



## DIVISION FOR PALESTINIAN RIGHTS

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### Bulletin on action by the United Nations system and intergovernmental organizations relevant to the question of Palestine

#### *Contents*

	<i>Page</i>
I. GA President calls Palestine's UN status upgrade one of the most galvanizing moments of the sixty-seventh session	1
II. Secretary-General repeats call on Israel to rescind plans for 'E1' Area settlement	3
III. Secretary-General says 2013 is critical for Middle East peace process	4
IV. Special Coordinator of the Middle East Peace Process briefs Security Council on the situation in the Middle East, including the Palestinian question	4
V. UN Humanitarian Coordinator issues statement on Israeli use of live ammunition in the West Bank	8

*The Bulletin can be found in the United Nations Information System  
on the Question of Palestine (UNISPAL) on the Internet at:*  
<http://unispal.un.org>

## **I. GA PRESIDENT CALLS PALESTINE'S UN STATUS UPGRADE ONE OF THE MOST GALVANIZING MOMENTS OF THE SIXTY-SEVENTH SESSION**

*On 3 January 2013, the President of the General Assembly urged UN Member States to show “tenacity of purpose”, and the “will to overcome differences”. In his remarks the President of the General Assembly also called Palestine’s UN status upgrade one of the most galvanizing moments of the sixty-seventh session. An excerpt of the President’s address is reproduced below (GA/11336):*

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Bookended by bloody conflicts in Syria and the Gaza Strip — and punctuated by several others — the session saw Member States sharply divided over how to react to such crises.

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One of the session’s most galvanizing moments came on 29 November, traditionally the International Day of Solidarity with the Palestinian People, as the Assembly voted overwhelmingly to accord Palestine an upgraded status at the United Nations — that of a non-member observer State. With 138 States voting in favour to 9 against, with 41 abstentions, the Assembly decided to alter the status of the Palestinian Liberation Organization, which had been recognized as an observer entity since 1974. The vote came a year after Palestine had submitted an unsuccessful bid for full membership in the United Nations, a move which had ultimately been blocked in the Security Council.

While some delegations questioned the wisdom of the upgrade, calling the move “counterproductive” and noting concern that such a “unilateral” move at the United Nations would further hinder stalled peace negotiations between Israel and the Palestinians, many of those addressing the Assembly’s annual two-day debate on the Question of Palestine and the situation in the Middle East expressed strong support for the measure. Speakers noted recent

improvements in Palestine’s governance and institutional structure, and said that an upgraded status at the United Nations could pave the way for full statehood. In addition, many heralded the Assembly’s vote as the long-overdue completion of what, some 65 years earlier, had been intended as the creation of two independent States — Israel and Palestine — on the contested territory.

Moreover, said Palestinian President Mahmoud Abbas as he addressed the Assembly, “the rope of patience is shortening and hope is withering”, he asserted, referring to the peace negotiation “which has lost its objectivity and credibility”. Palestine’s request to change its status was intended not to bypass those negotiations, he said, but to “breathe new life” into them. Yet, Israel’s representative said that rather than advance peace, the “one-sided” measure had instead pushed the process backward. “There is only one route to Palestinian statehood. There are no shortcuts. No quick fixes,” he said. The route to peace ran through direct negotiations between Jerusalem and Ramallah.

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Resolutions in the Fourth Committee (Special Political and Decolonization) on the Arab-Israeli conflict assumed even greater significance in November as international concern mounted over the outbreak of violence in Israel and Gaza. In line with its work programme, the Committee approved a

series of texts, by which it asked the Assembly to condemn all acts of violence, especially the excessive use of force by Israeli-occupying forces against Palestinian civilians, particularly in the beleaguered enclave, and to voice grave concern at the firing of rockets in Israeli civilian areas. The Committee's consideration of items across its broad spectrum of political and scientific concerns produced a raft of texts on decolonization underpinned by the right of Non-Self-Governing Territories to shape their destinies. Drafts on atomic radiation and peaceful uses of outer space were also forwarded to the Assembly.

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### **Plenary**

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As the Assembly took up its annual debate on the Middle East and the Question of Palestine, Member States voted, by an overwhelming margin, to accord Palestine non-member observer State status in the United Nations. Coming just over a year after Palestine had submitted an unsuccessful bid for full membership in the Organization, the move — which upgraded Palestine's status from that of observer entity, which it had held since 1974 — was described by many participants in the two-day debate as a “historic” action which would set the stage for the full participation of Palestinians in multilateral affairs, and for the end to the long-standing Israeli occupation of the West Bank, the Gaza Strip and other territories of the Middle East.

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### **Fourth Committee**

The usual divisions persisted in the Fourth Committee (Special Political and Decolonization) following its typically

vigorous debate on how best to advance decolonization, assist Palestinian refugees, and reform Israeli practices, leading to recorded votes on more than half of the 28 draft texts it forwarded to the General Assembly. Consensus once again emerged on guarding outer space from the dangers of an arms race, improving dissemination of the United Nations message, and shaping special political missions as an outgrowth of peacekeeping operations.

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The Committee's consideration of the work of the Special Committee to Investigate Israeli practices affecting the Human Rights of Palestinian Peoples took place during the sharp escalation of violence in the region, making more germane an already timely and impassioned debate. In its report on that grim situation, the Special Committee concluded that Israeli practices “might amount to a strategy to either force the Palestinian people off their land or so severely marginalize them as to establish and maintain a system of permanent suppression”.

Characterizing the ensuing discussion as a “theatre of the absurd”, Israel's representative said the Committee “turned a blind eye” to the culpability of Palestinians, who had launched more than 1,000 rockets and mortar shells against Israeli towns and villages in the past year alone. Israel was a vibrant democracy, the delegate said, with a highly respected judiciary system accessible to all — citizens and foreigners alike. Furthermore, the country was committed to a “permanent peace agreement” with the Palestinians.

Nevertheless, in light of what all agreed was a dire refugee problem in the region, the Fourth Committee heard its annual briefing by the Commissioner-General of the United

Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who said “tiptoeing away from UNRWA was not an option”. He urged delegates for a “quantum and sustained leap” of commitment to resolve the Agency’s dire funding needs. The Committee concluded its agenda item on the Middle East with approval, by recorded votes, of nine draft resolutions, five on the work of the Special Committee on Israeli Practices and four on UNRWA.

Peacekeeping, the Committee was told when it took up the issue, “actually works”, said Under-Secretary-General for the department of Peacekeeping Operations Hervé Ladsous in his briefing, pointing out

that the resources used for that flagship activity of the United Nations were a very small part of global defence expenditures. Stressed during the discussion was the need to ensure that the flexibility of the design and configuration of the operations given their dynamic character. Delegations urged that “triangular cooperation” be stepped up, reimbursements to troop contributors be made more timely, and that missions maintain their impartiality and deepen their knowledge of the local culture which they aimed to serve. Review of the item concluded with approval of a text on special political missions.

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## **II. SECRETARY-GENERAL REPEATS CALL ON ISRAEL TO RESCIND PLANS FOR “E1” AREA SETTLEMENT**

*The following statement was issued on 14 January 2013 by the Spokesperson for Secretary-General Ban Ki-moon:*

The Secretary-General is following with concern developments regarding the announced plans for Israeli settlement construction in the so-called E1 area, on which he expressed his grave disappointment in his statement of 2 December. He notes that Israeli settlements in the West Bank are illegal under international law. The Secretary-General repeats his call that any such settlement plans for E1 must be rescinded.

He notes that the recent Palestinian demonstrations in the E1 area, as well as the

Israeli evacuation of the protesters, were largely non-violent. The Secretary-General stresses the importance for protests to continue to remain peaceful and for the right to peaceful protest to be fully respected.

In this particularly difficult period for the region, all concerned should make serious efforts towards creating the conditions for resumption of meaningful peace negotiations and to protect the future of the peace process, which is in danger.

### **III. SECRETARY-GENERAL SAYS 2013 IS CRITICAL FOR MIDDLE EAST PEACE PROCESS**

*On 22 January 2013, the Secretary-General addressed the General Assembly. An excerpt of the Secretary-General's address is reproduced below (SG/SM/14777 and GA/11337).*

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2013 will be a critical year for the Middle East peace process. As illegal settlement activity continues and Israelis and Palestinians remain polarized, five key priorities stand out: first, we must renew collective international engagement; second,

we must resume meaningful negotiations; third, we must preserve stability in Gaza; fourth, we must make progress on Palestinian reconciliation; and fifth, we must prevent the financial collapse of the Palestinian Authority. Concerted action is essential if we are to salvage the two-State solution.

### **IV. SPECIAL COORDINATOR OF THE MIDDLE EAST PEACE PROCESS BRIEFS SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION**

*On 23 January 2013, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority Robert Serry briefed the Security Council on the situation in the Middle East, including the Palestinian question. Excerpts of the briefing are reproduced below (S/PV.6906):*

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We meet today against the backdrop of ongoing events in the Middle East that could affect the peace process itself. Israel held elections yesterday, and Jordan is holding elections today. The United States Administration also commenced a second term this week.

While the process of forming a Government in Israel could take weeks, we look forward to engaging the next Israeli Government in the common pursuit of peace. This is not a time to be idle. Instead, we are entering a critical period in which concerted action will be vital if we are to salvage the two-State solution. The Secretary-General has repeatedly highlighted the fact that 2013 will be a decisive year for the two-State solution and that the parties must now show the political

will to cooperate with new renewed effort to achieve it.

I recently visited Egypt and Jordan — two key Arab stakeholders with peace treaties with Israel — and my interlocutors reiterated their direct interest in assisting the parties to realize the two-State solution at long last, and their concern over the dire regional consequences if not movement is achieved. Regional and international partners are increasingly alarmed that the only way to resolve the Arab-Israeli conflict in accordance with resolutions and international law is slipping away. They have also questioned the effectiveness of international efforts to bring about decisive results.

The Quartet envoys met again on 10 January in Amman, Jordan. Everyone recognized the urgent need for action, but I

must express my genuine concern that a clear and realistic path ahead is still lacking. The United Nations will remain an integral part of efforts to urgently address the dangerous political vacuum, and we are willing to work with any initiative that will achieve our common goal, including in the context of the Quartet. We have also taken note of the European Union (EU) Council decision of 10 December that reaffirmed the EU's vision for a way forward. We look forward in particular to renewed United States engagement.

No international effort alone is sufficient for progress absent the requisite will on the part of the parties themselves. If they want to provide themselves and others with the opportunity to get on track in the period ahead, then now is not the time for actions that further undermine mutual trust. As previously reported, after the General Assembly accorded Palestine non-member observer State status in the United Nations, we witnessed developments such as a dramatic increase in Israeli settlements announcements, including in the critical E-1 area, and the withholding and redirection by Israel of tax revenues it collects on behalf of the Palestinian Authority, which have been widely deplored, including by the United Nations. President Abbas has warned that building in E-1 is a red line and that if plans proceed he would consider raising his opposition in international forums, including the International Criminal Court. I urge both sides to abstain from actions that will make efforts to resume meaningful negotiations even harder in the critical period ahead, and I call on Israel to restore the timely, predictable and transparent transfers of tax and customs revenues without further delay.

The withholding of clearance revenues has already seriously weakened the capacity of the Palestinian Government to meet its obligations. Key among these is the payment

of salaries to civil servants, who have only received partial salaries since November and launched strikes in protest since mid-December. The Government also ended the refugee exemption from paying for electricity, which resulted in protests and clashes with Palestinian security on 1 January in Nablus.

In 2012, the recurrent budget deficit of the Palestinian Authority exceeded \$1 billion. International contributions amounted to \$600 million in support of the recurrent budget last year, but further timely disbursement of aid is essential to sustain institution-building and prevent the disruption of core operations. I welcome reports of the recent contribution from Saudi Arabia and statements of support by some Gulf States during yesterday's Riyadh summit, but members of the League of Arab States have yet to provide financial assistance pursuant to their communiqué of 9 December, and I urge them to do so urgently and to heed to the appeals of Prime Minister Fayyad. At the same time, we should be under no illusion — the viability of the Palestinian Authority will be increasingly at stake if its standing is based on political quicksand. Ultimately, there is no future for the Palestinian Authority without a two-State solution.

All this is taking place amid worrying events and trends on the ground, including continued settlement construction and increased violence. In East Jerusalem, on 19 December plans to approve 2,600 units in the settlement of Givat Hamatos were advanced, and 1,242 units were approved on 25 December in the settlement of Gilo. On 19 December, Israeli authorities advanced a plan to build 523 units in the Gush Etzion settlement south-west of Bethlehem. On 16 January, there were further tenders issued for construction in Efrat and Kiryat Arba, near Hebron. The reporting period also

witnessed continued activity in Palestinian neighbourhoods of East Jerusalem, including Beit Safafa and related to the construction of a military academy on the Mount of Olives. Israeli security forces demolished 105 structures in the occupied West Bank during the reporting period, resulting in the displacement of 170 Palestinians. Settlement construction in the West Bank, including East Jerusalem, is contrary to international law and cannot prejudice the outcome of final status negotiations. Clashes between settlers and Palestinians in the West Bank resulted in 14 Palestinian casualties, including one girl who was shot dead this morning near Hebron.

The reporting period has been characterized by increased Israeli operations — a total of 379 — and arrests in the West Bank, both of which are up nearly 90 per cent compared to the last reporting period, as well as increased clashes and renewed protests over the fate of Palestinian prisoners in Israeli jails. There are also continuing signs of tensions in security coordination, including the Israel Defense Forces (IDF) arrest of one Palestinian security officer at a checkpoint near Nablus. As a result of the operations, two Palestinians, including a teenager, were killed, 158 injured and 379 arrested. Four Israeli soldiers were also injured. Increased use of live fire by Israeli security forces has been reported in the West Bank and is of concern.

On 1 and 3 January, undercover Israeli operations, in one instance to arrest a member of Islamic Jihad, resulted in clashes with civilians injured by live ammunition. On 25 December, Israeli security forces arrested 10 members of the Popular Front for the Liberation of Palestine (PFLP) in Ramallah and other West Bank villages. Two of them allegedly confessed to

planning to kidnap Israelis in order to force the release of PFLP leader Ahmad Saadat.

Palestinian attacks on Israeli security forces in the West Bank included throwing stones and Molotov cocktails, in one instance against an IDF post at Rachel's Tomb in Bethlehem on 27 December. A repeat attempt was thwarted by Palestinian security forces on 1 January. On 5 January, Palestinian security forces arrested members of a Palestinian group in Hebron that had announced a third intifada and threatened to abduct IDF soldiers. Palestinian security forces also intervened in several refugee camps to prevent some members of Al-Aqsa Martyrs Brigades from rearming and reverting to armed resistance. Demonstrations in Ramallah over the alleged Israeli mistreatment of Palestinian prisoners led to clashes with Palestinian security forces on 20 January. We continue to be concerned about the fate of Palestinian prisoners on administrative detention in Israeli jails, especially those on prolonged hunger strike.

All of these events paints a grim picture and, absent a new perspective on the political track, I fear that such negative trends will only worsen.

Palestinian demonstrations continued to be organized against the barrier, which deviates from the Green Line in contravention to the advisory opinion of the International Court of Justice. On 11 January, over 100 Palestinians and international activists moved to the E-1 area of the West Bank and established an encampment named Bab al-Shams — or “Gateway to the Sun” — consisting of over 20 large tents, aimed at countering Israeli plans to expand settlement construction there. Demonstrators were evicted in the early hours of 13 January. On 18 January, the Secretariat received a letter from

Ambassador Prosor in which he considered the incident as “a provocation staged against Israel”. The Secretary-General has expressed his grave disappointment about the announced plans for Israeli settlement construction in the so-called E-1 area and repeated his call that such plans must be rescinded. The Secretary-General also stresses the importance for protests to continue to remain peaceful and for the right to peaceful protest to be fully respected. Another encampment named Bab Al-Karamah — Gateway to Dignity — was set up on 18 January in the Palestinian village of Beit Iksa, between Jerusalem and Ramallah, to impede the construction of the barrier on village land. The encampment was subsequently dismantled by Israeli security forces on 21 January.

In Gaza the calm brokered by Egypt in November has largely held, but remains tenuous. It is significant to report that no rockets or mortar shells landed in Israel during the reporting period, and only one rocket has landed in Israel since the end of November. Israeli forces conducted three incursions into Gaza during this period and fired six tank shells. One Palestinian civilian was killed and 10 Palestinian civilians were injured by Israeli fire, mostly while attempting to approach the border fence. I traveled to Cairo last week to continue our close work with Egyptian authorities to encourage further progress on all aspects of the understanding for the ceasefire.

As part of its commitments in the understanding reached, Israel began to allow gravel for commercial use through the Kerem Shalom crossing. In the past month 551 trucks, carrying more than 38,000 tons of gravel, entered Gaza. Israel has also allowed Palestinian farmers access up to 100 metres from the fence with Israel, and Palestinian fishermen have been able to access up to six nautical miles from shore.

That is important progress. However, a further extension of the fishing limit to at least nine nautical miles is necessary for a significant increase in the catch of the fishermen. We also continue to call for the unrestricted entry of all construction materials. Assessments of damage to residential properties and civilian infrastructure resulting from the escalation in November 2012 highlight the urgent need to remove the ongoing restrictions. Further measures to lift the closure should include transfers of goods between Gaza and the West Bank, exports to Israel and beyond and, as needed, increased capacity at Kerem Shalom and the reopening of the Sufa crossing. To further advance that important agenda and address Israel’s legitimate security interests, it is essential that efforts continue in parallel to enforce the calm and prevent the smuggling of weapons into Gaza.

In a new development, since 29 December, Egypt has allowed the entry of an average of 30 trucks per day carrying construction materials through the Rafah crossing for a range of Qatar-funded projects.

Implementing resolution 1860 (2009) in full also means overcoming the Palestinian divide. In that regard, President Abbas met with Hamas leader Khaled Meshaal on 10 January in Cairo to discuss the implementation of previous Palestinian reconciliation deals. On 17 January, members of Fatah and Hamas held in Cairo the first of what is intended to become a series of regular meetings. The Palestine Liberation Organization (PLO) temporary body that includes all PLO factions as well as the leaders of groups outside of the PLO is expected to meet in early February. In addition, both sides have made positive gestures, as Fatah was permitted to hold an anniversary rally in Gaza earlier this month,

following the Hamas anniversary rallies in the West Bank during the previous reporting period. Reconciliation and negotiations remain essential for achieving the two-State solution. The peace process and reconciliation is not an either-or proposition and must be made compatible by advancing both in a mutually reinforcing way. But for real progress to be made, the time has come for Hamas to make clear where it stands on the central issues at stake.

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In conclusion, given internal political calendars, we have weeks to prepare for a new initiative. Israeli and Palestinian leaders have stated, like us, that they are convinced that the two-State solution is the only path towards a durable peace. But they should realize that, absent serious engagement, the peace process will remain on life-support and stability on the ground will be put at risk even further. The consequences of inaction could be dire for everyone. The parties must therefore not only remain open to new initiatives to overcome the current impasse, they must also demonstrate their seriousness. If Israel is serious about the two-State solution, it must recognize the negative impact of continued settlement construction. Palestinian seriousness could

be demonstrated by pausing further action in the international arena while talks begin.

Both parties must reaffirm their commitment to a negotiated two-State solution consistent with the Charter of the United Nations, one that would fulfil resolutions 242 (1967) and 338 (1973), resolve the core issues — territory, security, Jerusalem, refugees, settlements and water — and constitute the end of the Israeli-Palestinian conflict and all claims related to it. As a result of negotiations, two States for two peoples, Israel and Palestine, will live side-by-side in peace, security and mutual recognition of each other's legitimate rights, including the right to self-determination. Each State will ensure equal civil rights for all its citizens and will be committed to respect for human rights and human dignity.

That, in our view, is in essence the vision of a two-State solution endorsed by the international community and accepted in the Arab Peace Initiative as the basis for ending the Arab-Israeli conflict and achieving regional peace. None of the steps to realize that vision are easy, but we cannot afford another year without courageous action undertaken for the purpose of achieving a two-State solution.

## **V. UN HUMANITARIAN COORDINATOR ISSUES STATEMENT ON ISRAELI USE OF LIVE AMMUNITION IN THE WEST BANK**

*On 30 January 2013, the Office of the UN Humanitarian Coordinator James W. Rawley issued a statement on the IDF's use of live fire in the West Bank. The statement is reproduced below:*

The United Nations Humanitarian Coordinator is seriously concerned by the increased casualties resulting from the use of live ammunition by Israeli forces in the occupied West Bank. Eight Palestinian civilians, including three minors and one woman, have been killed since mid-

November in separate incidents in the West Bank. Investigations have reportedly been opened by the Israeli authorities into some of the incidents. The right of peaceful protest must be upheld and all protests should be kept strictly non-violent. The Humanitarian Coordinator urges maximum

restraint in order to avoid further casualties. Using live ammunition against civilians may constitute excessive use of force and any such occurrences should be investigated in a

timely, thorough, independent and impartial manner. Individuals found responsible must be held accountable.

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