

*Permanent Observer Mission
of Palestine
to the United Nations*



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Statement by

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Permanent Observer of Palestine
to the United Nations**

**before
the Security Council**

**on
the Situation in the Middle East,
including the Palestinian Question**

**9 November 2006
New York**

Mr. President,

At the outset, allow me to congratulate you, Mr. President, upon the assumption of the Presidency of the Security Council for this month. We are certain that under your able leadership, the Council will spare no effort to address the many critical issues before it at this time. We would also like to congratulate the distinguished Ambassador of Japan for his stewardship of the Council for the month of October. Before proceeding with my statement, I would also like to thank the members of the Arab Group, the Non-Aligned Movement and the Organization of the Islamic Conference and others for their request to convene this timely meeting of the Security Council. The numbers of members in these groups represents the overwhelming majority of the countries of the United Nations who are counting on the Security Council to uphold its responsibilities in accordance with the UN Charter.

Mr. President,

Over the past week, Israel, the occupying Power, has continued and intensified its barbaric military aggression against the Palestinian people in the Occupied Palestinian Territory, especially in the Gaza Strip. Flagrant violations and grave breaches of international law – war crimes – are being committed by the occupying Power against the Palestinian civilian population every single day, including at this very moment. I believe that it is necessary to recall before this Council that wilful killing, is causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly, are among those acts considered to constitute grave breaches of the Fourth Geneva Convention.

In this regard, in grave breach of the Convention, which governs military occupation, and in serious violation of other relevant provisions of international law, Israel continues to use excessive and indiscriminate force against Palestinian civilians, killing men, women and children, and wantonly to destroy Palestinian homes and properties in the Occupied Palestinian Territory, particularly in the Gaza Strip. Left defenseless and unprotected by the international community, the Palestinian people continue to suffer the wrath of Israel's violent and lethal occupation policies and practices.

The massacre committed yesterday of innocent Palestinian civilians by the Israeli occupying forces in Beit Hanoun in the northern Gaza Strip is the most recent and most telling illustration of the vicious and barbaric behavior and actions of the occupying Power. As the unprotected victims slept in their beds, Israeli tanks unleashed a barrage of tank fire, shelling the residential neighborhood Al-Kafaraneh. The massacre took the lives of 19 Palestinian civilians, including 16 members of one family-the Al-Athamneh family. Among the victims were a one-month-old baby, a one-year-old baby, seven children and six women. The survivors of the attack woke up to the gruesome scenes of blood and body parts scattered across their neighborhood. Until now, Palestinian medical personnel have been unable to identify several of the victims due

to the fact that the amount and non-conventional nature of the explosives used by the occupying Power have left most of murdered with severe burns, shattered and distorted body parts. Doctors in the Gaza strip insist that these kind of severe injuries are caused by the most vicious types of weapons that Israel, the occupying Power has been unleashing against the besieged Gaza population for the past six months

This is terrorism. This is State terrorism. These are war crimes, for which the perpetrators must be held accountable under international law. What we have seen today and in recent days and months — the blood of Palestinian civilians flowing in the streets, the demolition of their homes, and their constant humiliation, suffering and collective punishment — is exactly what the Palestinian people have been subjected to under nearly 39 years of Israel's belligerence. It has been a constant barrage of war crimes, State terrorism and systematic human rights violations, for which the international community must hold this occupying Power responsible. The lawlessness and impunity of Israel must be brought to an end, and the Palestinian people must be accorded their rights under international law, including their right to protection as a civilian population under occupation.

The latest massacre in Beit Hanoun took place less than 24 hours after the Israeli occupying forces declared an end to its aggression in the area, which has been carried out since 1 November 2006. Families and lives are being destroyed by the occupying Power on a wholesale basis as it continues launching military assaults. In the past eight days alone, Israeli occupying forces have killed over 100 and have injured over 350 Palestinians. And, since the end of June, more than 450 Palestinians have been killed in the Gaza Strip, making death, mourning and grief a near daily ritual for the population of Gaza. Indeed, the bloodshed and loss caused by the occupying Power has been great, because Israel has breached every single one of its obligations under international law as an occupying Power. It has blatantly violated all norms and standards of international law, including international humanitarian law and human rights law.

Mr. President,

To be frank, one of the most regrettable aspects of what is taking place in Gaza is the fact that Palestine has sent countless letters to all Members of the Security Council. In these letters, we have described the dreadful situation that the Palestinian people are forced to live under as a result of the occupying Power's brutal actions. We have also warned that the absence of a clear and strong position by the international community to demand an immediate cessation of Israel's military aggression will result in further carnage among the Palestinian people. This warning has also come from President Mahmoud Abbas who has repeatedly called on the Security Council and upon the international community to shoulder its responsibilities and to stop Israel's brutal crimes. Despite this, the Security Council has thus failed to act, it has failed to uphold international peace and security, and it has failed to protect the lives of hundreds of Palestinian civilians. This sanctioning of savage acts by the occupying Power creates a culture of impunity among the Israelis.

It should be highlighted, that all of this has been occurring while President Mahmoud Abbas has been exerting all efforts to secure agreement among all Palestinian parties for national unity and to promote calm. President Abbas continues to call for diplomacy to be given a chance

in order to save many lives on the Palestinian side and also on the Israeli side. However, the way Israel has reciprocated is by inflicting more suffering and loss among the Palestinian people and further destabilizing the situation in the Occupied Palestinian Territory and beyond in the region as a whole, clearly making this a matter of international peace and security.

It must be said that we do not accept the repulsive repeated statements by Israeli officials of stating their “regret” or their “apology” for committing these atrocities against our people. Of course it “regrets” the loss of civilian lives, especially children. Israel is always quick to respond with a forked tongue. What civilized nation would not? However, in the same vein, its occupying forces continue to commit crime after crime with a culture of impunity. When a criminal is facing charges before a court, he often cries before the judge, expressing his deepest regret. But in a real justice system, the judge will tell him “sorry is not enough, and you will have to be punished” And this is why the perpetrators must be brought to justice.

As I said at the beginning of my statement, the wilful killing and injury of civilians constitutes a grave breach — a war crime. Without a doubt, therefore, Israel is committing war crimes against the Palestinian people repeatedly. As such, the time has come for urgent action on the part of the Security Council. Failure to act at this time will seriously damage the credibility of the Security Council. How many more Palestinians will have to be killed before the Security Council acts? How many Palestinian families will suffer the complete annihilation by the occupying Power? Mr. President, enough is enough and the Security Council cannot continue to remain silent and inactive when it comes to the lives of the Palestinian people. If the Security Council fails to uphold its obligations and bring a halt to this Israeli aggression it will only bolster the occupying Power’s impunity and that will only come at the cost of more innocent Palestinian lives. We trust that this is not the intention of the members of the Security Council.

Again, we call on the international community to voice its strong condemnation of the ongoing aggression and the massacre in Beit Hanoun. We are calling for the immediate cessation of this aggression and the immediate withdrawal of the occupying forces to positions they held prior to 28 June 2006. Moreover, we call for an investigation of the massacre as well as mutual ceasefire and for a UN observer force to monitor and observe the mutual cease fire. The international community, in particular the Security Council, must hold the Israeli Government accountable before its legal and political obligations under international law, and to ensure Israel’s abidance by the principles of the 4th Geneva Convention and bring Israeli military aggression in Occupied Palestinian Territory, in particular the Gaza Strip to a complete halt. The Palestinian people-the Palestinian children- are awaiting your response.

I thank you, Mr. President.