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Malaysia
to the United Nations

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STATEMENT BY H.E. MR. HAMIDON ALI, PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS ON AGENDA ITEM 33: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES AT THE FOURTH COMMITTEE OF THE 62nd SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK, 14 NOVEMBER 2007

Mr. Chairman,

On behalf of my delegation, I endorse the statement made by H.E. Ambassador Prasad Kariyawasam of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, by which he presented the Report of the Special Committee.

2. The Special Committee confirms that the situation of human rights in the Occupied Palestinian Territories as well as in the Occupied Syrian Golan has not improved. The many examples provided by the representative of Palestine in her statement vividly illustrate this. The deterioration in the human rights situation is attributed to the policies and practices of the occupying power, Israel.

3. We should recall that the mandate of the Special Committee is to investigate Israeli practices affecting the human rights of the population of the Occupied Territories. The Special Committee hears and considers the views expressed from a variety of sources: Governments and United Nations actors; academics and individuals, as well as non-governmental organizations and civil society, including Israeli human rights organizations.

4. The Special Committee's work is not guided by an agenda to harm Israel. The Special Committee would have wished that Israel allow it to have access to the Occupied Territories, which have been denied for thirty nine years now. By barring the Special Committee visit to the Occupied Territories, Israel is not only depriving the Special Committee from discharging its mandate, Israel is also depriving itself the right to provide its perspective on the situation in the Occupied Territories to the Special Committee.

5. It would be a shame to regard the Special Committee's Report as trivial or marginal. The consideration of the Report at this session allows the United Nations to highlight the many cases of infringement of Palestinian human rights to the public and the media, which have been lacking particularly in the West. This is the least we owe them. The international community has failed the Palestinians in seeking an amicable solution to the Occupation which has lasted since 1967.

6. Many resolutions have been adopted by the Security Council and the General Assembly, yet Israel has not desisted in its violations of Palestinian human rights. In fact, the humanitarian situation has worsened particularly in Gaza due to the economic sanction imposed by Israel and by some in the West. It is this continuous cycle of human rights violations which are exacerbating the sense among Palestinians of being abandoned and left helpless by the international community, and fomenting the

feelings of bitterness and anger by Palestinians against the international community, including the United Nations.

Mr. Chairman,

7. This is the situation on the ground for those living in the Occupied Territories, which no country could possibly refute. And it is this bleak snapshot of life under the Occupation which could do real harm to the prospect of realizing the dream in establishing an independent and sovereign Palestinian state, living side by side in peace and security with Israel.

8. To realize this dream, Israel must cease all of its human rights violations and illegal practices, and respect international law. Israel bears responsibility as the occupying power under international law particularly the Fourth Geneva Convention. With regard to article 33 of the Fourth Geneva Convention, Israel is guilty of violating the prohibition on collective punishment of an occupied people. Unfortunately, the international community has sat back, merely observing while Israel commits itself to the illegal practices of excessive and indiscriminate use of force, extrajudicial killings, the destruction of Palestinian homes, civilian infrastructure and agricultural lands and the attendant devastations on Palestinian civilian populations. To those living under the Occupation, our inaction to rein in Israel's practices is tantamount to condoning them.

9. The General Assembly and the Security Council must take appropriate measures to protect civilians in the Occupied Territories. These measures include deploying an international human rights mechanism in the Occupied Territories as well as carrying out at the national level independent, transparent and comprehensive investigations into allegations of violations of international human rights and humanitarian law resulting from targeted attacks against civilians. My delegation would also advocate that the Security Council considers sanctions against Israel, as it has consistently disregarded the Council's resolutions and other international obligations. These are among the recommendations of the Special Committee. In this regard, I would point out that it is not the Special Committee that is harming Israel. Israel is harming itself, its standing in the international community, by its willful participation and engagement in the violations of the human rights of the population in the Occupied Territories.

10. The Occupation in itself is a gross violation of human rights. It is a test on the level of commitment of the international community in upholding and promoting international standards of human rights. In this case, it has not been a success. What signal would this send out with regard to the promotion of human rights, particularly to the developing world, when the major Western powers are willfully turning a blind eye against greater human rights violations being committed by an occupation regime for the last four decades?

11. Furthermore, we should keep in mind that if Israel goes on with its human rights violations, there will eventually be a high price to be paid. The establishment of an independent and sovereign Palestinian state, living side by side in peace and security with Israel, is in the interest of all. Israel's dogged determination to mistreat the Palestinians in pursuit of its so-called security objectives would render the hope to realize this two-state solution even more elusive. Failure to solve the Israeli-Palestinian conflict would stymie efforts to achieve Middle East peace; and this failure would have negative reverberations around the world, in particular pitting opinions of the Muslim world against the West.

12. Finally, allow me Mr. Chairman to register my delegation's support for further extension of the mandate of the Special Committee as well as the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Thank you.