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Statement by Mr. Yousef N. Zeidan, Adviser, before the Sixth Committee, Agenda item 83: The Rule of Law at the National and International levels, 67th Session of the United Nations General Assembly, New York, 11 October 2012 (Check Against Delivery)

Mr. Chairman,

At the outset, I wish to extend warmest congratulations to you and through you to your distinguished bureau on your election for this session. I would also like to assure you that my delegation stands ready to cooperate with you in order to succeed in our collective work.

Palestine aligns itself to the statement made by Iran on behalf of the Non-Aligned Movement.

Mr. Chairman,

Last session my delegation came before this Committee and reported on progress made relating to the rule of law at our national level, which we accomplished with our international partners in strengthening the institutions of our State, the State of Palestine. We proudly highlighted the high praise received from the United Nations, the World Bank, the International Monetary Fund and others for our State institution-building program that the Palestinian Government has embarked on since 2009.

At the same time, we warned the Committee of the dire consequences and curtailment of progress to the rule of law at the national and international levels if Israel, the occupying Power, continues to act with impunity prolonging its now-45-year foreign military occupation of the Palestinian Territory, including East Jerusalem and continues to deny the Palestinian people their inalienable right to self-determination – a Charter principle.

We warned the Committee about the State terrorism and settler terrorism, sponsored by Israel, against the Palestinian civilian population and their livelihoods in the Occupied Palestinian Territory, including East Jerusalem. We warned of the illegal siege on our people in the Gaza Strip. We warned against the rapid expansion of Israel's illegal settlement enterprise, now consisting of over 550,000 illegal settlers transferred by Israel, the occupying Power, in every part of the Occupied Palestinian Territory, including East Jerusalem controlling every aspect of Palestinian life: water, worship, agriculture, access and movement, and even the right to life.

This year alone, Palestine has so far experienced over 60 terrorist attacks by Israeli settler terrorists who burned and desecrated our Churches and Mosques. Settler terrorists have and continue to destroy thousands of olive trees throughout the Occupied Palestinian Territory, including East Jerusalem.

Just today, Mr. Chairman, settlers were caught stealing olives in Al-Khalil, yesterday settlers cut down over 120 olive trees in Nablus. Ironically, the olive tree is a symbol of peace, yet this Israeli practice of cutting them down continues. The olive tree also provides sustainability to Palestinian families. We will not allow the settler terrorists intimidate us from harvesting our crops on our beloved

land. We hold Israel, the occupying Power, fully accountable for its illegally transferred population, which wreaks havoc on the Palestinian civilian population and their properties.

My delegation would like to remind the Committee that the transfer by the occupying Power of parts of its own population into the territory it occupies represents a clear and continuing serious violation of the laws and customs applicable in international armed conflict as codified by article 49 of the Fourth Geneva Convention which is also defined as a War Crime in article 8(2)(b)(viii) of the Rome Statute. We also remind members of the Committee of the responsibilities of third States in line with international humanitarian law. In this regard, we welcome initiatives by many States to begin labeling settlement products as such and we encourage others to follow.

Mr. Chairman,

Palestine has been seeking an immediate end to the Israeli colonization and occupation of our land and its destruction of the two-State solution and to create the appropriate environment and dynamics for the conduct and ultimate success of genuine peace negotiations for the achievement of the two-State solution, in accordance with international law, including international humanitarian law and human rights law.

Unfortunately, because of the continued impunity Israel enjoys, especially in the Security Council, Israel has yet to comply with the demands of the international community based on international law to end its 45-year occupation. The international community's demands are most evident in the annual resolutions of the General Assembly on the Question of Palestine, which enjoy overwhelming majority.

Mr. Chairman,

As you are well aware, on 23 September 2011, H.E. Mr. Mahmoud Abbas, President of the State of Palestine, submitted an application for the State of Palestine for United Nations membership. It has been over a year and the Security Council has yet to recommend membership for the State of Palestine to the General Assembly.

We call on the Security Council to make a positive recommendation to the General Assembly in accordance with Article 4(1) of the United Nations Charter and in line with the 28 May 1948 Advisory Opinion of the International Court of Justice regarding Membership.

Finally Mr. Chairman,

In recent months, there has been an effort by some to frustrate the participation of the State of Palestine in different international conferences under the auspices of the United Nations. These are not General Assembly conferences, but the kind where universal participation has been encouraged and promoted for decades, yet some are playing a dangerous game politicizing the participation of the State of Palestine after becoming a State member of UNESCO.

My delegation firmly believes that, based on past practice and statements made by a former Secretary-General and Legal Counsel, that the "all-States" and "Vienna" formulas include the State of Palestine as a State in these conferences, since it is a State member of at least one specialized agency.

Thank You.