

**Statement to the Security Council by H.E. Mr. Mahmoud Saikal,
Vice-Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian
People, on the situation in the Middle East, including the question of Palestine**

(United Nations Headquarters, New York, 19 October 2016)

Mr. President,
Ladies and Gentlemen,

As we meet at this quarterly debate on the question of Palestine, the Committee on the Exercise of the Inalienable Rights of the Palestinian People is compelled to sound the alarm on the downward spiral in all aspects of the situation of the Palestinian people under the nearly half-century Israeli military occupation, which is causing so much human suffering, derailing the prospects for a two-State solution, and undermining the search for peace. As the humanitarian situation continues to decline, with socio-economic conditions in the blockaded Gaza Strip in particular reaching the lowest point since the Israeli occupation began in 1967, the continuous building and expansion of illegal settlements has also reached an unprecedented level, effectively confiscating more than 50 per cent of the territory of the State of Palestine, undermining its contiguity and viability.

At last week's Arria-formula meeting, we all heard the briefings of international and Israeli experts describing how settlement construction and expansion is not only in breach of numerous relevant resolutions adopted by this Council and the General Assembly, but also a direct violation of Article 49 of the 1949 Fourth Geneva Convention and the 2004 International Court of Justice Advisory Opinion on the construction of the Wall, and we heard about the massive impact of the Israeli settlement campaign on the human rights situation of the Palestinian people.

Despite repeated international calls for a cessation of all settlements activities, Israel continues to methodically plan, tender and build new settlements, expand existing ones, attempt to "legalize" settlement "outposts", expropriate land and demolish Palestinian homes and other structures in unprecedented numbers, as well as to declare increasing sections of the Palestinian territory as so-called "State land", "military zones", "national parks" and "archaeological sites". Israel's systematic policies increasingly deprive Palestinians of their own land, with impunity, in violation of international law and in contradiction to its stated commitment vis-à-vis the two-State solution. The settlement enterprise, sustained and enabled by an entire network of "by-pass roads" and infrastructure only for Israeli settlers, is not only impairing the daily lives of Palestinians and violating their rights, but it is fragmenting the Palestinian territory in hundreds of separate, disconnected enclaves, eroding the two-State solution based on the 1967 borders.

As has been amply documented by the United Nations and others – including Israeli organizations - these illegal practices constitute grave violations of the individual and collective inalienable rights of the Palestinian People, particularly their rights to life, freedom, and self-determination. These practices also violate the Palestinian people's economic, social and cultural rights, preventing them from exercising sovereignty over their natural resources, and hampering their right to sustainable development. The Committee underscores the responsibility of States and private entities not to contribute to Israeli violations of Palestinian human rights, particularly in respect of settlements in the Occupied Palestinian Territory, including East Jerusalem, in line with their obligations under international law. In this regard, the Committee encourages Member States to implement Human Rights Council resolution 31/36 of 24 March 2016 requesting the High

Commissioner for Human Rights to produce a database of business enterprises involved in activities in the illegal settlements, in line with its “Guiding Principles on Business and Human Rights”. The Committee further welcomes the stance taken by the EU on labelling of products manufactured in the settlements.

In several resolutions, this Council itself has described Israel’s settlements in the West Bank and East Jerusalem as a “serious obstruction to peace”, calling on Israel - to no avail - to cease their construction and to dismantle existing ones. It is now time for the Council to take action, to take down all the obstacles in the implementation of international law and the longstanding parameters for a solution, and to move decisively towards a just and durable solution which will allow the Palestinian State, within the 1967 borders and with East-Jerusalem as its capital, to live side by side and in peace and security with Israel.

Stressing that the political, physical and socio-economic division of Gaza and the West Bank is another major obstacle to advancing the prospects for peace, the Committee reiterates today the call to Israel to lift the Gaza blockade.

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Not only are the longstanding terms of reference and the parameters to resolve this conflict well-known: there is broad recognition that the Arab Peace Initiative offers a unique opportunity to reach a historical settlement in a region affected by increasing levels of instability, violence, extremism and human suffering. The opportunity provided by that Initiative must not be lost.

The international community cannot continue “managing” this conflict, as in the past; it is clear that the situation is rapidly deteriorating, as indicated by the number of civilians victims of violence, and as reported yesterday by several international Human Rights organizations at the meeting of the Committee’s Working Group. These concerns have also been expressed in the Amnesty International’s recent memorandum entitled “Lethal force and accountability for unlawful killings by Israeli forces in Israel and the Occupied Palestinian Territories”, which has not received a response by Israel so far. The Committee condemns these killings and all forms of violence against civilians, of which Palestinians are disproportionately affected, and calls for action to ensure their protection and accountability, including for unlawful killings in accordance with international law. The Committee also urges the Palestinians to move decisively forward on the path of national reconciliation.

The international community – especially this Council - has to demonstrate strong political will and ingenuity to break this untenable impasse and signal to the world that the United Nations is serious when it talks about peace between Israel and Palestine. Ending half a century of occupation, which we will sadly commemorate next year, will not only render justice to the Palestinian people. It will also address the perception prevailing in many parts of the world – and in particular in the wider Middle East - that the United Nations works with double standards on the question of Palestine.

The Committee reiterates that an end to the Israeli occupation and the realization of the rights of the Palestinian people, including to self-determination and independence, remains a top and unavoidable priority for the international community, and should be pursued forthwith with courage and determination.
