



Statement

by

**H.E. Dr. Nawaf Salam
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to the United Nations**

**at the
Security Council**

**The Situation in the Middle East
including the Palestinian question**

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Check Against Delivery

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Mr. President,

Allow me first to warmly welcome his Excellency Dr. Riad El Maliki Minister of Foreign Affairs of the State of Palestine. We are delighted that Dr. Maliki is here today. But we are even more delighted that the plate "State of Palestine" is for the first time here - and here to stay - as an expression of the international will to recognize Palestine's statehood.

Indeed, it's a major leap in the uphill battle of the Palestinian people to exercise their inalienable national rights.

However, we are not even halfway there.

Palestine could only be granted an observer status by virtue of a General Assembly resolution. But like any other "peace-loving state", it should be granted full membership in our organization. Therefore, we truly hope that sooner than later, this Council, based on article 4 of the Charter, will recommend to the General Assembly the admission of Palestine as a full member to the United Nations.

Most importantly, Palestine remains occupied and it is our duty, the duty of the international community, to help it put an end to occupation and to achieve real independence. Then and only then, can we have a genuine and lasting peace in this part of the world.

Mr. President,

You and your fourteen colleagues around this table all know that there is no greater obstacle towards such a noble end than the unrelenting Israeli policy of settlement in the occupied territories since 1967.

Time and again, the question of the illegality of settlement activity was stressed in this council. I see no need to demonstrate it anew.

Yet, for whoever may still have any doubt on the matter, let me only recall that one of the first people to recognize the illegality of such activity was no one else than Mr. Theodor Meron.

A child survivor of the Holocaust, who became one of the world's most eminent international jurists and recently elected President of the International Criminal Tribunal for the Former Yugoslavia, Meron was legal counsel of the Israeli Foreign Ministry in September 1967. He was asked by the Office of Mr. Levy Eshkol, then Prime Minister of Israel, for his opinion on the legality of civilian settlement in the West Bank, the Gaza Strip, and the Golan Heights.

In a cover note, dated September 18, 1967, to the legal memorandum which he submitted on the matter, Meron summarized his conclusion as follows: "...civilian settlement in the administered territories contravenes the explicit provisions of the Fourth Geneva Convention." In the text of his memorandum, the legal counsel of the Israeli Foreign Ministry is unequivocally clear that the Geneva Convention prohibition on the occupying power "to deport or transfer parts of its civilian population into the territory it occupies" is a prohibition which is "categorical and not conditional upon the motives for the transfer or its objectives. Its purpose is to prevent settlement in occupied territory of citizens of the occupying state."

No need to dwell any longer on the legal aspect, I assume. Let me then turn to the political effects of settlements and how they prejudice the prospects for peace negotiations. To that effect, most telling is a quote from Amos Elon the late Israeli journalist, essayist and author, who was referred to in the NYT obituaries as “a cultural giant”, who was for many years Israel’s “most renowned public intellectual”. Stressing how detrimental to the prospects of peace the settlements could be, he wrote in a November 21, 2002 essay in the New York Review of Books:

"Imagine the effect on the peace process in Northern Ireland if the British government continued moving thousands of Protestants from Scotland into Ulster and settling them, at government expense, on land confiscated from Irish Catholics..."

Mr. President,

To help assess the magnitude of the ongoing settlement activity, let me underline here that approval for settlement plans jumped 300% in 2012 and that in one week alone of December 2012, the Israeli government pushed forward plans for 11,000 homes beyond the 1967 border — nearly as many settler homes as were approved in the previous 10 years combined, as clearly demonstrated by the Israeli “Peace Now” movement. A copy of the alarming report released by this Movement on January 16 detailing the record of Prime Minister Netanyahu's government on settlements over the course of its full term in office (April 2009-present) can be found at peacenow.org.

Yet, no less alarming than this unprecedented level of settlement activity is the strategic location of the recently approved construction plans. Here, the case of the E1 area is most indicative. According to the Israeli Human Rights organization B'tselem, if built the 3,426 housing units which were approved on December 5, 2012 in the E1 area will exacerbate the isolation of East Jerusalem from the rest of the West Bank, will interrupt the territorial contiguity between the northern and southern parts of the West Bank, and will create a physical and functional barrier between East Jerusalem and the Palestinian population in adjacent West Bank communities for which the city serves as the main metropolitan and religious center.

For the Israeli NGO, Terrestrial Jerusalem (TJ), “E-1 is not a ‘routine’ settlement. If built, it is a game-changer, maybe a game-ender. E1 is the ‘binary’ settlement. If you support E-1, you cannot possibly be in favor of the two-state solution; if you are in favor of the two-state solution, you must oppose E-1”.

For those who are “brushing off criticism regarding E-1 by insisting that Israel is not pursuing construction, just planning”, Terrestrial Jerusalem is right to remind that “when approved, Israel asserts a plan is ‘only planning’; when implemented ‘it’s not new.’ By now, anyone hearing this refrain should immediately understand: Israeli planning in settlements equals Israeli construction in settlements, sooner rather than later.”

Mr. President,

You surely recall that on January 11, a group of about 200 young Palestinians set up tents in parts of the E1 area and announced the establishment of a village dubbed Bab Al Shams (Gate of the Sun) after the novel by the internationally renowned Lebanese writer Elias Khoury

considering that “the time has come now to change the rules of the game, for us to establish facts on the ground - our own land”. Before their eviction two days later by the occupying Israeli forces, Khoury addressed them from Beirut in these moving words:

“When you built your wonderful village you gave back meaning to meaning. You became the sons of this land and its masters.

...

You are the olives of Palestine that shine under the sun of justice, and as you build your village, the light of freedom flares up with you.

‘Light upon light.’ (Nour 3ala Nour)”

Mr. President,

Borrowing the words of my fellow countryman, I will conclude by saying that it is also high time for this Council to “give meaning to meaning” by living up to its responsibilities under the Charter and putting an end by all legal means to the illegal settlement activity in the occupied territory.

Thank you.