



DIVISION FOR PALESTINIAN RIGHTS

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I. PANEL OF INQUIRY ON THE FLOTILLA INCIDENT SUBMITS ITS REPORT TO SECRETARY-GENERAL

On 2 September 2011, the Panel of Inquiry on the 31 May 2010 Flotilla Incident, an independent body established in August 2010, submitted its report to the Secretary-General. The text of the summary of the report is reproduced below:

Summary

On 31 May 2010 at 4.26 a.m. a flotilla of six vessels was boarded and taken over by Israeli Defense Forces 72 nautical miles from land. The vessels were carrying people and humanitarian supplies. The flotilla had been directed to change course by the Israeli forces who had stated that the coast of Gaza was under a naval blockade. Nine passengers lost their lives and many others were wounded as a result of the use of force during the take-over operation by Israeli forces.

The Secretary-General established the Panel of Inquiry on the 31 May 2010 Flotilla Incident on 2 August 2010. The Panel received and reviewed reports of the detailed national investigations conducted by both Turkey and Israel. A National Commission of Inquiry established by Turkey to examine the facts of the incident and its legal consequences provided an interim and final report to the Panel, along with annexes and related material. Israel provided the report of the independent Public Commission that it had established to review whether the actions taken by the State of Israel had been compatible with international law.

The Panel reviewed the reports and further information and clarifications it received in written form and through direct meetings with points of contact appointed by each Government. In the light of the information so gathered, the Panel examined and identified the facts, circumstances and context of the incident and considered and

recommended ways of avoiding similar incidents in the future. In so doing, it was not acting as a Court and was not asked to adjudicate on legal liability. Its findings and recommendations are therefore not intended to attribute any legal responsibilities. Nevertheless, the Panel hopes that its report may resolve the issues surrounding the incident and bring the matter to an end.

The Panel's method of work provided that the Panel was to operate by consensus, but where, despite best efforts, it was not possible to achieve consensus, the Chair and Vice-Chair could agree on any procedural issue, finding or recommendation. This report has been adopted on the agreement of the Chair and Vice-Chair under that procedure.

Facts, Circumstances and Context of the Incident

The Panel finds:

(a) The events of 31 May 2010 should never have taken place as they did and strenuous efforts should be made to prevent the occurrence of such incidents in the future;

(b) The fundamental principle of the freedom of navigation on the high seas is subject to only certain limited exceptions under international law. Israel faces a real threat to its security from militant groups in Gaza. The naval blockade was imposed as a legitimate security measure in order to prevent weapons from entering Gaza by sea

and its implementation complied with the requirements of international law;

(c) The flotilla was a non-governmental endeavour, involving vessels and participants from a number of countries;

(d) Although people are entitled to express their political views, the flotilla acted recklessly in attempting to breach the naval blockade. The majority of the flotilla participants had no violent intentions, but there exist serious questions about the conduct, true nature and objectives of the flotilla organizers, particularly IHH. The actions of the flotilla needlessly carried the potential for escalation.

(e) The incident and its outcomes were not intended by either Turkey or Israel. Both States took steps in an attempt to ensure that events did not occur in a manner that endangered individuals' lives and international peace and security. Turkish officials also approached the organizers of the flotilla with the intention of persuading them to change course if necessary and avoid an encounter with Israeli forces. But more could have been done to warn the flotilla participants of the potential risks involved and to dissuade them from their actions.

(f) Israel's decision to board the vessels with such substantial force at a great distance from the blockade zone and with no final warning immediately prior to the boarding was excessive and unreasonable:

(i) Non-violent options should have been used in the first instance. In particular, clear prior warning that the vessels were to be boarded and a demonstration of dissuading force should have been given to avoid the type of confrontation that occurred;

(ii) The operation should have reassessed its options when the resistance to the initial boarding attempt became apparent;

(g) Israeli Defense Forces personnel faced significant, organized and violent resistance from a group of passengers when they boarded the *Mavi Marmara*, requiring them to use force for their own protection. Three soldiers were captured, mistreated, and placed at risk by those passengers. Several others were wounded;

(h) The loss of life and injuries resulting from the use of force by Israeli forces during the take-over of the *Mavi Marmara* was unacceptable. Nine passengers were killed and many others seriously wounded by Israeli forces. No satisfactory explanation has been provided to the Panel by Israel for any of the nine deaths. Forensic evidence showing that most of the deceased were shot multiple times, including in the back, or at close range has not been adequately accounted for in the material presented by Israel;

(i) There was significant mistreatment of passengers by Israeli authorities after the take-over of the vessels had been completed and until their deportation. This included physical mistreatment, harassment and intimidation, unjustified confiscation of belongings and the denial of timely consular assistance.

How to Avoid Similar Incidents in the Future

The Panel recommends:

With respect to the situation in Gaza

(a) All relevant States should consult directly and make every effort to avoid a

repetition of the incident;

(b) Bearing in mind its consequences and the fundamental importance of the freedom of navigation on the high seas, Israel should keep the naval blockade under regular review, in order to assess whether it continues to be necessary;

(c) Israel should continue with its efforts to ease its restrictions on movement of goods and persons to and from Gaza, with a view to lifting its closure and to alleviate the unsustainable humanitarian and economic situation of the civilian population. These steps should be taken in accordance with Security Council resolution 1860 (2009), all aspects of which should be implemented;

(d) All humanitarian missions wishing to assist the Gaza population should do so through established procedures and the designated land crossings in consultation with the Government of Israel and the Palestinian Authority;

General

(e) All States should act with prudence and caution in relation to the imposition and enforcement of a naval blockade. The established norms of customary international law must be respected and complied with by all relevant parties. The San Remo Manual provides a useful reference in identifying those rules;

(f) The imposition of a naval blockade as an action in self-defence should be reported to the Security Council under the procedures set out under Article 51 of the Charter of the United Nations. This will enable the Council to monitor any implications for international peace and security;

(g) States maintaining a naval blockade must abide by their obligations with respect to the provision of humanitarian assistance. Humanitarian missions must act in accordance with the principles of neutrality, impartiality and humanity and respect any security measures in place. Humanitarian vessels should allow inspection and stop or change course when requested;

(h) Attempts to breach a lawfully imposed naval blockade place the vessel and those on board at risk. Where a State becomes aware that its citizens or flag vessels intend to breach a naval blockade, it has a responsibility to take proactive steps compatible with democratic rights and freedoms to warn them of the risks involved and to endeavour to dissuade them from doing so;

(i) States enforcing a naval blockade against non-military vessels, especially where large numbers of civilian passengers are involved, should be cautious in the use of force. Efforts should first be made to stop the vessels by non-violent means. In particular, they should not use force except when absolutely necessary and then should only use the minimum level of force necessary to achieve the lawful objective of maintaining the blockade. They must provide clear and express warnings so that the vessels are aware if force is to be used against them.

Rapprochement

(j) An appropriate statement of regret should be made by Israel in respect of the incident in the light of its consequences;

(k) Israel should offer payment for the benefit of the deceased and injured victims and their families, to be administered by the

two Governments through a joint trust fund of a sufficient amount to be decided by them;

(l) Turkey and Israel should resume full diplomatic relations, repairing their

relationship in the interests of stability in the Middle East and international peace and security. The establishment of a political roundtable as a forum for exchanging views could assist to this end.

II. WORLD BANK REPORTS ON ACHIEVEMENTS IN PALESTINIAN INSTITUTION-BUILDING AND ECONOMIC GROWTH

The World Bank, on 12 September 2011, published its Economic Monitoring Report to the Ad Hoc Liaison Committee entitled “Sustaining Achievements in Palestinian Institution-Building and Economic Growth”. The text of the executive summary of the report is reproduced below:

Executive Summary

The September 2011 meeting of the Ad Hoc Liaison Committee coincides with the completion the Palestinian Authority’s ambitious two-year programme “Palestine: Ending the Occupation, Establishing the State”, presented on 25 August 2009. There has been substantial progress in implementing the programme’s goals and policies, centering on the objective of building strong State institutions. However, the onset of an acute fiscal crisis, accompanied by declining economic growth, may undermine the promise of these institution-building achievements.

In areas where government effectiveness matters most — security and justice; revenue and expenditure management; economic development; and service delivery — Palestinian public institutions compare favourably to other countries in the region and beyond. These institutions have played a crucial role in enabling the positive economic growth in the West Bank and Gaza in recent years.

Though significant, this growth has been unsustainable, driven primarily by

donor aid rather than a rebounding private sector, which remains stifled by Israeli restrictions on access to natural resources and markets. Under these conditions, lower-than-expected aid flows in the first half of 2011 had an immediate impact on the Palestinian economy. Real GDP growth, steadily increasing in 2009-2010 and previously projected to reach 10 per cent in 2011, is now expected to be 5 per cent. The shortfall in external financial support in the first half of 2011 has also contributed to the current fiscal crisis facing the Palestinian Authority.

The situation underscores the interdependence of institution-building and sustainable economic growth in laying the economic underpinnings of a future State. To date, the Palestinian Authority has continued to implement its reform agenda, but a protracted fiscal crisis risks jeopardizing the gains in institution-building made painstakingly over the past years.

Ultimately, in order for the Palestinian Authority to sustain the reform momentum and its achievements in institution-building, remaining Israeli restrictions must be lifted. The resulting revival of the private sector

can be expected to grow the tax base and gradually reduce dependence on external assistance. Until then, however, West Bank

and Gaza will remain vulnerable to reductions in aid flow, and these will need to be managed carefully.

III. UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT REPORTS ON ASSISTANCE TO THE PALESTINIAN PEOPLE

At its fifty-eighth session, held in Geneva from 12 to 23 September 2011, the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) presented a report entitled “Developments in the economy of the Occupied Palestinian Territory”. Excerpts of the report are reproduced below (TD/B/58/4):

I. Aid-driven, jobless economic growth, with an eroded productive base

1. Compared to the previous few years, the performance of the economy of the Occupied Palestinian Territory showed some improvement in 2010. It is estimated that economic growth in 2010 stood at 9.3 per cent, compared to 7.4 per cent in 2009. Growth was more pronounced in Gaza, where gross domestic product (GDP) grew by 15 per cent, compared to 7.6 per cent in the West Bank.

2. However, this is not a sign of sustainable recovery, but rather a sign of an economy operating from a low base, given the economic regression of the last decade and an ongoing de-industrialization process. Against the background of the sharp economic decline experienced since 2000, the continuing Israeli closure policy and confiscation of Palestinian land and natural resources raise concerns about the sustainability of the growth experienced in 2010, and the development prospects of the Palestinian economy. Concerns about the sustainability of the 2010 growth path also stem from the reliance on a large injection of foreign aid and on public-sector expenditure, as has been the case in most of the recent

episodes of growth. Moreover, the Palestinian private sector continues to be constrained by years of restrictions on movement and access, blockade, extremely limited access to external markets to export goods and import production inputs, and shrinking capital and natural resource bases.

3. Furthermore, about two thirds of Palestinian public revenue is dependent on Israeli controls. In accordance with the 1994 Paris Protocol on Economic Relations between Israel and the Palestine Liberation Organization, Israel collects customs and value added taxes on goods imported through Israel and then clears them to the Palestinian Authority (PA). This is a tenuous arrangement in a situation characterized by frequent political and security tensions. In the last ten years, Israel has delayed clearing these revenues to the PA more than twice, sometimes for prolonged periods, and most recently in May 2011 when the clearance process was delayed for several weeks. International support and positive growth can be translated into sustainable economic gains via measures to prevent instability in Palestinian tax revenue and to reduce the restrictions placed on access by Palestinian producers to external markets, both for exports and for importing inputs.

A. Erosion of manufacturing capacity

4. According to the International Monetary Fund (IMF) (2011), the Palestinian economic contraction observed in the post–Oslo Accords period was combined with technological regression at an average annual rate of decline of total factor productivity of half a percentage point per year from 1994 to 2010. Had the pre–Oslo trend of productivity growth continued between 1994 and 2010, real GDP per capita in the Occupied Palestinian Territory would have been 88 per cent higher than its 2010 level.

5. While manufacturing output declined by 6 per cent in 2010, hotels and restaurants, construction, public administration and agriculture grew at rates of 46, 36, 6 and 22 per cent, respectively. However, the growth rate for agriculture came after continuous decline for a decade, whereby the level of value added in the sector in 2009 was 47 per cent of the level a decade earlier.

6. The steady decline of Palestinian manufacturing is a major concern, not only because of the immediate loss of potential output, but also because of its long-term implications, which are related to and reinforced by the effects of the observed technological regression. This is because firms in the manufacturing sector tend to be more innovative and efficient than firms producing non-tradable goods which are not exposed to the rigours of global competition. According to the Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO) (2011b), real GDP growth between 2009 and 2010 was caused mainly by an increased number of workers and labour force participation, amidst a decline in productivity.

B. Broad economic divergence between Gaza and the West Bank

7. In Gaza, a modest relaxation of the Israeli blockade over the last 18 months (Government of Israel, 2011) has enabled an improvement in economic activity. This has been concentrated in the non-tradable goods sector, mainly construction, whose output doubled in 2010. Despite the urgent need to rebuild the private and public property destroyed by the 24-day Israeli military operation in Gaza that took place in December 2008 and January 2009, the importing of construction materials is still banned, with the exception of imports by international organizations. However, construction inputs continued to be imported at inflated costs via clandestine tunnels from Egypt. The 15 per cent GDP growth registered in Gaza in 2010 is partly the result of recovery from a low economic base whereby real GDP fell by 30 per cent cumulatively between 2006 and 2009, and partly a reflection of relaxation of some Israeli constraints on imports in mid-2010.

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B. Operational activities under way

51. UNCTAD activities in support of Palestinian Customs continued in 2010. Substantial achievements were made under the “Programme to Modernize and Strengthen Institutional and Managerial Capacities of the Palestinian Authority Customs Administration, Phase III” technical cooperation project, including the training of 48 Customs employees in 10 functional areas, including clearance procedures, IT, functional administration, customs management, customs procedures, operations, Automated System for Customs Data (ASYCUDA) reports, and direct trader

input. Training on the ASYCUDA system was also extended to staff from other government ministries and agencies and from the Palestinian private sector. Some Palestinian ministries are now connected, and can exchange data directly with ASYCUDA. Private-sector agents can also directly input data, and process and complete customs clearance procedures more efficiently, resulting in substantial time and cost savings.

52. As a result of progress achieved under this project, Palestinian Customs has been able to implement new customs procedures and to interface with the Israeli customs system more effectively. This has led to more efficient customs control, and has enhanced customs revenues. At the conclusion of the project on 31 December 2010, the PA and the donor (European Commission) recognized the significant achievements that had been made, and started considering a new technical cooperation project to consolidate achievements, ensure a proper and complete handover and Palestinian ownership, and strengthen the PA's overall customs and fiscal capacity. This is expected to commence in late 2011.

53. In early 2011, UNCTAD completed the implementation of the Development Account project entitled "Promoting Subregional Growth-Oriented Economic and Trade Policies towards Achieving the Millennium Development Goals in Arab Countries of West Asia and North Africa", which benefits the Occupied Palestinian Territory and four other Arab countries. The final expert meeting was held in Geneva in October 2010. It was attended by consultants, representatives and staff from trade ministries and statistical agencies of the participating Governments, including the PA. The workshop and meeting provided

a platform for the exchange of ideas and experiences among national policymakers, UNCTAD staff and experts. The studies and discussions generated by the project, which was conducted with Millennium Development Goals 1 and 8 in mind, will result in publication of a book on pro-poor economic and trade strategies, harmonization of trade statistics, and infrastructure and institutions to facilitate deeper regional integration. Palestinian policymakers benefited from project's activities, and contributed to its successful implementation; this included a detailed study on Palestinian external trade, along with a wide range of trade indices and quantitative indicators that are essential for sound Palestinian trade policymaking.

54. UNCTAD has pursued its initiative to introduce the United Nations Chief Executives Board Inter-Agency Cluster on Trade and Productive Capacity in the Occupied Palestinian Territory. This aims at developing the Palestinian trade and productive sectors within a flexible framework of coordinated interventions capable of fostering dynamic synergies between humanitarian interventions and of building a sound Palestinian productive base. The secretariat has designed a joint proposal for a programme within the context of the United Nations "Delivering as one" and in collaboration with the United Nations agencies operating in the Occupied Palestinian Territory. This initiative aims at achieving inter-agency coordination and integration, and at maximizing the coherence of activities which will be carried out within a strategic framework that emphasizes the linkages between trade, poverty reduction, human development and the Millennium Development Goals. The proposal was endorsed by the United Nations country team in the Occupied Palestinian Territory in December 2010;

subsequently, an inter-agency mission took place to discuss the proposal with relevant PA officials, Palestinian private-sector institutions and the donors. The cluster will be launched formally when funding is secured.

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C. Resource mobilization, coordination and harmonization

58. In the course of 2010, UNCTAD discussed with the PA Ministry of Finance a project for strengthening capacities in debt monitoring and financial analysis. An assessment mission by UNCTAD staff from the Assistance to the Palestinian People Unit and the Debt Management and Financial Analysis System (DMFAS) visited the Occupied Palestinian Territory and met with relevant PA staff, and a project document was developed. The PA has formally

declared to donors its decision to adopt DMFAS and to commence implementation in the near future when funding shortfalls are overcome.

59. Despite significant achievements and progress made in resource mobilization and project implementation, the secretariat's goal of intensifying its support of Palestinian economic development, as called for in the Accra Accord, remains constrained by the inadequacy of resources, extrabudgetary funding shortfalls, and the lack of a field presence. In addition, further facilitation of the entry and access by UNCTAD international and national staff to the field in the Occupied Palestinian Territory will prevent delays in the implementation of planned activities and mission, and will help in overcoming the difficult conditions in the field.

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IV. SECRETARY-GENERAL REPORTS ON ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM

On 13 September 2011, Secretary-General Ban Ki-moon submitted to the General Assembly the report entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem" (A/66/356), pursuant to General Assembly resolution 65/105. The following is a reproduction of the recommendations contained in the report:

III. Recommendations

61. The Government of Israel should take all necessary measures to prevent further incidents of excessive use of force. This should include a review of regulations on the use of live ammunition in operations carried out by all Israeli security forces, including the Israeli Defense Forces (IDF), to ensure that these regulations are in line with Israel's international legal obligations.

62. The Government of Israel should review methods used by IDF to enforce access restrictions on land and sea in Gaza. These methods should be consistent with Israel's international legal obligations, and should never include the use of live ammunition against civilians.

63. The Government of Israel should adopt measures that effectively ensure that any attack by IDF respects the principles of conduct of hostilities, namely distinction, proportionality and precautions. This should include having commanders in the field carefully evaluate the timing of attacks and the concrete and direct military advantage expected to be gained from responding immediately to the launch of a rocket or mortars, when appropriate means are not available which would to mitigate the risk to civilians.

64. The Government of Israel must ensure the accountability of members of its security forces, in particular by conducting investigations that meet international standards of promptness, independence, impartiality, and thoroughness into all credible allegations of violations.

65. Palestinian armed groups must comply with international humanitarian law and immediately cease the firing of indiscriminate rockets and mortars. Palestinian armed groups should seek to protect the civilian population of Gaza, in particular by abstaining from locating military objectives in densely populated areas.

66. The Government of Israel must end its policies resulting in the forcible transfer of civilians in the Occupied Palestinian Territory. In this connection, Israel should desist from revoking the residency status of East Jerusalemites.

67. The Government of Israel's policies and practices that lead to forced displacement of Bedouin refugees from Area C, including demolitions of homes and livelihood structures, should cease. Any attempts to relocate Bedouin communities

into "purpose-built" villages should only be carried out with the free, prior and informed consent of the Bedouin. Further, Israel should respect the rights of Bedouin communities to access natural resources and essential services.

68. The Government of Israel should immediately cease all demolitions of houses and other structures in the Occupied Palestinian Territory. At the same time, Israel should modify applicable planning and zoning rules, in order to ensure adequate housing for all Palestinian residents of Area C and East Jerusalem.

69. The Government of Israel should fully comply with the advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, in particular by immediately halting the construction of the barrier and dismantling or rerouting the constructed section to the Green Line.

70. The Government of Israel should fully lift the blockade of Gaza, with due regard for legitimate security concerns. The lifting of the blockade should include permitting the exportation of goods, ensuring that all necessary reconstruction materials can be delivered, and facilitating the movement of people to and from Gaza.

71. Taking into account the observations of the Human Rights Committee, the Government of Israel should conduct an independent and thorough review into its policy of administrative detention, with a view to terminating the policy and removing its derogation regarding article 9 of the International Covenant on Civil and Political Rights.

V. SPECIAL RAPPORTEUR FALK REPORTS ON THE SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES

On 13 September 2011, Secretary-General Ban Ki-moon transmitted to the General Assembly the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (A/66/358). The recommendations of the Special Rapporteur are reproduced below:

Recommendations

45. In the light of the above, the Special Rapporteur recommends that the Government of Israel take the following measures:

(a) Immediately adopt in policy and practice the guidelines of B'Tselem for the protection of Palestinian children living under occupation who are arrested or detained as a minimum basis for compliance with international humanitarian law and human rights standards under international law;

(b) Allow on an urgent basis entry to Gaza of materials needed for repair of water and electricity infrastructure so as to avoid further deterioration in the health of the civilian population, especially children, which is currently in critical condition;

(c) Develop and implement appropriate detention and imprisonment policies and practices for Palestinians, including fully observing the prohibition on transferring prisoners from occupied Palestinian territory to Israeli territory;

(d) Immediately lift the unlawful blockade of Gaza in view of its violative impact on all aspects of civilian life, its undermining of the basic rights of an occupied population and its grave impact on children.

46. The Special Rapporteur recommends that the General Assembly request that the International Court of Justice issue an advisory opinion on the legal status of prolonged occupation, as aggravated by prohibited transfers of large numbers of persons from the occupying Power and the imposition of a dual and discriminatory administrative and legal system in the West Bank, including East Jerusalem.

VI. UNRWA RENEWS ITS APPEAL FOR EMERGENCY ASSISTANCE IN GAZA

On 13 September 2011, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) issued a statement renewing its appeal for urgently needed emergency assistance in the Gaza Strip. The following are the excerpts from the appeal:

UNRWA's emergency operations in Gaza are facing a critical situation, whereby insufficient funds have led to a reduction in key humanitarian interventions. In June 2011, UNRWA cut the number of Job Creation Programme (JCP) contracts by 30

percent, reducing the number of average rolling contracts from 10,000 to 6,500 per month, suspended all its activities that supported the agriculture, fishing and health sectors, and decreased the number of temporary contractors serving UNRWA

installations by 30 per cent. In addition, no back to school cash assistance (100 NIS per child to purchase school uniforms and supplies) will be distributed this year, which will affect more than 220,000 students. These cuts are taking place at a time when UNRWA, through improved targeting, is reducing the number of food aid beneficiaries by 120,000.

Unfortunately, these mitigation measures will not be enough if more funds are not realized soon. The current deficit of US\$ 36 million will have a dire impact on UNRWA's humanitarian programmes.

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Humanitarian needs and aid dependency in Gaza is a direct result of the economic collapse borne out of the ongoing blockade in place since 2007. Lack of access to imports and restrictions on exports have decimated the private sector, leading the majority of the population, who were once self-sufficient, to become aid dependent.

Prior to 2002, when the economy was functioning normally, only 10 per cent of refugees were dependent on UNRWA aid. Today, 70 per cent of refugees are receiving UNRWA assistance.

The vicious cycle of unemployment-poverty-aid dependency continues. At the end of 2010, the unemployment rate for refugees stood at 45 per cent, with more than 60 per cent of youth unemployed.

In the absence of livelihoods and prospects of income among ordinary people yearning to work, international assistance fills the gap between poverty and destitution, whereby UNRWA provides services, including through its emergency programme, to 1.1 million Palestine refugees.

Through the provision of basic food items and temporary employment opportunities, UNRWA gives dignity and hope to those most affected by Gaza's socio-economic crisis.

VII. UNITED NATIONS SPECIAL COORDINATOR FOR MIDDLE EAST PEACE PROCESS REPORTS ON PALESTINIAN STATE-BUILDING

The Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO) on 18 September 2011 submitted to the Ad Hoc Liaison Committee at its meeting in New York a report entitled: "Palestinian State-Building: An Achievement at Risk" which covers the period from 21 April to 23 August 2011. The recommendations in the report are reproduced below:

Recommendations to address the situation on the ground

The body of the report calls for action from a range of concerned actors on key political, security, development, human

rights and humanitarian issues. This annex supplements the body of the report with a checklist of specific action items drawn also from previous reports which would help to address immediate humanitarian concerns and improve the situation on the ground.

Strengthening Partnership and Deepening Development

1. Donors should increase their budgetary assistance, ensuring that predictable support is available to meet the PA's recurrent expenditure needs.

2. Donors are encouraged to support UN recovery and development efforts through the PA/UN occupied Palestinian territories Trust Fund, including for Gaza and the West Bank, which will provide the UN flexible and readily available funding to support the full spectrum of UN recovery work, including reconstruction activities in Gaza and other activities in the West Bank complementing the work of the PA.

3. Donors are encouraged to continue to address humanitarian needs through the Consolidated Appeal (CAP).

4. The PA should build on reform efforts to date to secure further progress as outlined in the PA's National Development Plan 2011-2013.

5. The PA is encouraged to consolidate work in social development, in particular through an Integrated National Social Policy.

West Bank

6. Israel should freeze all settlement activity, including natural growth, and dismantle settlement outposts erected since March 2001.

7. Israeli authorities should cease demolition of Palestinian structures in Area C and East Jerusalem, allow displaced persons to return and provide for their essential needs.

8. The PA should continue security efforts in Area A; security cooperation between the parties should continue to be developed; Israel should exercise maximum restraint, particularly regarding incursions.

Movement and Access

9. In the context of continued security cooperation, further and more far-reaching steps to enable greater movement and access are needed.

10. The movement of civilians should be facilitated, including by removing checkpoints and obstacles that do not serve legitimate security purposes, to enable: movement within as well as in and out of the occupied Palestinian territories, including East Jerusalem and the 'seam zones'; increased access for Palestinians to develop land and resources; and to access essential services, such as education and health care.

11. Regarding the advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, the Government of Israel should take heed of General Assembly resolution ES-10/15, of 2004, in which the Assembly, '[d]emands that Israel, the occupying Power, comply with its legal obligations as mentioned in the advisory opinion'; and calls upon 'all States Members of the United Nations to comply with their legal obligations as mentioned in advisory opinion'.

12. Consistent with the Agreement on Movement and Access Israeli facilitation of the access to and development of land and resources within the Jordan Valley, as well as movement of people and goods into the Jordan Valley is important.

13. Increased areas currently designated as closed for military or other purposes, should be opened to Palestinian use by the Israeli authorities.

14. Further measures are necessary to improve the movement of goods through the crossings to enable exports, as well as the streamlined entry of inputs for manufacturing purposes. Barriers are important for the recovery of the tradable goods sectors in the occupied Palestinian territories and for sustainable private-sector led growth.

Area C

15. The Government of Israel should revise the zoning and planning regime and land administration in the West Bank to ensure that it addresses the needs of the local Palestinian population in a timely, fair and non-discriminatory manner.

16. In line with #15, the PA should continue to invest in land management, building on the 2008 National Land Policy Framework and continue to support the development of a regional land-use/spatial plan for the entire West Bank.

17. The international community should support Palestinian planning efforts for Area C communities, as well as broader development efforts in Area C, in line with PA priorities, including the National Development Plan.

18. The Government of Israel should make bold changes to the administrative system that controls Palestinian construction to ensure that infrastructure on a scale that meets developmental need is enabled expeditiously.

19. The humanitarian community must be allowed and able to respond to basic humanitarian needs in Area C in accordance with the humanitarian imperative, without fear of prosecution or other recrimination to either agencies or beneficiaries by the Israeli authorities.

East Jerusalem

20. The Government of Israel should end the revocation of the residency status of Palestinian residence of East Jerusalem, restore the residency of those whose status has been revoked and renew the family unification process for mixed residency status couples and register their children.

21. Palestinian planning and zoning should be prioritized, with effective participation of Palestinians, to meet the current and future needs of Palestinian communities.

22. Safe and predictable access to adequate schools in sufficient numbers and specialized hospitals in East Jerusalem should be afforded for all Palestinians from the rest of the West Bank and Gaza.

23. Increased access for people and goods between East Jerusalem and the rest of the occupied Palestinian territories should be afforded to ensure access to this economic hub.

Gaza

24. All parties should take steps to facilitate implementation of Security Council resolution 1860 (2009) in all its aspects, including combating smuggling, the full opening of legitimate crossings, and a durable ceasefire.

25. Calm must be maintained. Militant rocket attacks must cease. Israel must exercise maximum restraint. All parties must respect international humanitarian and human rights law.

26. Further easing of the movement of additional categories of people into and out of Gaza, including to the West Bank, should be facilitated by the Government of Israel.

27. The Government of Israel should allow the import of all construction materials — particularly aggregate, iron bar and cement (the ABC of construction) for use by Gaza's private sector.

28. Exports should be facilitated from all sectors, from the Gaza strip to foreign countries, and the transfer of such goods to the West Bank should be enabled, including those financed by the UN.

29. Restrictions on the access of civilians to areas of Gaza's land and sea should be eased by Israeli authorities to the fullest extent possible.

30. The Government of Israel should approve further international projects that require "controlled materials", building on US\$ 265 million in approvals in just over a year.

31. Capacity, processes and procedures at the land crossings must also enable work at scale as well as the crossing of other humanitarian goods as well as imports and exports for the private sector.

32. The free and independent operations of non-governmental organizations and respect for the work of the UN and its partners must be safeguarded.

VIII. SECRETARY-GENERAL REPORTS ON ISRAELI SETTLEMENTS IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM

On 16 September 2011, Secretary-General Ban Ki-moon submitted a report on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan (A/66/364), pursuant to General Assembly resolution 65/104. The recommendations contained in the report are reproduced below:

V. Recommendations

35. The Government of Israel should bring its policies and practices into compliance with its international legal obligations and its commitments in the Road Map, as well as the repeated calls of the international community to immediately cease the transfer of its civilian population into occupied territory and to completely freeze all settlement activities in the West Bank, including in East Jerusalem, and to immediately dismantle all "outposts".

36. The Government of Israel should end its discriminatory policies and practices against Palestinians, in particular those that violate Palestinians' right to adequate housing. Non-discriminatory planning policies that take account of natural growth of Palestinians should be developed and implemented as a matter of urgency. The current situations in Area C and East Jerusalem merit priority action by the Government in this regard.

37. The Government of Israel should take all necessary measures to prevent attacks by Israeli settlers against Palestinian civilians and their property in the West Bank, including East Jerusalem. In this respect, there is an urgent need for a comprehensive training programme for Israel Defense Forces and other Israeli security forces deployed in the West Bank on applicable international legal standards. The Government of Israel may consider requesting technical cooperation from the Office of the United Nations High Commissioner for Human Rights to design and deliver such a training programme.

38. The Government of Israel should ensure that all serious allegations concerning criminal acts committed by settlers or the Israel Defense Forces are subject to independent, impartial, effective, thorough and prompt investigations, in accordance with international standards.

39. The Government of Israel should ensure that, in line with its international legal obligations, all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In particular, it should ensure that all judicial guarantees and procedural safeguards, including fair trial and due process, are guaranteed for all.

40. The General Assembly and the international community should more actively seek the implementation of their decisions, resolutions and recommendations, as well as those of the Security Council, the International Court of Justice and the United Nations human rights mechanisms, including treaty bodies and special procedure mandate holders, in relation to the situation of human rights and international humanitarian law in the Occupied Palestinian Territory.

IX. UNITED NATIONS DEVELOPMENT PROGRAMME REVIEWS PALESTINIAN LEGISLATION FROM A WOMEN'S RIGHTS PERSPECTIVE

On 20 September 2011, the United Nations Development Programme (UNDP), under its Programme of Assistance to the Palestinian People (PAPP), published a Review of Palestinian Legislation from a Women's Rights Perspective. The recommendations in the review are reproduced below:

1. General Recommendations

- Recommence the process of unifying and harmonizing legislation in the West Bank and the Gaza Strip as soon as political realities allow and continue to promote broad civil society consultation in these processes.
- Build legislative policy-making capacities across Palestinian National Authority (PNA) institutions. Ensure that the likely

impact of proposed legislation is explored in detail prior to its enactment, with an eye to the particular social, economic and political context within which the law is expected to operate.

- Strengthen legislative planning capacities across PNA institutions.
- Expand legal scholarship in law schools to include socio-legal studies, with an emphasis on creating

capacity in feminist legal scholarship.

2. International Law

- Strengthen the capacities of Palestinian law schools to teach and carry out research into international law including feminist legal scholarship.
- Formulate public policy on the appropriate relationship between international law and the Palestinian domestic legal system, including in relation to the incorporation of international human rights obligations into domestic legislation.
- Ensure that draft legislation is reviewed for conformity with international human rights law, especially the Convention on the Elimination of All Forms of Discrimination against Women, as a matter of course.

3. Constitutional Law

- Examine the extent to which constitutional principles feature in contemporary legal practice.
- Identify the reasons why the rights to equality and non-discrimination established by the Palestinian Basic Law (amended 2003) are not being litigated in order to advance women's rights.
- Review the compatibility of Palestinian legislation with the Palestinian Basic Law, especially legislation that was enacted prior to

the promulgation of the Palestinian Basic Law.

- Strengthen the capacities of the legal profession in the areas of constitutional law, public interest law and strategic litigation, as these areas relate to defending women's rights.

4. Personal Status Legislation

Harmonize Palestinian personal status legislation and bring it into line with international standards including, inter alia, by:

- Raising the minimum age of marriage to 18 and implementing socio-economic reforms that will deter early marriage.
- Revoking the requirement that a woman obtain the consent of a wali (male relative on the father's side) to marry.
- Granting the testimony of a woman in the sharia courts equal weight to that of a man.
- Restricting the practice of polygamy in a manner which protects women's rights.
- Ensuring that the best interest of the child is paramount in custody cases.
- Ensuring that women have equal rights to men with respect to child custody and access.
- Expanding the grounds on which women can sue for divorce and

restricting men's absolute right to do so.

- Ensuring that legislation on the division of common marital property upon the dissolution of a marriage accounts for women's contributions to the accumulation of those assets through work carried out inside or outside of the home.
- Conducting socio-legal research on sharia law in practice in order to gain a better understanding of how women litigants seek and obtain justice; and how these efforts can be supported and reinforced.

5. Criminal Law

- Enact a new unified penal code that conforms to international human rights standards, protects women from all forms of violence and appropriately punishes the perpetrators of violence against women.
- Review and challenge the restrictions imposed on individual liberty in the draft penal code prepared by a national commission in 2010-2011.
- Examine the ways in which women utilise the criminal justice system and how they calculate the losses and gains of doing so, and make it more responsive to women's needs.
- Study the ways in which the courts produce knowledge about violence against women and how this counters or reinforces harmful gender stereotypes.

6. Labour Legislation

- Extend the protections of the Labour Law (2000) to domestic workers and individuals who work for relatives, many of whom are women.
- Establish a minimum wage for both women and men, as required by law.
- Establish specialized, women-friendly employment tribunals to expedite the resolution of labour disputes.
- Support the Ministry of Labour to strengthen its labour law inspection mechanisms and strengthen inter-Ministerial relationships to ensure coherent responses to women's legal needs.
- Institute a social security system which will distribute the costs associated with women working outside of the home across society as a whole. This should include the establishment of a network of accessible childcare facilities.

7. Political Participation

- Develop legislation to regulate trade unions and political parties, and to promote women's empowerment and gender equality in political participation.
- Explore the reasons why women's participation in political life in the occupied Palestinian territories is constrained in order to formulate a comprehensive policy response.

- Ensure higher numbers of capable women are appointed to senior governmental positions and ensure that women have equal opportunities

to gain the training and work experience they require to compete for positions at all levels.

X. PALESTINE APPLIES FOR ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

During the sixty-sixth session of the General Assembly and under agenda item 116 “Admission of new Members to the United Nations”, Secretary-General Ban Ki-moon on 23 September 2011, circulated the application of Palestine for admission to membership in the United Nations (A/66/371-S/2011/592), in accordance with rule 135 of the rules of procedure of the General Assembly. The application is reproduced below:

Application of the State of Palestine for admission to membership in the United Nations

I have the profound honour, on behalf of the Palestinian people, to submit this application of the State of Palestine for admission to membership in the United Nations.

This application for membership is being submitted based on the Palestinian people’s natural, legal and historic rights and based on United Nations General Assembly resolution 181 (II) of 29 November 1947 as well as the Declaration of Independence of the State of Palestine of 15 November 1988 and the acknowledgement by the General Assembly of this Declaration in resolution 43/177 of 15 December 1988.

In this connection, the State of Palestine affirms its commitment to the achievement of a just, lasting and comprehensive resolution of the Israeli-Palestinian conflict based on the vision of two-States living side by side in peace and security, as endorsed by the United Nations Security Council and General Assembly and the international community as a whole and

based on international law and all relevant United Nations resolutions.

For the purpose of this application for admission, a declaration made pursuant to rule 58 of the provisional rules of procedure of the Security Council and rule 134 of the rules of procedure of the General Assembly is appended to this letter (see enclosure).

I should be grateful if you would transmit this letter of application and the declaration to the Presidents of the Security Council and the General Assembly as soon as possible.

(Signed) Mahmoud **Abbas**
President of the State of Palestine
Chairman of the Executive Committee of the
Palestine Liberation Organization

Declaration

In connection with the application of the State of Palestine for admission to membership in the United Nations, I have the honour, in my capacity as the President of the State of Palestine and as the Chairman of the Executive Committee of the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, to

solemnly declare that the State of Palestine is a peace-loving nation and that it accepts the obligations contained in the Charter of the United Nations and solemnly undertakes to fulfill them.

(Signed) Mahmoud Abbas
President of the State of Palestine
Chairman of the Executive Committee of the
Palestine Liberation Organization

**Letter dated 23 September 2011 from the
President of Palestine to the Secretary-
General**

After decades of displacement, dispossession and the foreign military occupation of my people and with the successful culmination of our State-building program, which has been endorsed by the international community, including the Quartet of the Middle East Peace Process, it is with great pride and honour that I have submitted to you an application for the admission of the State of Palestine to full membership in the United Nations.

On 15 November 1988, the Palestine National Council (PNC) declared the Statehood of Palestine in exercise of the Palestinian people's inalienable right to self-determination. The Declaration of Independence of the State of Palestine was acknowledged by the United Nations General Assembly in resolution 43/177 of 15 December 1988. The right of the Palestinian people to self-determination and independence and the vision of a two-State solution to the Israeli-Palestinian conflict have been firmly established by General Assembly in numerous resolutions, including, inter alia, resolutions 181 (II) (1947), 3236 (XXIX) (1974), 2649 (XXV) (1970), 2672 (XXV) (1970), 65/16 (2010) and 65/202 (2010) as well as by United

Nations Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002) and by the International Court of Justice Advisory Opinion of 9 July 2004 (on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory). Furthermore, the vast majority of the international community has stood in support of our inalienable rights as a people, including to statehood, by according bilateral recognition to the State of Palestine on the basis of the 4 June 1967 borders, with East Jerusalem as its capital, and the number of such recognitions continues to rise with each passing day.

Palestine's application for membership is made consistent with the rights of the Palestine refugees in accordance with international law and the relevant United Nations resolutions, including General Assembly resolution 194 (III) (1948), and with the status of the Palestine Liberation Organization (PLO) as the sole legitimate representative of the Palestinian people.

The Palestinian leadership reaffirms the historic commitment of the Palestine Liberation Organization of 9 September 1993. Further, the Palestinian leadership stands committed to resume negotiations on all final status issues — Jerusalem, the Palestine refugees, settlements, borders, security and water — on the basis of the internationally endorsed terms of reference, including the relevant United Nations resolutions, the Madrid principles, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap, which specifically requires a freeze of all Israeli settlement activities.

At this juncture, we appeal to the United Nations to recall the instructions contained in General Assembly resolution 181 (II) (1947) and that "sympathetic

consideration” be given to application of the State of Palestine for admission to the United Nations.

Accordingly, I have had the honour to present to Your Excellency the application of the State of Palestine to be a full member of the United Nations as well as a declaration made pursuant to rule 58 of the provisional rules of procedure of the

Security Council and rule 134 of the rules of procedure of the General Assembly. I respectfully request that this letter be conveyed to the Security Council and the General Assembly without delay.

(Signed) Mahmoud Abbas
President of the State of Palestine
Chairman of the Executive Committee of the
Palestine Liberation Organization

**XI. UNDER-SECRETARY-GENERAL FOR POLITICAL AFFAIRS
BRIEFS SECURITY COUNCIL ON THE SITUATION
IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION**

On 27 September 2011, Under-Secretary-General for Political Affairs B. Lynn Pascoe briefed the Security Council on the situation in the Middle East, including the Palestinian question. The following are excerpts from the briefing (S/PV.6623):

More than a week of intensive diplomacy at the United Nations has underscored the institutional readiness of the Palestinian Authority to run a State and seen the Palestinian President apply for membership for a State of Palestine in the United Nations. The Quartet has noted this application, while calling for resumed negotiations and urging concrete proposals from the parties on territory and security within three months of talks resuming. The Quartet reaffirmed the international legal basis for the peace process and its support, expressed on 20 May, for the vision of Israeli-Palestinian peace outlined by President Obama. It also urged the parties to avoid provocations on the ground.

Judging by the passions of last week, the parties remain far apart. No one can deny the depth of their dispute, but there are now some building blocks in place that could help make negotiations more effective than before. These include a clear timetable, expectations that the parties must come forward with proposals, and an active role

for the Quartet. It will not be easy to chart a way forward, but now is again the time for everyone to give diplomacy a chance.

Let me begin by noting an important international success story. The Palestinian Authority is capable of running a State. This strong international consensus was clear at the meeting of the Ad Hoc Liaison Committee on 18 September here in New York. The meeting confirmed the assessments of the World Bank, the International Monetary Fund and the Office of the United Nations Special Coordinator for the Middle East Peace Process of the capability of the Palestinian Authority. The efforts to build robust State institutions and revive the Palestinian economy have brought real security and economic improvements. We commend President Abbas and Prime Minister Fayyad on this achievement. The Palestinian Authority has achieved what it set out to do two years ago, and this must be noted, preserved and built upon.

For this reason, the Ad Hoc Liaison Committee meeting urged greater facilitation by the Israeli Government, including enhanced measures to enable private sector growth in the West Bank and Gaza; continued, predictable and improved revenue transfers from Israel; and allowing Area C to develop. The meeting expressed concern over the fiscal situation, which many attributed to structural constraints on the private sector, while underscoring the importance of donor support to the Palestinian Authority. In this regard, I welcome the \$200 million transferred by Saudi Arabia for the Palestinian Authority's recurrent expenditures and development spending. With a \$150 million financing gap for the remainder of the year, additional and timely donor support to meet the Authority's needs is critical, including to ensure payment of salaries and contracts.

When meeting last Friday, Quartet principals stated that a donors' conference should be held to give further impetus to the State-building agenda. They also proposed, as part of the context of renewed negotiations, to identify additional steps they can support individually and collectively so as to secure significantly greater independence and sovereignty for the Palestinian Authority over its affairs.

I stress the State-building achievements for a reason. The main obstacles to a Palestinian State are not institutional, but political: the unresolved issues in the conflict between the parties, the continuing Israeli occupation, and the ongoing Palestinian divide.

Last Friday, 23 September, President Abbas submitted to the Secretary-General an application for membership for a State of Palestine in the United Nations. In accordance with the Charter and the rules of

procedure, the Secretary-General transmitted the application to the President of the Security Council on the same day and sent a copy to the President of the General Assembly. The Secretary-General respects the prerogatives of the Security Council and the General Assembly. The application is now before the Council; it is members' issue to decide.

...

Resuming negotiations and making progress is easier said than done, of course, and this was evident in the eloquent and deeply felt speeches of both leaders to the General Assembly. Yet despite frustrations and lack of trust, each leader extended his hand for peace, and both parties have undertaken to review carefully the Quartet call. We hope that, whatever its reservations, each side will now engage towards the preparatory meeting envisaged by the Quartet. The United Nations intends to be a full participant in this effort, and Special Coordinator Serry has already returned to the region to follow up with both parties and his Quartet partners.

...

One hundred housing new units were approved in the Beit Aryeh settlement in the northern West Bank since the last briefing. The Israeli authorities also announced their intention to expropriate 200 acres of land around a settler outpost in the West Bank. More Palestinian structures in Area C have been demolished to date in 2011 than in either of the past two years. Today's decision by the Jerusalem District Planning Committee to advance planning for a large number of units in East Jerusalem is of particular concern. We have repeatedly stated that settlement activity is illegal and contrary to Israel's Road Map commitments.

In Gaza, despite the restoration of an uneasy calm in late August, 18 rockets, including three Grad rockets, were fired into Israel during the reporting period. We condemn these indiscriminate attacks, which must cease. During the same period, Israeli forces conducted four incursions and two airstrikes into Gaza, resulting in six Palestinian civilians being injured, including three children. We continue to urge Israel to show maximum restraint.

We also continue to call for further easing of Israeli closure measures on Gaza, particularly in regard to the importation of

construction materials, exports and the freedom of movement of people.

We can report no movement on Palestinian reconciliation based on Palestinian Liberation Organization commitments, although President Abbas stated that he hopes that the implementation of the reconciliation accord will be accelerated in the coming weeks. There also has been no progress regarding access to or the release of Staff Sergeant Shalit, who remains in Hamas captivity.

...

XII. GROUP OF 77 TRANSMITS MINISTERIAL DECLARATION TO THE SECRETARY-GENERAL

In a letter dated 27 September 2011, the Permanent Representative of Argentina to the United Nations submitted to Secretary-General Ban Ki-moon the Ministerial Declaration adopted at the thirty-fifth annual meeting of the Ministers for Foreign Affairs of the Group of 77 and China, held at United Nations Headquarters in New York on 23 September 2011(A/66/388). The excerpts of the declaration are reproduced below:

The Ministers for Foreign Affairs of the Member States of the Group of 77 and China met at United Nations Headquarters in New York on 23 September 2011 on the occasion of their thirty-fifth annual meeting. The Ministers reviewed the world economic situation and the development challenges faced by developing countries and adopted the following Declaration:

...

108. The Ministers stress the need for the early realization by the Palestinian people of their right to self-determination and to the independence of the State of Palestine to allow for their stability, prosperity and development towards the achievement of the Millennium Development Goals, to which all peoples are

entitled. The Ministers express support for the efforts of the Palestinian people to achieve independence and welcome in this regard the submission of Palestine's application on 23 September 2011 for full membership in the United Nations.

109. The Ministers condemn the ongoing Israeli military occupation of the Palestinian Territory, including East Jerusalem, and the illegal actions by the occupying Power that continue to cause civilian casualties, socio-economic and humanitarian hardship and destruction to Palestinian properties, infrastructure and agricultural lands and to undermine the contiguity, unity and integrity of the Territory.

110. The Ministers express deep concern about the further decline of the social and economic conditions of the Palestinian people, particularly in the besieged Gaza Strip, as a result of illegal Israeli practices, including construction of settlements and the Wall and the imposition of a blockade and hundreds of checkpoints. They call upon Israel, the occupying Power, to immediately cease all illegal measures impairing the Palestinian economy and development, in particular the inhumane and illegal blockade imposed on the Gaza Strip

and restrictions on the movement of persons and goods, including commercial trade, throughout, into and out of the Occupied Palestinian Territory, and to make reparation for all damages caused to Palestinian properties, institutions and infrastructure. They reiterate their call upon the international community to continue providing much-needed development and humanitarian assistance to the Palestinian people during this critical period, particularly for reconstruction and economic recovery in the Gaza Strip.

XIII. SECURITY COUNCIL REFERS PALESTINIAN APPLICATION TO MEMBERSHIP COMMITTEE

The Security Council, on 28 September 2011, decided to refer Palestine's application for admission to membership in the United Nations to its Committee on the Admission of New Members. The text of the press release on the occasion (SC/10397) is reproduced below:

The Security Council today decided to refer the application of Palestine for admission to United Nations membership to its Committee on the Admission of New Members for "examination and report".

According to a statement by Council President Nawaf Salam (Lebanon), the application was submitted by the Palestinian President in a letter dated 23 September 2011 addressed to the Secretary-General (document S/2011/592).

Mr. Salam noted that, under rule 59 of the Council's provisional rules of procedure, an application for membership shall be referred by the President to the Admissions Committee unless the Council decides otherwise. He proposed that that Committee meet at 10 a.m. on Friday, 30 September 2011, to consider the application.

The meeting began at 9:37 a.m. and ended at 9:40 a.m.