

Security Council Open Debate on the Middle East and the Palestinian Question, October 15th 2012, Security Council Chamber

Statement by Dr. Nawaf Salam, Permanent representative of Lebanon to the United Nations.

Mr. President, Allow me at the outset to reiterate before this council that my government remains committed to the letter of Resolution 1701 and look forward to its implementation in its entirety.

IN this context, let me also convey to you that all Lebanese parities whether in the Government or in the opposition would like to see this Council exercising its leadership in urging Israel to abide by its obligations under said Security Council resolution, that is to completely stop its violation of Lebanese sovereignty whether on land, sea, or air: and to withdraw forthwith from all parts of Lebanese territory which it continues to occupy.

Mr. President, For almost two years, hundreds of thousand of young men and women across the whole Arab World took to the streets seeking freedom, dignity, and good governance. This was enough to lay waste to the idea of ‘Arab exceptionalism,’ a pseudo-theory advanced by some pundits to explain the so called Arab resistance to democratization. Whether based on the racist cliché that democracy is incompatible with Islam or inimical to Arab Culture or on the erroneous stigma that Arabs are not ready yet ready for democracy or hold democratic values to less esteem than do any other people, this pseudo-theory of “Arab exceptionalism” found its deathbed in the winds of change that have been blowing in our region.

Unfortunately, however, some other forms of “exceptionalism” continue to survive in this part of the world.

While you will be having the day after tomorrow an open debate on “the strengthening of the rule of law in the maintenance of peace and security”, it will be important to keep in mind that one country in our region continues to challenge with unquestioned immunity the principles and norms of International law and to ignore all resolutions adopted by the General Assembly and this Council on “The situation in the Middle East and the Question of Palestine.”

As a matter of fact, this “exceptionalism” is best illustrated in that Israel failed to withdraw from the Palestinian territories which it occupied in 1967, as per its legal obligations under Security Council resolutions 242 and 338. It also continues to build settlements in the occupied territories in violation of International Law, International Humanitarian law, General Assembly and Security Council resolutions and the Advisory opinion of the International Court of Justice. Indeed its annexation of East Jerusalem, the extension of its laws to the Golan Heights and its erection of “the Wall” constitute as well similar violations.

Likewise, the punitive blockade to which Gaza has been subjected represents a collective punishment in a form that violates Articles 33 and 55 of the Fourth Geneva Convention governing the conduct of an occupying power in relation to the civilian population living under occupation.

Moreover, since 1967, Israel, as an occupying power, has constantly and systematically violated its basic duties under International Humanitarian Law.

Such violations have included:

- The transfer of population.

- The annexation of land.
- Collective punishments.
- The punitive demolition of houses.
- Use of torture.
- Political assassinations.

In addition, Israel has been charged with grave violations of human rights and with a number of “war crimes” in its conduct of military operations in the occupied territories. Notwithstanding, it continues to behave as if it were above the law.

Mr. President, Hasn’t the time come to put an end to such “exceptionalism” and to hold Israel accountable to its international obligations?

Mr. President, On the 29th of this month, you will be holding another open debate on the resolution 1325 and women and peace and security.

Indeed the Security Council is to be commended for having adopted the landmark resolution 1265, in which it expressed its willingness to “respond to situations of armed conflict where civilians are being targeted, or humanitarian assistance to civilians is being deliberately obstructed, including through the consideration of appropriate measures as the Council’s disposal in accordance with the Charter of the United Nations.”

Since then, the Council started mainstreaming a protection of civilians’ approach into its work, and enhanced the role of its peacekeeping operations to that effect in various country-specific situations, including the DRC, Somalia, Cote d’Ivoire, Chad, Haiti, Libya, Liberia, and Sudan.

But when it comes to the Arab-Israeli conflict, exceptionalism is king. In fact, the Security Council has dramatically failed to respond in any tangible manner to the offences it vowed to address, namely the targeting of civilians, in armed conflict, in particular women and children, and the deliberate obstruction to humanitarian assistance, let alone even consider sanctions against the perpetrator, Israel, the Occupying Power.

Need I recall here that resolution 1325 called on all parties to armed conflict to, fully respect international law applicable to the rights and protection of women and girls, especially as civilians? And yet, when it comes to Palestinian women, the Council exhibits paralysis and is unable to take any concrete action to provide redress to their dire situation.

Mr. President, Palestinian women are particularly vulnerable to the immediate effects of the Israeli occupation. The fact is that roadblocks, patrols, curfews, checkpoints and the construction of the Wall all negatively impact health, education, and economic security of Palestinians in general, and women in particular. The restriction of movement due to these repressive measures has seriously impeded their access to healthcare. For example, persons living in villages around East Jerusalem need so-called permits to enable them to reach hospitals. B’Tselem, the Israeli Human Rights organizations, documents how such requirements are particularly problematic to pregnant women who need to get to a hospital in time to give birth and how women had to give birth at checkpoints because of the Israeli permit regime, leading to numerous infant deaths in the process.

Furthermore, according to a UN-Women publication entitled “Suspended lives: Palestinian Female Prisoners in Israeli Prisons,” an estimated 10,000 Palestinian women have been arrested and/or detained under Israeli military orders since 1967. According to the Public Committee

Against Torture in Israel the interrogation methods used by the Israeli agents include “beating, slapping, kicking, stepping on shackles, bending the interrogee and placing her in other painful positions, intentional tightening of shackles, violent shaking, sleep deprivation, prolonged shackling behind the back, cursing, humiliating, and threatening the detainee, depriving the detainee of essential needs, exposing her to extreme heat or cold, isolation and secrecy, and imprisonment under inhuman conditions.”

Mr. President, The Security Council is failing to live up to its responsibility to sustain the relevant legal provisions applicable to the situation of Palestinian women. Hence, the survival of yet another form of “Israeli exceptionalism”!

Mr. President, Unfortunately, the same can be said about the protection of children’s rights.

Need I further remind that this Council has recognize the paramount importance of the protection of children in armed conflict, namely through its adoption of resolution 1261 which was followed by resolution 1612, in which the Security Council established a monitoring and reporting mechanism of grave violations committed against innocent girls and boys.

But Palestinian children have been deprived of this elaborate protection system. According to a recent UNICEF Bulletin of the total amount of killings and injuries perpetrated against Palestinian children, 84% are at the hands of the Israeli Security Forces. This Bulletin addresses the illegal detention of children, who are subjected to acts “tantamount to torture by the Israeli army and the police” and suffer “the use of hand-ties, beatings, blindfolding, threats of violence, kicking and stripping of clothes.”

Here too, the Security Council is failing to live up to its responsibility to sustain the relevant legal provisions applicable to the situation of Palestinian children. Hence, the survival of yet another form of “Israeli exceptionalism”! In this context advocating that international humanitarian law does not apply to Palestine since “it is not a State” only adds insult to injury.

Mr. President, The time for ending all forms of “Israeli exceptionalism” is long overdue. The time for recognizing the State of Palestine and granting it full membership in our organization is long overdue as well. An interim step in this direction is to secure Non-Member Observer status for Palestine during this General-Assembly session.

Thank you Mr. President.