65th General Assembly

Statement by Lebanese Representative

Question of Palestine

November 30, 2010

LEBANON: ... Mr. President ... Barack Obama, President of the United States, declared from this rostrum his hope that there would be a Palestinian state to be a member of the United Nations by the next General Assembly of the ... [00:28:03] There is no doubt that the establishment of a Palestinian state on the Palestinian territory is an inalienable right, foremost of which its right to self-determination as recognized by the United Nations in its Resolution 3236.

On this Day of Solidarity with the Palestinian People, we wish to reconfirm our role on the importance of establishment of a Palestinian state with Jerusalem as its capital and the right of the refugees to return in accordance with Resolution 194 within the comprehensive solution of the Arab-Israeli conflict, which requires the withdrawal of Israel from all the Occupied Arab Territories on the basis of the provisions of international law, Security Council resolutions, the terms of reference of Madrid and the principle of land for peace. In this respect, we wish to commend the meritorious efforts of the Quartet, especially the United States of America, to resume the peace negotiations.

However, today, we have to question the nature of the obstacle that still impedes achieving this solution, foremost of which, the inalienable right of the Palestinian people to exercise the right to self-determination proceeding from the responsibility that we all shoulder in accordance with the Charter in order to be keen in applying the resolutions and respecting the principles of international law. We wish to give the next ten observations.

First, the Charter prohibits aggression and the use of force to resolve conflicts. The GA Resolution 265 concerning the principles of international law relating to the ... and the cooperation among states that prohibits military occupation by force as well as the recognition of the legality of possessing any lands in this way. Actually, Israel, in defiance to these principles, in defiance to the principles of Security Council Resolution 242 persists for 43 years its occupation as a result of the armed aggression against the Arab, Palestinian and Syrian territories, as well as annexation of the Golan.

Second, that second paragraph of the First Article of the Charter provides for the respect of peoples to self-determination, and also, the First Article of the International Covenant on the Social, Cultural and Economic Rights as well as the Covenant on the Civil and Political Rights.

The biggest impediment to achieving what we all seek is the persistence of the occupation on the part of Israel of the lands of Palestinian and other Arab lands. The GA, in its Resolution 1514, called for putting an end to colonialism and called in Resolution 3068 to the cessation of the crime of apartheid and the punishment of its perpetrators. The Seventh Article of the laws and procedures of the ICC described racial discrimination as a crime against humanity.

We wish to refer that this Richard Falk [?]considered in his report this year, as his predecessor John Dogar [?]in his report to the Council on Human Rights in the year 2007 not -- that continuation of the Israeli occupation and its perpetuation has become -- that is akin to colonialism and apartheid because of the continuation of the settler policy and its expansion on the one hand and the adoption of laws and regimes and racial and discrimination policies concerning citizenship, possession, crossover [?] and movement on the other hand.

Fourth, Security Council Resolution 447 considers that the policy of Israel and its practices in building settlements on the Occupied Palestinian and Arab Territories since ’67 has no legal basis. They constitute a serious impediment to reaching a comprehensive and just peace and a lasting peace in the Middle East. And ask Israel and the Occupation Authority to comply with the Fourth Geneva Convention and to stop forthwith its previous practices and stop any action that may change the legal and demographic situation of the people in the Occupied Arab Territories since 1967, including Jerusalem, and to desist from moving a group of the inhabitants to the Occupied Arab Territories.

Actually, this resolution is not, and similar resolutions that followed that, none of them have stopped Israel from continuing a settler policy. The latest statistics show that the settlements on the West Bank reached 144 in addition to one or two settler points. It shows that the number of settlers is more than 517,000 persons. This has increased about 5% yearly since 1990 where the Israeli community's growth was about 1.5%.

Fifth Security Council Resolution 252. After recalling the two resolutions of the General Assembly, 2253 and 2254, and by its rejection of seizing territories by military invasion, and I quote, "Any administrative and legislative procedures and any acts by Israel, including the confiscation of territories and possessions aimed at changing the legal character of Jerusalem are null and void." End of quote. It also called Israel to stop forthwith these procedures and any other procedures that would change the character of Jerusalem.

Not this resolution nor similar resolutions that followed it deterred Israel from its quest to change the demographic, legal and infrastructural position in Jerusalem. It intensifies settlement in East Jerusalem, where the settlers are about 200,000.

In addition to that, it put pressure to bear on the Palestinian citizens and after expelling them and also the demolition of houses, more dangerous than that, Israel annexed East Jerusalem and considered that its law issued in 1980 has rendered Jerusalem a unified capital for in perpetuity. It cannot be divided. This is a matter that was condemned by Security Council Resolution 478, but this didn’t deter Israel from continuing in this attempt to Judaize East Jerusalem through the intensification of the settler actions and to pressure its Arab inhabitants as we have recently witnessed it.

The Advisory Opinion of the International Court of Justice on the Separation Wall considered that this wall is in violation of the provision of international law, especially the responsibilities of Israel that would necessitate that it would respect the territories it has occupied. This undermined the right of the Palestinian people to self-determination. Israel continues in stark decision of international law to build this wall and to seize the territories between it and the Green Line in preparation for annexing the larger settlements.

The Geneva Convention, the First Geneva Convention in Article 49, prohibits the moving the inhabitants of the occupying countries to occupied territories. Article 33 of this Treaty prohibits collective punishment, a matter to which Israel has had recourse in its blockade against Gaza since the middle of '07. Article 55 also of this Treaty provides that, and I quote, "It is the duty of the occupation state to spare in their efforts to provide the inhabitants with food and medical supplies."

The Regulatory Force issued by the Office of the United Nations to coordinate the human affairs in the occupied territories indicate that the occupation authorities do not respect this principle. 79% of inhabitants in the West Bank under occupation are lacking in food. It's interesting that this percentage is more than that in blockaded Gaza where it reaches 61%.

In addition to the fact that Israel doesn’t respect the principles of international human law, it's not an exaggeration to say there is no one single face or aspect of the human rights as it is embodied in the International Declaration of Human Rights and the two covenants, the cultural and social rights as well as those of the civil and political. But we don’t see Israel not violating the dignities of people and exposing them to discrimination, together with the arbitrary detention and the lack of just trials, together with limiting their freedom and their movement.

These all are practices that are recorded in international reports on the part of the international and the United Nations bodies and also recorded in the regular reports of international human rights organizations such as Amnesty International or Human Rights Watch. The most recent manifestation of these practices are those contained in the report of the United Nations Mission for Fact-Finding Concerning the Conflict in Gaza under the Chairmanship of Goldstone.

Ninth, The Security Council in its Resolution 497, after it stressed, "That seizing of territories by force is unacceptable by dint of the Charter of the United Nations and the principles of international law as well as the Security Council resolutions that are relevant. Consider that the resolution of Israel to impose its laws and authority and administration in the Occupied Syrian Golan are null and void and have no legal effect at the international level." We call on Israel, "The Occupation Authority to rescind its resolution forthwith."

As is the case in East Jerusalem, Israel did not comply with the resolution of the Security Council and persisted in its policy and administration of the Golan Heights. As in the Western Bank, it did not respect the Article 47 of the Fourth Geneva Convention to cease moving its inhabitants of the occupied territory settlements in the Golan, which 34, and its inhabitants about 20,000.

Worse than that, Israel sought in a recent law on the 22nd of this month, sought the acceptance of two-thirds of the members of the Knesset on any withdrawal from the Golan or East Jerusalem except for a referendum. Therefore, its objective is international responsibilities in accordance with the Charter of the United Nations resolution and the Security Council resolution to its own were in contravention of all the principles of international law and its provisions.

Tenth. Security Council Resolution 1701 of 2006, the Effect of Israeli Aggression Against Lebanon, calls on the withdrawal of those Israeli troops from all Lebanese territories. But after four years of the adoption of this resolution, Israel is still occupying the north of the village of El Rajah [?]and the circle around it. She doesn’t accept the withdrawal from Mazana Shana [?] and the hills of Gothra Shobe [?]

It rejects our proposals in Lebanon to subject these territories and the provision of the United Nations temporarily, literally violation by Israel of the sovereignty of Lebanon in land, air and sea. In the light of these impediments that prevent establishment of comprehensive peace and just peace in the Middle East, foremost of which the lack of enabling the Palestinian people to exercise its right to self-determination, there is no doubt at all but the best formula for supporting the Palestinian people is that the United Nations should support itself first in order to go beyond this lack of action in implementing the resolution adopted by its different bodies. Thank you, Mr. President.