

*Permanent Observer Mission  
of the State of Palestine  
to the United Nations*



البعثة المراقبة الدائمة  
لدولة فلسطين  
لدى الأمم المتحدة

*Statement by Mr. Majed Bamya, First Counsellor, Permanent Observer Mission of the State of Palestine to the UN, before the Sixth Committee of the UN General Assembly in its 73rd session, on “The rule of law at the national and international levels” [item 86], 9 October 2018*

Mr. Chair,

It took two world wars to convince humanity to reign in its worst instincts and to be touched by the better angels of its nature. It built these United Nations and adopted its Charter and established the International Court of Justice. International Criminal Law took its first and imperfect steps. It adopted the Universal Declaration of Human Rights and the Geneva Conventions. It forged treaties to regulate international relations and enshrine national commitments.

Our generation, more than any other, bears now the responsibility to preserve what was so painfully achieved. Never did racism and extremism, xenophobia and misogyny and those carrying them, expressed themselves so openly, so shamelessly. In the name of patriotism, they are eroding national and international rule of law and challenging values and principles we thought we had consecrated for all eternity. In their book, solidarity and humanity are crimes and foreign occupation and oppression are justifiable and must be shielded. How did such ideas become popular, how could they make for good campaign slogans and for electoral wins? When did the rule of international law, when did justice, the friendly relations among nations, freedom and peace become so hard to defend.

The State of Palestine has placed its faith in this international system. It chose the peaceful, legal and political path to achieve the inalienable rights of our people, the denial of which has extended over seven decades. But the Palestinian people were comforted in their ordeal by the fact that freedom was prevailing against colonial domination, apartheid, dictatorships and oppression throughout the globe always thinking they will be next. They still await their turn. But our ordeal was far from over, as Israel, instead of ending its colonial occupation, decided to further

entrench it. The Palestinian people were punished for joining treaties and UN agencies, punished for joining the International Criminal Court, punished for seeking to be part of a rules based international order, and for seeking justice. When did it become acceptable to shield war criminals and attack judges? When did the right to self-determination become up for negotiations and subject to a veto right of the occupying Power?

The vote of the General Assembly, which granted the State of Palestine observer status, the accession of the State of Palestine to international treaties including core human rights and IHL treaties, the accession to the ICC brought great hope to the Palestinian people. This hope has yet to materialize nationally where the institutional achievements have yet to change an outdated and fragmented legislative framework incompatible with the Palestinian Declaration of Independence and with our international obligations, as well as bring substantive changes in policies and actions. It has yet to materialize by an end of the occupation, which signifies constant violations and violence against our people and denies them their most basic rights. It needs to materialize in the actions of States around the globe to help end occupation and achieve peace. If all states reunited here upheld their obligation to respect and ensure respect for international law in relation to the Question of Palestine, Israel would have no choice but to uphold its obligation to put an end to its colonial occupation and discrimination and segregation reminiscent of Apartheid.

There is no rule of law without justice, and no justice without enforcement. This is not a time for hesitation or damage control, but a time to move forward decisively, a time to fight back. We can prevail. In order to do so, we need consistency, as double standards erode the credibility of the international system and its advocates. We need clarity, as ambiguity and false compromise will not salvage the system but render it further vulnerable to attacks. We need determination in standing up for what we believe in, whatever the odds, whatever the circumstances, as too much is at stake. Finally, we need solidarity, as only by standing together can we defeat the evils surrounding us.

We all have a duty to fight our worst instincts that brought humanity to the verge of annihilation seven decades ago and to be touched once again by the better angels of our human nature.

Thank you Mr Chair.