

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



البعثة المراقبة الدائمة
لدولة فلسطين
لدى الأمم المتحدة

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Statement by Loureen Sayej, Third Secretary, before the 79th Session of the General Assembly Meeting of the Sixth Committee on Rule of Law at the National and International Levels (Agenda Item 84)

Mr. Chair,

The rule of law underpins universal humanity. It should guarantee freedom, dignity, equality, justice, and stability and must protect the powerless and challenge the powerful.

As humanity elaborated the international-law based order, some were left behind denied its protection, and some were never meant to be included.

The multilateral architecture, namely the UN charter, its purposes and principles, the Universal Declaration of Human Rights, the Geneva Conventions, the Genocide Convention, the ICJ, was being negotiated and developed in parallel with our Nakba, in parallel with our dispossession, ethnic cleansing, denial of right to self-determination, and systematic exclusion from the family of nations and the protection of the law.

Our eventual exclusion has led to a foundational exceptionalism in the international-law based order. An exceptionalism for Israel, to be above the constraints of the law, violating all what humanity elaborated, and eviscerating the key legal tools to deter, prevent, and prosecute international crimes. An exceptionalism in the rule of law, where most serious crimes of concern to the international community and grave of violations of the rule of law, genocide, aggression, annexation, colonialism, and apartheid, are overlooked, tolerated, condoned, and justified only in Palestine.

For 76 years, the Israeli exceptionalism has haunted the development of the rule of law and the advancement of the protection of civilians in an effort to make might right, to supplant justice, and subvert accountability. An Israeli exceptionalism anchored in a so-called "rules based order" that is exclusive not universal; discriminatory and not equal.

But the Palestinian people never abandoned the rule of law. We have long recognized that the rule of law constitutes the moral foundation of our just cause towards freedom. We have carved, in a reality of 76 years suffering and oppression, a legal and peaceful path to realize our inalienable rights on our ancestral land, as per the UN Charter. The Palestinian people have preserved faith in the law when everything around us should have led us to despair.

Stemming from this belief, the State of Palestine joined tens of international treaties, including the human rights treaties, without reservations, and actively participated in the codifications of others. Even though it was not meant for us, we committed ourselves to the multilateral system and embraced multilateral solutions to correct the historic injustice that befell us and that of our people, including before international courts.

Whether through the historic advisory opinion or the Genocide Case brought by South Africa, or the referrals to the ICC, the majority of the international community stood shoulder to shoulder with the State of Palestine and the Palestinian people in support of international law and accountability, in support of the UN Charter, its principles and purposes, including the right to self-determination and the prohibition of acquisition of territory by force. In support of humanity and morality and rejecting genocide, colonialism, occupation, aggression, domination; rejecting Israel's 76 years of this exceptionalism.

In the midst of this unending nightmare, the law renewed our faith in humanity.

The permanence of the rule of law is embodied in the universal power of the General Assembly, the enforcement power of the Security Council, and the judicial power of the ICJ. Respect for, and compliance with, UN Resolutions and Court's decisions and Advisory Opinions is indispensable to preserving the rule of law. The State of Palestine calls on everyone to uphold international law, not sacrifice it on the altar of political calculations. The Palestinian people are committed to the rule of international law and we continue to fight for its authority, and exemplify its indispensability. There is this saying: the exception that proves the rule. It does not apply here. The Palestinian people have endured the exception in order to challenge this rule, proving that for the rule of international law to prevail, ending Israel's exceptionalism is necessary.