

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



البعثة المراقبة الدائمة  
لدولة فلسطين  
لدى الأمم المتحدة

21 February 2023

**Statement by Ambassador Majed Bamyá, Senior Legal and Political Advisor, before the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization**

We align ourselves with the statement made by Iran on behalf of the Non-Aligned Movement.

Based on respect for the principles of sovereign equality, self-determination, and the inadmissibility of the acquisition of territory by force, the Charter is indeed our international constitution. The Charter provides the constitutional framework of friendly relations and proclaims the fundamental principles of law for the community of nations. It is a living instrument. 75 years later, the Charter continues to meet our common needs, interests, and values as it endures not just for the present, but for the succeeding generations.

The State of Palestine is fully committed to the Charter and its purpose and principles. We remain committed to the common faith in fundamental human rights, dignity, and equality for all. Committed to multilateralism and the rule of law. Most importantly we remain committed to a world where the Charter is upheld, by words and deeds, and not trampled on by the few to the detriment of us all.

The role of the UN and its different organs in the consolidation of international peace and security can not be confined to addressing the latest emergency. Its credibility and efficacy lay in its ability to solve the most protracted crises that stand before it, including the many injustices that continue to prevail, in stark contradiction to its noble principles.

This is why the State of Palestine reaffirms its consistent position and longstanding adherence to all peaceful, political, legal, and diplomatic means for peaceful settlement of dispute.

Our commitment to the Charter is embodied in the universal, judicial, and peaceful power of the ICJ. There is no multilateral order without the ICJ as its cornerstone. It remains the world's court, for all and excluding none. We continue to call on all States to accept the compulsory jurisdiction of the Court.

We also reaffirm the importance of the advisory capacity of ICJ. We stress the authoritative determinations of the ICJ in its legal opinions on different questions concerning all of us and continue to urge both the Security Council and the General Assembly to make better use of it for the peaceful settlement of disputes. We stress the inherent and undisputed sovereign right of States and the responsibility of relevant UN bodies to turn to the ICJ to seek a peaceful settlement of dispute.

Efforts to use the different means of peaceful settlement, as per the law that binds us all, should be encouraged and facilitated, not condemned and sanctioned. Those who obstruct the judicial work and punish a nation for the decision of the General Assembly to resort to the ICJ are threatening the foundations of our multilateral order. We express our appreciation for all those who voted in favor of the resolution requesting an advisory opinion on Palestine as well as all those who stood against the punitive measures against the Palestinian people, leadership and civil society.

Upholding the Charter is a duty on all nations. The State of Palestine and the Palestinian people, denied the protection of the Charter since its inception, have repeatedly and constantly warned that exceptionalism undermines the universal nature of the Charter and its authority.

This exceptionalism is fueled by double standards and the sense that the rule of international law applies to some and not to others. A State above the law will always be tempted to act as an outlaw State.

The nomination of Israel as Vice-Chair of this committee is an affront to the functions and principles of the Committee and to the Charter it is supposed to uphold and only further emboldens Israel to continue disregarding the Charter and the rule of international law. We have heard recently that countries serving on a certain body must abide by its principles. Who decides such standard is met or not? And whatever indicator you use, does Israel then deserve to serve on this Committee, when it violates the two cardinal principles of the Charter: the right of peoples to self-determination and the inadmissibility of the acquisition of territory by force?

This entire international order was designed to rid the world of aggression, colonization, annexation, and Apartheid. The very evils now in place in Palestine. If any country wishes to be recognized as a champion of international law and human rights, wishes to advance the rule of international law, wishes to pursue justice to achieve peace, it cannot overlook Palestine. If you want the rule of international law and the Charter at its core to prevail, ending the Palestinian exception and Israeli exceptionalism are long overdue.

Mr. Chair,

Stemming from our pain is a powerful belief that all States must observe the obligations enshrined in the Charter and all peoples, must be afforded the protection the Charter offers, and all States and peoples must be afforded the protection it avails.