Palestine

General Debate

*Speaker:* H.E. Mr. Rayid al-Maliki, Minister of Foreign Affairs

The people of Palestine continue to endure a prolonged belligerent occupation waging a systematic and widespread attack against them, including through the illegal settlement regime, extra-judicial killings, and massive arbitrary arrests, while being denied protection and justice. This new wave of heinous crimes, terrorism and collective punishment are the direct consequence of the impunity granted to the Israeli political and military leaderships, and the immunity extended to settlers and occupation forces.

Impunity feeds criminality; for there can be no genuine rule of law if laws are breached without consequence and there can be no effective protection without accountability.

Our accession to the Rome Statute clearly reflects our commitment to the values this institution upholds and our will to actively pursue respect for international law and help further its role. Over the years, Palestine has repeatedly resorted to international mechanisms, such as the United Nations, the ICJ, special procedures, finding missions and commissions of inquiry, without trying to restrict their mandate or distort their purpose.

Since accession Palestine has been engaging in constant dialogue with the Prosecutor’s Office and we are working on aligning out legislation with the Rome Statute and adapting our national structures to the requirements of this accession.

Those who call for universality cannot justify opposing the accession of the State of Palestine. Those who call for accountability for perpetrators of crimes cannot justify exceptions, for that runs contrary to the principles upon which the institution is established. This Court has to fulfill its purpose without double standards and regardless of the identity of the perpetrators and of the victims. Undermining international law anywhere will jeopardize it everywhere.

Palestine welcomes the opening of preliminary investigation into its situation based on the declaration it lodged on the 1st of January and calls for a prompt opening of investigation, especially in view of the numerous independent international reports on serious violations of international law.

Palestine will remain a determined and principled defender of the universal values that the Court was established to advance and it will remain the most important test for these international mechanisms; a test the world cannot afford to fail.

In its right to reply (to Canada statement)

Palestine’s legitimate membership to the ICC is not up for discussion and Canada must accept that. Canada diverted the debate on judicial procedures and accountability to political issues, this is political bias and bullying and this must offend all States Parties as well. It is not up to Canada to determine whether Palestine is a State or not and the ASP is not the appropriate body for these discussions. Palestine understands that certain countries have taken a stand towards the question but it does not accept cynical attempt to undermine the legitimate membership of Palestine to this Assembly. Palestine is here to stay.