



Permanent Mission of the Republic of Kenya
To the United Nations, New York

STATEMENT BY
AMBASSADOR MARTIN KIMANI
PERMANENT REPRESENTATIVE
DURING THE 39TH PLENARY MEETING OF THE
TENTH EMERGENCY SPECIAL SESSION OF THE
GENERAL ASSEMBLY
FRIDAY, 27 OCTOBER 2023 AT 5PM

Mr. President, we voted in favour of the Gaza resolution and appreciate Jordan's consultative approach. The edits made to the text yesterday, acknowledging the 7th October terrorist attacks and the hostages taken by Hamas, and reaffirming the two-state solution, met our minimum expectations. Our favourable vote aimed to address the emergency humanitarian needs of Palestinians in Gaza. However, the resolution did not go far enough in being clear about the terrorist attacks by Hamas that have launched us on this disastrous course. For that reason, we co-sponsored and voted in favour of the Canada amendment for its explicit condemnation of Hamas' terrorism and hostage-taking.

With the world watching, once again, the General Assembly has taken action while the Security Council struggles to address threats to international peace and security. Each veto that contradicts the objective realities on the ground, underscores the urgent need for Security Council reform. Without significant reform, the credibility and legitimacy of the Council, as viewed by the global populace, will continue to diminish.

Mr President, at the start of this debate, we listened closely to the representatives of Israel and Palestine. We were dismayed by their lack of empathy for each other's innocent civilian casualties. This entrenched partiality, this failure to recognise the shared humanity on both sides, is a fundamental obstacle to resolving this protracted conflict.

On 7th October, Hamas terrorists infiltrated 22 Israeli locations using land, sea, and air routes, launching thousands of rockets at civilian areas.

They killed over 1400 people, injured almost 5000 and took 200 hostages. Our deepest condolences go out to the affected families and communities in Israel.

Almost every speech from this podium references international humanitarian law and the Geneva Convention. While agreeing on the importance of universal adherence, it's crucial to emphasise that international and natural law fundamentally protect the unequivocal right to self-defence. This is particularly pertinent in light of Hamas' actions on 7th October, which mirror its original 1988 Charter's objective of eradicating Israel and its Jewish population. The attacks suggest that even the supposedly moderated 2017 charter revision, which maintained that "resisting the occupation with all means and methods is a legitimate right," still harbours intentions to destroy Israel and its Jewish people.

The hate-fuelled 7th October attack is abominable, and its underlying genocidal intent is fundamentally inhumane. It's vital for factions in Palestine, the region, and the international community to unequivocally reject such heinous strategies.

Today, Kenya condemns Hamas for the attack and demands the immediate release of all hostages and cessation of its use of civilians as human shields.

Mindful of multiple Security Council resolutions, Kenya calls on all Member States to intensify efforts to suppress financing of terrorist groups.

Like Israel after 7th October, Kenya knows the bitter aftermath of terrorist attacks only too well. We have endured the psychological torture of hearing the perpetrators attempt to justify the unjustifiable, and to blame the victims who are our children, parents, siblings. We have experienced the searing anger and yearning for justice against those who intentionally harm our loved ones. We reject terrorism as a legitimate form of political resistance, we recognise the need to name and shame those who use terror to promote any cause.

Mr President, this many decades later, we are still recovering from the wounds of colonial rule and the deep scars of the slave trade. We will never forget the decades we willingly endured immense suffering, including massacres and even concentration camps, in our unyielding pursuit of independence and sovereignty. We can therefore relate to the raw feelings of anger and pain being felt by the people Palestine for the lack of progress in negotiations to achieve the two-state solution. We also pay heed to the immense suffering of innocent Palestinian civilians.

The lives of Palestinian people are as precious as those of all other peoples. Thousands of Palestinian civilians — including hundreds of children — have been killed by Israel's air barrage against Hamas. Critical

civilian infrastructure is being destroyed. UN agencies on the ground are warning of a calamitous humanitarian situation in Gaza.

We offer our deepest condolences to the affected families and all of Gaza and the West Bank. We also extend our condolences to the families and colleagues of humanitarian workers who have lost their lives in the line of duty, including the thirty-eight UN staff members who have perished recently in Gaza.

Kenya thanks the UN, Egypt, Jordan, and other parties for the opening of the Rafah border crossing, but it is inadequate. It is imperative that Israel and neighbouring states unite to guarantee unhindered humanitarian aid and delivery of vital services at the scale needed.

We call for Israel's military to take every precaution to protect civilians and critical civilian infrastructure from its military strikes.

We strongly condemn Hamas's tactic of hiding weapons in civilian areas. Using human shields is abhorrent and illegal. These actions violate the fundamental values and laws upheld by the United Nations, highlighting the urgent need for a global resolution to the Palestinian Question.

Mr President,

History teaches us that the response of states to terrorism, particularly when it makes use of illegal means, can unintentionally lead to an era of escalated radicalisation and violence. Much has been said about 7th October being Israel's 9/11. All of us can empathise with the desire for

vengeance after the cruelties of terrorism have been visited on the innocent. Yet, we must be wise enough to remember the terribly costly lessons learned from the worldwide responses to the Al Qaeda attacks two decades ago. We therefore strongly urge Israel to adhere to International Humanitarian Law and the laws of war TODAY so that it can maintain the legitimate opportunity to negotiate peace TOMORROW.

The desire of the Palestinian people for their own land can never be extinguished. However, as long as Palestinians grow up in rage because their lives, dignity and talents are distorted by a punishing occupation, their just cause will struggle to be led by a legitimate resistance that rejects terrorism.

The attacks of 7th October and the aftermath in Gaza signal a pivotal moment. The status quo is no more. Two paths lie ahead: an escalating conflict with global repercussions or a renewed international commitment to a two-state solution and peaceful coexistence based on a credible non-partisan and impartial process.

This is the moment for courageous, inspired leadership that can keep its eye on the prospect for peace. Such a leadership must desist from using the grave situation in Gaza to advance short term geo-strategic advantage or mobilise domestic constituencies; for to do so constitutes a betrayal to the Palestinian cause and an insult to Israeli and Palestinian lives lost. States that ardently support and sponsor both factions of this monumental

conflict bear the responsibility to employ their influence in guiding the parties back to the negotiating table.

Thank you.