

Statement by Ms. Somaia Barghouti, Charge d’Affaires, a.i. of the Permanent Observer of Palestine to the United Nations, Informal Meeting of the Plenary to Exchange Views on the President’s Draft Outcome of the High-Level Plenary Meeting of the General Assembly of September 2005, 30 June 2005:

(Check against delivery)

Mr. President,

At the outset, allow me to express our appreciation for the efforts undertaken to prepare the Draft Outcome Document we have before us, and to commend you, along with the team of distinguished Facilitators, in this regard. We are confident that it will constructively guide our deliberations and preparations for the high-level meeting of the General Assembly in September.

The delegation of Palestine believes that this draft is useful and constitutes a good foundation to build upon. It is encouraging that the Draft Outcome Document reflects many of the positions expressed by various delegations during our first round of informal consultations. We are confident that the current and forthcoming rounds of consultations will contribute to further strengthening the draft and allow us not only to produce a more balanced draft, but one that seriously takes into consideration the important views and recommendations presented thus far on a broad spectrum of issues. We have all acknowledged in the various forums connected to this undertaking that the United Nations is at a critical juncture of reform, renewal and transformation intended to strengthen its abilities to deal with the challenges we face in the 21st century. It is thus in the best interest of all that the final outcome document that is to be adopted enjoy the broadest support. Only such broad and strong support can allow us to translate our words and our good intentions into a new reality of freedom, prosperity and human rights for all of our peoples.

Mr. President,

Palestine associates itself with the statements made by the distinguished delegate of Malaysia, in his capacity as Chairman of the Non-Aligned Movement, and the distinguished

delegate of Jamaica, in his capacity as Chairman of the Group of 77 and China. Therefore, our statement will be brief and we will only address issues that are of specific concern to my delegation.

On a general note, we believe that more serious consideration should be given to the issue of implementation of decisions, resolutions, and recommendations of the various organs of the United Nations and that all issues should be treated on an equal basis. Lack of implementation and selectivity in follow-up and action undermine not only the efficacy of the United Nations in dealing with the important issues on the agenda of the international community, but also undermine the credibility of the United Nations as a whole. In this same vein, it is imperative that genuine efforts be undertaken to implement the commitments made by the international community in the Outcome Documents of all Major UN Conferences and Summits. These are collective decisions for which all bear the responsibility for implementation.

Moreover, strengthening the rule of law as a framework for advancing human security and prosperity is one of paramount significance to my delegation. Greater emphasis must be placed on compliance by Member States with the rules and principles of international law, including international humanitarian law. These are the tenets that should guide all our work. It is our deep conviction that respect for and adherence to the provisions of international law are essential for the promotion of human rights and the rule of law and that all necessary measures for enforcement should be undertaken towards this end. In this regard, we believe it is also necessary to achieve full respect for the Advisory Opinions rendered by the International Court of Justice, the principal judicial organ of the United Nations. Of particular importance to my delegation is, of course, the Advisory Opinion on the *“Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory”*, rendered by the Court on 9 July 2004.

Mr. President,

With regard to the specific concern of my delegation on the issue of foreign occupation, we would like to express our appreciation in terms of the concern stated in paragraph 54 of the Draft Outcome Document that the issue of foreign occupation needs to be addressed. However, despite the noted concern, we believe that the draft document falls far short of attributing to this important issue the appropriate and serious attention it requires. The severity of this issue is unquestionable. Indeed, the overwhelming majority of the international community continues to express their concern over the unresolved Arab-Israeli conflict, particularly the Palestinian-Israeli conflict, and the vastly detrimental impact of foreign occupation on the maintenance of international peace and security, the freedom of peoples and on development in all its aspects is widely recognized and documented.

Therefore, it is our view that this dangerous situation and the unprecedented injustices that have been inflicted on people under occupation, including the Palestinian people who have been suffering under a prolonged and brutal colonial occupation for more than 38 years now, must be given the necessary consideration in the final draft outcome document.

At this time, we wish to express our regret with regard to the manner in which the concept of foreign occupation has been referred to in the present draft outcome document,

namely in the context of terrorism. This should be rejected. It should be emphasized that foreign occupation is a system of catastrophic consequences, both short and long-term, and ramifications on the entire population under occupation. It is a system of political, legal, economic, social, cultural and environmental oppression, domination and degradation; of systematic human rights violations, terrorizing all those who live under occupation. In addition, it is undeniable that such situations of foreign occupation have been characterized by grave breaches of international law, i.e. war crimes. In this respect, it is essential to once more call upon the occupying Power to adhere to the rules and provisions of international law, including international humanitarian law and in particular the Fourth Geneva Convention, as it is the instrument of law governing military occupation.

Mr. President,

It is our position that the connection between foreign occupation and terrorism can only be addressed in the context of specific circumstances and situations, such as:

- a) State terrorism by an Occupying Power against an occupied people.
- b) Acts of terrorism committed by individuals or groups against any civilian anywhere.

Further, it is imperative to make the distinction between condemnable terrorist attacks and the right of peoples to resist their occupier and to defend themselves against the attacks of an occupying Power.

Accordingly, Mr. President, my delegation believes that it is imperative to address foreign occupation as a separate phenomenon. There must be an end to foreign occupation if we are to truly allow for the realization of the rights of all peoples under such situations to their right to self-determination, as enshrined in the Charter, to enable them to live free of oppression, injustice and discrimination and in the freedom, security and prosperity towards which we are all striving, individually and collectively.

In closing, I wish to reiterate that Palestine stands ready to participate fully in the upcoming months in preparation for the important outcome of the high-level plenary meeting in September. In this connection, Palestine will submit specific language in due time for consideration in the draft outcome document.

Thank You, Mr. President.