



THE PERMANENT MISSION OF
SOUTH AFRICA
TO THE UNITED NATIONS

333 East 38th Street
9th Floor
New York, NY 10016
Tel: (212) 213-5583
Fax: (212) 692-2498
E-mail: pmun@southafrica-newyork.net

STATEMENT

BY
H.E. MR. DUMISANI KUMALO
PERMANENT REPRESENTATIVE TO THE SOUTH AFRICA
MISSION TO THE UNITED NATIONS

TO THE
THIRD COMMITTEE MEETING
“RIGHT OF PEOPLES TO
SELF-DETERMINATION”

UNITED NATIONS
NEW YORK
06 NOVEMBER 2006

Check against delivery

SOUTH AFRICAN STATEMENT ON ITEM 65 (THIRD COMMITTEE): RIGHT OF PEOPLES TO SELF-DETERMINATION

Chairperson,

I thank you for providing my delegation with an opportunity to address this Committee on item 65: Right of Peoples to Self-determination.

The principle of self-determination as enshrined in the Charter of the United Nations, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, affirms the right of all peoples to self-determination and the obligation by all States Parties to promote the realization of this right. Therefore, South Africa finds it most unfortunate that the international community still has to grapple with the subject of the right to self-determination long after its enunciation by the UN General Assembly.

The current situation in the Middle East poses a threat to international peace and security. South Africa views with deep concern the continued occupation of Palestinian territory by Israel in contravention of international law.

The Special Rapporteur on the situation of human rights in the Occupied Palestinian Territories, Prof. John Dugard, in his report A/61/470, states that "Israel is in violation of important norms of human rights and international humanitarian law". The report catalogues a litany of violations visited upon Palestinian people, the root cause of which is their wish to exercise their right to self-determination in an independent and sovereign State. These violations, including the continued

construction of the Wall in contravention of the ruling of the International Court of Justice, do not bode well for a comprehensive solution to the Israeli-Palestinian conflict.

Israeli military actions in Gaza this past summer following the capture of an Israeli soldier by Palestinian militants were both disproportionate and excessive, and exacerbated conflict in the region. South Africa calls on the kidnappers of Corporal Gilad Shalit to release him. Similarly, we call on Israel to release the Hamas Cabinet Ministers and Speaker of the Palestinian Legislative Council who have been arbitrarily detained. The unlawful arrests and arbitrary detention of Palestinian Cabinet Ministers are illegal and unacceptable.

Chairperson,

South Africa condemns the Israeli Government's bombardment of Gaza, which has inflicted untold humanitarian suffering, hardship and misery on the Palestinian people and caused extensive destruction of critical physical infrastructure, including water, electricity and medical supplies. Such a deliberate policy of collective punishment is a direct violation of international humanitarian law. We call on Israel to cease forthwith such acts and to uphold international law.

Another issue of concern is the settlements. The Government of Israel must dismantle settlements and desist from further expansion of settlements in the Occupied Territory and should do so through direct negotiations with the Palestinian Authority. Israel's continued policy of the de-Palestinization of Jerusalem should

also cease.

South Africa reiterates its call to both the Government of Israel and the Palestinian National Authority to seek a peaceful solution to the conflict in the Middle East. Violence will never resolve the problems besetting the region. Only a political solution to this conflict, through a negotiated settlement, based on a two-State solution can guarantee a just, lasting and comprehensive peace in the Middle East.

In this regard, South Africa supports the internationally agreed consensus on UN Security Council Resolutions 242 and 338, which inter alia, recognise Israel's right to exist and affirm the right of the Palestinian people to a sovereign State with Jerusalem as its capital.

South Africa further reaffirms its support of the AU Resolution that "calls upon the international community, and in particular, the members of the Quartet to reactivate their plan so as to pave the way for a return to the negotiating table in accordance with the principles of international law and the resolutions of the Security Council in order to achieve a lasting and comprehensive solution to the Israeli-Palestinian conflict on the basis of two States living side by side in peace and security".

The Palestinian people's right to self-determination must be respected by the international community, and the denial thereof resulting from foreign occupation, cannot be allowed to continue. We have a duty to fulfil the obligations enunciated in the UN Charter and the International Bill of Rights. South Africa therefore wishes to reiterate its unwavering support for the struggle of the Palestinian people to realise

their right to self-determination and exercise their sovereignty in their own State,
Palestine.

I thank you.