



*Permanent Mission of*  
**Malaysia**  
*to the United Nations*

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**STATEMENT BY H.E. MR. HAMIDON ALI, PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS AT THE GENERAL ASSEMBLY ON AGENDA ITEM 16: QUESTION OF PALESTINE, NEW YORK, 25 NOVEMBER 2008**

Mr. President,

It has been sixty years that the question of Palestine has been before the United Nations. We should remind ourselves of the history behind this question of Palestine to keep in perspective of the issue before us. The question on Palestine has been with the United Nations since in 1947, when Great Britain, faced with escalating violence in the Palestinian territory brought this question before the United Nations. Palestine had prior to that been placed under the administration of Great Britain under the Mandates System adopted by the League of Nations pursuant to the League's Covenant (Article 22). For Palestine however, instead of being limited to "the rendering of administrative assistance and advice", the Mandate had as a primary objective the implementation of the "Balfour Declaration" issued by the British Government in 1917, expressing support for "the establishment in Palestine of a national home for the Jewish people". From 1922 to 1947 during the years of the British Mandate of Palestine, large-scale Jewish Immigration from abroad took place. Palestinian demand for independence and resistance to this immigration led to a rebellion in 1937.

2. In 1947 the United Nations adopted resolution 181(II), proposing the partitioning of Palestine into two independent States, one Jewish and one Arab. In 1948, Israel proclaimed independence and in the war of the same year, expanded to occupy 77 percent of the territory of Palestine and a large part of Jerusalem. Over half a million of the indigenous Palestinian population either fled or was expelled from their land. In the 1967 war, Israel occupied the remaining Palestinian territory including the remaining part of Jerusalem, which it subsequently annexed. That war brought about a second exodus of Palestinians. Security Council resolution 242 (1967) called on Israel to withdraw from territories it occupied in the 1967 conflict and laid down principles for a peaceful settlement in the Middle East. Security Council resolution 338(1973) reaffirmed the principles of resolution 242 and called for negotiations aimed at "a just and durable peace in the Middle East".

3. Unfortunately, until this date, more than sixty (60) years have passed since the

question of Palestine was before the United Nations, we are still nowhere near at resolving the question on Palestine, to a just and durable peace in the Middle East, at achieving a two-State solution and at the realization of the inalienable rights of the Palestinian people; the right to self-determination, the right to national independence and sovereignty, the right to return to their homes and property from which they have been displaced and uprooted.

Mr. President,

4. The situation in the Occupied Territories in fact has in no way improved but deteriorated further. The occupying Power continue to distort the life of the Palestinians in the Occupied Palestinian Territory, including East Jerusalem, through the expansion of illegal settlements and related infrastructure, including the Separation Wall, and the fragmentation of the Occupied Palestinian Territory using checkpoints and other obstacles. In contravention of commitments made at Annapolis, illegal construction and expansion of settlements in the Occupied Territories goes on unimpeded. Settlement construction continues across the West Bank, including in East Jerusalem. More worrying is that these settlements have become the locus from which violence and attacks are being launched by illegal settlers on Palestinians civilians, with lack of enforcement of rule of law by the Israeli authorities.

5. Contrary to the International Court of Justice advisory opinion, the construction of the separation wall continues in the Occupied Palestinian Territory, majority of which, 87 percent, runs inside the West Bank and East Jerusalem rather than along the 1949 Armistice Line. It is quite evident that the purpose of the wall is not meant for security reasons as claimed but to perpetuate and expand the illegal settlements.

6. The humanitarian situation in Gaza which is virtually an open prison, remains dire. Except for a brief respite recently, there has been no improvement in the movement of goods and people in and out of Gaza. They are not allowed to leave Gaza for medical treatment and medical supplies for those in need are very low. It was also reported that even Israeli medical volunteers who had been issued permits were denied entry into Gaza apparently due to security reasons. Meanwhile students were denied permission to leave Gaza for places of studies abroad. Construction projects valued at \$240 million, including \$149 million-worth of United Nations construction projects, remain on hold owing to the absence of construction materials due to restrictions of imported materials and goods into Gaza by the Israeli authorities.

7. violations that affect the youth and children, the most vulnerable group, in the Occupied Territories. Since the beginning of the second intifada in 2000 until June 2008,

at least 994 Palestinian children under the age of 18 have died as a result of violence. The harsh facts of life for children living under Occupation will bear negatively not just on them when they enter adulthood, but also for the prospect of peace in the Middle East since they represent the future.

8. Calls by the international community including by the United Nations to stop these atrocities and human rights violations have gone unheeded. Only as late as last week, the Secretary-General's call to the Israeli to urgently permit the delivery of humanitarian assistance to the civilian population in Gaza was not answered. Meantime, the Security Council has been rendered silent and void of any real action is addressing the Palestinian issue. Its failure in resolving security issues and alleviating the sufferings of the Palestinians under the yoke of Israeli occupation has diminished its standing as the body responsible for maintaining peace and security.

9. After sixty years, questions still remain as to what needs to be done to solve this issue. How long more do the Palestinians need to suffer; how many more death; how much more destruction, before there is a solution.

Mr. President,

10. We are supportive of efforts at finding a just, durable and comprehensive solution to the Palestinian question including the Quartet Road Map and the Arab Peace Initiative. We recognized the roles played by bodies and entities including the important role of the Committee on the Exercise of the Inalienable Rights of the Palestinian People chaired by Ambassador Badji, which organized various activities to support a climate conducive to the advancement of permanent status negotiations between Israelis and Palestinians. We noted the recent Quartet meeting in Sharm el Sheikh and the meeting between the Israelis and Palestinians. We noted also that both sides had reached a number of mutual understandings on the principles governing their negotiations including the need for continuous, uninterrupted, direct, bilateral negotiations and the need to reach a comprehensive agreement addressing all issues, as agreed in Annapolis. We are hopeful that the negotiations will bring tangible results leading to a just, durable and comprehensive solution to the Palestinian question.

11. At the same time, parties concerned have to show commitment and sincerity in this effort. Definitely the persistent pattern of willful violations of international law and human rights abuses is not consonant with the intention and actions of a government that is supposedly sincere and committed to achieving peace with its neighbours. Israel must be made to stop its illegal actions and be accountable for the violations they perpetrated. It must be made to abide by relevant international law and conventions

including the Fourth Geneva Convention and relevant Security Council resolutions including inter alia 242 (1967), 338 (1973), 1397 (2002), and 1515 (2003). Israel must improve the situation on the ground including lifting its siege on Gaza, facilitating the movement of people and access of goods in and out of the Occupied Palestine Territory, addressing humanitarian needs, foster economic activities and improving the atmosphere for negotiations. Otherwise we fear there will never be an end to the question on Palestine.

Mr. President,

12. Yesterday we mark the International Day of the Solidarity with the Palestinian People, I wish to take this opportunity to pay tribute to all Palestinians who have suffered in their just struggle to live in freedom and in dignity in a state they can call their own. Reaffirming our solidarity with the Palestinian people is indeed most appropriate as we also celebrate the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights this year. As members of the international community, we must work towards the restoration of the human rights and dignity of the Palestinian people. The Palestinian people can count on Malaysia's strong support in their efforts to create an independent and sovereign State of Palestine with East Jerusalem as its capital.

Thank you.