



## 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**

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*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. SECRETARY-GENERAL ADDRESSES THE 2013 OPENING SESSION OF PALESTINIAN RIGHTS COMMITTEE**

*On 5 February 2013, the Committee on the Exercise of the Inalienable Rights of the Palestinian People held its 2013 opening session in New York, during which the Committee adopted its programme of work for 2013 (GA/PAL/1253). Secretary-General Ban Ki-moon addressed the meeting with the following remarks (SG/SM/14796, GA/PAL/1254):*

Allow me to congratulate you, Mr. Chairman, and your distinguished colleagues, on your election to the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

I am honoured to join you today to restate my commitment to promote Israeli-Palestinian peace efforts towards achieving the legitimate aspirations of both peoples. Last November, the General Assembly voted to accord Palestine the status of non-Member observer State. This moment has resonated deeply within the United Nations and underscored the urgency for achieving the two-State solution. There is no substitute for negotiations to this end.

Negotiations must result in an agreement ending the conflict and the occupation that began in 1967 and leading to two States — Israel and Palestine — living side by side in peace, security and mutual recognition of each other's legitimate rights, including self-determination. Each State must uphold commitments to ensure equal civil rights for all its citizens and to respect human rights and human dignity. Jerusalem must emerge through negotiations as the future capital of two States. As provided in the Road Map, there should be an agreed, just, fair and realistic solution to the refugee issue.

This is the essence of our vision of the two-State solution. The international community, including our Arab partners, is ready to renew their collective re-engagement towards these goals, but it will

be meaningless if the parties themselves do not make serious commitments to advance the peace process.

Israel held elections on the 22<sup>nd</sup> of January. We look forward to engaging the next Israeli Government in the common pursuit of peace. This is no time to be idle.

I am dismayed by the dramatic increase in Israeli settlement activity. I was also deeply disappointed by the announcement of new construction plans in the "E1" area, and urged the Government of Israel to heed international calls to rescind these plans.

Settlement activity is a major obstacle to the two-State solution and must cease immediately. I repeat that all settlements in the West Bank, including East Jerusalem, are illegal under international law and cannot prejudice the outcome of final status negotiations.

Achieving the two-State solution requires the economic and financial viability of the Palestinian Government. The full, timely and predictable transfer of Palestinian tax and customs revenues by Israel in accordance with the Paris Protocol provisions is essential.

I am relieved by the recent decision of the Government of Israel to transfer the revenues that had been withheld in December. I thank the European Union and our Arab partners for their contributions, and reiterate my call on donor countries to continue to fulfil their pledges and further increase their support.

Preserving stability in Gaza and making a significant difference in the lives of its civilian population continues to be our priority. I reiterate my call for immediate steps towards lifting the closure in line with Security Council resolution 1860.

After the November violence, Israel has recently allowed a limited amount of construction material into Gaza. This coupled with the extension of fishing access to six nautical miles has illustrated Israel's commitment to sustaining the fragile ceasefire agreement.

However, more work needs to be done to improve the situation in Gaza and to address Israel's legitimate security concerns. This means continuing to thwart militant attacks from Gaza and stopping the smuggling of weapons into the area.

The fragile ceasefire provides an opportunity to address the underlying contributors to instability in Gaza outlined in Security Council resolution 1860 and to implement the resolution in full, which includes Palestinian reconciliation.

Palestinian reconciliation within the framework of the PLO commitments is an

essential step for achieving the two-State solution and durable peace. The peace process and reconciliation are not incompatible; efforts must be made on both fronts.

I wish to express my appreciation to the Egyptian Government for its facilitation efforts. But for real progress to be made, Hamas must make clear where it stands on the central issues at stake.

The status quo is unsustainable, and unacceptable. Both parties must live up to their commitment to a negotiated two-State solution consistent with Security Council resolutions 242 and 338 and resolve all the core issues, namely territory, security, Jerusalem, refugees, settlements, and water.

We cannot afford another year without tangible results.

For my part, I assure you that I will continue to do everything in my power to achieve our common goal. I believe this Committee, through its activities, can make a unique contribution.

## **II. HUMAN RIGHTS COUNCIL REPORTS ON THE IMPLICATIONS OF ISRAELI SETTLEMENTS**

*At the twenty-second session of the Human Rights Council, and pursuant to Resolution 19/17, an independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, submitted its report on 7 February 2013. The conclusions of the report are reproduced below (A/HRC/22/63):*

### **Conclusions**

100. The facts brought to the attention of the mission indicate that the State of Israel has had full control of the settlements in the Occupied Palestinian

Territory since 1967 and continues to promote and sustain them through infrastructure and security measures. The mission notes that, despite all pertinent United Nations resolutions declaring that the existence of the settlements is illegal and

calling for their cessation, the planning and growth of the settlements continues of existing as well as of new structures.

101. The establishment of the settlements in the West Bank, including East Jerusalem (see annex II), is a mesh of construction and infrastructure leading to a creeping annexation that prevents the establishment of a contiguous and viable Palestinian State and undermines the right of the Palestinian people to self-determination.

102. The settlements have been established and developed at the expense of violating international human rights laws and international humanitarian law as applicable in the Occupied Palestinian Territory, as recognized notably by the International Court of Justice in its advisory opinion of 9 July 2004.

103. The settlements are established for the exclusive benefit of Israeli Jews, and are being maintained and developed through a system of total segregation between the settlers and the rest of the population living in the Occupied Palestinian Territory. This system of segregation is supported and facilitated by a strict military and law enforcement control to the detriment of the rights of the Palestinian population.

104. The mission considers that, with regard to the settlements, Israel is committing serious breaches of its obligations under the right to self-determination and certain obligations under international humanitarian law, including the obligation not to transfer its population into the Occupied Palestinian Territory. The Rome Statute establishes the jurisdiction of the International Criminal Court over the deportation or transfer, directly or indirectly, by the occupying Power of parts of its own population into the territory it occupies, or the deportation or transfer of all or parts of

the population of the occupied territory within or outside that territory. Ratification of the Statute by Palestine may lead to accountability for gross violations of human rights law and serious violations of international humanitarian law and justice for victims.

105. The existence of the settlements has had a heavy toll on the rights of the Palestinians. Their rights to freedom of self-determination, non-discrimination, freedom of movement, equality, due process, fair trial, not to be arbitrarily detained, liberty and security of person, freedom of expression, freedom of access to places of worship, education, water, housing, adequate standard of living, property, access to natural resources and effective remedy are being violated consistently and on a daily basis.

106. The volume of information received on dispossession, evictions, demolitions and displacement points to the magnitude of these practices. These are particularly widespread in certain areas and acute in East Jerusalem.

107. The mission noted that the identities of settlers who are responsible for violence and intimidation are known to the Israeli authorities, yet these acts continue with impunity. It is led to the clear conclusion that institutionalized discrimination is practiced against the Palestinian people when the issue of violence is addressed. The mission believes that the motivation behind this violence and the intimidation against the Palestinians and their properties is to drive the local populations away from their lands and allow the settlements to expand.

108. The mission is gravely concerned at the large number of children who are apprehended or detained, including

for minor offences. They are invariably mistreated, denied due process and a fair trial. In violation of international law, they are transferred to detention centres in Israel.

109. Children endure harassment and violence, and encounter significant obstacles in attending educational institutions, which limits their right to have access to education. The occupying Power, Israel, is failing in its duty to protect the right of access to education of the Palestinian children and failing to facilitate the proper working of educational institutions.

110. Information gathered by the mission showed that some private entities have enabled, facilitated and profited from the construction and growth of the settlements, either directly or indirectly.

111. Women alone in their homes, the Bedouins and other vulnerable groups are easy targets for settler violence, creating a sense of insecurity in Palestinian society in general.

### **III. HIGH COMMISSIONER FOR HUMAN RIGHTS EXPRESSES CONCERN ABOUT THE HEALTH OF PALESTINIAN DETAINEES**

*The following is a press release issued on 13 February 2013 by the Office of the High Commissioner for Human Rights (HC13/013):*

The High Commissioner for Human Rights, Navi Pillay, expressed her concern following reports of the fast deteriorating health condition of three Palestinians detainees on hunger strike and currently held in Israeli custody.

Tarek Qa'adan and Jafar Azzidine have been on hunger strike for 78 days to protest against their administrative detention by Israel, while Samer Al-Issawi has been on partial hunger strike for over 200 days.

"I am concerned about the health conditions of these three Palestinian detainees on hunger strike," Pillay said.

The High Commissioner reiterated her concerns with regard to the use of administrative detention by Israel. "Persons detained must be charged and face trial with judicial guarantees in accordance with international standards, or be promptly released," the High Commissioner said.

### **IV. QUARTET REPRESENTATIVE ISSUES STATEMENT ON PALESTINIAN PRISONERS**

*On 15 February 2013, commenting on the prolonged hunger strike by four Palestinian prisoners in Israeli jails, Quartet Representative Tony Blair made the following statement:*

I am concerned about the deteriorating health condition of the four prisoners, one of whom has been on a hunger strike for over 200 days. As I have previously said, Israel must respect the human rights of all prisoners and provide them with all

necessary medical assistance and legal recourse to due process according to international standards. This issue needs to be resolved quickly in order to avoid a tragic outcome which has the potential to destabilise the situation on the ground.

## **V. SECRETARY-GENERAL EXPRESSES CONCERN OVER CONDITION OF PALESTINIAN PRISONERS ON HUNGER STRIKE**

*The Spokesperson for Secretary-General Ban Ki-moon on 19 February 2013 issued a statement on the situation of Palestinian prisoners on hunger strike in Israeli jails. The text of the statement is reproduced below (SG/SM/14824, GA/PAL/2158):*

The Secretary-General is deeply concerned over the rapidly deteriorating condition of Palestinian prisoners in Israeli custody who are on hunger strike, in particular the critical health condition of one Palestinian detainee, Samer Issawi. The Secretary-General received a letter from Palestinian President [Mahmoud] Abbas, as well as from the Secretary-General of the League of Arab States on this subject. He has also expressed his concerns to Israeli Prime Minister [Benjamin] Netanyahu in their recent telephone conversation. Of particular concern are the detainees held in administrative detention without charges. Those detained should be charged and face trial with judicial guarantees in accordance with international standards, or be promptly released.

The Secretary-General urges for a solution to be reached without delay in order

to resolve the prisoners' plight and preserve calm. He recalls the importance of full adherence by all sides to the 14 May 2012 agreement in this regard, including the implementation of prisoners' family visiting rights. International human rights obligations towards all Palestinian detainees and prisoners under Israeli custody must be fully respected.

The United Nations is closely following the situation on the ground. Deputy Special Coordinator and Humanitarian Coordinator James W. Rawley met last week in Ramallah with the Palestinian Minister of Prisoner and Detainee Affairs and with representatives of the families of the detainees today. The United Nations will remain engaged with relevant authorities on both the Palestinian and Israeli sides and hopes for an early resolution of this important issue.

## **VI. UN SPECIAL COORDINATOR ISSUES STATEMENT ON THE DEATH OF PALESTINIAN DETAINEE**

*On 25 February 2013, the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestinian Authority, Robert Serry, issued a statement on the death of a Palestinian detainee in Israeli prison. The text of the statement is reproduced below:*

The United Nations Special Coordinator for the Middle East Peace Process, Mr. Robert Serry, is deeply saddened and concerned about the death in Israeli detention on 23 February of Mr. Arafat Jaradat, arrested on 18 February. He sends his condolences to the family of Mr. Jaradat.

Mr. Serry and Deputy Special Coordinator Mr. James W. Rawley discussed the situation of Palestinian prisoners in Israeli detention this morning with Palestinian Prime Minister Fayyad and Palestinian Chief Negotiator Erekat.

The Special Coordinator takes note of the preliminary findings of the autopsy that

was conducted on Mr. Jaradat's body with the participation of Israeli and Palestinian experts. The United Nations expects the autopsy to be followed by an independent and transparent investigation into the circumstances of Mr. Jaradat's death, the results of which should be made public as soon as possible.

The Special Coordinator reaffirms the position of the United Nations as expressed by the Secretary-General last week that international human rights obligations towards all Palestinian detainees and prisoners in Israeli custody must be fully respected. The United Nations remains concerned about the deteriorating health of

Palestinian detainees on hunger strike, and reiterate that those held in administrative detention without charge should be charged and face trial with judicial guarantees in accordance with international standards, or promptly released.

The United Nations is closely monitoring the situation on the ground where mounting tensions present a real risk of destabilization. The United Nations appeals for maximum restraint by all parties to prevent further violence. The United Nations will continue engaging with the parties on the ground with a view to finding a solution that addresses the plight of prisoners and preserves the calm.

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

*On 26 February 2013, the Under-Secretary-General for Political Affairs, Jeffrey Feltman, briefed the Security Council on the situation in the Middle East, including the Palestinian question. Excerpts from the briefing are reproduced below (S/PV.6926):*

...

In the aftermath of the Israeli elections on 22 January, international partners have been meeting and discussing how to move decisively towards creating the conditions by which a two-State solution may become reality, and not remain mere rhetoric. The Secretary-General has continued his engagement with both Israeli Prime Minister Netanyahu and Palestinian President Abbas. His recent meetings with European Union High Representative Catherine Ashton in New York and United States Secretary of State John Kerry in Washington, D.C., focused in part on the Middle East. In addition, Mr. Kerry and United States President Obama intend to visit the region next month, and Israeli and Palestinian negotiators have made separate preparatory

trips to Washington, D.C. We look forward to this renewed United States engagement.

At a press conference on 19 February, Prime Minister Netanyahu reiterated his commitment to a two-State solution and a peace process that yields results. On the same occasion, he announced the appointment of Tzipi Livni, an experienced interlocutor, to lead negotiations. Palestinian President Abbas has also shown patience in allowing the time necessary to get a new process on track. Both sides must be prepared to embrace their responsibilities in order to engage fully with any credible new initiative and demonstrate goodwill and renewed commitment.

The dire fiscal situation of the Palestinians must be addressed. Fiscal stability is critical to safeguarding the



achievements of Palestine's State-building agenda, including important progress that has been made in the Palestinian security services. With regard to the Palestinian Authority's financial situation, the Secretary-General notes with relief the decision by Israel to release Palestinian revenue clearances for January, and reminds the Israeli authorities that full transfer of Palestinian tax and customs revenues in a timely and predictable manner is an obligation that Israel accepted as part of the Paris Protocol, which remains in force. Timely donor contributions are also more important than ever. The meeting next month of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians will be an opportunity to renew the collective commitment to supporting State-building efforts and promoting Palestinian financial and economic sustainability.

The United Nations continues to follow closely the security, political and human-rights dimensions of the issue of Palestinian prisoners in Israeli custody. On Saturday, we were concerned to learn that a Palestinian man, Arafat Jaradat, died in detention after his arrest by the Israeli Defense Forces (IDF) days earlier. Earlier today, Gaza militants from the Al-Aqsa Martyrs Brigade cited this death in claiming responsibility for a rocket attack on Israel — a most troubling development. The prisoner's death also sparked a series of popular demonstrations and clashes, which, reports indicate, resulted in the IDF injuring 43 Palestinians. Two Israeli soldiers were also injured.

The United Nations underscores the importance of restoring and maintaining calm and calls for an independent and transparent investigation by Israeli authorities into the circumstances of Mr. Jaradat's death, the results of which should be made public as soon as possible. Also of

particular concern is the deteriorating health of four prisoners who are on an extended hunger strike. The United Nations remains closely involved on the ground, and the Secretary-General has raised his concerns with Prime Minister Netanyahu, urging that a solution be reached without delay in order to end the prisoners' plight and preserve calm. He also recalled the importance of full adherence by all sides to the agreement of 14 May 2012, including implementation of the prisoners' families' visiting rights. It is the firm position of the United Nations that anyone in administrative detention without charges should be charged and face trial with judicial guarantees, in accordance with international standards, or be promptly released.

...

Settlement activity continued, with Israeli authorities giving final approval for the construction of 90 housing units in the settlement of Beit El. The Secretary-General has repeatedly stressed that settlements are illegal under international law. Israel should heed the calls of the international community to stop such activity. We are also looking into media reports that the Israeli Government authorized drilling to search for oil in the occupied Syrian Golan. Clashes between Palestinians and Israeli settlers in the occupied West Bank resulted in injuries to 10 Palestinians, including two women and two children, while one teenage Israeli settler was injured by a Palestinian on 29 January. We deplore attacks committed as part of so-called price tag violence, which included the desecration of 10 Muslim tombstones in the Mamilla cemetery in West Jerusalem on 14 February.

Since my last briefing, Israeli security forces have demolished 30 structures in the occupied West Bank, resulting in the displacement of 89 Palestinians, including

49 children. We now have figures for the month of January, during which at least 139 Palestinian-owned structures, including 59 residential structures, were destroyed by the Israeli authorities, most of them in Area C, with the remainder in East Jerusalem. That is the highest number of such demolitions in a single month in more than two years.

Planning efforts to benefit Palestinian communities in Area C continue. Unfortunately, none of the 32 plans submitted to Israeli authorities, some since June 2010, have yet been approved. We call upon the Government of Israel to facilitate tangible progress if community-based planning is to be adopted as a constructive approach for many of the Palestinians concerned.

...

With regard to Gaza, we are deeply troubled by today's rocket attack into Israel. There is no justification for such attacks, which not only target innocent civilians indiscriminately but which risk triggering a renewed spiral of violence that will only bring suffering to Palestinians and Israelis alike. We continue to condemn all indiscriminate rocket attacks from Gaza into Israel. We also urge Israel to demonstrate maximum restraint.

It is important for both sides to maintain their commitment to the ceasefire brokered in November 2012. It is the responsibility of the de facto authorities in the Gaza Strip to prevent any recurrence of today's attack. Until today's Palestinian rocket attack, this was the longest period without projectiles fired from Gaza in recent years. Both sides should work to consolidate the calm that prevailed before today.

...

To further advance this important agenda and address Israel's legitimate security interests, it is essential that parallel efforts continue to enforce the calm and prevent the smuggling of weapons into Gaza. There have been reports of Egyptian authorities closing large numbers of tunnels from the Sinai into Gaza. Separately, Egypt has permitted further entry of construction material through the Rafah crossing for a range of Qatar-funded projects.

I would like to reiterate that the full implementation of resolution 1860 (2009) includes the important step of overcoming the Palestinian political divide in ways that can advance the potential for a two-State solution. In that regard, the Palestinian Central Elections Commission was able to conduct voter registration from 11 to 20 February, in both the West Bank and Gaza, for the first time since 2007 — a result of the Cairo accord on reconciliation. A total of 450,000 new electors were registered, including 350,000 in Gaza, which represents a very high turnout. The updated Palestinian voter register should be available shortly. To that end, the United Nations encourages Israeli authorities to authorize the transfer of registration forms from Gaza to Ramallah.

...

In conclusion, let me emphasize that it is our strong belief that we need to inject new life in the Israeli-Palestinian political process now. We know that there are negative forces on both sides, such as those who fired today's rocket from Gaza into Israel, who draw strength from stalemate and paralysis. Both sides have a responsibility to marginalize those forces by creating the conditions, including trust, for a successful negotiating process. It is now my hope that the shared sense of frustration will translate into a shared sense of urgency. Given the lack of confidence that,

unfortunately, characterizes the Israeli-Palestinian relationship today, we cannot underestimate how difficult it will be to develop a serious and substantial political initiative, with a realistic and not unlimited timeframe, and one that is collectively supported by all stakeholders.

But it is our view that one cannot expect progress this year without the articulation of a credible political framework to achieve the

negotiated two-State solution that we all hope for and that will best serve the interests, rights and aspirations of Palestinians and Israelis alike. This is a time for renewed impetus and political will to end the conflict and the occupation, which has already scarred the lives of far too many Israelis and Palestinians for far too long. We need to act now, first and foremost for the sake of the younger generations. They deserve a future of peace.

### **VIII. UN SPECIAL COORDINATOR ISSUES STATEMENT ON ROCKET FIRE FROM GAZA**

*On 26 February 2013, the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestinian Authority, Roberterry, issued the following statement:*

The United Nations Special Coordinator for the Middle East Peace Process, Mr. Roberterry, is deeply troubled by resumed indiscriminate rocket fire from Gaza, which is totally unacceptable.

Today's developments only underscore the importance of ongoing Egyptian efforts to solidify the truce brokered last November, which UNSCO will continue to support.

### **IX. UN SPECIAL RAPPOREUR CALLS FOR INVESTIGATION IN THE DEATH OF PALESTINIAN PRISONER**

*The Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk, on 27 February 2013 called for an international investigation on the death of Palestinian prisoner Arafat Jaradat while undergoing interrogation in an Israeli facility. The text of the press release is reproduced below:*

"The death of a prisoner during interrogation is always a cause for concern, but in this case, when Israel has shown a pattern and practice of prisoner abuse, the need for outside, credible investigation is more urgent than ever," Mr. Falk stressed. "The best approach might be the creation of an international forensic team under the auspices of the UN Human Rights Council."

The human rights expert pointed to the assessment made by Palestinian Authority's chief pathologist, Dr. Saber Aloul, who observed the autopsy carried out inside

Israel, and found there were clear signs of torture on the body of the previously healthy, 30-year-old Arafat Jaradat. Israeli officials initially claimed Mr. Jaradat died of a heart attack, but the preliminary autopsy findings did not include a cause of death.

"In light of Dr. Aloul's findings that there was no evidence of heart disease or damage, and that there were signs of torture on Mr. Jaradat's body, an independent international investigation should be launched," the Special Rapporteur said.

According to the Israeli human rights organization B'tselem, more than 700 Palestinian detainees have filed complaints against agents of the Israeli security agency Shin Bet for mistreatment during interrogation throughout the last decade; however, not one has resulted in a criminal investigation being opened.

Related Israeli violations include the routine transfer of prisoners, including children, for interrogation and detention to prisons outside of the Occupied Territory into Israel, in violation of the Geneva Convention; the holding of administrative detainees without charge or trial (currently about 159 of the almost 4,600 Palestinian prisoners in Israeli custody); and holding prisoners in isolation for extended periods of

interrogation without access to lawyers or family. B'tselem has reported that while incidents of physical abuse have decreased in recent years, they have not ended.

Arafat Jaradat, from the small village of Sa'ir near Hebron, was a gas station attendant. He leaves behind a four-year-old daughter and two-year-old son; his wife Dalal is pregnant with their third child.

“As an occupying power, Israel has special responsibilities under international humanitarian law to deal humanely with Palestinians held in detention, and the international community has similar responsibilities to ensure that these are carried out,” the Special Rapporteur underscored.

## **X. UNITED NATIONS SEMINAR ON ASSISTANCE TO PALESTINIAN PEOPLE CONVENES IN ROME**

*The United Nations Seminar on Assistance to the Palestinian People was held by the Committee on the Exercise of the Inalienable Rights of the Palestinian People at FAO Headquarters in Rome on 27 and 28 February 2013. Under the theme “Assistance to the Palestinians — challenges and opportunities in the new reality of a State under occupation”, the Seminar reviewed the impact of the occupation on the socio-economic and humanitarian situation in Palestine. Seminar participants, among them Palestinian and Israeli experts, representatives of Governments, Palestine, intergovernmental organizations, United Nations bodies and civil society organizations, discussed how to address the current financial challenges while continuing to strengthen State institutions, ensuring high governance standards and promoting economic development (GA/PAL/1255, GA/PAL/1257, GA/PAL/1258, GA/PAL/1259).*

*At the opening session on 27 February 2013, the statement of Secretary-General Ban Ki-moon was delivered by Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs. The text of the statement is reproduced below (SG/SM/14839, GA/PAL/1256):*

It is my pleasure to send greetings to the participants in the United Nations Seminar on Assistance to the Palestinian People.

This meeting takes place as the Palestinian Government faces an unprecedented financial crisis that puts at risk the significant achievements in institution-building made in recent years

under the leadership of President [Mahmoud] Abbas and Prime Minister [Salam] Fayyad. We cannot afford to jeopardize this progress and the considerable investments that have been made by the international community, including the United Nations. I renew my call on all donors, especially Arab countries, to fulfil

their pledges and further increase their support.

I also reiterate the importance of the full transfer of Palestinian tax and customs revenues by Israel in a timely and predictable manner, in accordance with the provisions of the 1994 Paris Protocol. The recent announcement by the United States to work towards resuming aid to Palestinians was a highly welcomed move.

The United Nations continues its support to Palestinian institution-building, and provides critical humanitarian assistance in both the West Bank and Gaza. In response to continuing needs, the United Nations and its partners seek \$400 million for humanitarian action this year, with a focus on food insecurity and protection.

Since last year, the United Nations has been working with the Palestinian Authority on the elaboration of the first UN Development Assistance Framework for the Occupied Palestinian Territory, a strategic planning framework intended to guide United Nations development programming in the period 2014-2016, in alignment with the upcoming Palestinian National Development Plan. This is a sign of the growing confidence in Palestinian governance and institutional readiness.

Currently, however, the viability of Palestinian institutions stands on political quicksand, and their future is closely linked to concrete achievements towards the two-State solution, in which Israel and Palestine live side by side in peace, security and mutual recognition of each other's legitimate rights, including self-determination. There is no substitute for negotiations towards this end, and the parties should refrain from any action that undermines prospects for their resumption.

In this regard, the United Nations is deeply dismayed by Israel's continuing settlement activity in the West Bank, including East Jerusalem, all of which is illegal under international law. These actions constitute ever-greater impediments to an eventual peaceful solution and must not be allowed to prejudge the outcome of final status negotiations. Of particular concern are plans for settlement construction in the E1 area, which would render impossible the contiguity of the Palestinian territory. Such plans must be rescinded.

Moreover, settlements and their infrastructure scattered throughout the West Bank, as well as other obstacles to access and movement — including the wall being constructed in contravention of the advisory opinion of the International Court of Justice — severely restrict Palestinians' access to land, natural resources, hospitals and schools, and impede their economic activities.

The humanitarian situation in Gaza remains a priority for the United Nations. The closure of Gaza, which has lasted for almost six years, has had a devastating impact on the lives of Palestinian residents, 80 per cent of whom depend on humanitarian aid. I reiterate my call for immediate steps towards lifting the closure, in line with Security Council resolution 1860 (2009).

United Nations agencies are implementing programmes worth about \$1 billion in Gaza. In 2012, this included more than \$150 million in humanitarian aid to Gaza, provided by the United Nations and our partners. For 2013, we seek more than \$250 million for humanitarian aid in Gaza, but have received only a fraction of that so far.

At the same time, Israel's legitimate security concerns must be addressed by continuing to thwart militant attacks from Gaza and preventing the smuggling of weapons.

I commend efforts to promote Palestinian reconciliation within the framework of the Palestine Liberation Organization commitments. This is an essential step for achieving the two-State solution and finding a durable peace, as well as enhancing the Palestinian economy's viability.

The peace process and reconciliation are not incompatible; parallel efforts must be made on both fronts.

We are deeply concerned about the death of Arafat Jaradat in Israeli detention on 23 February. An independent and transparent investigation into the circumstances of Mr. Jaradat's death should be conducted urgently, the results of which should be made public as soon as possible. Similarly, a solution must be urgently found for the Palestinian prisoners in Israeli custody whose health conditions have dramatically deteriorated as a result of their prolonged hunger strike.

International human rights obligations towards all Palestinian detainees and prisoners in Israeli custody must be fully

respected, those held in administrative detention without charge should be charged and face trial with judicial guarantees in accordance with international standards, or promptly released.

Two thousand and thirteen will be a decisive year for the two-State solution. Failure to make tangible progress only means the continuation of suffering, violence and instability in the whole region. The 45-year occupation — as demeaning to the inhabitants as it is destabilizing for the region — must end. Jerusalem must emerge through negotiations as the future capital of two States. As provided in the road map, there should be an agreed, just, fair and realistic solution to the refugee issue. Both parties must live up to their commitment to resolving these and all other core issues, namely, territory, security, settlements and water.

The United Nations will remain an integral part of efforts aimed at these goals, including in the context of the Quartet and in full consultation with key regional partners. We look forward to renewed engagement by the United States. Moreover, reinvigorated impetus should be given to the Arab Peace Initiative as a tool to generate regional support.

In this spirit, please accept my best wishes for a successful Seminar.

## **XI. NON-ALIGNED MOVEMENT ADDRESSES SECRETARY-GENERAL ON THE SITUATION OF PALESTINIAN PRISONERS**

*In a letter dated 28 February 2013, the Permanent Representative of the Islamic Republic of Iran to the United Nations and Chair of the Coordinating Bureau of the Non-Aligned Movement addressed the Secretary-General regarding the situation of Palestinian prisoners and detainees held by Israel. The text of the letter is reproduced below (A/67/781 and S/2013/126):*

I write to you, in my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, to convey the Movement's grave concern regarding the critical situation of the thousands of Palestinian prisoners and detainees, including children and women, who are being unlawfully held by Israel, the occupying Power, in prisons and detention centres in the Occupied Palestinian Territory and in Israel.

While the Movement expresses its deep appreciation for the principled statements and positions you have affirmed, including through your Personal Representative, Robert Serry, on this critical issue, we underscore the urgent need at this time for international attention and efforts to address the plight of Palestinian prisoners and detainees. We emphasize in this regard the urgency of attention to this crisis, which has raised tensions and is causing further instability in the Occupied Palestinian Territory, including East Jerusalem.

The Non-Aligned Movement stresses its grave concern in particular about the recent death of a Palestinian man, Arafat Jaradat, in an Israeli prison on 23 February 2013, following his arrest on 18 February by the Israeli occupying forces, and about the circumstances surrounding his detention and death, including reports of his subjugation to forced interrogations and beatings. Echoing the call made by your Personal Representative, the Movement calls for an independent, impartial and transparent investigation, to be carried out under the

auspices of the United Nations, into this serious incident as soon as possible and for the release of the results of the investigation. The Movement would be grateful for your attention and efforts to facilitate this important matter and to contribute to diffusing the tense situation, which risks further destabilization with far-reaching consequences.

In this connection, the Movement also conveys its deep concern regarding the plight of several Palestinian prisoners and detainees who are undertaking long-term hunger strikes in peaceful, non-violent protests against their detention by Israel without charge or trial and other abuses and oppressive measures that violate their most fundamental human rights. The lives of at least four men on hunger strike are in imminent danger owing to their deteriorating health conditions. The Movement calls for immediate attention to this crisis and for an urgent, humane solution to their plight in accordance with international legal standards and principles. Furthermore, it reiterates its demand that Israel release all Palestinian prisoners and detainees and cease forthwith its arbitrary arrest and detention of Palestinian civilians.

It must be reaffirmed that Israel has specific obligations under international human rights law and international humanitarian law, including the Fourth Geneva Convention, towards the Palestinian prisoners and detainees under its incarceration and the entire Palestinian civilian population under its military

occupation. We thus urge you to use your good offices and the moral authority with which you speak on behalf of the United Nations, consistent with the purposes and principles of its Charter, relevant resolutions and the applicable provisions of international law, to compel Israel, the occupying Power, to respect its legal obligations in this regard. A clear message must be conveyed to Israel that it will be held accountable by the international community for its violations of international law.

Moreover, the Non-Aligned Movement stresses the necessity of ensuring the requisite assistance to Palestinian prisoners and their families, including for the reintegration of prisoners into their communities, particularly in the light of the devastating impact this issue has had on Palestinian society as a whole. We express our appreciation in this regard for the efforts

of the United Nations agencies on the ground in the Occupied Palestinian Territory, including East Jerusalem.

In parallel with your actions and those of your Personal Representative, the Movement believes that all other United Nations bodies, particularly the Security Council and the Human Rights Council, should live up to the expectation of the international community and fulfil their responsibilities, in accordance with the purposes and principles of the Charter of the United Nations, relevant resolutions and the applicable provisions of international law, with respect to the plight of the prisoners and detainees that are unlawfully held by the Israelis.

I should be grateful if you would circulate the present letter as a document of the General Assembly, under agenda item 37, and of the Security Council.