



Malaysia

Permanent Mission to the United Nations

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Statement by H.E. Ambassador Hussein Haniff,

**Permanent Representative of Malaysia to the United Nations /
Vice-Chairman of the Special Committee to Investigate Israeli Practises Affecting the
Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,**

**on the Report of the Special Committee to Investigate Israeli Practises Affecting the
Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,**

at the Fourth Committee of 67th Session of the UN General Assembly,

New York, 09 November 2012

Mr. Chairman,

As Vice-Chairman of the Special Committee, I would like to align my statement with the presentation made by Ambassador Palitha Kohona, the Permanent Representative of Sri Lanka, as Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Malaysia would like to also associate itself with the statement made by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

2. Let me thank the Committee and the Secretariat for the efforts and commitment demonstrated in preparing this report. Despite the many obstacles laid by Israel, the Special Committee, of which I am a member, saw the situation on the ground and obtained testimonies of many Palestinians who fell victim to the human rights violations. The report and statement made by the Committee's Chair only proved that Israel, as the Occupying Power in the OPT, has continued its policy of deprivation, degradation and oppression of civilians.

3. While my delegation welcomes and endorses the report of the Special Committee and its recommendations in its entirety, I wish to highlight some pertinent points my delegation finds important and should be given close attention by Member States.

Mr. Chairman,

4. As a member of the Special Committee, Malaysia wishes to place on record its regret and disappointment that Israel has continued its policy of non-cooperating with the Special Committee. The report submitted by the Special Committee confirms our collective concerns. The situation in the Occupied Palestinian Territory is not improving, but instead, has worsened. My delegation feels deeply disturbed, frustrated and embarrassed that we, Member States, collectively, have allowed this suffering of the Palestinians to prolong. I also wish to emphasize my serious concern of the seeming impunity in which Israel continues to violate international law, humanitarian and human right laws.

Mr. Chairman,

5. In my view, Israel's record of violating human rights of the Palestinian people is well documented in the report. Israel's continued practice of administrative and arbitrary detention of Palestinian, both children and adults, are appalling. Even more, the harsh and cruel treatment is another example of blatant violation of the basic human rights by the occupiers. Today, around 4659 Palestinians are being detained without any legal recourse and the figures keep changing from time to time. Many have been tortured and put to solitary confinement. Others have experienced deliberate medical neglect and there are allegations that some of those detained have been used in medical experiments.

6. These inhuman acts by Israel do not end there. The application of military law against children only confirms that Israel practises of legal segregation is very much similar to apartheid. The Israeli military orders no. 1644, 1676 and 1685 are proof to this inhuman act by Israel. Between 500 to 700 Palestinian children are detained by Israel every year, only further substantiate that Israel lacks compassion and respect for human life. As if that is not enough, the children detained have been subjected to physical violence and humiliation by the occupiers particularly Israeli settlers.

7. Without a doubt, the Occupying Power is certainly in flagrant violation of its commitments under the applicable international laws and human right laws. More crucially, however, is that the Occupying Power appears to have abandoned common and minimum human decency by denying detained Palestinians not only of their basic human rights but also their dignity as human beings.

Mr. Chairman,

8. Malaysia condemns the Judaisation policy of Israel in the OPT as reflected in paragraph 33 of the report. This policy has been systematically implemented through many measures,

including the demolishing of Palestinian homes and active encouragement of illegal settlement activity. It is clear that Israel intends to change the demographics and reality on the ground.

9. What is appalling is that in the period between 1 January and 1 July 2012, 378 Palestinian built structures have been demolished. In 2011 alone, 222 Palestinian homes were destroyed in the West Bank. Most distressing is that 26,000 Palestinian structures have been demolished since 1967. And as we meet today, these illegal and inhumane activities are on-going.

10. International laws have no meaning to Israel. Israel's policy of actively supporting and the building of illegal settlement in the OPT continues. With an estimated 500,000 Israelis living in 150 new settlements in the Occupied Territories, the situation will continue to affect efforts to restart the Peace Talks. Without a resumption of the Peace Talks, any hope of sustainable peace would slowly dissipate.

Mr. Chairman,

11. Malaysia is seriously concerned and disturbed by the increase in inter-communal violence. These 'Price Tag' attacks involve violence, insults, vandalism of mosques and churches and destruction of private property, including agricultural lands. Such practices are systematic and aimed at removing Palestinians off their land. While displacing of population remains illegal under international law and humanitarian law, Israel has continued to defy the world.

12. The blockade of the Gaza Strip has entered its sixth year. The socio-economic impact has been tremendous; as this blockade has led to 80 percent of Gazans now being dependent on humanitarian assistance from the international community. Another 44 percent are food insecure and 13 percent are experiencing malnutrition. An astounding 38 percent of the people in Gaza continue to live in poverty. Without a doubt, this illegal and inhumane blockade is meant to break down the spirit and zeal of Palestinians.

Mr. Chairman,

13. We, the Member States, have to send the strongest political message to Israel, that the rule of law, a major theme in this year's session of the General Assembly, is for all and Israel is no exception. In this connection, Malaysia wishes to reiterate its longstanding position that the construction of illegal settlements by Israel violates international law, and if Israel is committed to a solution to the Question of Palestine, these settlements have to be dismantled and no new illegal settlements should ever be built again on Palestinian land.

14. We cannot sit idly while Palestinians continue to suffer. Malaysia again calls upon the General Assembly to adopt new measures to address Israel's long track record of non-cooperation with the United Nations, including defying and ignoring resolutions of the Security Council and the General Assembly.

15. Israel must bear the responsibility of safety and security of Palestinian civilians as the occupying power, under international law, especially in the Fourth Geneva Convention. The General Assembly and the Security Council must take appropriate measures to ensure that Israel protect civilians in the Occupied Territories.

16. In this regard, we urge Israel to end its illegal and arbitrary detention of Palestinians and end the utility of military orders no. 1644, 1676 and 1685, with immediate effect. Malaysia also urges Israel to immediately lift its illegal blockade of the Gaza Strip. This would allow the immediate flow of regular food supply, medicine and humanitarian aid to reach the population of Gaza.

Mr. Chairman,

17. What the report has illustrated to all of us is most distressing. The situation in the OPT is indeed bleak. Based on developments on the ground, the two-State solution, in which Palestine and Israel may live side by side in peace and security, might just remain an illusion. Time and again, the international community has called for measures to ensure that Israel abides by international law. Instead, Israel continues to commit atrocities, ignoring the rule of law with impunity.

18. Israel must be compelled to respect international law, including humanitarian and human right laws. Israel must accept that a lasting and just solution to the Question on Palestine not only benefits the Palestinians, but would contribute to Israel's own safety and security in the long run.

19. To conclude, Mr. Chairman, Malaysia supports all the recommendations in the report of the Special Committee particularly for the report to be conveyed to the High Commissioner for Human Rights and to be made available for the Human Rights Council's consideration, as a supplement to the reports of the Council's Special Rapporteur on the situation of human rights in the territories occupied by Israel since 1967, and without prejudice to the mandate of the Special Rapporteur, in addition to exploring additional ways to increase the Committee's public information outreach.

I thank you, Mr. Chairman,