



DIVISION FOR  
PALESTINIAN RIGHTS

**International Meeting in Support of  
Israeli-Palestinian Peace**

*The urgency of addressing the permanent status issues —  
Borders, Jerusalem, settlements, refugees and water*

**Qawra, Malta  
12 and 13 February 2010**

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## I. INTRODUCTION

1. The International Meeting in Support of Israeli-Palestinian Peace was held in Qawra, Malta, on 12 and 13 February 2010, under the joint auspices of the Parliamentary Assembly of the Mediterranean and the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People in keeping with General Assembly resolutions 64/16 and 64/17 of 2 December 2009.
2. The Committee was represented at the Meeting by a delegation comprising Pedro Núñez Mosquera (Cuba), Vice-Chairman of the Committee and Head of the Delegation; Saviour Borg (Malta), Rapporteur of the Committee; and Riyad Mansour (Palestine).
3. The meeting consisted of an opening session, two plenary sessions and a closing session. Presentations were made by 19 speakers, including Israeli and Palestinian speakers. In addition, the President of the Egyptian People's Assembly and the Deputy Prime Minister and Minister of State of Turkey made statements during the high-level segment. Moreover, representatives of 30 Member States in addition to the Holy See and Palestine, as well as 3 intergovernmental organizations, 7 inter-parliamentary organizations, 2 United Nations bodies and 14 civil society organizations participated in the meeting. Also attending the meeting were 56 parliamentarians in addition to a number of special guests and media representatives (see annex II to the present report).
4. Concluding remarks by the organizers were presented during the closing session (see annex I to the present report).

## II. OPENING SESSION

5. The Speaker of the Parliament of Malta, **Louis Galea**, pointed out that the meeting was the result of a process which had started at the United Nations International Meeting in Support of Israeli-Palestinian Peace held in Cyprus in May 2009, when the co-hosts had begun discussing the prospects of convening a joint meeting focusing on the role of parliamentarians. Mr. Galea told participants that, during a recent encounter, an "important personality" had warned that trying to move anything in the paralysis of the Middle East peace process might worsen the situation. While characterizing himself as a realist, Mr. Galea said that he never given up hope, and he expressed sadness at encountering such a pessimistic view of the situation. He held that the present meeting should be aimed at adding impetus and value to the efforts of more traditional players. While acknowledging that a final resolution would emerge from intergovernmental diplomacy, he underlined the increasing recognition of parliamentary diplomacy as an important complementary tool to promote dialogue. He concluded by expressing the hope that the discussions would foster a better understanding of the problems ahead and trace a framework for further collaboration.
6. The Deputy Prime Minister and Minister of Foreign Affairs of Malta, **Tonio Borg**, said that the meeting could not have come at a more opportune juncture. He expressed serious concern that the continuing impasse, the low confidence between the parties and the disagreement over the terms of reference for the negotiations were compounded by the dramatic developments on the ground. In recalling that intense diplomatic activity by various actors had been directed at the resumption of negotiations, he deplored that the desired breakthrough remained elusive and urged that the

international community exert maximum efforts to actively engage with the parties directly and with regional partners, as well as within the Quartet, in support of a meaningful process, which would lead to a clear endgame. Mr. Borg said that meetings such as the present one provided an opportunity for Governments and institutions, as well as for representatives of the legislatures of Mediterranean States, to discuss peace in the region. He stressed the role of parliamentarians in supporting Israeli-Palestinian peace and stability through intensification of contacts and constructive dialogue.

7. Noting the persistence of deplorable living condition one year after the crisis in Gaza, Mr. Borg called for an end to the blockade, as well as enhanced efforts to promote the reunification of Gaza and the West Bank. At the same time, he said, the situation in East Jerusalem remained a major preoccupation, together with expanding settlement activity, Palestinian house demolitions and revocation of residency rights. He recalled that, as affirmed in the December 2009 statement by the High Representative of the Union for Foreign Affairs and Security Policy, as the rest of the international community had never recognized Israel's annexation of East Jerusalem. Mr. Borg reiterated that genuine peace meant that a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two States. In stressing that settlement activity throughout the territory occupied in 1967 was illegal and contrary to the Road Map, he argued that only concrete confidence-building measures on the ground could lead to a resumption of negotiations. Peace, he said, could be achieved only by the establishment of a Palestinian State. Mr. Borg expressed the hope that the next two days would constitute a further step towards the desired goal of a comprehensive regional peace. He believed that, apart from sending the right political signals, the meeting should assure all those directly affected by developments in the peace process that their well-being remained at the fore of the agenda.

8. The statement of United Nations Secretary-General **Ban Ki-moon** was read out by his representative at the meeting, **Oscar Fernandez-Taranco**, Assistant Secretary-General for Political Affairs. In noting that daunting challenges remained in the quest for statehood and self-determination for Palestinians security and recognition for Israel and lasting peace in the region, the Secretary-General urged all parties to respond positively to calls for a resumption of political talks and work concertedly for quick, meaningful results. Permanent status issues, including Jerusalem, borders, refugees, security, settlements and water, would be resolved only through negotiations, he said. While welcoming Israel's efforts and willingness to resume talks, he deplored that a return to negotiations was being hampered by developments on the ground and he called on Israel to adhere to international law and its obligations under the Road Map, including with regard to settlements. He urged Israel to refrain from taking steps which could prejudice negotiations and create tensions, particularly in East Jerusalem. A way should be found, through negotiations, for Jerusalem to emerge as the capital of two States, with arrangements for the holy sites acceptable to all, he said.

9. In welcoming the reform efforts of the Palestinian Authority, the Secretary-General stressed the importance of advancing the Palestinian State-building agenda, while striving to fully meet other Road Map obligations, including an end to incitement against Israel. He was encouraged by Israeli steps to ease movement restrictions and facilitate economic activity in the West Bank. In Gaza, the protracted suffering of civilians was a source of tremendous concern, the Secretary-General said, adding that the continued blockade was unacceptable and counter-productive, destroying legitimate commerce and denying aid organizations the means to begin civilian

reconstruction. He condemned rocket fire from Gaza, which indiscriminately targeted Israeli civilians, and stressed that the United Nations would continue to try to bring relief to the people of Gaza, to promote dialogue and to rally international support for a strategy that could deliver calm for Gazans and Israelis alike. The Secretary-General expressed support for the Egyptian efforts towards intra-Palestinian unification. In pointing out that clear parameters for ending the occupation that began in 1967 and creating a State of Palestine were contained in Security Council resolutions, the Road Map and the Arab Peace Initiative, he emphasized that political will was required by the leadership on both sides, along with creative support by third parties.

10. The President of the Parliamentary Assembly of the Mediterranean (PAM), **Rudy Salles**, in stressing the similarities among the countries in the Mediterranean region, said that PAM was a regional organization which was aimed at transforming the Mediterranean into a real bridge between all its shores. While emphasizing that the Mediterranean must not be a dividing line, he said that PAM had only one ambition, namely to improve the living standards for all its citizens and to achieve their peaceful co-existence. He pointed out that PAM had become a recognized and respected actor in parliamentary diplomacy, and, in December 2009, was granted observer status in the United Nations General Assembly. In noting the involvement of PAM in several sensitive dossiers in its region, from the Balkans to Cyprus, he emphasized that the organization had also demonstrated its commitment to contributing to a settlement of the Israeli-Palestinian conflict.

11. Mr. Salles said that the present meeting was a continuation of three years of work on the Middle East dossier of PAM. Following the events in Gaza in December 2008, the issue of the Middle East had become central to that Assembly's activities, he said, recalling that in May 2009 its Bureau had led a fact-finding mission to the Middle East to see first-hand the results of the military operation, to meet with key actors there and to consider ways in which PAM could contribute to addressing that issue. The PAM Bureau had also convened meetings in Europe and sent a mission to the United States in December 2009, where it had held talks with senior officials of the United Nations in New York, including the Secretary-General. In stressing the need to clearly define the parameters of the conflict, Mr. Salles called for a comprehensive analysis and commitment by parliamentarians to bring pressure to bear and to promote dialogue on how to surmount those problems.

12. The Chairman of the Delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, **Pedro Núñez Mosquera**, expressed the Committee's full support for the establishment of two States, Israel and Palestine, based on the 1967 borders. While stressing that any changes to those borders could take place only by mutual agreement and not through unilateral action, he lamented the continued settlement expansion and the building of the separation wall as prejudging the outcome of permanent status negotiations. Mr. Núñez Mosquera pointed out that settlement expansion continued unabatedly in East Jerusalem, which was explicitly excluded from the 10-month suspension of settlements construction, and drew attention to reports of approved construction of new settlement units, as well as an approved Israeli proposal to include West Bank settlements in the list of communities designated as "national priority zones". He said that the Committee considered that settlement freeze to be at best partial and temporary, and stressed that the presence of all settlements in an occupied territory remained illegal under international law and seriously impeded efforts to relaunch peace talks.

13. Mr. Núñez Mosquera indicated that the question of Palestine refugees remained a core permanent status issue, which could not be neglected in any negotiations on a peace agreement. He underlined that the various refugee and resettlement compensation schemes advanced over the years, as well as the hard work undertaken by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had always been meant as interim measures, not as substitutes for the refugees' inalienable right of return to the homes and property from which they had been displaced. Mr. Núñez Mosquera also emphasized the importance of addressing water scarcity, inequitable water distribution and poor water management and drew attention to General Assembly resolution 64/185, which among other things, reaffirmed the inalienable rights of the Palestinian people over their natural resources, called on Israel to cease all actions that threatened those resources and expressed concern at the widespread destruction by Israel of vital infrastructure, particularly in the Gaza Strip. Mr. Núñez Mosquera said that the Committee was supporting all efforts towards the creation of a climate conducive to the resumption of permanent status negotiations between the parties.

14. The Deputy Speaker of the Palestinian National Council, **Tayseer Quba'a**, speaking on behalf of Palestinian Authority President Mahmoud Abbas, wondered how the peace process could be advanced in the face Israeli violations of international resolutions and decisions. In pointing out that the Palestinian people had lived for thousands of years without the ability to exercise their inalienable rights, he proclaimed that it was time to free the Palestinians from the historical injustice and to create a Palestinian State with Jerusalem as its capital. He stated that the ugliest form of "Judaization" was taking place in the holy city of Jerusalem, the culture, demographics and historical features of which were being changed through the racist policies of the radical right-wing Government of Israeli, adding that those unilateral Israeli acts were going to establish conditions on the ground that precluded any serious negotiations. Mr. Quba'a said that neither the continuous illegal settlements nor the "apartheid wall" were going to achieve peace. In recalling a recent characterization by Israeli Prime Minister Benjamin Netanyahu of many West Bank settlements as part and parcel of Israel's land, Mr. Quba'a pointed out that those settlements were seen by the international community, including the United Nations, the European Union and even the United States Government, as illegal and necessary to be removed.

15. In noting Prime Minister Netanyahu's announcement that his Government would persuade 1 million Jews to come to Israel to live in the illegal settlements, Mr. Quba'a wondered about the role of the United Nations with respect to returning millions of Palestinians to their homes. He expressed the view that peace would not be achieved unless Israel respected international legality and unless a binding Chapter VII resolution of the Security Council made it incumbent upon Israel to adhere to a peace solution on the basis of a completely independent Palestinian State, with Jerusalem as its capital. In deploring United States double standards, Mr. Quba'a observed that, while the United States had been transformed into a "raging volcano" in Iraq and Afghanistan, it was a sheep, content and peaceful, as far as Israeli policies were concerned, despite that country breaking every international law and treaty. He stressed that Israel must be made to adhere to international law; to international humanitarian law, especially the Fourth Geneva Convention<sup>1</sup>; to cease its policy of collective punishment; and to release thousands of Palestinian prisoners. In

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<sup>1</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. (United Nations, Treaty Series, vol. 75, No. 973)

closing, he urged that the international community guarantee respect for international instruments and agreements.

### **High-level segment**

16. The President of the Egyptian People's Assembly, **Ahmed Fathi Sorour**, said that the fact that even after six decades the land of the Palestinians, unlike that of other Arab countries, had yet to see an end to colonialism and that had left a deep wound in the heart of every Arab. In recalling the findings of the Goldstone report<sup>2</sup>, he stressed that the perpetrators of such aggressions should be tried by the International Criminal Court. Mr. Sorour pointed out that the peace process was based on international legitimacy and grounded in past resolutions, agreements and principles. Meanwhile, despite the various proposals and negotiations, the Israeli vision of the peace process reflected a great deal of vagueness and intransigence, he said, adding that years of procrastination had ruined the efforts of many Governments. In noting that the current Israeli Government wanted to start the negotiations from zero and suppress agreements reached by previous Governments, Mr. Sorour asserted that the change in Israeli positions throughout the years had given rise to a lack of confidence as the Palestinian negotiators always felt that they were negotiating on terms which might end at any time.

17. In reviewing the permanent status issues, which must be resolved in order for peace to be comprehensive and durable, Mr. Sorour said that, in order to establish a Palestinian State, Israel should withdraw from all territories it had occupied in 1967, including the Syrian Golan, as proposed by the Arab Peace Initiative. Israeli settlements constituted one of the most serious obstacles to peace, and made the Palestinians feel that negotiating was fruitless and that Israelis had no intention of making peace, he said. For that reason, he added, Palestinians, with the support of Egypt, felt that negotiations could not be resumed until the construction of settlements was discontinued, particularly in East Jerusalem. In deploring Israeli measures to change the status of the holy city, he said that any solution would require Jerusalem to be the capital of the future Palestinian State. The right of Palestinians to return to their homeland and their right to control all their own water resources were inalienable, he said, and stressed that these issues should be solved based on international law.

18. As for international positions, Mr. Sorour urged that President Barack Obama bring pressure to bear on Israel in order to end settlement activities, and he welcomed the decision by the European Union Foreign Ministers with regard to Jerusalem. He said that he was looking forward to a binding Security Council decision on the establishment of a Palestinian State, with East Jerusalem as its capital. Offering a recipe to break the current impasse, Mr. Sorour called for negotiations to be held within a binding time limit, under the Quartet's authority and within the framework of existing United Nations resolutions, international law and previous agreements and initiatives. He stressed that settlement activities must be discontinued, confidence-building measures must commence and priority should be given to the issue of borders. Continued killing and homelessness resulting from a continuation of this crisis would only beget more violence, instability and terror on both sides of the Mediterranean, he concluded.

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<sup>2</sup> A/HRC/12/48.

19. The Deputy Prime Minister and Minister of State of Turkey, **Cemil Çiçek**, stressed the need for the peace process to be revitalized and brought to a conclusion as soon as possible. He urged members of the international community to spare no efforts towards that goal, adding that the framework for the process was clear, namely those principles embodied in relevant Security Council resolutions, the Madrid principles, the Arab Peace Initiative and the Road Map. Noting that the Israeli-Palestinian conflict lay at the centre of all interrelated and complex problems of the Middle East, he pointed out that at the very core of the conflict lay the issue of Jerusalem. Mr. Çiçek stressed that a permanent solution would require not only intergovernmental agreements, but mutual tolerance among the city's different communities. Without peace in Jerusalem, he warned, the chances of achieving sustainable stability in the region would be very slim.

20. While stressing that the ongoing settlement activities, both in Jerusalem and the West Bank, constituted serious obstacles for peace, Mr. Çiçek emphasized that, for negotiations to be relaunched, those activities must be totally halted. In concurring with the Palestinian view that a cessation of settlement activity was not a precondition, but an Israeli obligation emanating from the Road Map, he said that the 10-month freeze fell short of meeting that obligation, as well as the expectations of the Palestinians and of the international community. He called for a revision of the time frame and scope of the settlement freeze, adding that settlement activities were also altering the facts on the ground and making impossible any meaningful negotiations on borders. In stressing the importance of the issues of water and refugees, he underlined that matters subjected to final status negotiations must not be undermined by unilateral actions, and called for implementation of General Assembly resolution 194. Turning to Gaza, Mr. Çiçek deplored as unacceptable the fact that the wounds of that humanitarian tragedy had yet to be healed. He called for full implementation of Security Council resolution 1860 as the main framework for a way forward.

21. Mr. Çiçek expressed concern at the disunity among Palestinians, which not only hindered maintenance of a functional sociopolitical system in the Palestinian Territory, but also impeded resumption of the peace process. While emphasizing that every Israeli and Palestinian was entitled to freedom from fear, he noted that right now there was no functioning peace process but many obstacles along the way. He urged that all actors spare no efforts to move the peace process forward and help the Palestinian people exercise their inalienable rights.

### **III. PLENARY SESSIONS**

#### **Plenary I**

#### **The state of the peace process**

#### **The current overall situation**

22. The Head of the Negotiations Affairs Department of the Palestine Liberation Organization, **Sa'eb Erakat**, characterized himself as the "most disadvantaged negotiator in history" as he had no country, no army or navy, no economy, and a fragmented people to represent. In stressing the seriousness of the problems facing the negotiators, he said that, in order to resolve any conflict, the matrix of interests had to mature to the level whereby the costs of the conflict were much greater



than the cost of peace. He pointed out that Israel knew that anything short of the provisions of international law would not be accepted by the Palestinian side. While noting the Palestinian recognition of the State of Israel's right to exist on the 1967 borders, he said that a Palestinian State should be established on the remaining land, 22 per cent of the historic homeland, with East Jerusalem as its capital, adding that, just as the Palestinians could not force Israel into agreement, the Israelis would not be able to force the Palestinians to sign anything short of that vision. Mr. Erakat reviewed in detail the last round of talks between President Abbas and former Prime Minister Ehud Olmert, in which the latter had offered a 6.5 per cent change to the 1967 borders in order to accommodate settlements; agreement was then very close to being reached on the borders. Mr. Olmert and Mr. Abbas had agreed to send a delegation to the then United States President, George W. Bush, on 3 January 2009 to lock in the agreement; he noted, however, that on 27 December 2008, "Olmert went to Gaza instead of Washington".

23. While emphasizing that the Palestinians wanted United States Special Envoy George Mitchell to succeed, Mr. Erakat said that an Israeli halt to settlement activities was not a condition but an obligation emanating from the Road Map. In noting Israeli requirements for the peace process, he urged that Prime Minister Netanyahu recognize the difference between dictation and negotiation. While acknowledging that proximity talks could be the most advanced tool of decision-making since the Palestinians and Israelis had exhausted negotiations, Mr. Erakat emphasized that it was time for decisions, and that decisions were not to be made by negotiators, but by political leaders. At the same time, he would like Mr. Mitchell to clarify whether he defined his role as a mediator or arbitrator; whether the talks would be open-ended or sealed within a time frame; whether the talks would begin with the priority question of borders; and what he would do if in four months the Israeli Government was not willing to engage on borders. "There will never be a Palestinian State without Gaza and the West Bank and East Jerusalem being a single territorial unit", he said, and urged that Mr. Mitchell consider adopting the recent statement by the European Union Foreign Ministers; convincing the Quartet to recognize the two-State solution on the 1967 borders with agreed swaps; and laying out a plan for the structure and sequencing of the proximity talks.

24. In noting that the current Israeli options were the two-State solution, a one-State solution or the current "apartheid" situation in the West Bank, Mr. Erakat expressed the hope that Israel's matrix of interests would soon mature so that the desirability of the first option would be recognized. Turning to Gaza, he said that democracy did not fail in Palestine; Hamas failed to govern democratically and to recognize previous agreements, thereby strengthening the Israeli arguments and weakening the Palestinian and Arab positions. Mr. Erakat concluded by calling on all parties concerned to recognize the 1967 borders with agreed swaps, with East Jerusalem as the capital of a Palestinian State; to recognize the Palestinian State; to provide Palestinian civilians with the protection that they deserved under the Geneva Conventions<sup>3</sup>; to stand shoulder-to-shoulder with Palestinians to assure them that they were not alone; and to ensure that settlement activities were halted, including in East Jerusalem.

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<sup>3</sup> United Nations, Treaty Series, vol. 75, Nos. 970-973.

25. Former Israeli Ambassador and current lecturer at the Hebrew University of Jerusalem, **Alon Liel**, began by clarifying that he was not representing the Government of Israel, and expressing regret that no member of that Government was attending the meeting. While noting his love for Israel and characterizing himself as a great patriot, Mr. Liel strongly deplored current Israeli diplomatic practices. He also stressed that the situation on the ground in both Gaza and the West Bank was unacceptable and immoral and would only lead to more violence.

26. In noting that many in Israel felt that the peace forces had been crushed to the extent that the two-State solution looked impossible at the moment, Mr. Liel said that bridging the gap between Israel and the Palestinians would require an earthquake – “8 on the Richter scale” – on the political map of Israel. In recalling that the talks between the Palestinians and Mr. Olmert were over, and that Mr. Netanyahu’s map did not include a 6.5 per cent territorial change to the 1967 borders as offered by Mr. Olmert, but rather an 11 or 12 per cent change, he warned that, even if the United States managed to arrange proximity talks, the existing political map in Israel would not allow for the gaps to be bridged. He argued that the current Israeli leadership had not gone through the same learning process as previous Governments and all they listened to were the Israeli polls. Mr. Liel acknowledged “with a broken heart” that he did not see the possibility of a Palestinian State being created in the foreseeable future, adding that “we don’t have a Mandela in Israel; we have a Netanyahu and a Liberman”. Instead, in the light of current Israeli public opinion, Mr. Liel suggested that it might be a good tactical move for the Palestinians to propose a one-State solution with equal rights for Palestinians, adding that for Israel that would be an even bigger nightmare than the two-State solution.

27. In the discussion that followed, participants deplored the bleak picture painted by Mr. Liel, and warned that the political deadlock could further exacerbate the situation on the ground. A participant stressed the need for parliamentarians in the Mediterranean region to play a greater role in the peace process, while several delegates underlined the responsibility of the Arab world, particularly the League of Arab States, to support the peace efforts. In referring to the recent speech in Cairo by United States President Obama, a number of delegates called for putting greater pressure on the United States to end the Israeli-Palestinian conflict. Another participant argued that Mr. Mitchell’s gradual approach was insufficient, and urged that President Obama present a full and comprehensive peace plan. One parliamentarian said that the United States should be urged to impose a new road map on Israel, while another called for international guarantees, possibly from the Security Council. A participant deplored that the United States had a monopoly on the peace process, and several participants called for Europe to play a more active and engaged role. In that context, one parliamentarian held the view that the current equilibrium could be changed only if a third party, other than the United States, became actively involved. Meanwhile, another participant questioned the effectiveness of any outside intervention as long as the Palestinians remained divided.

28. In responding to questions and comments, Mr. Erakat said that the Palestinian leadership had reached the same conclusion as Mr. Liel, namely that the current Government of Israel was not up to the two-State solution on the 1967 borders. However, that did not mean that the Palestinians should give up. While expressing the hope that, sooner or later, the costs of war and conflict would be higher than the parties were willing to pay, he stated that, once that matrix of interests matured, peace would ensue with the establishment of two States on the 1967 borders. In calling on the Arab

world to learn to speak with the West in their language of interests, Mr. Erakat said that the Europeans were there, not to contradict, but to complement the United States, while stressing that peace in the Middle East would be based on two States on the 1967 borders with agreed swaps and democracy in the Arab world, he reiterated aphorism that “you don’t fight ideas with bullets”. Mr. Erakat said that if an end agreement was produced, Hamas would disappear; however, if no agreement was produced, he would disappear, and he urged the Israelis to consider who they would rather have as partners.

29. **Mr. Liel** said that while Mr. Erakat was correct in pointing out that it looked as if the Palestinians had nothing and the Israelis had everything, many Israelis knew that they were doomed too, as their future was dependent on the fate of the Palestinians. However, at the moment, his assessment was that the Israeli leadership did not share that feeling, and they were overconfident. In warning against expecting any substantial change in the motives of international or domestic actors, he said that the Israelis must be made to feel that any alternative was worse than the two-State solution. In closing, Mr. Liel reiterated his belief that a Palestinian State would be born, but that it would be a difficult birth.

### **Terms of reference for the permanent status issues**

30. When speaking on the issue of settlements, the Director of Research and Publications at the Foundation for Middle East Peace in Washington, D.C., **Geoffrey Aronson**, said that the main operational effect of the Israeli decision of 26 November 2009 to impose a moratorium on new settlement construction had been to increase the pace of authorization of new construction above historical averages. Mr. Aronson explained that, since the West Bank was still subject to military administration, the legal expression of the decision on settlements lay in a series of military orders, which contained no numerical baselines for settlement construction. In that context, he recalled that the United States had been unsuccessful in getting the Netanyahu Administration to agree on a baseline for determining whether or not the moratorium was being violated. At the same time, Mr. Aronson pointed out that the order had been modified as the reality of what it suggested had become more apparent. The net result of the amendments had been to reduce the scope of the order itself, he said, adding that the number of stop-work orders issued during that period was not inconsistent with the historical average. He observed that the lack of interest on the part of the settlement community to violate the order stemmed from the fact that that community had already built in great numbers in anticipation of the freeze, and that it had been promised new authorizations upon expiration of the order.

31. Meanwhile, Mr. Aronson stated that historically settlement freezes had played no role in Israeli territorial evacuations, where settlement activity had continued until the day when the Israeli Defense Forces had left. In referring to Sinai and Gaza, he said that Israeli withdrawal had occurred following a change in the security paradigm, which required neither the physical presence of Israeli forces nor the continuation of settlements. In both those examples, he said, a decision had been made that Israel would be more secure as a consequence of evacuation and withdrawal. In looking at the West Bank today, Mr. Aronson held that the view was now percolating in Washington that once the issues of borders and security were resolved, the security context would change to the point where the issue of settlements became less important.

32. On the question of Jerusalem, international affairs writer and researcher, and Executive Director of the Council for the National Interest Foundation, **Helena Cobban**, said that since Oslo the assumption had been that the Jerusalem question was so difficult that it must be put at the end of the negotiating agenda, along with the refugee issue, awaiting a time when enough confidence had been built between the Israeli and the Palestinian leadership that they would be ready to tackle it. Meanwhile, she said, East Jerusalem had been increasingly cut off from the rest of the West Bank and the level of confidence between the two had sunk ever lower. Ms. Cobban suggested that the issue of Jerusalem be pulled to the top of the negotiating agenda and a fresh look taken at how the question of Jerusalem might help to unlock many of the other thorny issues. She pointed out that while, under international law, the Jerusalem Palestinians were residents of the occupied West Bank and thus deserving of the protections of the Fourth Geneva Convention<sup>4</sup>, they were allowed considerable freedom to travel, paid Israeli taxes and had a right to Israeli social benefits. However, they were extremely vulnerable to Israeli anti-Palestinian planning and zoning regulations, enjoyed very few civil and political rights and were subject to Israeli pressure tactics, including demolition orders and threats of having their residency revoked or their tax status investigated.

33. In addition to the potential bridging role of the Jerusalem residents, Ms. Cobban pointed to several other ways in which the city could serve to reconcile the concepts of a one-State or two-State outcome. In noting a recent study which indicated that in any two-State model the governance needs of the city would result in a profound level of coordination between the two States, she pointed out that the issue of security borders within the city remained crucial for the determination of its future status and the role it could play in bringing Israelis and Palestinians together. In any two-State solution, she said, the city could either be divided, as proposed in the Geneva initiative, or undivided, as an entity separate from either of the two States. According to the first scenario, she suggested that even with ethnic separation the coordination needs would be profound. As for the second scenario, she recalled that the special status proposed for Jerusalem in the United Nations partition plan had been viewed as imperialist; she proposed a new version, which she labeled “Corpus Separatum 2.0”. In that model, residents of Jerusalem could carry their own Israeli or Palestinian citizenship, and come together as a political body in Jerusalem for the purposes of municipal-metropolitan governance. The city would be a demilitarized zone and efforts should be made to enable pilgrims of all religious observance to visit the city. Ms. Cobban indicated that under that model cooperation for the good governance of Jerusalem could be a joint project in which the leaders of the two future States, Israel and Palestine, could take great pride. However, she acknowledged that in the very difficult current circumstances for the city’s Palestinians, it was very hard to see how to get from here to there.

34. In addressing the issue of borders, the Head of the Territorial and Border Committee for Negotiations of the Palestine Liberation Organization and former Minister for Public Works and Housing of the Palestinian Authority, **Samith Abid**, stressed that “settlement enterprise” was both illegal and harmful to Palestinian interests. He pointed out that Palestinians were denied access, use and enjoyment of land in and around the settlements and there was an increasing segregation in the West Bank, with Israelis subjected to domestic law and Palestinians subjected to Israeli military law. While pointing out that the separation wall deviated considerably from the Green Line, Mr.

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<sup>4</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. (United Nations, Treaty Series, vol. 75, No. 973)

Abid questioned the Israeli claim that the wall was a security measure, stating instead that it was an integral part of the settlement enterprise. The wall also facilitated future settlement expansion, he said, noting that in many areas, the route did not match the existing built-up areas, but rather the Israeli development plans for future settlement growth. In providing a detailed account of the settlement infrastructure, Mr. Abid noted its harmful impact on the day-to-day life and humanitarian needs of the Palestinian people, as well as its severe consequences for Palestinian long-term interests, pointing out that settlements, outposts, the wall and Israeli road construction left only 54.5 per cent of the West Bank for Palestinian use and access.

35. Mr. Abid recalled that, in 1988 the Palestine Liberation Organization, when accepting the 1967 borders, had relinquished claim to 78 per cent of Palestinians' historic homeland and decided to focus independence efforts on the remaining 22 per cent. He emphasized that one of the Palestinians' main objectives was to obtain a physical space, including access to natural resources, in which to pursue their political, economic and social development. He underlined the need for a contiguous Palestinian State, based on the 1967 borders, with East Jerusalem as its capital. In reviewing the technical negotiations on the territorial issue, Mr. Abid deplored that Israel had backed down from dealing with the question of borders as a priority issue. However, he said that some fundamental principles had been established, including agreement that the 1967 borders with appropriate swaps should be the baseline, and that a territorial link between Gaza and the West Bank should be created, though the status of the link had yet to be agreed.

36. On the issue of refugees, the Director of the Executive Office of UNRWA, **Michael Kingsley-Nyinah**, stressed the humanitarian aspects of the refugee issue, noting that refugees, who were fleeing conflict, persecution and human rights violations, seeking protection in other countries, lived with a lingering awareness of injury, a psyche of dislocation and an overwhelming longing for that which had been lost. Beyond those human consequences, refugee situations also often triggered issues of regional and international concern, he said, recalling past examples of the Security Council recognizing various combinations of armed conflict, human rights abuses and refugee flows as constituting a threat to international peace and security. In the light of all the various implications of refugee flows, he said that it was crucial to address refugee issues as part of any effective conflict resolution, including in the context of the Israeli-Palestinian conflict. He asserted that the human suffering and the sense of loss and dispossession were still strongly felt across Palestine refugee communities and, as was the case with refugees elsewhere, their refugee consciousness remained strong. He emphasized that time had left intact a sense of injustice, a demand for acknowledgement and a desire for just and lasting solutions to their plight.

37. With regard to the place of the refugee issue in the peace process, Mr. Kingsley-Nyinah recalled that immediately following the events of 1948, the refugee question had been at the forefront of global mediation efforts. However, from the late 1980s, the tide of attention had turned to other aspects of the conflict without clarity concerning the place of Palestine refugees within the context of a two-State solution. In the course of that evolution, he said, the refugee issue was assigned to permanent status negotiations. Meanwhile, he noted, permanent status negotiations had been slow to progress, and the refugee issue had been indefinitely held in suspense. He pointed out that both the parties and the international community were paying a heavy price for embracing an exclusive approach, which disallowed Palestine refugees their rightful voice in the quest for a peaceful settlement. Mr. Kingsley-Nyinah said that UNRWA appealed to the international

community to consider the importance of the refugee issue when revisiting the current approach to negotiations. In that context, he advocated a mechanism which would project the interests and concerns of the refugees into the negotiations arena, and pointed out that the Palestine refugees constituted a large and important constituency, whose voices should not be ignored in the peace process. He emphasized that an approach inclusive of the refugee perspective would enhance the legitimacy, credibility and sustainability of the peace process.

38. In addressing the question of water as a permanent status issue, **Peter Gubser**, retired President of American Near East Refugee Aid, stressed the short supply of water in the Middle East and detailed the unequal allocation of water between Israelis and Palestinians. While noting that in 1998 water usage per capita of Israelis was more than four times that of the Palestinians, he pointed out that, in the light of subsequent population growth, today's figures for absolute per capita water utilization by the Palestinians would be even less, while Israel had the technology to increase its supply. In a special note about Gaza, he said that, due to severe population pressures and lack of alternative sources, Gaza was engaging in the overutilization of water, causing severe degradation in water quality.

39. In elaborating on how to divide available water between Israel and Palestine, Mr. Gubser stressed the importance of looking at existing Israeli-Palestinian agreements, international law with respect to the division of water resources and the positions of the two parties. He explained that the recognition of the need to address the issue of water had first appeared in the so-called 1993 Oslo Accord<sup>5</sup> and that subsequently, in the 1995 Interim Agreement<sup>6</sup>, Israel recognized Palestinian water rights, but had also stressed the need to maintain the current allocation of water. While emphasizing the international legal principle of equitable allocation of water on a per capita basis, Mr. Gubser pointed out that, since the current water allocation was clearly skewed in favour of Israel, there was a major gap between the Palestinian insistence on applying the principle of equitable per capita allocation and the Israeli stance that prior allocation should be used as a determining factor in a future agreement. In expressing support for equitable per capita allocation of ground and surface water, Mr. Gubser observed that, although Israel had command of many technological tools which could increase its total water supply, the infrastructure to reallocate ground and surface water supplies was not yet in place for the Palestinians to benefit from the reallocation. In closing, Mr. Gubser underlined that water did not have to be a zero-sum game and he suggested a number of steps which Israel and the Palestinians could take to increase or better utilize their water supplies. In using those techniques, the amount of available water might be increased efficiently, so that, as the Palestinian allocation per capita rose, the Israeli allocation per capita did not have to diminish, he concluded.

40. In the ensuing discussion, questions and comments concerned, among other topics, the partition plan for Jerusalem, calls for renewed emphasis on international law and for inclusion of the regional dimension when addressing the issue of water, as well as an appeal that some of the proposals made at the meeting be conveyed to key decision-makers.

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<sup>5</sup> Declaration of Principles on Interim Self-Government Arrangements, Osls, 13 September 1993.

<sup>6</sup> The Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, Washington, D.C., 28 September 1995.

41. In the closing remarks of the panel, Ms. Cobban characterized the partition plan as the birth certificate for both the Israeli and the Palestinian State<sup>7</sup>. Meanwhile, she acknowledged that the so-called corpus separatum model for Jerusalem might be flawed and it had its imperialistic dimensions, but she stressed that it could be desirable to try to keep the city united in the context of a two-State solution. She pointed out that, as the leaderships grappled with the nitty-gritty problems of municipal governance, they would also be creating a model of a shared binational State, if the two-State solution proved impossible. Mr. Kingsley-Nyinah noted the controversial nature of General Assembly resolution 194 on Palestine refugees, but stated that UNRWA did consider the resolution to be binding for the Agency and wished to see it implemented in the process of negotiations. Mr. Gubser expressed the hope that both parties and the Government of the United States would consider applying international water law. He agreed with the point that water was a larger issue than that concerning just Israel and Palestine, and added that the World Bank and others always took all riparians into account when allocations of water were made and adjusted.

## **Plenary II**

### **Breaking the status quo: Creating a political climate conducive to the advancement of the peace process**

#### **International and regional approaches to promoting a comprehensive, just and lasting solution of the Israeli-Palestinian conflict**

42. The Ambassador of the United States to Malta, **Douglas W. Kmiec**, said that demands made at the meeting for unilateral action by the United States vis-à-vis Israel and Palestine failed to recognize the new collaborative approach of the United States to foreign policy. In stating that it was the Obama Administration's intention to be a fair-minded mediator, he emphasized that the Israeli-Palestinian conflict had continued for far too long, with far too high a cost to the people of Israel and to the surrounding Arab communities and nations. He indicated that the strategy of the United States continued to be a two-pronged approach to achieve the goal of two autonomous and fully functioning States, Israel and Palestine, living side by side in peace and security. The first prong, he said, was to encourage the parties to enter into negotiations to reach agreement on all permanent status issues; the second prong was to help the Palestinians build their economy and political institutions. Mr. Kmiec urged that the parties come back to the table without preconditions, adding that fairness and justice must guide the effort. He recalled that President Obama had made it clear that continuation of Israeli settlement activity was without legitimacy, adding that it was not "nice" to ignore the President. President Obama, he said, had also stressed that Palestine must not be merely an amalgam of anti-Semitic hatred and violence, but a viable economic and political nation-State. Mr. Kmiec said that the leadership of his country had been careful not to be overly prescriptive in order to give maximum flexibility to the parties so that the negotiations could succeed within the terms and interests of those most directly affected.

43. In citing former United States National Security Advisor under the Carter Administration, Professor Zbigniew Brzezinski, Mr. Kmiec outlined what he believed to be a reasonable elaboration of President Obama's vision. That vision entailed a settlement of the conflict based on the 1967

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<sup>7</sup> United Nations, Treaty Series, vol. 75, Nos. 970-973.

lines, with appropriate swaps and territorial compensation to Palestine; accommodation of Palestine refugees in Palestinian territory with compensation and a public apology to those displaced; the sharing of Jerusalem, with Israel's capital in the West and Palestine's in the East and the Old City shared under international auspices; and the stationing of an international force along the Jordan River to maintain the security of both sides. While noting that the United States was working with the parties to resume negotiations on permanent status issues as soon as possible and with a set timetable for their successful conclusion, he called for negotiations to proceed on a variety of tracks, including high-level direct talks to establish a framework and positive atmosphere; proximity talks on key issues between the United States and Israel and the United States and Palestine; and lower-level direct talks in which negotiators would work through the details of the issues. He expressed the hope that the present meeting would fit into that approach, but cautioned against simply reciting the tragedies of the past.

44. Mr. Kmiec urged that the parties not miss the opportunity presented by the prudent and fair-minded voice of the current President of the United States, adding that the United States would fully respect any party that respected full democratic principles. In that context, he stressed that Hamas must be judged at the ballot box, but cautioned that a single election in 2006 was not a grant of perpetuity, adding that it was one thing to be elected democratically, but another to govern democratically. He said that the United States had been clear with Hamas, in asking the party to put down its weapons, accept previous agreements and recognize Israel. In closing, he held that peace was not achieved by one side belabouring injuries of the past or by the other seeking to match the injury in the present. If peace was truly desired, then the sides must work for justice, he concluded.

45. The Deputy Chairman of the Committee of Foreign Relations, Council of the Federation, Federal Assembly of the Russian Federation, **Ziyad Sabsabi**, expressed the support of the Russian Federation for the establishment of a Palestinian State on the 1967 borders with agreed swaps. He stated that he was looking forward to a quick resumption of negotiations, leading to a permanent solution. In stressing the importance of solving the problem of settlements in order to start negotiations, he called for a complete freeze on all settlement activity. He characterized as illogical any unilateral decisions on permanent status issues and emphasized the need to find decisions that were acceptable to both parties. In emphasizing the urgency of unification of the Palestinians within in the framework of the Palestine Liberation Organization, he expressed support for President Abbas, with whom his Government had met regularly, most recently on 16 January, in Moscow. He also said that the Russian Federation would continue to work with Hamas, and recalled that the head of Hamas' Political Bureau had visited Moscow only a few days previously.

46. Mr. Sabsabi said that the main task now was not to repeat the human tragedy on Palestinian land, but to ensure a decent social, political and economic life. While stressing that missiles fired from Gaza into Israel were unacceptable, he also underlined that the citizens of Gaza must not remain hostages. The main victims of the policy of collective punishment were women and children, he said, warning that that situation would lead only to more radicalism and violence. Mr. Sabsabi urged that the Quartet play a greater role and recalled that his Government had invited the Quartet to Moscow, at the level of foreign ministers, to consider ways of motivating the peace process. He reminded the participants that the Russian Federation was considering an international conference in Moscow. Mr. Sabsabi was convinced that the efforts being exerted would lead to an independent Palestinian State, living in peace with Israel, in the not-too-distant future. He noted



that the Russian Federation supported the peace process in the Middle East and was fulfilling its role in the international community as a great Power, which understood its responsibilities. In noting the desirability of finding solutions based on the Chapter VII of the Charter of the United Nations, he stressed the need for the Security Council to find the right modality. First, however, a format should be found, which would convince Israel to stop building settlements so that the talks could resume, and he noted such a stop this could give effect to parliamentary diplomacy and enhance solidarity between Arab States.

47. **Robert Rydberg**, Head of the Middle East and North Africa Department, Ministry of Foreign Affairs of Sweden, characterized the second half of 2009, during which his country had been at the helm of the European Union, as a fairly difficult period for the region. The efforts of the United States to create a propitious negotiating climate through a settlements freeze had been frustrated; the Goldstone report<sup>8</sup> had created international controversy; and the dangerous situation in Gaza, and at times in Jerusalem, had persisted, he recalled. Mr. Rydberg said that in order for the European Union to promote a negotiating process with chances of success, it must take a clear position on developments on the ground, which were putting progress at risk. Negotiations would not start or produce results if the reality of the negotiators was in too sharp contrast with that of the peoples he said, noting that suicide bombs and missile attacks undermined the credibility of Israeli negotiators and the settlement policy undermined Palestinian negotiators. He added that Israeli actions in East Jerusalem could have explosive consequences, and the closure of Gaza only strengthened Hamas and undermined the Palestinian Authority. The European Union, he said, had tried to address those matters both with discrete diplomacy and public action.

48. With regard to the December 2009 conclusions by the European Union Foreign Ministers, Mr. Rydberg observed that there had been strong support for very explicit conclusions. The conclusions, he said, had provided political reassurance by stating the fundamental objectives of the negotiating process. In pointing out that the decisions of the Government of Israel on many final status questions had produced genuine fear among Palestinians that they would be dragged into a lengthy process with little chance of success, he stressed that the expectations of the international community needed to be explicitly set out, starting with the need to deal with all final status issues. While recalling some criticism that, by providing reassurances, the European Union had prejudged negotiations, he asserted that the European Union had felt that actions on the ground were prejudging the negotiations and that the conclusions were based on international law. The European Union was ready to support the United States in relaunched the negotiations and to furnish concrete support to maintain a viable Palestinian partner, he said, while drawing attention to the impressive results achieved by the Palestinian Authority in improving financial management and strengthening security in the West Bank, which steps were aimed at paving the way for a Palestinian State. The European Union had also called on all Palestinians to promote reconciliation behind President Abbas, he recalled, and stressed the importance of avoiding a permanent division between Gaza and the West Bank. Finally, he emphasized the importance of the regional dimension, adding that the European Union had a uniquely broad range of instruments for working with the region. Mr. Rydberg concluded by calling for intensive international involvement on the issue and by expressing the hope that proximity talks would be a stepping stone to regular negotiations.

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<sup>8</sup> A/HRC/12/48

49. Chief of Regional Political Affairs at the Office of the United Nations Special Coordinator for the Middle East Peace Process, **Robert Dann**, said that, consistent with the United Nations commitment to Israel and to the Palestinians, the Secretary-General was the only Quartet principal with a high-level envoy, Robert Serry, on the ground in Jerusalem, who was shuttling almost daily between the parties. The roles of the United Nations Special Coordinator, he observed, were to try to maintain a normative framework, within which international discussions should take place; to be the eyes and ears of the international community on the ground; to serve as a coordinating mechanism for all United Nations agencies in the area; to play its role within the Quartet; and to report to the Security Council. In noting that the United Nations involvement was based on the principle of land for peace, he said that it was the responsibility of Israel to deliver the land, but the responsibility of all to sustain the peace. In order to give credibility to the negotiations, Mr. Dann urged that all actors help to narrow the gap between the issues before the negotiators and the developments on the ground. He pointed out that the United Nations, along with the European Union and the broad cross-section of the international community, retained a clear normative position on settlements and East Jerusalem and on the inconsistency of negotiating on final status while developments on the ground tended to prejudice the negotiations. Mr. Dann also stressed the need for effective monitoring on the ground, as well as for effective incentives. In welcoming the gradual self-empowerment of the Palestinian Authority and improved performance on the ground, he stressed the need for Israel to respond positively to those developments both on the ground and politically.

50. Meanwhile, Mr. Dann expressed serious concern about Gaza, stressing that the current handling of that situation was empowering smugglers and militants while disempowering legitimate businesses and civil society. In noting that the United Nations had been at the forefront of efforts to focus diplomatic energy on bringing about a different strategy for Gaza, he suggested that a first step would be to start significant reconstruction of the enclave under United Nations auspices. While underlining the importance of Palestinian unity for negotiations, he expressed the belief that unification would most likely not happen until final status issues had been clarified. In that context, he said, proximity talks could serve to empower a strong third party role, but they should move to direct negotiations as quickly as possible. While noting that third parties could not impose solutions, he argued that strong international positions on final status issues would not necessarily harm prospects of success. Mr. Dann concluded by stressing that time was of the essence as the situation would not stand still given the domestic political situations and the development of facts on the ground.

51. The statement by the Secretary-General of the League of Arab States, **Amre Moussa**, was read out by his Chef de Cabinet, **Hesham Youssef**. In referring to the explosive situations in Gaza and Jerusalem, as well as the tensions between Israel and Syria and Hizbullah, he emphasized that continuation of the status quo was not an option. However, he said that the Palestinians should not go back to the negotiating table at any price. Mr. Youssef said that the Arab League did not share the view that United States President Obama had been wrong to insist on a settlements freeze, as that would have enabled the negotiations to start on the right footing with clear terms of reference. He stressed that, since it had been impossible to achieve a settlements freeze, the end game must now be clarified in some detail. While arguing that it was no longer enough to state the objective of establishing two States, he pointed out that every aspect of the conflict had been negotiated time and again, with numerous alternatives for a resolution, and he stressed that what was needed now was

not solutions, but political will. He also emphasized the need for a clear time frame for negotiations, as well as a follow-up mechanism and a plan for what would be done in the case of non-compliance. In referring to Mr. Liel's presentation, which had indicated that an "earthquake" was required to effect any political movement in Israel, he said that perhaps an earthquake would come sooner than imagined.

52. In conclusion, Mr. Youssef urged that the whole world, including Arab countries, be supportive of the peace efforts, not just in words, but also in deeds. He reiterated that the Arab world was committed to the Arab Peace Initiative, but in the absence of a positive response from Israel and with public opinion declining, an extended hand to Israel did not mean that the Arab countries would accept a phony or puppet Palestinian State or continue to accept the Israeli narrative of the current situation. As far as the Arab League was concerned, occupation was the problem, he said, adding that either the impasse would be broken and the situation would advance towards peace or a doomsday scenario would take hold and the situation would explode. Other scenarios, he said, included an imposed solution by the Security Council, which was currently under consideration by the Arab League, or a one-State solution, which until recently, had been taboo in the Arab world, but was now being discussed in the mainstream.

53. **Omar Al-Nahar**, Director of the Negotiations Coordination Bureau, Ministry of Foreign Affairs of Jordan, delivered a statement on behalf of the Minister of Foreign Affairs of Jordan, **Mr. Nasser Judeh**. He welcomed the renewed hopes raised by President Obama's engagement in the Middle East and the simultaneous convergence of international consensus around the two-State solution. At the same time, he observed that the Arab Peace Initiative was a comprehensive and equitable framework, which captured the accepted terms of reference for Middle East peace and took full account of all legitimate concerns. He expressed regret that intensive United States and international efforts to achieve an environment conducive to relaunching serious direct negotiations had been unsuccessful, with the Government of Israel refusing to bring into effect a full halt to the settlement activity and other illegal unilateral measures in the Occupied Palestinian Territory, including East Jerusalem. Mr. Al-Nahar urged that Israel respond positively to the global consensus and accept the Arab Peace Initiative.

54. In stressing that it was high time for the Palestinians to be liberated from the daily fear and violations of their basic rights and elemental security, Mr. Al-Nahar called for the prompt resumption of meaningful, time-bound and benchmarked negotiations regarding all final status issues, aimed at establishing a Palestinian State. While warning against another empty process, he emphasized the need to include clear monitoring of compliance with benchmarks on final status issues, adding that the United States and the European Union could assume fundamental roles in the monitoring and verification processes in the context of such negotiations. They could also assume major roles in any transitional or permanent security arrangement, he added. In welcoming the conclusions that the European Union Foreign Ministers had reached in December, he also urged the European Union to play a greater political role in the region. He concluded by stressing that achieving comprehensive Arab-Israeli peace and realizing the two-State solution was the only gateway to resolving other regional challenges and threats, arguing that that would prevent extremists from using their so-called legitimate grievances inherent in the conflict as a magnet to induce support from disenfranchised and frustrated quarters in society.

55. In the brief discussion that followed, several delegates argued that settlements were the greatest obstacle to peace, and called for implementation of the two-State solution, in which Jerusalem should be the capital of both States. In stressing the interconnectedness of the countries in the Mediterranean region, some parliamentarians called for lawmakers in the region to help relaunch the peace process. A number of participants referred to President Obama's speech in Cairo in the previous year, with one delegate arguing that the speech had been too general as it did not include any benchmarks or timelines. Another delegate observed that, since the United States President's call for a settlement freeze, Prime Minister Netanyahu had effectively accelerated Israeli violations. Taking issue with the statement by Ambassador Kmiec that the United States would not exert pressure on the parties, one participant pointed out that the United States did indeed exert pressure on other countries, including the Islamic Republic of Iran, and argued that pressure was legitimate when the Charter of the United Nations and international law were being violated. One delegate called for international opinion to be alerted with regard to the Israeli intransigence; for President Obama to be urged to prioritize the Palestinian question; and for Baroness Catherine Ashton, High Representative for Foreign Affairs and Security Policy of the European Union, to be invited to visit Israel and the Palestinian Territory in the near future in order to spark greater European involvement.

#### **Modalities for bridging gaps and building trust between the parties**

56. **Mohammad Barakeh**, Member of the Knesset and Secretary-General of the Hadash Party in Israel, lamented that the Speaker of the Knesset and the Ministry of Foreign Affairs of Israel had prevented two Knesset members from participating in the meeting, which contravened the principles of democracy and freedom of expression. While noting that in any normal situation bridging gaps was done through negotiations, Mr. Barakeh said that negotiations must be based on scientific principles, international law and public rights, and not on the preconditions which the Government of Israel continued to impose on negotiations, by declining to include key issues in the talks. At the same time, he stressed that the negotiations as proposed by the Palestinian leadership must be based on a full halt to settlement activity and agreement on the 1967 borders, adding that, since Palestinian land, was concerned, the bases for negotiations did not amount to preconditions. In stressing that the underlying problem was the lack of trust between the parties, he indicated that the separation wall the restrictions on movement which prevented Palestinian farmers from reaching their land and the uprooting of olive trees and other sources of livelihood for many Palestinians effectively prevented the building of trust.

57. While reiterating the difficulties in building trust between the occupiers and the occupied, Mr. Barakeh stressed that the core of the conflict was the occupation and that everything else was mere detail. While acknowledging that Prime Minister Netanyahu might be keen to return to the negotiating table, he was not interested in peace, Mr. Barakeh said, adding that Mr. Netanyahu was talking about the borders of a new municipality and not of a State. In recalling the Prime Minister's pledge that, after the 10-month moratorium on settlements he would return to settlement activities at a quicker pace in order to compensate for the temporary suspension, Mr. Barakeh asserted that the so-called freeze was a negotiating tactic, the aim of which was not to earn Palestinians' trust, but to appease the United States Administration. Israeli intransigence was based on United States support, he said, adding that the United States position vis-à-vis Israel was responsible for the continued occupation and the continued suffering of the Palestinian people. In arguing that Mr. Netanyahu's

Government wanted neither negotiations nor peace, he called for a revitalization of the Arab Peace Initiative, which was a very generous offer, proposing recognition and security for Israel in turn for ending the occupation.

58. **Yossi Beilin**, President of Beilink, Business Foreign Affairs, and a former Israeli Minister and Member of the Knesset, expressed the hope that the discussion would not return to the old debate about justice. In noting that the narratives of the past 20 years had been a competition among Israelis and Palestinians, Jews and Arabs over whom were the real victims, he stressed that no judge in this world could ever say who was right and who was wrong. Mr. Beilin urged the participants at the meeting to be realistic and to recognize that, at the end of the day, there would be no imposed solution or Chapter VII resolution of the Security Council. In stating that United States President Obama was waiting for the parties to make a decision, he indicated that the European Union, which had neutralized itself by joining the Quartet, could not be expected to take bold decisions, as it would be subject to the lowest common denominator of the foreign policies of 27 countries. He called on the participants to consider ways in which the parties could help themselves, stressing that two peoples had suffered significantly in different ways for more than 62 years. If they were lazy and waiting for Europe or the United Nations or the United States or the Russian Federation nothing would happen.

59. In referring to the pessimistic statements about the current Government of Israel, Mr. Beilin said that there had never been one moment in which all the right conditions and right actors were in place to promote peace. The role for those who wanted peace was to search for an opening and to look for ways of moving the difficult situation forward, he said. While stressing the importance of the American component, he argued that, while the United States might not play an active role, a negative United States role would make peace impossible. He emphasized the significance of the current combination of a unique United States leadership, which was creating norms by saying the right things, and a Palestinian Authority leadership, devoted to its people and rejecting violence. In warning against giving up on the current leadership, he said that there was an opportunity because “you do not have many leaders like Abu Mazen” in reference to President Abbas. As for the Israeli leadership, while acknowledging the difficulties, Mr. Beilin cautioned against giving up and pointed out that former Prime Minister of Israel, Mr. Menachem Begin, did not come to power to give up Sinai and make peace with Egypt, and that Mr. Ariel Sharon did not come to power to give up Gaza. While noting that the views of President Abbas and Palestinian Prime Minister Salam Fayyad had been accepted by the world, including President Obama, he said that the best thing for moderate Palestinians was to start negotiations with Prime Minister Netanyahu, thereby exposing him. Mr. Beilin concluded by stressing that there was no need for further confidence-building measures but for direct negotiations, adding that if in three months there was no progress, the whole world would be with the Palestinians. The international community, he suggested, could hold conferences on preparation of economic and security measures that would be necessary to ensure the sustainability of the future peace agreement.

60. The Permanent Observer of Palestine to the United Nations Office at Geneva, **Ibrahim Khraishi**, said that after years of enmity, bridges of trust and cooperation had never been achieved between an occupied people and its occupying country. The perpetrator had to take away the cause of the aggression in order to step onto the road to peace, he said, pointing out that despite negotiations and peace agreements Israel had not been able to build bridges of trust with either

Egypt or Jordan, because of the Palestinian situation. The Palestinian situation did not need negotiations, he stated, adding that the way ahead was to end the occupation.

61. The lack of political will was the determining factor, Mr. Khraishi stressed and argued that the current radical Government of Israel did not leave space for progress. President Abbas, on the other hand, had led the call for negotiations, he said, while noting that the parties might reach their shared goal by focusing on legality and law as standards for developments. Mr. Khraishi questioned how trust could be built in the face of continued settlement activities, settler violence, incursions and check points. At the same time, he called for realistic steps to buttress the confidence between the two sides, and urged that Israel allow Palestinian refugees at the border with Iraq to return to the West Bank and release the many Palestinian prisoners in Israel. While pointing out that all studies showed that the majority of the Palestinian people wanted a peaceful solution, he deplored that Israeli society was becoming more and more radical, and he urged the Parliamentary Assembly of the Mediterranean to speak to the Knesset about Israeli radicalism.

62. In the ensuing brief discussion, one participant said that many Egyptians were losing faith in the substance of President Obama's Cairo speech. In noting the calls by both Ambassador Kmiec and Mr. Beilin for the Palestinians to seek negotiations, one delegate cautioned that Hamas would stand to win if President Abbas was to agree to negotiations which did not achieve anything. The delegate condemned the occupation and stressed that the only way to build trust was for Israel to withdraw.

### **Role of parliamentarians and inter-parliamentary organizations in supporting Israeli-Palestinian peace and stability in the region**

63. **George Vella**, Member of the House of Parliament, Malta, and Chairman of the ad hoc Committee on the Middle East of the Parliamentary Assembly of the Mediterranean, expressed serious concern about the situation on the ground and called for urgent attention to the permanent status issues, including through parliamentary diplomacy. In deploring that Knesset members had been prevented from attending the meeting, he expressed the hope for their future participation in such discussions. While underlining the importance of the psychological dimension of generations of conflict, Mr. Vella said that Palestinians felt neglected, dispossessed, subjugated and humiliated, knowing that they did not have the military power to defend their cause; many had also lost faith in conventional diplomacy. The Israelis, on the other hand, were scarred by the memory of persecution throughout history, and had invested heavily to ensure their very existence and to remind the world of the humiliations and the sufferings that they had been forced to endure. Mr. Vella argued that these two psychological frameworks were among the root causes of the never-ending spiral of retribution and escalation. He held that only a global actor with enough vested authority, such as the United Nations, would be in a position to reassure the parties that their rights would be guaranteed. Mr. Vella emphasized that political heavyweights, such as the United States, the European Union and the Russian Federation, could serve as credible guarantors of agreements, adding that that was the untapped potential of the Quartet.

64. In noting that many of the questions pertaining to the current conflict had already been answered in numerous Security Council resolutions, bilateral agreements and the Road Map, Mr. Vella held that international parliamentary forums provided opportunities for both sides to engage

in fruitful dialogue. The situation today, however, was not conducive to strengthening parliamentary diplomacy, he said, noting that Israeli parliamentarians had repeatedly threatened not to participate in parliamentary forums discussing the issue, as they described those discussions as “Israel-bashing sessions”. Parliamentary diplomacy was also shackled because of the number of Palestinian legislators held under arrest in Israeli prisons the difficulties faced by other Palestinian parliamentarians trying to obtain permits to leave the country and attend such meetings as well as the lack of communication with Hamas members, who were de facto ruling Gaza, he said.

65. Mr. Vella pointed out that the Israeli occupation of Palestinian land continued to strengthen support for Hamas and erode the confidence in President Abbas. He lamented the declarations by Prime Minister Netanyahu about future permanent Israeli occupation of still-disputed territories and the rights of Israeli authorities to keep a presence on the borders of the future State of Palestine, as well as the continued settlement construction, particularly in East Jerusalem, as not being conducive to trust and credibility. Mr. Vella stressed that the establishment of a Palestinian State was the best option for Israel to gain stability and end anti-Israeli feelings. While noting that the United Nations Security Council had been “toothless” in reacting to the Goldstone report’s<sup>9</sup> charges of violations of the Geneva Convention<sup>10</sup>, he said that, unless the United Nations took punitive action against transgressors, the law of the jungle would prevail and all talk about human rights would be obsolete. While deploring the failure of conventional diplomacy, Mr. Vella drew attention to time-proven methods and interventions by United Nations missions on the ground, which had controlled the escalation of violence and provided the necessary policing to protect civilians. The international community must shoulder the responsibility and wield all diplomatic and coercive measures to ensure the observance of international law, respect for international conventions and the return of the rule of law, he concluded.

66. **Suleiman Ghneimat**, former Member of Parliament of Jordan and Vice-President of the Parliamentary Assembly of the Mediterranean, in recalling previous PAM visits with the United States Congress and the Knesset, as well as the fact-finding mission to Gaza and other places, expressed the belief that parliamentarians in the Mediterranean could play a basic role in the promotion of conventional diplomacy in the search for permanent and just solutions to issues influencing their region. In stressing that parliamentary diplomacy should be complementary to governmental efforts, he pointed out that parliamentarians were independent as they were representing the people, and could speak loud and clear in submitting proposals more freely than Governments could. He asked the members of the Knesset who were participating in the meeting to impress on their colleagues the importance of continued commitment to the peace process to enable Palestinians and Israelis to live side by side in peace, prosperity and security. He stressed that it was time for Israel to reach out and reciprocate Palestinian and Arab efforts, including the Arab Peace Initiative.

67. Mr. Ghneimat called for all possible efforts to be exerted to achieve peace on the Palestinian, Syrian and Lebanese tracks. In stating that the peace talks had been frozen because the Knesset and the Government of Israel did not want to continue negotiations, he urged the parties to keep hope alive, as failure would be a disaster. He expressed the hope that the Quartet representatives would

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<sup>9</sup> A/HRC/12/48.

<sup>10</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. (United Nations, Treaty Series, vol. 75, No. 973)

earnestly seek to achieve peace, adding that he viewed the United States as a fair mediator acceptable to all parties but that Mr. Mitchell's efforts had been complicated by Israeli intransigence. In closing, he recalled that, when preparing his statement for the present meeting, a friend had told him to spare his time and effort that he was "blowing in a bag with many holes". Mr. Ghneimat said that he had replied by stressing that there was still hope and by asking his friend to pray that it would be possible to mend the holes of the bag because "it is the only bag we have and when we mend it, we achieve peace".

68. Senior Representative of Nova Scotia and former Member of the Canadian Parliament, **William Casey**, noted that parliamentarians had greater freedom to make proposals and think creatively than did Governments, and called for greater mobilization of members of parliaments. In offering a specific proposal for a two-State solution based on the history of North America, Mr. Casey outlined a series of parallels between the situation at hand and the "North American two-State solution." In recalling that North America had at one point been a disputed territory, rife with violent attacks and bloody insurgencies on both sides, he pointed out that the two parties had negotiated a mutually acceptable location for the border but warned that if one side had tried to impose a border, the Canada-United States two-State solution would have failed. As for the problem of settlements, Mr. Casey observed that the final path of the border had several aberrations in order to accommodate the concerns of both sides, and he explained that, after the North American border location had been determined, thousands of British settlers had had to make a choice whether to become United States citizens or move back across the new border with Canada. As security, trade and other issues evolved, so did the relationship between the two peoples, he stated, suggesting that the same would be the case with any resolution between Israelis and Palestinians.

69. While acknowledging that the North American situation was not similar to that of Jerusalem and its complex problems, Mr. Casey said that the two countries did have a process to deal with disputed boundary locations, noting that the International Boundary Commission had been established to maintain the Canada – United States boundary and deal with questions that might arise. In pointing out that the Commission's role was part of an ongoing process, he suggested that the North American experience could be a model for a fluid situation such as that of Jerusalem. Another parallel, he said, was the difference in size of the two countries, which could have posed a problem, but was addressed successfully through a regulatory framework of safeguards and dispute settlement mechanisms. He suggested that similar institutional solutions could be applied in the case of Israel and Palestine. As for the role of parliamentarians, Mr. Casey suggested that a small committee made up of Palestinian, Israeli, Canadian and United States parliamentarians could be established to compare the two-State solution in North America with the one proposed for the Middle East. Such an engagement of members of parliament, he said, could raise public awareness, improve the level of understanding and put pressure on the Governments concerned.

70. During the brief discussion that followed, some parliamentarians aired ideas about the role that they could play in promoting Israeli-Palestinian peace, including by raising awareness, submitting proposals and exerting pressure on Governments. One parliamentarian from the region urged parliamentarians to ensure that the question of Palestine was put on the agenda of international parliamentary organizations.



#### IV. CLOSING SESSION

71. **Saviour Borg**, Rapporteur of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, read out the concluding remarks of the organizers of the meeting, which are given in Annex I to the present report.

72. **George Vella**, speaking on behalf of PAM, said that the meeting had been very useful as it had gathered a large number of parliamentarians and other delegates from the region and beyond. In noting that a comprehensive picture of the situation on the ground had been sketched, he urged the parliamentarians to push forward the suggestions made during the meeting. It had also been an informative meeting, he noted, while stressing that, although at times one or the other permanent status issue was pressed to the forefront of the agenda, the five issues were equally important. In referring to the sobering presentation made by Mr. Liel the difficult situation on the ground and the loss of momentum following President Obama's speech in Cairo, Mr. Vella said that the meeting had also been disheartening and he urged all actors to think "outside of the box" to find creative solutions for the way forward. Finally, he said, the meeting had set the path for further work by PAM in promoting peace. While noting that Israelis were longing for security, he emphasized that Palestinians also were entitled to enjoy safety. He concluded by noting that PAM would continue its efforts to change the current situation, based on the example of South Africa. He added that as a United Nations observer, PAM would also continue to work with the United Nations Committee.

73. **Tayseer Quba'a**, Deputy Speaker of the Palestinian National Council, observed that by accepting to have only 22 per cent of the land of historical Palestine, the Palestinians had already given more concessions than they had ever dreamed of. That was because they genuinely desired peace and were tired of the bloodshed, he said. In stressing that the Palestinians would never give up the West Bank, Mr. Quba'a urged the Israeli participants at the meeting to acknowledge that nothing was gained by using the law of the jungle. In referring to Hizbullah and rocket attacks from Gaza, he said that Israel must acknowledge that no superiority could win a war in six days anymore, as anyone could build missiles. In lamenting that Israel wanted neither two States nor one State, he warned that the current favourable situation would not continue forever, particularly in the light of the ongoing efforts to "Judaize" Jerusalem. In noting that, by withdrawing from Gaza, Israel had turned the strip into a prison, he questioned Israeli intentions with the checkpoints, separation wall, settlements and detention of legislators in the West Bank. Mr. Quba'a took issue with the concept of a balanced approach, which would treat the oppressed as if they were the oppressors, and the tortured as if they were the torturers. In noting that, while Palestinian police in the West Bank did not carry weapons, the settlers were heavily armed, he called on the international community, particularly United States President Obama, to offer the Palestinian people protection.

74. **Riyad Mansour**, Ambassador and Permanent Observer of Palestine to the United Nations, said that the original idea had been to convene a conference with parliamentarians to highlight the essence of the occupation, namely the developments in Jerusalem, being pushed by the Government of Israel. He argued that having a conference on Jerusalem could help the international community to shoulder the collective responsibility to prevent an escalation of the situation in the city, which, he warned, could lead to a religious war. Meanwhile, he said, at the request of the Parliamentary Assembly of the Mediterranean, the conference had been expanded to include all final status issues.

Mr. Mansour stated that he was interested in working to ensure that important parliamentary leaders in the Mediterranean region increased efforts to avert a catastrophe in Jerusalem, which could explode the whole region. He recalled having been told by delegates from the Old City in Jerusalem that they were encountering an encouragement of thugs and drug pushers, making life at night a nightmare for Palestinian residents. He said that this was an attempt to further “Judaize” Jerusalem by making more Palestinian families leave the city. While stressing the importance of acting against such a sophisticated scheme of ethnic cleansing, he called for consideration of measures to enable the Palestinians and the international community to stand shoulder-to-shoulder to avoid a catastrophe.

75. In reiterating the Palestinian wish for a State located on 22 per cent of the original homeland, with East Jerusalem as its capital, and a just solution to the refugee question, Mr. Mansour called for a collective, responsible and practical way of realizing that goal. In reiterating that all the issues had already been negotiated, he stressed the need for political will to open the door to a permanent solution. In that context, he stated that the presentations made at the meeting would be carefully analysed and stressed the need to internationalize the efforts to push the process forward.

76. The Speaker of the Parliament of Malta, **Louis Galea**, noting that many of the participants at the meeting had worried about the futility of the efforts to address the paralysis in the peace process, stressed the importance of retaining hope. He pointed out that, since leaders were not completely free to engage, bound as they were by processes of intergovernmental diplomacy, it was important to further strengthen inter-parliamentary diplomacy. Mr. Galea called for creative parliamentary efforts to create a stronger, more effective bottom-up approach, which would mobilize an alternative to violence. In stating that occupation was no guarantee for peace and that terror was no tool for liberation, he stressed the need to further nurture the hope that had been born with the reorientation of United States foreign policy under President Obama. At the same time, he said, developments on the ground were crucial for creating a situation conducive to peace, and he underlined the important role of the actors in the Mediterranean region, who were direct stakeholders in the conflict.

77. The Chairman thanked all participants for an extremely useful and engaging conference.

## Annex I

### Concluding remarks of the organizers

1. The **International Meeting in Support of Israeli-Palestinian Peace** was organized by the Parliamentary Assembly of the Mediterranean and the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People in Qawra, Malta, on 12 and 13 February 2010.
2. The objectives of the meeting were to provide a forum for the exchange of views on the current state of the peace efforts and to encourage a constructive dialogue among the stakeholders on how to create a political climate conducive to the resumption of the peace negotiations on permanent status issues: border, Jerusalem, settlements, refugees and water. The meeting, among other things, discussed the terms of reference for all permanent status issues, including in the context of peace initiatives. It also looked into (a) modalities for bridging gaps and building trust between the parties; (b) international and regional approaches to promoting a comprehensive, just and lasting solution of the Israeli-Palestinian conflict; and (c) the role of parliamentarians and inter-parliamentary organizations in supporting Israeli-Palestinian peace and stability in the region.
3. The organizers were encouraged by the consensual view among participants that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, was imperative for the attainment of peace and stability in the Middle East. During the meeting, the participants had expressed serious concern about the prolonged stagnation and impasse of the peace efforts between the Israelis and Palestinians. They had reiterated their full support for the revival of the Middle East peace process, based on the relevant Security Council resolutions, the Madrid terms of reference, including the principle of land for peace, the Quartet's Road Map, the Arab Peace Initiative and the existing agreements between the Israeli and Palestinian sides. The organizers appreciated that the participants had stated their firm commitment to ending Israeli occupation, which started on 4 June 1967, in order to achieve a permanent two-State solution in which Israel and Palestine would live side by side in peace and security within mutually recognized borders. The participants had urged the parties to resume, without delay, serious negotiations that would lead, within an agreed time frame, to the resolution of the permanent status issues: borders, Jerusalem, settlements, refugees and water.
4. The organizers understood that participants had called upon the parties to build on the progress made to date in the implementation of their Road Map obligations. They had noted the Israeli redeployment in 2005 from the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step in that direction. In that connection, many participants reiterated the global consensus in calling on Israel, the occupying Power, to immediately stop all settlement activities in the West Bank and East Jerusalem, including the so-called natural growth, and to dismantle all outposts as required by the Road Map. They had recognized the efforts undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its institutions, and welcomed in particular the efforts and progress made in the security sector. They had encouraged the parties to strengthen measures aimed at promoting trust and confidence. In that regard, participants had emphasized the importance of the safety, protection and well-being of all civilians in the whole Middle East region, and condemned all acts of violence, military incursions and terror against civilians perpetrated by any side.

5. The organizers emphasized that developments on the ground had played a crucial part in creating a climate conducive to a resumption of the political dialogue and successful negotiations. They reiterated that Israeli settlements and the separation wall had been built on occupied Palestinian land, and that the demolition of houses and the eviction of Palestinian residents were illegal under international law, constituted an obstacle to peace and threatened to make a two-State solution impossible. They expressed their hope that the 10-month freeze of settlement expansion declared by the Government of Israel would be comprehensive, extended to East Jerusalem and retained indefinitely. They expressed alarm at the rising number of violent acts and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property and infrastructure, and the internal displacement of civilians. The organizers supported the firm stance by the international community not to recognize any changes to the pre-1967 borders, including with regard to occupied Jerusalem, other than those agreed by the parties.

6. The organizers observed that participants had expressed deep concern about the situation in East Jerusalem. Government-sanctioned settlement construction, transfer of settlers, house demolitions, evictions of Palestinian residents and other actions aimed at altering the status and character of occupied East Jerusalem constituted violations of international law and had to be rescinded. The organizers stressed that a negotiated solution of the question of Jerusalem as the future capital of two States that would take account of the political and religious concerns of all sides was a prerequisite for lasting peace. It should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the Palestinian people and peoples of all religions and nationalities. The organizers reaffirmed the legitimate interest of the international community in the question of the City of Jerusalem and the protection of its unique spiritual, religious and cultural dimensions.

7. Grave concern was expressed by most participants over the crisis in the Gaza Strip as a result of the prolonged Israeli closures and movement restrictions that amounted to a blockade. These policies represented a severe form of collective punishment of the entire population of the Gaza Strip. The hardship endured by the Palestinian people in Gaza was further exacerbated by the Israeli military operation “Cast Lead”, which caused extensive loss of life and injury, particularly among Palestinian civilians, widespread damage and destruction of Palestinian homes, infrastructure and public institutions and the internal displacement of civilians. The organizers urged Israel to open all crossing terminals to the flow of humanitarian aid, commercial goods, including reconstruction materials, and to persons in accordance with Security Council resolution 1860 (2009).

8. Participants had drawn attention to the plight of Palestine refugees, whose status and suffering had been passed down from generation to generation over the past six decades. The inherent vulnerability of the refugees and the dire conditions of their exile called for a just and lasting solution anchored in the principles of international law and the lessons drawn from successful examples of conflict resolution in other parts of the world. The organizers supported the view that justice for Palestine refugees and the Palestinian people as a whole also encompassed fair recompense and recourse for the wrongs inflicted upon them under occupation. They welcomed that the participants had acknowledged the crucial role that the United Nations Relief and Works

Agency for Palestine Refugees in the Near East (UNRWA) was playing in providing the Palestine refugees with basic services. They commended the selfless efforts of the many staff of UNRWA throughout the 60 years of its existence and encouraged them to continue their humanitarian work and to contribute to the international discourse on a just solution of the question of Palestine refugees on the basis of General Assembly resolution 194 (III).

9. The organizers welcomed the emphasis on the need for the parties to arrive at a just solution to the question of water. They believed that any permanent status agreement should honour international law with respect to the sharing and allocation of ground and surface water resources in the Israeli and Palestinian regions, namely equitable and reasonable allocation on a per capita basis, avoidance of significant harm, and respect for the obligation of prior notification before undertaking major projects that may affect the neighbour's water allocation. The organizers reaffirmed that, with the assistance of the international community, the parties should apply modern technologies to augment water supplies and utilize all supplies in more efficient and economic ways and be guided by international law.

10. The organizers supported the participants, emphasis on the importance of the active involvement of the international community, in particular the United Nations and its Security Council, the Quartet, the League of Arab States and the Organization of the Islamic Conference, for the resumption and successful conduct of the peace process. They called upon the international donor community to continue to support generously the Palestinian efforts towards rehabilitation, reconstruction, economic development and State-building.

11. The organizers also welcomed that the participants of the meeting, hosted by Malta, a European Union Member State, had appreciated the absolutely critical role played by the European Union and individual European States in achieving a durable peace in the Middle East. In that connection, they were encouraged to note that the participants had welcomed the declaration of the Council of the European Union of 8 December 2009. On that basis, the organizers encouraged the policy making organs of the European Union to play a more active role in various aspects of the political process, in addition to the European Commission's substantial economic assistance.

12. The organizers were of the view that national parliaments and inter-parliamentary organizations had a special role to play in advancing the Israeli-Palestinian political process. Such organizations as the Parliamentary Assembly of the Mediterranean, the Euro-Mediterranean Parliamentary Assembly, the European Parliament, the Inter-Parliamentary Union, the Parliamentary Assembly of the Western European Union and the Arab Inter-parliamentary Union had worked towards upholding international law and promoting an effective political dialogue aimed at resolving all permanent status issues. The organizers encouraged those inter-parliamentary organizations to develop closer cooperation among themselves, with Israeli and Palestinian lawmakers, and with the United Nations and its Committee on the Exercise of the Inalienable Rights of the Palestinian People, with a view to supporting a comprehensive, just and lasting peace in the region, including a peaceful settlement of the question of Palestine. In that context, the organizers noted the valid recommendations and suggestions made during the meeting to strengthen the role of parliamentarians at the national, regional and international levels in contributing towards the resolution of the question of Palestine.

13. The organizers of the international meeting, namely the Parliamentary Assembly of the Mediterranean and the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, were gratified by the newly developed partnership between themselves and were committed to continue working together, and individually, towards bringing about a comprehensive, just and lasting settlement of the Israeli-Palestinian conflict.
14. The organizers commended Malta for its proactive and constructive role in the search for a comprehensive, just and lasting solution of the Middle East conflict and encouraged its continuation. They expressed gratitude to the Government and Parliament of Malta for hosting the meeting and for the generous hospitality extended to them.

## **Annex II**

### **List of participants**

#### **Experts**

Mr. Samih Abid	Head of the Territorial and Border Committee for Negotiations Palestine Liberation Organization Former Minister for Public Works and Housing Palestinian Authority Ramallah
Mr. Omar Al-Nahar	Director, Negotiations Coordination Bureau Ministry of Foreign Affairs Amman
Mr. Geoffrey Aronson	Director of Research and Publications Foundation for Middle East Peace Washington, D.C.
Hon. Mr. Mohamed Barakeh	Member of the Knesset Secretary-General of Hadash Party Tel Aviv
Mr. Yossi Beilin	President of Beilink, Business Foreign Affairs Former Member of the Knesset Tel Aviv
Hon. Mr. William Casey	Senior Representative of Nova Scotia Former Member of the Canadian Parliament Ottawa
Ms. Helena Cobban	Executive Director Council for the National Interest Foundation Washington, D.C.
Mr. Robert Dann	Chief, Regional Political Affairs Office of the United Nations Special Coordinator for the Middle East Peace Process Jerusalem
Mr. Sa'eb Erakat	Head of the Negotiations Affairs Department Palestine Liberation Organization Ramallah

Hon. Mr. Suleiman Ghneimat	Member of the Parliament of Jordan Vice-President, Parliamentary Assembly of the Mediterranean Amman
Mr. Peter Gubser	President (retired) American Near East Refugee Aid (ANERA) Washington, D.C.
H.E. Mr. Ibrahim Khraishi	Permanent Observer of Palestine to the United Nations Office at Geneva Geneva
Mr. Michael Kingsley-Nyinah	Director of the Executive Office United Nations Relief and Works Agency for Palestine Refugees in the Near East Amman
H.E. Mr. Alon Liel	Lecturer, the Hebrew University of Jerusalem Jerusalem
Hon. Mr. Tayseer Quba'a	Deputy Speaker, Palestinian National Council
H.E. Mr. Robert Rydberg	Head of the Middle East and North Africa Department Ministry of Foreign Affairs Stockholm
H.E. Mr. Ziyad Sabsabi	Deputy Chairman, Committee of Foreign Relations Council of the Federation, Federal Assembly Moscow
Hon. Mr. George Vella	Member of the Parliament of Malta Chairman of the ad hoc Committee on the Middle East Parliamentary Assembly of the Mediterranean Valletta
H.E. Mr. Hesham Youssef	Chef de Cabinet of the Secretary-General League of Arab States Cairo

**Delegation of the United Nations Committee on the Exercise of the  
Inalienable Rights of the Palestinian People**

H.E. Mr. Pedro Núñez Mosquera	Ambassador and Permanent Representative of Cuba to the United Nations
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Chairman of the Delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

H.E. Mr. Saviour F. Borg

Ambassador and Permanent Representative of Malta to the United Nations  
Rapporteur of the Committee

H.E. Mr. Riyad Mansour

Ambassador and Permanent Observer of Palestine to the United Nations

**Representative of the Secretary-General of the United Nations**

Mr. Oscar Fernandez-Taranco

Assistant Secretary-General for Political Affairs

**Member States**

**(United Nations and Parliamentary Assembly of the Mediterranean)**

Austria, Bosnia and Herzegovina, Belgium, China, Cyprus, Czech Republic, Egypt, France, Germany, Greece, Italy, Jordan, Lebanon, Malta, Netherlands, Portugal, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Tunisia, Turkey, United Arab Emirates, United Kingdom of the Great Britain and Northern Ireland, United States of America, Uruguay

**Non-member State having received a standing invitation to participate as observer in the sessions and the work of the General Assembly and maintaining a permanent observer mission at United Nations Headquarters**

Holy See

**Entities having received a standing invitation to participate as observers in the sessions and the work of the General Assembly and maintaining permanent observer missions at United Nations Headquarters**

Palestine

### **Intergovernmental Organizations**

Cooperation Council for the Arab States of the Gulf  
European Commission – League of Arab States Liaison Office (Malta)  
League of Arab States

### **Inter-parliamentary Organizations**

Arab Inter-parliamentary Union  
European Parliament  
European Security and Defence  
European Union  
Maghreb Consultative Council  
Organization for Security and Cooperation in Europe Parliamentary Assembly  
The Parliamentary Assembly of the Organization of the Black Sea Economic Cooperation  
Parliamentary Union of the OIC member states

### **United Nations organs, agencies and bodies**

Economic and Social Commission for Western Asia (ESCWA)  
Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO)

### **Civil society organizations**

All-Ukrainian Party of Peace and Unity  
American Near East Refugee Aid (ANERA)  
Association France Palestine Solidarité  
Badil Resource Centre for Palestinian Residency and Refugee Rights  
Council for the National Interest Foundation  
EuroMed Movement (Malta)  
Fondation de Malte  
Foundation for Middle East Peace  
Health, Development, Information and Policy Institute  
International Association for Water Law  
Islamic World Studies Centre, Malta  
NGO Development Centre  
Palestinians without Frontiers  
Upper Hudson Peace Action

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