



# Press Release

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## **FOURTH COMMITTEE TAKES UP REPORT ON ISRAELI PRACTICES IN OCCUPIED TERRITORIES**

During the past year not a single minute had passed during which Israel had not deliberately engaged in the violation of international law, including humanitarian law and human rights law, the Permanent Observer of Palestine told the Fourth Committee (Special Political and Decolonization) this morning, as it began consideration of 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.

She said the violations included the killing and injuring of Palestinian civilians, destruction of homes, confiscation of land, construction of the expansionist wall, expansion of settlement activities and imposition of severe restrictions on the movement of persons and goods throughout the occupied Palestinian territory, including East Jerusalem. The illegal practices by Israel had been carried out with the intent of defending and perpetuating the illegitimate occupation and subjugation of an entire people.

The freedom of movement continued to be gravely impacted by Israel's continued and unlawful construction of the wall, through which it expanded its network of illegal colonial settlements, she said, recalling that the International Court of Justice had concluded that the construction of the wall included breaches of the United Nations Charter and resolutions and the Fourth Geneva Convention. The Court had rejected Israel's argument that security considerations were the sole purpose for the wall.

She said the Palestinian Authority had repeatedly condemned suicide bombings committed by Palestinian individuals or groups against civilians in Israel as morally wrong and extremely detrimental to the national cause. There was no justification for such terror or for the State terror perpetrated by Israel against Palestinian civilians. Such violence, however, did not emerge in a vacuum and had as a direct source the oppressive Israeli occupation and its cumulative effects. Israel must be held accountable for all those violations and crimes and must be compelled to abide by the Fourth Geneva Convention and other relevant international instruments and comply with the International Court of Justice [Advisory Opinion](#).

The representative of Syria said that Israel had tried to obliterate the identity of the Arab population in the occupied Syrian Golan and expel them from their lands. It had also violated the human rights of the people of the Syrian Golan, with 500,000 displaced persons still awaiting repatriation to their homes. In January, Israel had declared that it would expand its settlements in the Golan and double the number of settlers in the course of the next three years. Its Minister of Agriculture stated that Israel had no intention of relaxing its grip on the Golan. Israel sought to obliterate the identity of the Syrian Arab people and to annex the territory.

Regarding the intended Israeli unilateral withdrawal from the Gaza Strip, Egypt's representative said such a withdrawal must be comprehensive and take place in conformity with the [Road Map](#). It should not serve as a pretext to impose even tighter restrictions on the Gaza Strip. Full coordination with the Palestinian party was necessary to avoid any further deterioration of the situation. Egypt had called for a corridor between the West Bank and the Gaza Strip and for independent observers. It had multiplied contacts with the two parties in order to arrive at a political and security programme designed to bring the parties back to the negotiating table and secure their commitments under the Road Map.

The representative of Indonesia called upon Member States to undertake measures, including legislation, to prevent products from illegal Israeli settlements from entering their markets. He encouraged them to deny entry to Israeli settlers and to impose sanctions against companies and entities involved in the construction of the wall and other illegal activities in the occupied Palestinian territories, unless and until Israel demonstrated respect for, and compliance with, the Advisory Opinion of the International Court of Justice, the Fourth Geneva Convention and international humanitarian law.

Other speakers agreed that Israel's practices had negatively affected the humanitarian and human rights situation of the Palestinian people and others at an unprecedented level, and had further aggravated their situation. They emphasized that international law should be enforced indiscriminately and without conditions, and that the Special Committee should continue its monitoring activities, despite the fact that Israel denied its fact-finding missions access to the occupied territories. They called on Israel to ensure respect for international humanitarian and human rights law, including the Fourth Geneva Convention, to implement its commitments under the Road Map, to end its settlement activities and to comply with the Advisory Opinion of the International Court of Justice regarding the separation wall.

At the outset of the meeting, the Committee's Chair, Kyaw Tint Swe (Myanmar) expressed his deep condolences to the family of the late President, and to the Government and people of the United Arab Emirates, for the death of Sheikh Zayed bin Sultan al-Nahayan, President of the United Arab Emirates.

The representatives of Algeria, Lebanon, Namibia, Jordan, United Arab Emirates, Pakistan and Malaysia spoke, as well.

The representative of Bahrain concluded last week's debate on United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

Bernard Goonetilleke (Sri Lanka), Chairman of the Special Committee to Investigate Israeli Practices Affecting Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced that body's report.

The Committee will meet again at 9:30 a.m. on Wednesday, 10 November, to continue its consideration of Israeli practices.

#### Background

When the Fourth Committee (Special Political and Decolonization) met this morning, it was expected to begin its consideration of Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

It had before it the report of the Special Committee on the matter (document [A/59/381](#)), which reflects the summary of information gathered during the mission of the Special Committee to Egypt, Jordan and Syria from 25 May to 8 June 2004.

Section V of the report, summarizing the human rights situation in the occupied territories, focuses on issues of particular concern in the light of the testimonies and material received: the right of self-determination; the right to freedom of movement; the right to life; the right to liberty and security of persons; the right to freedom of opinion and of association; the right to just and favourable conditions of work; the right to an adequate standard of living, including adequate food, clothing and housing; the right to education; and the right to health.

According to the report, most witnesses from the West Bank and the Gaza Strip highlighted appalling and deteriorating living conditions resulting from increasing military incursions and from the construction of the West Bank wall. Land had been confiscated, the destruction of fields and houses had reached unprecedented levels, families and communities were split and people were denied access to their places of work, education and social services. Some witnesses this year used the words "ethnic cleansing" to describe the effect of such practices, which also included restrictions on movement, extrajudicial killings, denial of employment, and worsened detention conditions of Palestinians held in Israeli jails.

The report says that during the Special Committee's visit to Damascus it received various documents from the Syrian authorities on Israeli practices affecting the human rights of Syrian citizens in the occupied Syrian Arab Golan, including a report from the Ministry of Foreign Affairs of Syria. According to the information received, the consequences of the long-term occupation of the Golan have been extensive, affecting all aspects of the life of families, villages and communities, and resulting in a persistent deterioration of the human rights situation.

The Committee also had before it the report of the Secretary-General on the Work of the special committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories (documents [A/59/344](#)), submitted pursuant to [Assembly resolution 58/96](#). The report gives an overview of meetings of the Special Committee and its activities regarding public information. It also contains replies from the Governments of Cuba and Syria to a note verbale from the Secretary-General to all Member States, drawing attention to Assembly resolutions 58/96, 58/97, 58/98, 58/99 and 58/100.

Another report of the Secretary-General, 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 (document [A/59/339](#)), was submitted pursuant to [Assembly resolution 58/97](#). The report states that on 6 August, the Secretary-General addressed a note verbale to the Government of Israel, requesting that it informs him of any steps the Government had taken or envisaged taking concerning the implementation of the resolution, to which no reply had been received.

Likewise, no reply had been received to a note verbale from the Secretary-General, dated 6 August, to the Government of Israel, requesting information on any steps the Government had taken, or envisaged taking, concerning the implementation of Assembly [resolution 58/99](#), according to the Secretary-General's report on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (document [A/59/345](#)).

The same goes for a note verbale, dated 6 August, regarding implementation of Assembly [resolution 58/100](#), as stated in the Secretary-General's report on The occupied Syrian Golan (document [A/59/338](#)).

#### United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

At the outset of the meeting, the Committee's Chair, KYAW TINT SWE ( Myanmar ) expressed his deep condolences to the family of the late President, and to the Government and people of the United Arab Emirates for the death of Sheikh Zayed bin Sultan al-Nahayan, President of the United Arab Emirates.

#### Statements

FAYSAL AL-ZAYANI ( Bahrain ) expressed condolences about the loss of the President of the United Arab Emirates. Continuing, he said the work of the UNRWA to support Palestinian refugees had been hampered by Israel's aggressive policy against the Palestinian people, the military penetrations into refugee camps, as well as curfews, closures, closed military zones and other measures. Israel had also violated the immunity of the UNRWA staff.

He said Palestinian refugees, whose cause was over half a century old, were still suffering the hardships of life under deteriorating living conditions, which were exacerbated by Israel's continued occupation. Even worse were the clear signs of economic collapse and the continued humanitarian crisis, attributed to the high levels of poverty, deterioration of health conditions and displacement of Palestinians after destruction of their homes, as well as by the continued construction of the separation wall, despite the opinion of the International Court of Justice. Expressing concern about the financial situation of the UNRWA, he hoped the Agency would be able to attract financial flows in order to regain its sound financial situation. The problem of Palestinian refugees was a political one, which could only be solved with resolution of the Middle East problem.

#### Israeli Practices

BERNARD GOONETILLEKE ( Sri Lanka ), Chairman of the Special Committee to Investigate Israeli Practices Affecting Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced that body's report. Noting the Special Committee's serious concern at the seriously deteriorating human rights and humanitarian situation in the occupied Palestinian territories, he said that the present apathy might be countered by renewed press interest, the growing influence of public opinion in certain countries and new developments in the territories.

Witnesses, who spoke to the Special Committee, he said, drew a picture of a situation, which was going from bad to worse. However, a number of witnesses also expressed their hope that one day Palestinians and Israelis would live side by side in peace, security and dignity in their own independent and as sovereign States. Given the never-ending cycle of violence, it was important for the Government of Israel, the Palestine Authority and the Palestinian militant groups to ponder whether they should not think of alternative strategies. In that regard, there did not seem to be an alternative to returning to the Road Map.

FEDA ABDELHADY NASSER, Permanent Observer Mission of Palestine, said the Special Committee had submitted its report despite the continued refusal by the Israeli Government to cooperate with the Committee and to grant it access to the occupied territories. The report presented an extremely disturbing account of the grave human rights violations committed by Israel, the occupying Power. That assessment corresponded to others arrived at by other United Nations officials, including the Special Rapporteur of the Commission on Human Rights. Analysis of the situation in the occupied Palestinian territory revealed an abhorrent situation in which the human rights of the Palestinian people were being seriously violated and gravely breached by the occupying Power.

She said that during the past year not a single minute had passed, during which Israel had not deliberately engaged in the violation of international law, including humanitarian law and human rights law. It had continued to kill and injure Palestinian civilians, destroy homes, vital infrastructure and farmlands, confiscate land, construct the expansionist wall, build and expand settlements, arrest and detain thousands of Palestinians, and impose severe restrictions on the movement of persons and goods throughout the occupied Palestinian territory, including East Jerusalem. While occupation was supposed to be a temporary state, it had gone on for decades as the occupying Power had entrenched itself in the territory. The illegal practices by Israel had been carried out with the intent of defending and perpetuating the illegitimate occupation and subjugation of an entire people.

The reality for the Palestinian people had been one of "a constant and merciless assault of harassment and humiliation, violence and terror, and punishment and discrimination", she said. The cumulative impact on the social, economic, physical and psychological well-being of the Palestinian people had been grave. Giving many examples of violations, including the death of a 13-year old Palestinian girl, Imam Samir Al-Hams, who was shot last month as she walked to school in Rafah, she said the occupying Power also continued to terrorize the civilian population with brutal methods of collective punishment by destruction of property, imposition of military closures, and the military siege of the Gaza Strip.

The freedom of movement also continued to be gravely impacted by Israel's continued and unlawful construction of the wall, through which it expanded its network of illegal colonial settlements, she said, recalling that in its Advisory Opinion, the International Court of Justice had concluded that the construction of the wall included, among other things, breaches of the United Nations Charter and resolutions, the Hague Regulations and the Fourth Geneva Convention. It had also concluded that the Israeli settlements in the occupied Palestinian territory, including East Jerusalem, had been established in breach of international law. The settlement activities and construction of the wall were intricately correlated to the objective of colonizing Palestinian land in order to facilitate a de facto annexation. The Court rejected Israel's argument that security considerations were the sole purpose for the wall.

She said the Palestinian Authority had repeatedly condemned suicide bombings committed by Palestinian individuals or groups against civilians in Israel as morally wrong and extremely detrimental to the national cause. There was no justification for such terror or for the State terror perpetrated by Israel against Palestinian civilians. Such violence, however, did not emerge in a vacuum and had as a direct source the oppressive Israeli occupation and its cumulative effects.

The collective impact of Israel's illegal policies and practices on the humanitarian rights situation of the Palestinian people had clearly been disastrous, she said. Israel must be held accountable for all those violations and crimes and must be compelled to abide by the Fourth Geneva Convention and other relevant international instruments and comply with the Advisory Opinion. Unilateral disengagement from Gaza must involve the complete withdrawal of the occupying forces, be part of the Road Map and be accompanied by similar genuine steps throughout the rest of the occupied territory, including East Jerusalem. The importance of an active role and strong support by the international community, including the United Nations, could not be underestimated.

SALIMA ABDELHAK ( [Algeria](#) ) said that the work of the Special Committee was essential, because each year it revealed the crimes committed by Israel, the occupying Power, in the occupied Arab territories. In that light, she appealed to the international community to continue to support the Committee's mandate. Going over the contents of the reports of the Committee, Amnesty International, Human Rights Watch and others, she found excessive use of force, war crimes, racism, ethnic cleansing and other violations of international law.

She said that Israeli practices, its building of the separation wall and the occupation itself constituted flagrant violations of human rights. The Israeli practices went against all the work and the hopes of the international community and its efforts to create a just and comprehensive peace in the Middle East, which would only come about through the application of all relevant Security Council resolutions and respect for the principle of land for peace.

FAYSSAL MEKDAD ( [Syria](#) ) said Israel, the occupying Power, still refused to receive the fact-finding mission of the Special Committee. Any attempt to undermine the Committee meant that Israel was provided with a cover to perpetrate violations of humanitarian and human rights law. The United Nations had exerted efforts to find a just and comprehensive solution for the problem and had adopted hundreds of resolutions, which had been rejected by Israel.

He said, in the Syrian Golan, Israel had tried to obliterate the identity of the Arab population and expel them from their lands. It had also violated the human rights of the people of the Syrian Golan, with 500,000 displaced persons still awaiting repatriation to their homes. In January, Israel had declared that it would expand its settlements in the Golan and double the number of settlers in the course of the next three years. The Israeli Minister of Agriculture had said that Israel had no intention of relaxing its grip on the Golan. Mines had been planted, and the Golan environment was being destroyed by the burning of forests and the dumping of chemical and nuclear waste. By imposing its laws, Israel sought to obliterate the identity of the Syrian Arab people and to annex the territory.

The humanitarian crisis facing the Palestinian people had been aggravated by the construction of the separation wall, he said. The occupying Power had continued its policy of extrajudicial killings and other violations of humanitarian and human rights law. Since September, it had killed over 3,500 civilians. Those were crimes of war and crimes against humanity, he said, and called on the Secretary-General and the Security Council to adopt all measures necessary to implement all international and legal decisions.

IBRAHIM ASSAF ( [Lebanon](#) ) said that the Special Committee's report proved that Israel flagrantly violated the most basic principles of international humanitarian law in the occupied Palestinian territories and the Golan Heights. Occupation itself was the worst form of human rights violation. He asked where Palestinian rights were, in the light of killings, arbitrary detentions, destruction of farmland, unequal treatment for Palestinians and Israel settlers, and the building of a separation wall in Palestinian territory, among other practices. The situation in the occupied Golan was no less tragic, with the expansion of settlements and the imposition of Israeli law.

That catastrophic situation could end with the implementation of the recommendations of the Special Committee, particularly the ending of the Israeli occupation of Arab lands, he said. Even with Israel's rejection of overtures toward that goal, Lebanon still wagered on peace.

JULIUS ZAYASHIWEVA ( [Namibia](#) ) said the Palestinian people, like all other people in the world, deserved peace. They must get their land back. Israel, the occupying Power, had embarked upon a policy of extrajudicial killings and destruction of houses and other properties of the Palestinians. The continuous construction of the separation wall, despite the legal advice by the International Court of Justice, was a clear indication that the occupying Power not only refused to live up to its obligations under international law, but also challenged the authority of the International Court of Justice and the General Assembly. Israel's settlement activities continued, despite her commitments under the Road Map. Its unilateral disengagement plan for the Gaza Strip was not in conformity with that Road Map.

He said there should be no excuse to human rights violations and there should be no selectivity in bringing the perpetrators to justice. Non-compliance with international law and obligations should be equally dealt with in accordance with the United Nations Charter. The United Nations, and in particular the Security Council, had an obligation to ensure that the question of Palestine was permanently resolved and the people of Palestine were finally free and independent. He called on Israel to ensure respect for international humanitarian and human rights law, including the Fourth Geneva Convention.

HARON HASSAN ( [Jordan](#) ) said that the situation in the Palestinian territories had deteriorated dramatically, while the cycle of violence fuelled by extremists on both sides persisted. Noting curfews, blockades, killings, increased settlement and other practices, he said that Israel should realize that it was responsible for its illegal practices and actions against the fundamental rights of the Palestinian people. He condemned all such practices and called on Israel to desist from them.

He said the Road Map was the only acceptable solution to the problem, and it required Israel to fulfil its commitments, beginning with an end to settlement activity and extrajudicial killings. At the same time, the Palestinians should complete the reform of their security apparatus and put an end to violence. The Road Map also required an effective monitoring mechanism operated by the Quartet. While he welcomed Israeli withdrawal from Gaza, it had to be done as part of the Road Map, meaning, among other things, coordination with all parties concerned – especially the Palestinians – and agreement on the next steps for withdrawal from the West Bank. The time had come to define clearly both the end game and the consequences for both parties if they did not engage in a serious political process in a way that would lead to a two-State solution.

HAMAD HAREB AL-HABSI ( [United Arab Emirates](#) ) said that the Special Committee's report clearly showed flagrant violation of human rights, war crimes and State terrorism committed systematically by Israel against people under its occupation. Condemning such violations, he reaffirmed support for the Palestinian people in their fight against the Israeli occupation and their right to self-determination through the establishment of a State with Al-Quds Al Sharif as its capital.

He called upon the international community to compel Israel to end its aggression, human rights violations and massacres immediately, saying that perpetrators of such practices should be brought to international justice. He also demanded that Israel dismantle the separation wall and all settlements built on occupied Arab lands, and should withdraw from lands occupied since 1967. At the same time, he urged the United Nations to protect the Palestinian people and help them improve their living conditions during their struggle for liberation.

AHMED ABU ZEID ( [Egypt](#) ) said the report emphasized that the human rights situation in the occupied Palestinian territories was deteriorating and that the Israeli authorities were violating the human rights of the Palestinian people and the Arab people in the Syrian Golan. The international community must dedicate its fullest attention to the situation and condemn the fact that Israel was continuing to ignore the relevant General Assembly and Security Council resolutions.

Regarding the unilateral withdrawal from the Gaza Strip, he said efforts were underway to establish a monitoring mechanism for the withdrawal so that it would take place in conformity with the Road Map. Such a withdrawal must be comprehensive and should not serve as a pretext to impose even tighter restrictions on the Gaza Strip. Egypt had called for a corridor between the West Bank and the Gaza Strip and for independent observers. Full coordination with the Palestinian party was necessary to avoid any further deterioration of the situation. Egypt had multiplied contacts with the two parties in order to arrive at a political and security programme designed to bring the parties back to the negotiating table and secure their commitments under the Road Map.

FAUZIA WAHAB ( [Pakistan](#) ) said the report clearly indicated that the Israeli forces continued to be in violation of the occupying Power's legal and political obligations. It amply reflected that the occupying Power in Palestine and in the Syrian Golan was in gross violation of every right granted to the people of those territories by international law, including the Fourth Geneva Convention. Among the many aggressive and provocative actions by Israel during the last year, the continued construction of the separation wall, incessant military incursions, systematic house demolition and the continued violation of the obligation to freeze settlement activities had had the severest humanitarian consequences.

She said international law should be enforced indiscriminately and without conditions, particularly in cases where innocent lives were in danger. The international community must enforce respect for international humanitarian law more seriously, and monitoring was the first step towards such enforcement. Israel must implement the relevant Security Council resolutions and the Road Map. Peace was not just the absence of war, but the disposition for justice and equity. Justice in the Holy Land remained elusive. Attacks and economic and social encirclement should end, and the occupied people should be able to exercise their right to self-determination. That would end injustice and enable the region to live in permanent peace and security.

RASTAMMOHD ISA ( [Malaysia](#) ) said that the report concluded definitively that Israel's practices had negatively affected the humanitarian and human rights situation of the Palestinian people and others at an unprecedented level and had further aggravated their situation. As a member of the Special Committee, he associated himself fully with the statement of its Chairman, and expressed disappointment over the persistent refusal of Israel to cooperate with that Committee, saying that in doing so, Israel deprived itself of the ability to express its own views and could not accuse the Committee of bias.

The Road Map, he said, was now in tatters owing to Israel's refusal to comply with its provisions. The hope of Palestinians, therefore, now rested with the international community, which should prevail upon Israel to change its behaviour as recommended by the Special Committee's report. Of equal importance were the implementation and follow-up of that Committee's recommendations for all relevant parties. In addition, the report had proven conclusively the need to continue the mandate of the Special Committee until Israeli violations of human rights ceased and the occupation had ended.

JONNY SINAGA ( [Indonesia](#) ) said that the current report clearly described the increasingly intolerable plight of Palestinians and other Arabs living in the occupied Palestinian territories, in the occupied Syrian Golan and elsewhere in the region. Recalling that plight and the judgement of the International Court of Justice concerning the separation wall being built by Israel, he reaffirmed the Declaration on Palestine issued by the Ministerial Conference of the Non-Aligned Movement (NAM) in Durban in August 2004.

He called upon Member States to undertake measures, including legislation, to prevent products from entering their markets from illegal Israeli settlements. He encouraged them to deny entry to Israeli settlers and to impose sanctions against companies and entities involved in the construction of the wall and other illegal activities in the occupied Palestinian territories, unless and until Israel demonstrated respect for, and compliance with, the advisory opinion of the International Court of Justice, the Fourth Geneva Convention and international humanitarian law.

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