



## General Assembly GA/SPD/499

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Sixty-sixth General Assembly  
Fourth Committee  
23<sup>rd</sup> Meeting (AM)

### FOURTH COMMITTEE CONCLUDES WORK, SENDING TOTAL OF 26 DRAFTS TO GENERAL ASSEMBLY,

### INCLUDING RECOMMENDATION TO EXPAND SCIENTIFIC COMMITTEE'S MEMBERSHIP

### Divisions Persist on Texts on United Nations Agency for Palestine Refugees, Committee to Investigate Israeli Practices, as Voting Follows Traditional Pattern

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#### Background

The Committee met this morning to take action on all pending drafts before it, including four draft resolutions relating to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), five draft resolutions on the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, a draft resolution on the effects of atomic radiation, and a draft decision on the Committee's programme of work.

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By draft resolution [AC.4/66/L.9](#) on assistance to Palestine refugees, the Assembly would call upon all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the serious socio-economic and humanitarian situation and instability in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals.

By the terms of draft resolution [AC.4/66/L.10](#) on persons displaced as a result of the June 1967 and subsequent hostilities, the Assembly would stress the necessity for an accelerated return of displaced persons, and call for compliance with the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 on the return of displaced persons. It would also strongly appeal to all Governments, organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned.

By draft resolution [AC.4/66/L.11](#) on operations of UNRWA, the Assembly, deploring the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency, urge the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of delays and restrictions on movement and access, and to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of taxes, extra fees and charges, which affect the Agency's operations detrimentally. It would also urge all Member States to carefully consider the Agency's proposal for support by the Secretary-General of the institutional strengthening of the Agency through the provision of financial resources from the regular budget of the United Nations.

Further to the text, the Assembly would reiterate its call on Israel to fully lift the restrictions impeding the import of necessary construction materials and supplies for the reconstruction and repair of thousands of damaged or destroyed refugee shelters. It would urge all States, the specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency in order to address the serious financial constraints and underfunding, especially with respect to the Agency's regular budget deficit.

By draft resolution [A/C.4/66/L.12](#) on Palestine refugees' properties and their revenues, the Assembly would urge the Palestinian and Israeli sides to deal with that important issue within the framework of the final status negotiations of the Middle East peace process.

The Committee was also set to take action on five draft resolutions contained in the report on the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

By draft resolution [A/C.4/66/L.13](#) entitled Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, the Assembly would demand that Israel, the occupying Power, cooperate, in accordance with its obligations as a Member State of the United Nations, with the Special Committee.

It would deplore those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period.

In a related provision, the Assembly would express grave concern about the critical situation in the Occupied Palestinian Territory as a result of unlawful Israeli practices and measures, and condemn all illegal Israeli settlement activities and the construction of the wall, excessive and indiscriminate use of force against the civilian population, the destruction and confiscation of properties, measures of collective punishment, and the detention and imprisonment of thousands of civilians, and call for their immediate cessation.

The Assembly would request the Special Committee to continue to investigate the treatment and status of the thousands of prisoners and detainees, including children and women, in Israeli prisons and detention centres in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967.

By the terms of draft resolution [A/C.4/66/L.14](#) on the Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories, the Assembly would demand that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention.

By draft resolution [A/C.4/66/L.15](#) on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, the Assembly, bearing in mind the "extremely detrimental" impact of Israeli settlement policies, decisions and activities on efforts to resume and advance the peace process, would reiterate its demand for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan.

In that connection, the Assembly would call upon Israel to comply strictly with its obligations under international law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory.

A further term of the text would have the Assembly demand that Israel, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and reiterate its call for the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and their properties.

By draft resolution [A/C.4/66/L.16](#) on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, the Assembly would demand that Israel cease all practices and actions that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians and the destruction and confiscation of civilian property.

The Assembly would demand that Israel cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem.

Further, the Assembly would condemn all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip. It would express grave concern at the firing of rockets against Israeli civilian areas resulting in loss of life and injury.

By draft resolution [A/C.4/66/L.17](#) on the occupied Syrian Golan, the Assembly would call upon Israel to comply with the relevant resolutions on the occupied Syrian Golan, in particular, Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect.

The Assembly would call on Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan.

It would also call upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and, in particular, to desist from the establishment of settlements.

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#### UN Relief and Works Agency for Palestine Refugees in the Near East

HASAN KLEIB (Indonesia), introducing four draft resolutions under agenda item 52, said that those texts reflected the strong support of the international community for UNRWA and its mandate. They reaffirmed the fundamental principles and positions upheld by the international community regarding the Palestine refugees and conveyed its commitment to their well-being, development and safety.

He added that regrettably the situation of the Palestine refugees had not changed and in many respects had only worsened with the passage of time. The drafts before the Committee had been minimally updated to reflect the realities of ongoing hardships faced by the refugees and challenges to UNRWA's operation.

The draft resolution on assistance to Palestine refugees (document A/C.4/66/L.9) affirmed the necessity of UNRWA's vital work, he said, adding that this year, the Assembly would also decide to invite Luxembourg to become a member of UNRWA's Advisory Commission.

He noted that the second draft entitled Persons displaced as a result of the June 1967 and subsequent hostilities (document A/C.4/66/L.10) reaffirmed the rights of those persons to return to their homes in the territories occupied by Israel. The third (document A/C.4/66/L.11) addressed UNRWA's operations and challenges, including the funding shortfalls and Israeli-imposed obstacles to access and movement. It also addressed the hardships faced by the Palestine refugees in the Occupied Palestinian Territory, particularly in Gaza. The last draft (document A/C.4/66/L.12) concerned the properties and revenues of Palestine refugees, to which, it reaffirmed, they were entitled.

Indonesia, he said, hoped the draft resolutions would once again receive the overwhelming support of the international community.

#### Special Committee to Investigate Israeli Practices

OSCAR LEON GONZALEZ (Cuba), introducing five draft resolutions that had been submitted under agenda item 53, said that the human rights situation of the Palestinian civilian population in the Occupied Palestinian Territory, as reported by the Special Committee, remained critical. The situation continued to raise tensions, fragment the Territory and undermine the prospects for achieving the two-State solution. The draft resolutions submitted under that item called for cessation of illegal Israeli practices in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan. Compliance was demanded with the United Nations Charter, the Fourth Geneva Convention, and relevant instruments of international law.

The first draft resolution, entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human rights of the Palestinian People and Other Arabs of the Occupied Territories" (document A/C.4/66/L.13), stressed the need to bring a complete end to the Israeli occupation that began in 1967 and thus to the violations of the human rights of the Palestinian people. The second draft, entitled "Applicability of the Geneva Convention" (document A/C.4/66/L.14) reaffirmed the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem and other Arab territories occupied by Israel since 1967.

The third, entitled "Israeli settlements in the Occupied Palestinian Territory, including Jerusalem and the occupied Syrian Golan" (document A/C.4/66/L.15), recalled relevant resolutions regarding illegal Israeli settlement activities and expressed concern about the continuation of those activities, as well as about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory. The next draft (document A/C.4/66/L.16), entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem", focused on Israeli practices violating the human rights of the Palestinian people. The draft once again demanded that Israel cease all practices that violated the human rights of the Palestinian people and stressed the need to preserve the territorial unity, contiguity and integrity of all the Occupied Palestinian Territory. The last resolution under that item was entitled "The Occupied Syrian Golan" (document A/C.4/66/L.17). Cuba, on behalf of the co-sponsors, sought the firm and broad support of Member States for those important texts.

#### Action on Drafts

Speaking before the vote, the representative of the delegation of the European Union said the resolutions now before the Committee addressed a broad range of important issues and principles. He acknowledged efforts made in recent years by the Palestinian delegation to streamline the texts, and encouraged further steps in that regard. He then reaffirmed the Union's deep appreciation for the invaluable work performed by UNRWA.

Also speaking in explanation of vote before the vote, the representative of Canada said that her delegation's position was long-standing and clear: it supported a two-State solution to the conflict, reached through a negotiated settlement that enabled Israel to live in peace and security with its neighbours and that led to a viable and independent Palestinian State. The Quartet statement of 23 September was a good basis on which to move forward. Canada was concerned, however, by the sheer number of resolutions that pointed exclusively to Israel.

She said that series of resolutions against Israel was generally one-sided and did not address the complexities of the issue, nor did it address the actions of all parties. Those texts also lacked references to terrorist activities carried out by Hamas and were ultimately unhelpful to the cause of a lasting peace. Issues such as rockets, which rained down on Israeli schools, had not been reflected in the resolutions over the years. That and other important elements should be discussed. For those reasons, Canada had made the decision to vote "no" or abstain on that package of resolutions on the Middle East.

The Committee then proceeded to take recorded votes on the four draft resolutions relating to UNRWA.

First, the draft text on assistance to Palestine refugees, L.9, was approved by a recorded vote of 160 in favour to 1 against (Israel), with 9 abstentions (Canada, Ecuador, Federated States of Micronesia, Marshall Islands, Nauru, Palau, United States, Vanuatu, Haiti).

The representative of Nigeria said his delegation had not been able to vote on L.9, but would have voted in its favour.

Similarly the representatives of Niger and Comoros also expressed the wish to have it noted that their delegations would have supported the text.

Next, the text on persons displaced as a result of the June 1967 and subsequent hostilities, L.10, was approved by a recorded vote of 162 in favour to 7 against (Israel, Canada, Federated States of Micronesia, Marshall Islands, Nauru, Palau, United States), with 4 abstentions (Cameroon, Haiti, Panama, Vanuatu).

Then, the draft resolution on UNRWA's operations, L.11, was approved by a recorded vote of 163 in favour to 7 against (Israel, Canada, Federated States of Micronesia, Marshall Islands, Nauru, Palau, United States), with 2 abstentions (Cameroon, Vanuatu).

The text on Palestine refugees' properties and revenues, L.12, was approved by a recorded vote of 163 in favour to 7 against (Israel, Canada, Federated States of Micronesia, Marshall Islands, Nauru, Palau, United States), with 3 abstentions (Cameroon, Haiti, Vanuatu).

The Committee then proceeded to take action on the five draft resolutions relating to the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

Speaking in explanation of vote before the vote, the representative of Peru said his delegation would vote in favour of L.15, in line with its consistent position, and reiterated the importance of the existence of the two States living in peace with internationally-recognized borders. His delegation wished to join its voice to the call of the international community for the peace process between Israel and Palestine to resume immediately on the basis of full compliance, taking into account the Road Map.

Next, the draft text on the work of the Special Committee to investigate Israeli practices, L.13, was approved by a recorded vote of 89 in favour to 9 against (Australia, Canada, Federated States of Micronesia, Israel, Marshall Islands, Nauru, Palau, Panama, United States), with 72 abstentions.

The draft text on the applicability of the Geneva Convention relative to the protection of civilian persons in time of war, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories, L.14, was approved by a recorded vote of 162 in favour to 7 against (Israel, Canada, Federated States of Micronesia, Marshall Islands, Nauru, Palau, United States), with 3 abstentions (Cameroon, Côte d'Ivoire, Vanuatu).

The draft text on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, L.15, was approved by a recorded vote of 160 in favour to 7 against (Canada, Federated States of Micronesia, Israel, Marshall Islands, Nauru, Palau, United States), with 5 abstentions (Cameroon, Côte d'Ivoire, Haiti, Panama, Vanuatu).

Then, the draft resolution on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, L.16, was approved by a recorded vote of 158 in favour to 9 against (Australia, Canada, Federated States of Micronesia, Israel, Marshall Islands, Nauru, Palau, Panama, United States), with 4 abstentions (Cameroon, Côte d'Ivoire, Haiti, Vanuatu).

The Committee then turned to the draft resolution on the occupied Syrian Golan, L.17, approving it by a recorded vote of 159 in favour to 1 against (Israel), with 11 abstentions.

Speaking in explanation of vote after the votes, the representative of Iran said his delegation had voted in favour of all draft resolutions under agenda item 53, in concert with other Committee members to show solidarity and sympathy with the Palestinian people. He said it was unfortunate that the root causes of the issue, however, continued to be ignored, and that the crisis had thus remained unsolved for six decades. A durable peace in Palestine would be possible through the attainment of justice, an end to discrimination, the end of the occupation of all Palestinian territories, the return of refugees to their homeland, and the establishment of a Palestinian State with East Jerusalem as its capital.

#### General Statements

FEDA ABDELHADY NASSER, observer for Palestine, said that the reaffirmation of the human rights of the Palestinian people, including that of the Palestinian refugees, in those resolutions were of utmost importance to Palestine. Her delegation appreciated the overwhelming support of the international community and particularly the co-sponsors of the resolutions for their strong support, as well as the delegations of Indonesia and Cuba for introducing the texts.

She added that Palestine deeply regretted the unjustified abstentions and negative votes by a Member State, which had always supported the work of UNRWA and the rights of refugees and had even played an important role as facilitator of the multilateral work on Palestine refugees. Her delegation questioned what had changed in the plight of the Palestine refugees and the role of UNRWA to cause that negative shift.

The overwhelming support for the human rights of the Palestinian people and the work of the Special Committee to Investigate Israeli Practices came at a crucial stage, she stated. At a time when the international community was witnessing the stark escalation of illegal Israeli policies and Israel's blatant contempt for rule of law, it was important to be unwavering in its support for principled positions and a just solution to the plight of the Palestine refugees. The adherence of Member States to those fundamental positions had helped to alleviate the great injustices imposed on the Palestinian people over the decades and given them the resilience to struggle for their inalienable rights, including the right to return and the right to self-determination and freedom in their independent State of Palestine, with East Jerusalem as its capital.

At that critical juncture on the long road for justice for the Palestinian people and peace, the Palestinian leadership had embarked on a peaceful, political initiative, for which the support of countries worldwide was vital.

IHAB HAMED ( Syria ) thanked delegations that had voted in favour of draft resolutions under agenda items 52 and 53, including the draft on the occupied Syrian Golan. With the adoption of those resolutions, the international community had reaffirmed its refusal of the occupation, and that was an unequivocal message to Israel to put an end to its occupation of the territories and to also cease flouting its obligations under the Fourth Geneva Convention. It was clear that Israeli violations of international law were extremely vast and multiple. Israel had not only occupied the Syrian Golan, but also had supported the promulgation of absurd laws. That was only a repetition of the dark pages of history. As had been emphasized in Europe after the end of the Second World War, when a State attacked another State and proceeded to annex its territory, "that was bad", and the State under attack had the right to self-defence.

Syria, he said, urged all States to provide necessary assistance to the Special Committee, because the Special Committee was investigating Israeli crimes and any attempt to undermine the Committee or to weaken it could give rise to continuing practices of colonization in the occupied Arab territories.

He said Syria had expressed commitment to a lasting overall peace, and had launched a peace initiative, holding out a hand towards peace efforts. However, Israel had responded with multiple prevarications and the intensification of colonization practices in the West Bank. The peace process could not be achieved with only one party holding out its hand for peace while the Israeli party did its best to sabotage that process. Thus, the peace process was lacking an Israeli partner.

Noting that Israel alone had voted against the draft on the Syrian Golan, he added that any hesitation to condemn the occupation of the Syrian Golan sent the wrong message. Those who voted against the resolutions should visit the Occupied Palestinian Territory and see for themselves the attacks against human rights, which were being justified by the Israeli authorities, and the aggression against dignity that was destroying any prospects for lasting peace.

JACOB KEIDAR ( Israel ) said that the resolutions were too long, too one-sided, and too much focused on Israel while there were many other pressing global issues on the United Nations agenda. Only Israel had been singled out. He joined the representative of Palestine in stating that the goal was to resume peace talks and negotiations.

#### Action on Text

The Committee then approved its programme of work for the sixty-seventh session.

#### Closing Statement

Delivering closing remarks, the Chair, SIMONA-MIRELA MICULESCU, said the Fourth Committee had in its sixty-sixth session adopted a total of 24 draft resolutions and two draft decisions during its 23 formal meetings. She gave special thanks to the Vice-Chairs of the Committee, the Rapporteur, and all those who had contributed towards the Committee's work during that session.

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