateful on this 40th commemoration of the International Day of Solidarity with the Palestinian People.

Your reaffirmations of solidarity and support strengthen our resilience and resolve, even in the face of diminished hopes and the immense challenges we continue to face 100 years since the Balfour Declaration, 70 years since the *Nakba* and 50 years since the onset of Israel's military occupation of the remainder of Palestine and its vast repercussions and ongoing impact on our people, on the region, and on international peace and security.

Confronted with continual disappointment and devastation, this same support and solidarity have helped reinforce our conviction in international law and the authority and ability of the General Assembly, Security Council and international community as a whole to uphold the law and their responsibilities towards ultimately ensuring realization of our inalienable rights and a peaceful solution to this question that has been on the United Nations agenda since the organization's inception.

We are firm believers in international law and the inevitability of justice. If not, how could we come before this Assembly year after year, no less on this tragic anniversary?

Indeed, that conviction, along with a firm commitment to a peaceful solution and non-violent means for achieving it, remain at the heart of our resolutions and appeals to the international community. Remarkably, both – conviction and commitment – have withstood, despite the many crises, setbacks and worsening conditions as Israel, the occupying Power, has continued to trample the law, to intensify its foreign occupation of our land and oppression of our people, and to reject peace.

Palestine's respect for UN resolutions is proven, and the Palestinian leadership has cooperated with every peace initiative for over two decades, engaging in good-faith negotiations through every incarnation of the peace process. Israel, on the other hand, has undermined – and even at times sabotaged – all efforts to achieve the just solution that this Assembly has sought for decades, along with the Security Council, which just marked the 50th anniversary of its resolution 242 (1967) and which, in its most recent resolution – resolution 2334 (2016) – explicitly reaffirmed the terms of reference and parameters of this solution based on

the relevant UN resolutions, the Madrid principles, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap.

Mr. President,

In the Assembly's debate on this question last year, I expressed our hope that by now we would have achieved an end to the Israeli occupation and could gather in this august hall to finally celebrate the independence of the State of Palestine, fulfilment of the rights and freedom of the Palestinian people, and establishment of genuine peace, security and coexistence between the Palestinian and Israeli peoples. Instead, we must yet again confront Israel's deliberate contempt for the UN Charter, the relevant resolutions and the international consensus in this regard.

Rather than allowing for progress towards a just and peace solution, Israel, the occupying Power, has purposely obstructed efforts and driven us farther away from this objective. It has blatantly ignored the demands to cease its illegal policies and practices in the Occupied Palestinian Territory, including East Jerusalem, proceeding non-stop with its settlement activities and systematic destruction of the two-State solution based on the pre-1967 borders, and ignored the calls to reverse the negative trends on the ground and act to bring an end to its occupation, as called for by the Security Council in resolution 2334.

The Israeli Government is not only in violation of that resolution, but actually brags about doing so, repeatedly declaring its illegal intentions and publicizing its crimes – even war crimes – without shame and all the while mocking the international community, including the Security Council, exploiting the impunity granted to it in the absence of serious accountability measures.

Thus, in 2017, we again witness Israel quadrupling its settlement activities in all manifestations throughout the West Bank, especially in and around East Jerusalem and the Jordan Valley, and persisting with its theft of Palestinian land; demolition of Palestinian homes and properties; forced displacement of Palestinian families and attempts at forced transfer of entire Palestinian communities; repression of the defenseless Palestinian civilian population, including by military force; causing death and injury to civilians, including children; arrest, detention, imprisonment, abuse and torture of thousands of civilians; and imposition of severe restrictions on movement and access and other freedoms and rights, including to education, healthcare, worship, development and water. The most hideous of such restrictions remains Israel's illegal ten-year blockade of the Gaza Strip, where 2 million Palestinians are being collectively punished and inhumanely isolated and deprived, forced to endure a humanitarian crisis so dire that Gaza is predicted to be uninhabitable by humans by 2020, but seemingly sooner than that, as revealed by alarming reports by the UN Country Team.

At the same time, Israeli settler violence and terror persist against Palestinian civilians, and Israeli provocations, incitement and inflammatory rhetoric against the Palestinian people and their leadership are on the rise, one reinforcing the other. Provocations also continue against holy sites, especially in Occupied East Jerusalem, most notably at Al-Haram Al-Sharif, where Israeli actions, witnessed again this summer, have repeatedly imperiled the historic status quo in place for decades and threaten to completely destabilize an already-tense situation, with potentially far-reaching consequences, including ignition of a religious conflict.

Moreover, the Israeli Government, led by the most extreme members of the Prime Minister's coalition and aided and abetted by the Israeli justice system, has been feverishly advancing discriminatory laws and racist policies, further demeaning and dehumanizing the Palestinian people, rather than recognizing their rights to exist and to be free, and advancing annexationist legislation, further entrenching this half-century occupation and facilitating Israel's schemes to acquire more territory by force, rather than ending these illegal actions.

The reality is that Israel is in grave breach of all – not just some – of its obligations under international humanitarian law, particularly the 4th Geneva Convention, as evidenced in its unlawful and destructive policies and actions in Occupied Palestine. The human toll of this unrelenting dispossession, military occupation and colonization is incalculable. Likewise, the occupation's toll on the viability of international law and credibility of the international system is immeasurable; it has long ago crossed the threshold of illegality and has caused enormous damage to the rule of law and perceptions about justice, not just in our region, but worldwide.

In this regard, we recall the recent report by the Human Rights Council's "*Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*" (A/72/43106) and the compelling findings regarding the applicable laws, relevant Advisory Opinions of the International Court of Justice, and obligations of the occupying Power, as well as States, in this situation. The report reflects on the illegality of this prolonged, belligerent occupation as it persists in violation of the fundamental legal principles of occupation. This timely report requires serious follow-up as Israel continues violating international law, the Charter and UN resolutions and impeding of a peaceful solution as per the international consensus.

Mr. President,

Each State represented here in this Assembly has the power to help bend the arc of history towards freedom, justice and peace, and has a political, legal and moral obligation to use this power. Many lament the ongoing colonization of the State of Palestine, denial of the human rights of the Palestinian people and destruction of the two-State solution and peace prospects, often wondering "*what more can we do?*". We believe that each State can, and should, do the following, among other things, to remedy this unjust situation and contribute to its peaceful resolution:

- 1) Uphold international law as it applies to the question of Palestine, including through:
 - Support for relevant resolutions in international and regional fora, notably in the UN;
 - Mobilization of the political will necessary to actually implement those resolutions.
- 2) Affirm support for the Palestinian people and their inalienable rights, including through:
 - Adoption of principled positions regarding Palestine at the UN and in other international and regional frameworks;
 - Recognition of the State of Palestine on the pre-1967 borders, with East Jerusalem as its capital.
 - Provision of humanitarian, developmental, economic, financial, technical support to ensure the strengthening and viability of the Palestinian government, institutions and civil society;
 - Provision of support for the well-being and dignity of the Palestine refugees through UNRWA, pending a just solution to their plight in accordance with resolution 194 (III).
- 3) Ensure it is not in any way complicit with Israel's illegal actions, including through:
 - Non-recognition of the unlawful situation created by Israel's policies and measures in Occupied Palestine, including East Jerusalem, including as a result of the settlements and the wall;
 - Not rendering aid or assistance in maintaining this unlawful situation;
 - Distinguishing between the territory of the occupying Power and the occupied territory.
- 4) Ensure accountability, including through:
 - Practical measures to implement the provisions of relevant UN resolutions and ensure respect for the Charter;
 - Ensuring respect for obligations under international humanitarian law as High Contracting Parties to the Geneva Conventions;

- Provision of support for activation of international accountability mechanisms and enactment of their decisions and recommendations;
- Linking bilateral relations with Israel to its commitment to international law and the advancement of peace;
- Undertaking measures to hold the Israeli government and Israeli organizations and individuals accountable for their actions at the political, diplomatic, economic and financial levels.

Such efforts, along with the steadfastness of the Palestinian people, the active role of the UN, and the role of civil society, should finally lead us to the day when we can stop commemorating this tragedy and instead begin building a just peace for a better, more stable, prosperous and secure future for generations to come, a far better investment for the international community than the perpetuation of this conflict.

It is a simple equation: this occupation will continue as long as its benefits outweigh its cost. Israel's disregard for the law and the UN could not have been possible without the impunity it has been accorded for so long. This contempt has found its ultimate expression in Israel's brazen response to Security Council resolution 2334 (2016), which provided a clear compass towards peace and yet which Israel is systematically breaching, like all prior resolutions, without consequence. This must change: Israel cannot continue to be treated as a law-abiding member of the international community, even as it tramples the Charter and UN resolutions. True pursuit of accountability can change this.

Mr. President,

The permanent responsibility of the United Nations and its Member States to redress this injustice and promote a just solution based on international law can therefore, in no way, be considered as a biased or one-sided approach to this conflict. That is not the problem, as falsely claimed by Israel and those who try to absolve it of its crimes. The real problem is the fact that despite the clarity and authority of international positions, accountability continues to be delayed at best, denied at worst. Double standards persist and Israel continues to be rewarded, rather than punished, for its illegal behavior. This must end and requires immediate action by governments and civil society alike.

In this regard, we renew our appreciation to all the Members and Observers of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People for their steadfast efforts to uphold the law and obligations towards the question of Palestine; to support the realization of the Palestinian people's rights and legitimate national aspirations to live in freedom, dignity and stability in their homeland; and to positively engage in international efforts to achieve a just, lasting, comprehensive peace, whereby the State of Palestine, with East Jerusalem as its capital, can live side by side with Israel, based on the pre-1967 borders and in lasting peace and security.

This Committee's efforts are in full conformity with the relevant UN resolutions, the Charter, and all other relevant rules and principles of international law, and we urge Member States to cooperate with and support the Committee work towards attainment of these urgent objectives.

We thank Ambassador Fode Seck of Senegal, Chair of the Committee, for his leadership, thank Senegal for undertaking this important role over the years, and thank him for his statement and introduction of the resolutions under this item. We also thank the Rapporteur, Ambassador Carmelo Inguanez of Malta, for presenting the Committee's annual report, and thank all other Bureau members – Afghanistan, Cuba, Indonesia, Namibia and Nicaragua – and Committee Members and Observers for their principled support. We also renew appreciation to the Division for Palestinian Rights and DPI Special Information Programme on Palestine for their support to the Committee.

We express thanks as well to Secretary-General Antonio Guterres for his report on the "*Peaceful settlement of the question of Palestine*" and for his leadership of the broad UN efforts vis-à-vis the question of Palestine. We express appreciation for the work of his Special Representative and the UN Special Coordinator, Mr. Nikolay Mladenov, and his team and for the tireless efforts of the many UN agencies assisting the Palestinian people, including UNRWA, OCHA, UNICEF, UNDP, WFP, OHCHR, WHO, UN Women, UNFPA, UN-HABITAT, UNCTAD, and UNMAS, with the generous support of States, organizations and partners from around the world. This humanitarian, socio-economic, developmental and moral support has helped sustain the Palestinian people, including the Palestine refugees, through decades of conflict and remains vital until a just solution is achieved.

Mr. President,

The people of Palestine will not disappear, nor will they surrender to a dismal fate. They stood proudly alongside many of you in the struggles for your own independence and freedom and are grateful that you continue to stand with them today. They want peace and are ready for peace. But peace cannot coexist with injustice, occupation, colonization and Apartheid. They have decided to be law-abiding, even when the law has failed to protect them and failed to hold accountable those committing crimes against them. They have overcome despair time and time again, against all odds, preserving their humanity and tolerance. If, despite all of this, they continue to believe that freedom and justice are inevitable and that peace is possible, then so should you. Let us work together to make them a reality.

I thank you, Mr. President.