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Committee on the Inalienable Rights
of the Palestinian People
326th Meeting (AM)

'CHOICE BETWEEN SETTLEMENTS OR PEACE IN ISRAEL'S HANDS'

PALESTINIAN RIGHTS COMMITTEE HEARS, AS IT ADOPTS DRAFT ANNUAL REPORT

The Committee on the Exercise of the Inalienable Rights of the Palestinian People today adopted its annual draft report of its work, which welcomed renewed direct Israeli-Palestinian negotiations, and reiterated the body's call on Israel to completely halt all settlement activity, including in East Jerusalem.

The 24-page document, which covered the Committee's work as well as provided a detailed overview of the situation on the ground throughout the Occupied Palestinian territory from 7 October 2009 to 6 October 2010, also condemned Israel's continued blockade of the Gaza Strip. In its report, the Committee members called for a comprehensive, credible and independent investigation as well as follow-up action to international law violations committed during the 2008-2009 Israeli military offensive against Gaza and the May 2010 Free Gaza Flotilla incident.

The Committee also heard Riyadh Mansour, the Permanent Observer of Palestine, deliver a similar message as he updated its members on the latest developments in the Occupied Territory and the political process. Mr. Mansour said Israel must immediately end blockade of Gaza and allow reconstruction to begin, and that the international community must not relent until that occurred.

The Committee decided to forward the report (document A/AC.183/2010/CRP.2) to the sixty-fifth session of the General Assembly for its consideration.

Introducing the report, Committee Rapporteur Saviour F. Borg (Malta) said the document had been approved by the Committee's Bureau and that its first three chapters covered the Committee's perspective on events this year. Discussing various elements of the report, he said Chapter IV reviewed the situation relating to the question of Palestine and contained a detailed factual account of events during the review period.

Chapter V, he continued, reviewed the action taken by the Committee, including the Chairman's participation in the General Assembly and Security Council debates, among other activities, as well as mandated activities carried out by the Division for Palestinian Rights. Chapter VI gave an overview of related work in the past year by the Department of Public Information, pursuant to Assembly resolution 64/18 (2009), as it continued to implement its special awareness-raising programme on the "Question of Palestine".

He said that the last chapter contained the Committee's conclusions and recommendations, in which the members, expressing regret at the resumed settlement construction after the expiration of the declared 10-month moratorium, called upon Israel to completely halt all settlement activity. Expressing disturbance over continued construction of the separation wall and the impunity with which Israel flouted its legal obligations, the Committee called on the international community to take the required action to ensure respect for, and compliance with, the International Court of Justice's ruling, the Fourth Geneva Convention and relevant United Nations resolutions.

Also by its report, the Committee expressed serious concern over the situation in occupied East Jerusalem, saying Israel's dangerous, provocative policies there - expedited settlement construction and expansion, house demolitions, eviction of Palestinian citizens, settler extremism and threats to holy sites, among others - were prone to spark negative reactions on the ground, in the region and by Muslims worldwide. The Committee reiterated that East Jerusalem was an integral part of the Occupied Territory, and that a negotiated solution to the question of Jerusalem was essential for resolving the conflict and creating durable regional peace.

Further, the report reiterated the Committee's condemnation of the continued Israeli blockade of the Gaza Strip as a severe form of collective punishment of Gaza's entire population and of Palestinian militants' firing of rockets and mortars from Gaza, as well as reiterated its call for the release of Israeli corporal Gilad Shalit. It urged Israel to open all border crossings into Gaza, and it acknowledged the value of internal investigations and their follow-up into the Israel's military offensive against Gaza and the Free Gaza Flotilla incident.

Furthermore, the Committee stressed that resumed direct Israeli-Palestinian negotiations should be based on relevant Security Council resolutions, the Madrid terms of reference and the Arab Peace Initiative, and that regional partners should be directly involved. The Committee backed Palestinian state-building efforts by advocating sustained and generous donor commitment and called for invigorated efforts by all Palestinian factions to help reconcile their positions based on the need for the two-State solution.

Also by the annual report, the Committee recommended that its 2011 programme of international meetings and conferences focus on widening international support for permanent status negotiations and on helping to create a favourable international atmosphere for their conduct in good faith. Meanwhile, the Committee would aim to mobilize increased international scrutiny of developments on the ground, particularly settlement activities, as well as support global campaigns to challenge Israeli impunity and promote the concept of Israeli accountability for its actions towards the Palestinian people.

In line with established practice, the Secretariat would update the draft as necessary to reflect any new developments that might take place before it was submitted to the Assembly.

After its adoption, Turkey's representative proposed several amendments to the paragraphs in the report concerning the Free Gaza Flotilla incident.

In his overview, Mr. Mansour regretted that Israel's colonization campaign against the Palestinians and Jerusalem had persisted. The current situation in Palestine was critical, and Israel had shown no sign of ceasing its policy of displacing people, building settlements and continuing construction of its separation wall. Despite many demonstrations against such activity, the occupying Power would not relent in its campaign to "expel and ethnically cleanse" 250,000 Palestinians in Jerusalem.

He said the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) would soon issue a specific report on the situation in Jerusalem. The OCHA had done an outstanding job of reporting on issues like settlements, the separation wall and checkpoints. All Committee members should use the report to expose Israel's illegal policies and practices. The so-called "slight improvement" in the increase in the number of trucks allowed to enter Gaza was merely a small percentage of what was truly needed. Israel's illegal and immoral blockade of Gaza must be lifted immediately, and reconstruction activities should be allowed to commence immediately.

He implored the international community not to relent until the siege was successfully lifted. Proximity talks – intended to yield some progress or understanding on borders and security and lead to direct negotiations – had not been fruitful. Palestine had submitted proposals to Israel during that time, but it received no response. Palestinian National Authority President, Mahmoud Abbas, then faced worldwide pressure to move into direct negotiations. Palestine was promised an extension of the moratorium for up to 24 months, or as long as negotiations would take.

Moreover, the Palestinian leadership had accepted the diplomatic Quartet's statement on the eve of the beginning of the direct negotiations as a basis for agreeing to enter into them, he said. By the terms of that declaration, Israel must abide by its responsibilities under the road map peace plan, stop all settlement construction and cancel outposts, he said. Many had hoped that a peace treaty could be reached between the parties in one year, ending the occupation which started in 1967. United States President Barack Obama's inspiring speech to the Assembly – nearly 30 per cent related to Palestine – expressed hope for a path to make Palestine a full Member State of the United Nations, he added.

Although that speech was recent, he felt as if it had been made years ago given that challenges to peace still persisted. Despite the overwhelming and rare global political consensus, Israel would not allow for a possible agreement on border and security issues or for concluding all final status issues. The international community had asked Israel for a moratorium, but the Israelis had refused. If there were no consequences for the occupying Power's non-compliance, it would simply continue its bad behaviour and its intransigence would dismantle the peace process.

The choice between settlements or peace was in Israel's hands, he said. The Israeli Foreign Minister's statement during the Assembly's general debate last week was "filled with hate, incitement, racism, and cynical jokes about how peace would not be achieved for many years". The Palestinian delegation had condemned the statement and published a press release in response to it. Mr. Mansour called on the international community, as well as Committee members, to also express their outrage and stress that such racist statements should not be tolerated in the Assembly. He also thanked Venezuela for its strong message of solidarity with Palestine.

Following that address, Nicaragua's representative suggested that the Committee make its own statement in reaction to the Israeli Foreign Minister's words. She requested a copy of Palestine's press release so that the Committee could review it and develop a declaration on it.

Commenting on the draft report, the representative of Venezuela, the newest Committee member, said that its status gave his delegation a new opportunity to continue its firm support of the Palestinian cause, particularly given the current situation. Israel was on track to sabotage progress in the peace process by denying the international community's request to suspend settlements. Moreover, Israel's repeated violations of human rights, delaying tactics and unfulfilled promises gravely jeopardized global peace and security. Everyone must be equally involved in efforts to assert the inalienable rights of the Palestinian people, he said, urging Committee members to work together to reach the body's noble objectives.

Malaysia's representative stressed the need to qualitatively and quantitatively assess the effectiveness of the Committee's efforts and of the progress in implementing its mandate in the past few years.

In response, Committee Chairman Paul Badji (Senegal) agreed on the need for such an assessment, but said it would be tricky given the parameters on the ground. The Committee Rapporteur said such an assessment could go a long way to strengthen efficiency, but it should be a rolling assessment, and all Committee members should participate.

Taking the floor a second time, Mr. Mansour stressed the need to bolster the Committee's role, saying he had repeatedly asked Secretary-General Ban Ki-moon and his predecessor to enable the Committee to meet regularly with the Quartet. Nicaragua's representative agreed with that, saying the Quartet must take into account the Committee's decisions and that the Secretary-General should voice such decisions during Quartet meetings.

In other business, the Committee Chairman reviewed some of the important developments on the ground and in the Israeli-Palestinian political process since the Committee last met on 20 August. That same day, the Quartet had issued a statement reaffirming strong support of its Members for direct negotiations between the Israelis and Palestinians that would resolve all final status issues within one year and, as well as support for implementation of an agreement. On 30 August, the Palestinian Authority's Cabinet endorsed the "Homestretch to Freedom" document, which established priorities for the second year of the 2-year "Ending the occupation, establishing the State" programme.

On 31 August, the Committee's Bureau issued a statement welcoming the decision of the Israeli and Palestinian sides to resume direct negotiations, expressing hope that they would resolve by the 2011 target date, all permanent status issues without exception, leading to the creation of a Palestinian State on the basis of the 1967 borders, with East Jerusalem as its capital. It also called for a complete ban on all settlement activity.

On 1 and 2 September, Palestinian President Abbas and Israeli Prime Minister Benjamin Netanyahu had met in Washington under United States auspices to launch direct Israeli-Palestinian negotiations, he said. They had decided to begin work on a framework permanent status agreement, to meet every two weeks thereafter and that negotiations could be completed within one year, aimed at resolving all core issues. The second round of talks took place on 14 and

15 September. On 7 September, the Assembly decided to appoint Venezuela as a Committee member, he added.

Mr. Badji pointed to two meetings that had taken place on 21 September at Headquarters. The Quartet had met at the principal level and issued a statement expressing strong support for the resumption of negotiations, urging continuation of the settlement moratorium, and condemning attacks on civilians. The Ad Hoc Liaison Committee met, agreed on donor priorities to support the Palestinian State-building agenda, urged Israel to relax further access and movement

restrictions, called on donors to deliver the assistance pledged in Paris and Sharm el-Sheikh and endorsed a new pledging conference for the 2011-2013 period.

Also on 21 September, the Committee of Independent Experts, created by the Human Rights Council, reported that some domestic investigations conducted pursuant to the Goldstone report remained incomplete, while others had fallen short of international standards. The next day, the Fact-Finding Mission on the Gaza Conflict reported to the Council that the Israeli raid of the Free Gaza flotilla had violated international law, finding clear evidence to support prosecutions.

Moreover, on 26 September, the Israeli partial settlement moratorium expired, and despite the international community's passionate calls - including from Quartet members - the Israeli Government chose not to extend it and instead resumed construction in some settlements immediately afterwards.

During the opening of the Assembly's sixty-fifth session and its general debate, he said, many speakers expressed support for the two-State solution to the Israeli-Palestinian conflict. They welcomed resumption of direct negotiations between Israel and the Palestinians, calling on all parties to refrain from any further unilateral actions, including settlement construction.

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