

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



البعثة المراقبة الدائمة
لدولة فلسطين
لدى الأمم المتحدة

Statement by Ms. Reem Julia Mansour, Esq., Legal Adviser, Permanent Observer Mission of the State of Palestine to the United Nations before the Sixth Committee, agenda item 79: Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, 69th Session of the United Nations General Assembly, New York, 20 October 2014:
(Please check against delivery)

Mr. Chair,

Since this is the first time my delegation speaks in this committee, I'd like to express my delegations congratulations to you on your election as chair of this committee and to all the members of the bureau.

Mr. Chair,

The State of Palestine is deeply committed to ensuring respect for and adherence to international humanitarian law (IHL). The Geneva Conventions and Additional Protocols provide a necessary and fundamental framework for parties in armed conflict, including situations of foreign occupation, by providing protections to civilians and imposing restraints on military conduct. Yet, more efforts must be focused on ensuring better compliance with the law so that civilians affected by armed conflict are protected and their suffering minimized to the extent possible. Efforts must also be made to ensure that the restraints provided for by the law are in fact obeyed by militaries. The State of Palestine believes that the international community must continue to work together to promote greater compliance with international humanitarian law so that civilians are afforded the utmost protection in times of war.

Mr. Chair,

The Palestinian people are subject to an illegal military occupation by Israel, the occupying Power. This illegal military occupation has brought 47 years of conflict and suffering to our people. Thus, we look to the laws that govern such inhuman, illegal behavior in hopes of seeking protection for the Palestinian people and minimizing their suffering, pending the realization of a just solution. The Geneva Conventions, especially the 4th Geneva Convention, and the Additional Protocols are the applicable bodies of international law to govern situations of foreign military occupation. Numerous UN resolutions by the Security Council and General Assembly have affirmed and reaffirmed the applicability of the Geneva Conventions to the Occupied Palestinian Territory, including East Jerusalem. However, Israel, the occupying Power, continues its blatant refusal to abide by the provisions of international humanitarian law regarding the protection of the civilian population in the Occupied State of Palestine, including East Jerusalem.

This summer, tragedy befell the Palestinian people, yet again, in the Gaza Strip making it clearer than ever that Israel, the occupying Power, who is responsible for providing protection to the Palestinian people it occupies, is violating its legal obligation under the relevant provisions of the Geneva Conventions. This is evident by the gross number of civilian casualties and injuries that resulted from the Israeli aggression on Gaza, the now 8 year illegal and inhumane blockade-amounting to collective punishment of an entire civilian population, in addition to the countless and continuous other illegal policies and practices in the occupied West Bank, including East Jerusalem, such as illegal settlement activities, arrests, detentions, mistreatment of prisoners, forced displacement and home demolitions, just to name a few. Does this sound like a State who is making an effort to uphold international humanitarian law? Israel, the occupying Power, is the party actually

killing and injuring the Palestinian people and therefore denying them the protection guaranteed to civilians under foreign military occupation according to the law.

Mr. Chair,

Some absurd and unacceptable assertions and claims have been made by Israel, the occupying Power, that the Palestinian people incite civilians, including their children, intentionally placing them in harm's way. This is typical behavior from an occupying power whose policy is to dehumanize the Palestinian people implying that they don't love their children or people the way other people do. Typical racist behavior from a belligerent occupier. Rather it is Israel who is harming our people and children in every aspect. They are putting them in harm's way and use children as human shields which has been documented by Defence for Children International –Palestine. Just this summer during Israel's aggression against the Gaza Strip 16 year old Ahmad Abu Raida was used as a human shield by Israeli occupying forces. For 5 days, Israeli occupying forces forced Ahmad at gunpoint to repeatedly act as a human shield for them in Gaza. Ahmad was unjustifiably detained, interrogated, beaten, tortured, deprived of food and water, and barely allowed to sleep. Ahmad secretly wrote a final letter to his family thinking he would be killed. Does this sound like a State who is making an effort to uphold international humanitarian law? This is just one of many similar stories.

Mr. Chair,

Earlier this year, the State of Palestine acceded to the four Geneva Conventions and Additional Protocol 1, and thus, we are now a High Contracting Party of these international legal instruments. In this regard, my delegation would like to clarify some facts that do not substantiate the assertion of the Israeli delegate who spoke yesterday. When the State of Palestine acceded to the Geneva Conventions this year, Israel, the occupying Power, filed a depositary notification in response to our accession claiming they did not recognize us as a State Party to the Geneva Conventions, nor any of the treaties we joined for that matter. But just yesterday, the Israeli delegate complained to this very committee and implied that the State of Palestine “does not see itself as bound by the law of armed conflict and abuses the principles of IHL”. Therefore, my delegation must ask, who does not see the State of Palestine bound by international humanitarian law again?

Mr. Chair,

As a State Party to the Geneva Conventions, the State of Palestine has requested from the Government of Switzerland, in its capacity as the Depositary of the Geneva Conventions, to convene a meeting of the High Contracting Parties to consider measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, including measures to provide protection to the Palestinian people due to the grave breaches of the provisions of the Conventions being committed by Israel, the occupying Power. We urge the Depositary to convene such a Conference as soon as possible on the basis of article 1, which stipulates respect and ensuring respect for the Convention in all circumstances.

Moreover, the State of Palestine appeals to all High Contracting Parties to support our call for the urgent convening of this meeting. We are asking the international community to consider providing the Palestinian people with protection in the Occupied Palestinian Territory, including East Jerusalem, until the end of occupation and the independence of the State of Palestine. Additionally, we strongly support all efforts for addressing the issue of enforcement mechanisms with regard to honoring, respecting and abiding by all provisions of the Geneva Conventions and Additional Protocols, which can only contribute to strengthening international humanitarian law for the benefit of the international community as a whole.

Thank you, Mr. Chair.