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SECURITY COUNCIL FAILS TO ADOPT TEXT DEMANDING THAT ISRAEL HALT SETTLEMENT ACTIVITY

AS PERMANENT MEMBER CASTS NEGATIVE VOTE

The Security Council today failed to adopt a text that would have described as “illegal” Israeli settlements in Palestinian territory occupied since 1967 while reiterating demands that all settlement activity cease immediately.

Sponsored by nearly two thirds of the United Nations membership, the draft resolution was rejected following a vote of 14 in favour to 1 against (United States), resulting in a veto owing to the negative vote cast by a permanent Council member.

The text would have called upon both parties to act on the basis of international law, other obligations and previous agreements in order to improve the situation on the ground, build confidence and create the conditions necessary for advancing the peace process. It would also have called upon the parties to continue with negotiations on final status issues within the time frame specified by the Middle East diplomatic Quartet (United Nations, Russian Federation, United States, European Union), and urged intensified international and regional support for that effort.

Speaking before the vote, Lebanon’s representative surveyed the recent acceleration of Israeli settlement construction in the West Bank, including East Jerusalem, following the end of the recent partial moratorium, and pointed out that the Security Council, the International Court of Justice and the General Assembly had all previously declared such settlement activity illegal, calling for a complete halt.

He said settlement activity was also barred by the Quartet “Road Map”, and maintained that Israel continued to challenge all those opinions, with the number of settlers now having exceeded 530,000. The purpose of the draft resolution had been to halt those illegal practices once and for all, allowing the Council to play its rightful role on the side of righteousness, he said, adding that Council action would continue to be demanded until there was a just peace, including a viable State of Palestine.

Following the vote, the representative of the United States explained that her country rejected in the strongest terms the legitimacy of settlement activity, which undermined Israel’s security and corroded hopes for a peace settlement. There was an urgent need to resolve the situation through negotiations that would bring about a viable State of Palestine, she said, noting that her country had invested enormous efforts in that regard. The only way to reach that goal was through sustained negotiations between the parties, with active international support, she continued. The great impetus for democracy and reform in the Middle East made it all the more urgent to end “this bitter conflict.”

Expressing hope that those who wanted peace would join the United States in encouraging and supporting the resumption of negotiations, she said every action must be measured against the standard of whether or not it would bring the parties closer to or take them further from negotiations and agreement. Today’s text risked hardening positions on both sides and could have encouraged them to stay away from the negotiations, or to return to the Council whenever they reached an impasse, she said.

Other Council members then made brief statements explaining that they had voted in favour of the draft because it was their long-standing position that the settlements were illegal, constituting an obstacle to negotiations towards peace and a two-State solution. They reaffirmed their desire for a just and lasting solution with a viable State of Palestine living in peace with Israel. Some called for the establishment of such a State by September 2011, at the end of the Palestinian Authority’s State-building programme.

The Permanent Observer for Palestine thanked all those who had worked hard to submit the draft, which was sensible, reflecting agreed language and principles. Unfortunately the Security Council had failed to uphold its responsibilities, he said, adding that the proper message that it should have sent to Israel

was that its contempt for international law and the international community would no longer be tolerated. He feared, however, that today's result might only encourage further Israeli intransigence and impunity.

That situation must be remedied, lest the prospects for a negotiated two-State solution be placed in permanent jeopardy, he said. Since the situation on the ground in the Occupied Palestinian Territory was intolerable and the status quo untenable, Palestine would continue to consider all its options in the United Nations to promote the attainment of a just and lasting peace and the achievement of the inalienable right of the Palestinian people to self-determination in their own independent State, he said.

Israel's representative said that, as direct negotiations between Israel and the Palestinians would remain the only way to resolve the long-standing conflict, the draft should never have been submitted. Instead, the Security Council and the wider international community should have called on the parties immediately to return to the negotiating table, without pre-conditions, in order to reach a final settlement of all outstanding issues.

He said today's debate increased adversarial positions and could send the message that the Palestinian side could avoid the negotiating table. Time and time again, Israel had taken painful steps to build confidence, which had not been reciprocated, including its withdrawal from Gaza only to see the enclave turned into a breeding ground for terrorist activity. Yet, Israel continued to press ahead with efforts to restart the negotiations in good faith, he said, adding that the shared goal of peace was within reach but would require painful compromises by all parties. Settlements were only one of the issues to be discussed as part of a comprehensive negotiation, he stressed.

Also speaking this afternoon were representatives of the United Kingdom (also on behalf of France and Germany), Russian Federation, Portugal, China, South Africa, Colombia, Bosnia and Herzegovina, Nigeria, India, Gabon and Brazil.

The meeting began at 3:57 p.m. and ended at 5:02 p.m.

Action on Draft Resolution

NAWAF SALAM (Lebanon), speaking before the vote, said the Israeli occupation authorities had approved a plan to construct some 1,400 new settlements just south of East Jerusalem, as well as other measures that amounted to erecting settlements throughout the occupied territory. Indeed, since it had suspended its 10-month partial construction freeze, the rate of building was estimated to have doubled, he said, adding that Israel continued to destroy in East Jerusalem buildings and other structures that were part of the Palestinian identity. If all those actions characterized Israel's behaviour, he wondered, where was the international community? Where was the respect for international law, particularly the Fourth Geneva Convention?

Indeed, it was important to note that the Council had adopted a resolution years ago deeming Israeli settlements a threat to lasting peace in the Middle East, he continued. Moreover, the International Court of Justice, in its decision on Israel's construction of a separation wall in the Occupied Palestinian Territory, had also declared Israel's settlement activity illegal. Similar conclusions had been reached by the International Criminal Court and the General Assembly, which had recently called for an immediate halt to settlement activity. It was also important to note that the "Road Map" compelled Israel to freeze all settlement activity, including natural growth, and to remove all settlement outposts constructed after 2001, he said.

The Quartet continued to call for the implementation of the Road Map's principles, including a halt to all settlement construction, he said, adding that Israel continued to challenge and ignore all those decisions, opinions and statements, which represented the position of the international community. That had led Lebanon and others to submit the draft resolution before the Council. The purpose was for the Council to play its required role and take the side of "just righteousness", he said. The draft had received unprecedented support among Member States, and the Council, charged with maintaining international peace and security, must carry out its Charter-mandated responsibility.

As the Council took action on the draft resolution, the text was rejected owing to a negative vote cast by a permanent Council member (United States).

SUSAN RICE (United States) said her delegation had been deeply committed to pursuing comprehensive and lasting peace between Israel and the Palestinians, focusing in that context on taking steps to advance, rather than complicate, the goal of two States living side by side in peace and security. The United States had been working with both parties in good faith while opposing ongoing settlement construction, she said. As such, its vote today should not be misunderstood to mean support for settlement construction, she emphasized, adding that, on the contrary, the United States "rejects in the strongest terms the legitimacy of continued Israeli settlement activity".

She went on to stress that settlement construction had undermined Israel's security and corroded hopes for peace and security in the Middle East. It had devastated trust between the parties and threatened the prospects for peace in the wider region. The United States and other Council members were convinced of the urgent need to resolve the conflict between Israel and the Palestinians in a manner that would lead to security for Israel and a contiguous State for the Palestinian people "once and for all". For decades, the United States had devoted its resources towards that end and would continue to do so, she said, adding that the only way to reach that common goal was through direct negotiations, with the direct sustained support of the United States and the wider international community.

She went on to stress that the conflict was for Israel and the Palestinians to resolve and "even the best intentioned outsiders cannot solve it for them". Therefore, "every potential action must be measured against one overriding standard: will it move the parties close to negotiations and an agreement"? The draft resolution before the Council risked hardening positions on both sides, she cautioned, saying it could encourage the parties to stay out of the negotiations or to return to the Council whenever they reached an impasse.

In recent years no outside country had striven more than the United States for Israeli-Palestinian peace, she said, pointing out that even in the days and hours preceding today's vote, her country had offered alternatives to the current text. Regrettably those efforts had not been successful and were no longer viable. The great impetus for democracy and reform in the Middle East made it all the more urgent to end "this bitter conflict", she stressed, adding that there were no shortcuts. Hopefully, those who wanted peace would join the United States in encouraging and supporting the resumption of negotiations. "While we agree with our fellow Council members, and, indeed, with the wider world about the folly and illegitimacy of continued Israeli settlement activity, we think it unwise for this Council to attempt to resolve the core issues that divide Israelis and Palestinians," she said. The United States had, therefore, opposed the text.

Statements

MARK LYALL GRANT (United Kingdom), speaking also on behalf of France and Germany, said he had voted in favour of the draft because the settlements were illegal, constituting an obstacle to peace and a two-State solution. The primary goal remained a just and lasting solution with a viable State of Palestine living in peace with Israel. The United Kingdom, France and Germany would continue to work hard to bring it about, he emphasized, calling on both parties to return to direct negotiations, which must quickly bring about an agreement on borders based on the 1967 lines, with land-swaps and measures to show that the occupation was over while ensuring security. A just solution to the refugee question and a determination of Jerusalem as the capital of both States was also needed, he said, noting that the Palestinian Authority had found a way to build the institutions of a State that, hopefully, would come into fruition by September.

VITALY CHURKIN (Russian Federation) said he voted in favour because his country did not accept any unilateral actions that prejudged final status issues. He called on Israel to halt settlement activity, emphasizing that the urgent need to settle that issue would only increase. The Russian Federation continued to urge a

return to direct talks, assisted by the international community and in accordance with the Madrid principles, the Arab Peace Initiative and other international agreements. The first ever Security Council mission to the Middle East could make a significant contribution to moving the peace process forward, he added.

JOSÉ FILIPE MORAES CABRAL ([Portugal](#)) said his delegation's position on settlement construction was well known. Portugal's consistent position had been that settlement construction was illegal. Furthermore, settlement activity and natural growth in and around East Jerusalem and elsewhere in the Occupied Palestinian Territory eroded hopes for peace and should cease immediately. Calling on both parties to return to direct renegotiations on core issues as soon as possible, he said the goal must, as always, be the establishment of two States living side by side in peace. The Palestinian leadership had undertaken serious steps to lay the groundwork for an independent State and its efforts should be commended, he added.

LI BAODONG ([China](#)) said his delegation had voted in favour of the resolution and deeply regretted that it had not been adopted. China had always supported the Palestinian people's legitimate right to self-determination and rejected the ongoing construction of both settlements and the separation wall in the Occupied Palestinian Territory. The two sides should conduct dialogue and negotiations towards the establishment of an independent Palestinian State, with the two countries living side by side in peace, he said, expressing support for the Security Council "playing its due role" on the issue. Hopefully, the upcoming meetings of the Quartet would further the process.

BASO SANGQU ([South Africa](#)) expressed regret that the resolution had not been adopted, saying his delegation had voted in favour of the text, joining those who believed that continuing Israeli settlement construction undermined efforts to achieve peace. The goal of the parties should be a lasting settlement of their conflict, and the Council had an obligation to see that the peace process moved forward and the needs of both sides were addressed. Despite the failure of today's text, the peace process "must go forward beyond today", he stressed. Since that was the case, Israel must abide by its international obligations, including those outlined in the Road Map. Israel must immediately cease all settlement activity, among other things.

NÉSTOR OSORIO ([Colombia](#)) reaffirmed his country's conviction that bilateral negotiation and not bellicose confrontation was the path to peace in the Middle East. Settlements were contrary to international law and the Road Map, he said, stressing the need for a resolution of the conflict based on two States with defined and secure borders and keeping to their international commitments. He called on the parties to resume talks on the basis of recognition of the rights of both peoples.

MIRSADA ČOLAKOVIĆ ([Bosnia and Herzegovina](#)) affirmed her country's commitment to a two-State solution. The settlements were contrary to international law and Israel's Road Map obligations, she said, calling on Israel to reply affirmatively to the demands of the international community, as expressed in the draft resolution.

RAFF BUKUN-OLU WOLE ONEMOLA ([Nigeria](#)) said the cessation of settlement activities was a necessary confidence-building measure to bring about progress in negotiations, which should resume as soon as possible. The Council should continue to play its proper role in helping to bring about a negotiated solution that would result in a two-State solution, he added, affirming that the Middle East needed peace.

MANJEEV SINGH PURI ([India](#)) said his delegation had co-sponsored and voted in favour of the draft resolution and hoped that, even though it had failed to pass, "wiser counsel" would prevail, leading to peace and security between Israel and the Palestinians, and in the wider region. He hoped the parties would reflect on the fact that the only path forward was through direct negotiations, so that by September 2011, the international community could welcome an independent State of Palestine, living side by side and at peace with Israel.

ALFRED ALEXIS MOUNGARAMOUSSOTSI ([Gabon](#)) encouraged the parties to resume negotiations, inviting them to overcome their differences, and work assiduously towards a just and lasting peace, in line with a two-State solution.

Council President MARIA LUIZA RIBEIRO VOTTI ([Brazil](#)), speaking in her national capacity, said that a peaceful resolution of the "question of Palestine" was arguably the single most important question for peace and security in the world today, while Israel's ongoing settlement activity had become the most important obstacle to a comprehensive solution. It was, therefore, only natural that the Council address the matter, in line with its Charter-mandated responsibility to ensure international peace and security.

She said the text of the resolution stated that all settlements were illegal and an obstacle to peace, and that both parties should seek a resolution in support of a two-State Solution. It also called for the resumption of negotiations. Brazil had become a co-sponsor, believing the text could enhance efforts towards a two-State solution and contribute to peace in the whole region, including Israel, she said, stressing that halting settlement construction should not be seen as a concession but as adherence to international law.

Indeed, upholding international law must always be seen as acting in the service of peace, she said, adding that the Council could not settle for less, she continued, adding that the peace process must be accelerated. Only dialogue and peaceful coexistence with all neighbours could truly advance the Palestinian cause, and including more countries in the peace process, including developing countries, would "breathe fresh air" into the negotiations. In a time of potential unprecedented change in the Middle East, it was more urgent than ever to press for progress on the Israeli-Palestinian issue, she emphasized.

RIYAD MANSOUR, Permanent Observer for [Palestine](#), thanked all those who had helped bring the draft to the Council and maintained their solidarity and support for Palestine. He also expressed his appreciation to those who had voted in favour of the text, which was sensible and reflected agreed language and principles. It represented a responsible and serious attempt to address the issue of illegal Israeli settlement activity in order to remove that obstacle from the path of the peace process. The overarching goal remained ending the Israeli colonization of the land, its destruction of the two-State solution and the creation of the appropriate environment and dynamics for the conduct and ultimate success of genuine peace negotiations, he said.

Unfortunately the Security Council had failed to uphold its responsibilities, he said, cautioning, however, that Israel should not question the international community's determination to bring an end to its violations. The proper message that the Council should have sent to Israel was that its contempt for international law and the international community would no longer be tolerated. It was to be feared, however, that today's result might only encourage further Israeli intransigence and impunity. That must be remedied, lest the prospects of a negotiated two-State solution be placed in final jeopardy, he warned.

Despite today's outcome, he said, Palestine continued to call on the Council to uphold its duties and seriously and conscientiously to undertake its role in resolving the Middle East conflict. The situation on the ground in the Occupied Palestinian Territory was intolerable and the status quo untenable. In upholding its duties toward its people, the Palestinian Authority would continue to consider all its options in the United Nations to promote the attainment of a just and lasting peace, and the achievement of the inalienable right of the Palestinian people to self-determination in their own independent State, he emphasized.

MERON REUBEN ([Israel](#)) said direct negotiations between Israel and the Palestinians had been and would remain the only way to resolve the long-standing conflict between them. As such, the draft resolution should never have been submitted, he said, adding that, instead, the Council and the wider international community should have called on the parties immediately to return to the negotiating table, without pre-conditions, in order to reach a final settlement on all outstanding issues.

He went on to stress that today's debate would not promote progress to that end. Indeed, the entire process, in its adversarial nature, would likely harm attempts to reach a solution. It could also send the wrong signal that the Palestinian side could avoid the negotiating table. Time and time again Israel had taken painful steps to build confidence between both sides, but those efforts had not been reciprocated by the Palestinian side. For example, Israel had pulled out of Gaza in

2005, removing all settlements, only to see the enclave turned into a breeding ground for terrorist activity, he said.

Yet, Israel continued to press ahead with its efforts to restart the negotiations in good faith, he continued. The shared goal of peace was within reach but would require painful compromises by all parties. "The road to peace is between Jerusalem and Ramallah, which are but 10 minutes apart," he said. Settlements were only one of the issues to be discussed as part of a comprehensive negotiated settlement, and it was, therefore, neither fitting nor constructive to isolate that issue from other core matters, such as security assurances, refugees or the relentless rocket fire by Hamas, which controlled the Gaza Strip. With all the events currently taking place in North Africa and the Middle East, one wondered whether the issue under discussion today "is really the most relevant for discussion in this Chamber", he said.

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