



MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS

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**INTERVENTION BY
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TO THE UNITED NATIONS**

AT THE UN SECURITY COUNCIL ARRIA-FORMULA MEETING ON

**“ILLEGAL ISRAELI SETTLEMENTS:
OBSTACLES TO PEACE AND THE TWO-STATE SOLUTION”**

NEW YORK, 14 OCTOBER 2016

Thank you Ambassador Fodé Seck for giving me the floor.

2. As one of the Co-Chairs of this meeting, I would like to extend my delegation's deep appreciation to the speakers for coming all the way from Tel Aviv, Brussels, and Washington D.C. to participate in this meeting. We thank them for their insightful and eye-opening presentations.

3. I don't plan to repeat the statistics on the disturbing continuation and expansion of settlement activities over the years. I believe the speakers have done an excellent job in narrating the growth of settlement activities, and in outlining the impacts on the daily lives of ordinary Palestinians and on the two-state solution.

4. Instead, I wish to focus on the question of what Council members should do, to halt settlement activities, which are clearly illegal under international law and constitute the main obstacles to peace and the two-state solution. There is no doubt that this falls under the Council's responsibility, based on the UN Charter in maintaining international peace and security.

5. There are some who think that we should provide incentives to Israel to stop its illegal behaviour. But based on Israel's actions for the past decades on the issue of settlements, I think we can safely conclude that the problem here is not the lack of incentives, but the lack of sanctions. It is not that we need more carrots, but we need more sticks to ensure adherence to international law and international human rights standards, as well as to uphold peace and the two-state solution.

6. The ultimate incentive for Israel has been offered by the Arab countries over 14 years ago, in the form of the Arab Peace Initiative. The Initiative has also been endorsed by the Middle East Quartet and supported by the UN Secretary-General. Yet, it has been rejected by Israel.

7. Just last month, Israel has received an unprecedented military assistance, totaling 38 billion dollars, covering the period of 10 years. I can't imagine any greater incentive for Israel's security. And yet, merely weeks after the signing of the largest-ever military-assistance deal, Israel brazenly announced that it would build even more new settlement housing units.

8. Clearly, there is a need to stop rewarding illegal behaviors that threaten peace and security in the region and beyond. It simply does not work.

9. Similarly, shielding Israel by casting 41 vetoes – in the past four decades, sadly only encouraged impunity through more repression. History will judge us for our persistent failure in exercising moral and political responsibility to end the repressive Israeli occupation, to sanction the apartheid policy and gross violations of human rights, to uphold accountability, and to support fundamental right to self-determination.

10. For many decades, we have merely condemned settlement activities, without any concrete action to stop them. In the meantime, settlements kept growing, settlers' violence kept increasing, and conditions for a two-state solution kept eroding. Anger and frustration at the long-standing double standard treatment towards the Palestinian people continue to fuel radicalisation in the region and beyond.

11. The Security Council has various tools at its disposal to address the Israeli-Palestinian conflict, including the settlement issue. It is time for us to urgently assume our responsibilities and not allow any attempt to find a solution or call for a halt and rollback be labelled as anti-semitic dampens us. Our call is to stop the rapid slide into a one state solution. That cannot be an anti-semitic stance. How could that be, when we want both Israelis and Palestinians to live side by side in peace and harmony.

12. I sincerely hope that today's discussion will provide an impetus to push the Council to take concrete action to address the issue of illegal Israeli settlements.

13. Before I end my intervention, I would like to take this opportunity to pose several questions to the speakers:

- i) As the Chair of the Security Council Working Group on **Children and Armed Conflict**, I wish to highlight the issue of the protection of children. Can you please elaborate on how settlement expansion, home demolitions and settlers' violence are impacting Palestinian children in particular, both physically and psychologically? And what protection did they have when their family home was torn down and they became homeless?
- ii) I also have a question on the **Boycott, Divestment, and Sanctions campaign**, known as BDS, as a means to pressure Israel to comply with international law.

As we are aware, some quarters in Israel and even lawmakers in the US have been trying to counter the BDS movement by targeting those who support the BDS campaign through threats of economic, political, and academic sanctions. Some critics of the BDS Movement described it as "anti-semitic".

I would like to hear your views on the BDS movement, do you think that it is a viable mechanism to pressure the Israeli government to change its policies on settlements?

- iii) Regarding **settlers' violence**, do you have the statistics on the rate of prosecution and the rate of successful conviction in Israeli courts for the crimes committed by the settlers against Palestinians? I'm also interested to know your views on the availability of international legal avenues on the issue of settlements, including perhaps the ICC?

Prof. Dubuisson mentioned in his presentation about the Fourth Geneva Convention and its applicability to the Occupied Palestinian Territory. Can you elaborate more on the legal obligations of the High Contracting Parties with regard to the persistent non-compliance by Israel with the Convention?

- iv) Lastly, I'm interested to know to what extent is the government's settlement policy supported by grassroots Israelis? Do you think pressure to cease settlement expansion could come from within Israel, or externally?

Thank you.