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**PARTIES TRYING TO UNDERMINE POLITICAL PROGRESS IN MIDDLE EAST MUST NOT BE ALLOWED**

**TO SET AGENDA, TOP UNITED NATIONS POLITICAL OFFICIAL TELLS SECURITY COUNCIL**

**Speakers Weigh 'Goldstone Report' on Recent Conflict in Gaza Strip**

Citing "worrying developments" that had heightened tensions in the Israeli-Palestinian conflict over the past month, Under-Secretary-General of Political Affairs B. Lynn Pascoe told the Security Council today that now, more than ever, it was vital that politics were made credible, "and those who try to undermine politics by changing facts on the ground or resorting to violence are not allowed to set the agenda".

Briefing the Security Council on the situation in the Middle East, Mr. Pascoe said there had been no significant progress on political efforts to resolve the conflict, and some worrying developments on the ground. Tensions had increased, with a number of incidents in East Jerusalem. The status of the Old City and its religious sites were extremely sensitive issues that would only be fully resolved in final-status negotiations.

Until then, he said, the call of the diplomatic Quartet on Israel to refrain from provocative actions in East Jerusalem, and on the Palestinian Authority to refrain from incitement, remained more relevant than ever. He also addressed the situation in Gaza, the West Bank, Lebanon and Syria.

Noting that the Report of the Fact Finding Mission on the Gaza Conflict, which had been headed by Justice Richard Goldstone, would be considered by the Human Rights Council tomorrow and Friday, he said that the Mission had made a number of recommendations for ensuring accountability for perpetrators and redress for victims. It called on the Government of Israel to conduct independent investigations into the many allegations of serious violations of international humanitarian and human rights law that had taken place during the Gaza conflict at the beginning of the year. The Report also called on Hamas – "the relevant authority in Gaza" – to initiate genuine and effective proceedings into the many allegations of such violations as well.

He said that efforts to resume the political track were continuing, but the pattern of events in the Middle East over the past month were a powerful reminder that without a credible political horizon – including commitments made, monitored and kept on the ground, and a calling to account when obligations were breached – forces of violence, tension and extremism on both sides would fill the vacuum. "If we do not go forward decisively towards the two-State solution, we may go back to more violence, suffering and the loss of hope. Once extinguished, that hope will be very difficult to rekindle," he said.

Riad al-Malki, Minister for Foreign Affairs of the Palestinian National Authority, expressed regret that, despite efforts by many parties, there had been no progress towards peace, because no real progress had been made in addressing the ongoing Israeli colonization campaign in the West Bank and the raging humanitarian crisis in the Gaza Strip. Indeed, Israel's intransigence and defiance continued to jeopardize prospects for realizing a just and lasting peace in the Middle East, he said.

With tensions rising along with calls for responsible action, accountability and justice, he said the Goldstone report constituted a wake-up call that must not be ignored. That report clearly confirmed that Israel had committed serious human rights violations and grave breaches of humanitarian law amounting to war crimes and crimes against humanity. Serious follow-up to the report was imperative to bringing an end to Israel's "immoral and repugnant impunity" and prevent the recurrence of its crimes against Palestinians. He expressed hope that the Human Rights Council would endorse the Goldstone report and formally convey it to the respective United Nations bodies, which then must act on it.

The representative of Israel said that her country sought a genuine, defensible and permanent peace, in which Jewish and Palestinian States lived side by side in security. While that vision would move the peace process forward, terrorism, bloodshed and incitement would not, she maintained, describing a rise in terrorist attacks during the month of September that included rockets and mortars launched from Gaza and southern Lebanon, and attempts to infiltrate Israel to plant explosives.

She said that the urgent rescheduling of today's meeting was not because of the continuous shelling of Israeli territory or the threat of Iran's nuclear development,

as one might have thought, but had instead been called to deal with a matter that belonged elsewhere. The Goldstone report was "one-sided, biased and wrong". It legitimized terrorism and denied Israel's right to defend its citizens, permitting terrorists to victimize civilians and use as human shields those it claimed to defend. Debating the report was destructive to the peace process, she said, concluding that, if Israel was asked to take further risks for peace, the international community must recognize its right to self-defence.

During the ensuing discussion, speakers underlined the importance of resuming negotiations towards a two-State solution as soon as possible, reiterating that the parties should implement their obligations under the Quartet-backed Road Map and other agreements. In that regard, they urged Israel to stop all settlement activities, including natural growth. Many speakers underlined that the root cause of all problems in the region was the illegal Israeli military occupation of Palestinian and other Arab territories.

Expressing concern at recent incidents around the holy sites in East Jerusalem, representatives urged both sides to exercise the utmost restraint. They called on the Palestinian Authority to continue its efforts to establish security and state institutions within a reasonable amount of time, and stressed the need for intra-Palestinian unity. The Palestinian Authority was also urged to step up efforts to heal divisions among Palestinian factions, and continue to dismantle terrorist infrastructures and to end violence and incitement.

While condemning continued rocket attacks from Gaza into southern Israel, speakers also noted that the current situation in Gaza was unacceptable and urged parties to fully implement the provisions of resolution 1860 (2009). They called on Israel to open border crossings within the framework of appropriate monitoring in order to allow reconstruction to start, and called on all States to prevent arms smuggling into Gaza. They urged for the release of Gilad Shalit and for freeing political prisoners.

Noting that the Report of the Fact Finding Mission had uncovered serious violations of international law and human rights law by Israel and Hamas and other armed groups, participants in the debate stressed that all parties should strictly adhere to international humanitarian and human rights law under all circumstances and that responsible people should be prosecuted.

While most Council members favoured consideration of the Goldstone report by the Human Rights Council, which should ensure an appropriate follow-up, the representative of Libya, supported by several non-Council members, said the report clearly showed that crimes against humanity and war crimes had been committed by Israel and that its continuing blockade of Gaza was a policy of collective punishment. The Security Council should adopt the report and invite the Human Rights Council to discuss it.

The Deputy Foreign Minister of the United Republic of Tanzania also addressed the Council, as did the representatives of Mexico, Japan, Costa Rica, Burkina Faso, Russian Federation, United Kingdom, Croatia, United States, Uganda, Turkey, France, China, Austria and Viet Nam also spoke.

Statements were also made by the representatives of Egypt (on behalf of the Non-Aligned Movement), Syria (on behalf of the Organization of the Islamic Conference), Brazil, Sweden (on behalf of the European Union), Liechtenstein, Sudan (on behalf of the Arab Group), Nicaragua, Indonesia, South Africa, Cuba, Pakistan, Iceland, Switzerland, Bangladesh, Malaysia, Ecuador, Iran, Australia, Morocco, Jordan, Norway, Maldives, Sri Lanka and Venezuela.

Also speaking was the representative of Senegal, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinians People, as was the Permanent Observer of the League of Arab States.

The meeting started at 10:10 a.m. and was suspended at 1:12 p.m. It reconvened at 3:15 p.m. and was adjourned at 6:30 p.m.

## Background

The Security Council convened today to consider the situation in the Middle East, including the question of Palestine. It is expected that reference will be made to the report issued by the Human Rights Council, Human Rights in Palestine and other Occupied Arab Territories: Report of the United Nations Fact Finding Mission on the Gaza Conflict (document A/HRC/12/48), informally referred to as the "Goldstone report", after Richard Goldstone, the South African Justice who headed the mission.

## Briefing by Under-Secretary-General

B. LYNN PASCOE, Under-Secretary-General for Political Affairs, said that since the last briefing, there had been no significant progress on political efforts to resolve the Arab-Israeli conflict, and there had been some worrying developments on the ground. On 21 September, in the first face-to-face meeting of Israeli and Palestinian leaders since 2008, United States President Barack Obama had urged the parties to meet their responsibilities and had personally committed himself to help them restart the peace process. President Obama had subsequently stressed in the General Assembly the illegitimacy of continued settlements. He had detailed his goal of urgently starting talks, without preconditions, on the key issues of security of Israelis and Palestinians; border, refugees, and Jerusalem.

Continuing, Mr. Pascoe said the diplomatic Quartet on the Middle East peace process had met on 24 September and had reiterated its call on the parties to implement their Road Map commitments. Both the Quartet and the Ad Hoc Liaison Committee had expressed support for the Palestinian Authority's plan for constructing the institutions of a Palestinian State within 24 months. United States Middle East Envoy George Mitchell had returned from the region on 12 October. Further discussions between the United States, Israeli and Palestinian interlocutors were now expected to take place in Washington in the coming days. Even with the full determination and support of the international community to achieve the two-State solution, the essential ingredient was political will from the parties to meet their obligations and negotiate an end to the conflict.

He said that tensions on the ground had increased, with a number of incidents in East Jerusalem. From 28 September, the Israeli authorities had imposed new restrictions on worshippers and tourists entering the Al-Haram Al-Sharif/Temple Mount compound. Rumours that radical Jewish groups were intending to alter the status quo at the compound were strongly denied. Bitter accusations from both sides, however, underscored the gulf of mistrust that existed. The status of the Old City and its religious sites were extremely sensitive issues that would only be fully resolved in final-status negotiations. Until then, the call of the Quartet on Israel to refrain from provocative actions in East Jerusalem, and on the Palestinian Authority to refrain from incitement, remained more relevant than ever.

Throughout the West Bank, including East Jerusalem, levels of violence had remained constant, he said. Two Palestinians had been killed and 105 injured, while 35 Israelis had been injured. There had been 23 recorded incidents of violence involving settlers attacking Palestinians. As of 29 September, there were 592 movement obstacles in the West Bank, down from 618 in August.

He said that, in addition, tensions among Palestinians had been heightened in the aftermath of the deferral of consideration by the Human Rights Council report of the Fact Finding Mission on the Gaza Conflict headed by Justice Richard Goldstone. A special session of that Council had now been scheduled for 15 and 16 October. According to the Secretary-General, international humanitarian law needed to be fully respected, and civilians must be protected in all situations. He had supported the work of the Fact Finding Mission from the outset.

The report made a number of recommendations for ensuring accountability for perpetrators and redress for victims. It called on the Government of Israel to conduct independent investigations into the many allegations of serious violations of international community humanitarian and human rights law during the

Gaza conflict and had called on Hamas – “the relevant authority in Gaza” – to initiate genuine and effective proceedings into the many allegations of such violations, as well. The Secretary-General had called on all parties to carry out credible domestic investigations into the conduct of the conflict without delay and hoped that the institutions of the United Nations and its Member States could reach a consensus on the way forward.

The broader situation in Gaza, especially the continued closure policy, remained unsustainable and unacceptable. There had been a worrying increase in violence, with 12 projectiles fired from Gaza into Israel, as well as nine Israeli incursions and 12 air strikes. No exports from Gaza had been allowed. During his meeting with Israeli Prime Minister Netanyahu, the Secretary-General had expressed his disappointment that there had been no Israeli approval of recovery proposals for schools, clinics and housing. The Prime Minister had assured the Secretary-General that he would revisit the issue. Egypt was continuing intensive efforts to secure agreements to overcome the Palestinian divide and hold elections in the first half of 2010. Israel had released 20 Palestinian female detainees after Hamas had presented a video clip showing Israeli Corporal Gilad Shalit.

He stressed that the efforts on the Israeli-Palestinian track must be situated within the broader context of comprehensive Arab-Israeli peace. The situation in the occupied Syrian Golan had remained quiet, although Israeli settlement activity continued. The Syrian Deputy Foreign Minister had met with senior United States officials in Washington, and King Abdullah of Saudi Arabia had visited Syria and met with President Bashar Al-Assad.

On Lebanon, President Michel Sleiman had reappointed parliamentary majority leader Saad Hariri as Prime Minister-designate. The early formation of a Government supported by all was critical. The situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) generally remained quiet. Israeli air violations continued on a daily basis.

He said efforts to resume the political track were continuing, but the pattern of events in the Middle East over the past month were a powerful reminder that without a credible political horizon – including commitments made, monitored and kept on the ground, and a calling to account when obligations were breached – forces of violence, tension and extremism on both sides would fill the vacuum. “Now, more than ever, it is vital that politics is made credible, and those who try to undermine politics by changing facts on the ground or resorting to violence are not allowed to set the agenda”, he said, adding: “If we do not go forward decisively towards the two-State solution, we may go back to more violence, suffering and the loss of hope. Once extinguished, that hope will be very difficult to rekindle.”

#### Statements

RIAD AL-MALKI, Minister for Foreign Affairs of the Palestinian National Authority, expressed regret that, despite efforts by many parties, including the United States, the Quartet and countries in the region, there had been no progress towards peace. That was because no real progress had been made addressing the ongoing Israeli colonization campaign in the West Bank and the raging humanitarian crisis in the Gaza Strip that was a consequence of the Israeli military aggression and its continued blockade. Indeed, Israel’s intransigence and defiance continued to jeopardize prospects for realizing a just and lasting peace in the Middle East, he said

At this critical juncture, with tensions rising along with calls for responsible action, accountability and justice, he said the document known as the Goldstone Report constituted another wake-up call that must not be ignored, and the volatile situation in East Jerusalem required urgent attention. He maintained that the Report, compiled by the United Nations Fact Finding Mission on the Gaza Conflict, clearly confirmed that Israel committed serious human rights violations and grave breaches of humanitarian law amounting to war crimes and crimes against humanity.

“We are all too aware of the tragic consequences of the savage Israeli military aggression launched on 27 December 2008”, he said. While rejecting any symmetry for Palestinian violations alleged in the report, he said he took them very seriously and reiterated a commitment to pursue domestic investigations to address that critical matter.

He said serious follow-up to the report, at all levels, was imperative to bring an end to Israel’s “immoral and repugnant impunity” and prevent the recurrence of its crimes against Palestinians. He expressed hope that the Human Rights Council would endorse the Goldstone Report and formally convey it to the respective United Nations bodies who then must act on it. The pursuit of accountability would, in the long term, better serve the cause of peace, he added, saying that the credibility of international human rights and humanitarian law was at stake, and the “obscene cycle” of Palestinian suffering must be ended.

He said that the situation in East Jerusalem was highly volatile due to Israel’s illegal and provocative actions, including the flagrant pursuit of settlement activities and acts by extremist settlers at Al-Haram Al-Sharif compound, and required urgent attention by the Council. Detailing some of those actions, he said that every single such illegal act of colonization and provocation further threatened the prospect for peace. He expressed the desire to turn the page on “this horrific and tragic chapter for Palestine and cross the threshold into a new era in which our people can live in peace”, in an independent State.

GABRIELA SHALEV ( Israel ) said that Israel sought a genuine, defensible and permanent peace in which Jewish and Palestinian States lived side by side in security. While that vision would move the peace process forward, terrorism, bloodshed and incitement would not, she maintained, describing a rise in terrorist attacks during the month of September that included rockets and mortars launched from Gaza and southern Lebanon, and attempts to infiltrate Israel to plant explosives. Southern Lebanon “is occupied by terrorism”, she said, stressing that Hizbullah continued to build up weapons and military infrastructure in the midst of the civilian population in Lebanon, openly threatening UNIFIL and obstructing that mission’s mandate.

Such terrorism was sponsored by Iran, she said, which was pushing the region towards instability and conflict and was also “hurtling towards nuclear weapons” capabilities, while being driven by religious extremism and suppressing the aspirations of its citizens.

She said that, five years ago, Israel dismantled 21 settlements and uprooted over 8,000 Israelis from Gaza in pursuit of peace. It was assured by Member States that if Israel needed to defend itself as a result of that action, international legitimacy would be on its side. But, she maintained, Israel’s hopes turned into a nightmare, when, instead of promoting peace, Hamas murdered and silenced opposition while inciting an entire generation to kill and hate. She said that Gaza was now occupied by Hamas terrorism, and as that organization launched attacks from within schools, mosques and hospitals, firing 12,000 rockets against civilians, the world did nothing. “Hamas openly rejects a two-State solution [and] openly rejects Israel’s right to exist [...] yet the world does nothing”, she added.

She said that the urgent rescheduling of today’s meeting was not done because of the continuous shelling of Israeli territory or the threat of Iran’s nuclear development, as one might think, but was, instead, called to deal with a matter that belonged elsewhere, on the request of Libya, which recently offered a hero’s welcome to an arch-terrorist and whose leader called the Security Council a “Terror Council” three weeks ago.

Maintaining that the debate on the Goldstone Report belonged elsewhere, she commented, nevertheless, that the survey was “one-sided biased and wrong”, as was the forum and the mandate that had established its mission. It legitimized terrorism and denied Israel’s right to defend its citizens, permitting terrorists to victimize civilians, target the innocent and use as human shields those it claimed to defend. Debating the report was destructive to the peace process, she said, concluding that if Israel was asked to take further risks for peace, the international community must recognize its right to self-defence.

ABDURRAHMAN MOHAMED SHALGHAM ( Libya ) said the occupation was the main reason for all those violations of human rights and international law referred to in the Goldstone Report. Israel committed those violations because it was supported by some Member States. However, the scale of the crimes described in the Goldstone Report could be a wake-up call for the international community. If its findings were disregarded, the promotion of human rights would take a step back. The Report clearly showed that crimes against humanity and war crimes had been committed, which was more important than rules of procedure. According to the Report, Israel had committed war crimes, and the continuing blockade was a policy of collective punishment. The Report referred to the great

number of crimes committed by the Israeli army and Government.

He said that, according to the Goldstone Report, all inhabitants of Gaza had been targeted, without distinction between military and civilians. Palestinians were the targets of ongoing systematic ill treatment. The Fact Finding Mission had concluded those actions were collective punishment against civilians, in other words: a crime of war. The Security Council should adopt the Report and invite the Human Rights Council to discuss it. There was a need to end the culture of impunity in the region. The reasons mentioned by the Israeli Government for its actions could not justify the policy of reprisals.

CLAUDE HELLER ( [Mexico](#) ) regretted that so far there had not been a return to negotiations. Responsibility for relaunching the peace process hinged on the will of all parties to the conflict. There was a need for the parties to meet their commitments and obligations in the Road Map. It was essential that Israel put an end to construction of new settlements, including in East Jerusalem. Demolition of houses in East Jerusalem represented a serious obstacle to the peace process. There must also be an agreement on places of worship. The Palestinian Authority must continue to establish its institutions. It was essential that Israel lift restrictions on movement of people and goods. It was also essential that progress be made in the inter-Palestinian dialogue.

He said humanitarian access to Gaza must be allowed in order to avoid a humanitarian disaster. Resolution 1860 (2009) must be fully implemented, and an international monitoring mechanism must be established to ensure a ceasefire. Peace in the Middle East was not only linked to Palestinian but also to regional stability. He was concerned about incidents in southern Lebanon which seemed to be violations of resolution 1701 (2006). As for the Goldstone Report, he said the Council should avoid an increase in the polarization in positions. It was not appropriate for the Council to consider the Report prior to the same being done by the Human Rights Council. There were no good or bad violations of international humanitarian law. All actors in armed conflict must respect, under all circumstances, the provisions of international humanitarian law. All violations should be investigated and punished, where appropriate.

YUKIO TAKASU ( [Japan](#) ) said that there was no replacement for genuine dialogue and negotiations in reaching a Middle East peace. He supported recent initiatives towards that end. He expressed regret over recent violence, but stressed that it should not end momentum towards peace talks. He called on Israel to end settlement activity and provocative actions, and called on Palestinians to end violence and work towards reconciliation between their parties.

Regarding Gaza, he expressed deep concern over the precarious humanitarian situation, and urged Israel to allow movement of goods and people. He called on the international community to continue its efforts to improve the humanitarian situation there. In regard to the Goldstone Report, he expressed appreciation for the work of the Fact Finding Mission and said that the Report should be carefully examined at all levels and further action carefully considered.

CHRISTIAN GUILLERMET ( [Costa Rica](#) ) said that the discussion on the Goldstone Report was necessary to draw the attention to the international community of the effects of war on a civilian population. However, it was perhaps premature to discuss it further until the Human Rights Council acted on it. It was essential to prevent impunity, however, and he urged the parties, particularly Israel, to continue their investigations and make public the results. The Council must use all of its powers to protect civilians and convince parties in a conflict to allow humanitarian access, he stressed, adding that the search for justice was essential and that no State or armed group should be above the law.

Unfortunately, negotiations had not progressed as hoped in recent weeks, he said, despite recent positive actions on the ground on the part of both sides of the conflict. He hoped that those measures were not "mirages" that would soon disappear. He said that a prompt creation of a Palestinian State with recognized borders was urgently needed, and he harboured hope for a comprehensive solution to the conflict. He called on all countries in the region to support peace, expressed hope that attitudes would change, and that Egyptian efforts would lead to reconciliation and the end of extremism among Palestinians. He deplored continued settlement activity on the part of Israel and urged the international community to further the cause of peace by recognizing Palestine as State and admitting it into the United Nations. He also urged that measures be taken to completely demilitarize southern Lebanon.

PAUL ROBERT TIENDREBEOGO ( [Burkina Faso](#) ) said that peace and stability in the Middle East lay at the very heart of peace and stability throughout the world. Gaza continued to bear the scars from the conflict there that took place at the beginning of the year. Resolution 1860 (2009) had provided an acceptable basis to seek a solution to the crisis, but that text remained unimplemented. He urged Israel to pay heed to the suffering of innocent civilians in Gaza and allow access to the territory to enable reconstruction. The Israeli actions, as well as the attacks on Israeli towns, were the main elements that undermined the credibility of the parties. There was no lack of initiatives to breathe new life to the peace process, he said, and urged the parties to exclude the military option.

The Road Map, the Arab peace initiative, the Annapolis process and relevant Council resolutions were the best parameters to achieve a two-State solution, he said. As for the Goldstone Report, he reiterated condemnation of all human rights violations and violations of international humanitarian law during the Gaza conflict, and looked forward to the results of consideration of the Report by the Human Rights Council. He urged the parties to establish the truth and prosecute those responsible for crimes. He hoped that the political stability in Lebanon would be strengthened and called for genuine national reconciliation. He also confirmed the need for the sovereignty and territorial integrity of the country. He further expressed the hope that signs of rapprochement between Israel and Syria would lead to success.

KONSTANTIN DOLGOV ( [Russian Federation](#) ) said a solution in the Middle East continued to be one of the central elements on the agenda of the international community. The recent Quartet meeting had reiterated the need to freeze all settlement activities, including natural growth. Time was running out and intensive work was needed to ensure negotiations resumed. Only through negotiations on the Israeli-Palestinian track could a solution for a fair peace in the Middle East be found. The planned Moscow conference on the Middle East was important in that regard. His country would announce a date for that event immediately after negotiations had resumed. The international community would then be in a position to back the negotiation process and assist negotiations on the multilateral track.

He expressed concern at events taking place around the Holy Mount and stressed the importance of solving the intra-Palestinian dispute on the basis of the Palestine Liberation Organization (PLO) platform. Turning to the Goldstone Report, he said his country rejected terrorist manifestations, as well as disproportionate and indiscriminate responses to them. The Russian Federation condemned all violations of international humanitarian and human rights law during the Gaza war. Impressive work had been carried out by the Fact Finding Mission and its recommendations required balanced consideration, conducted by the Human Rights Council. He further called for implementation of resolution 1860 (2009) and lifting of the blockade on Gaza.

JOHN SAWERS ( [United Kingdom](#) ) said the goal in the Middle East must now be negotiations that had a genuine prospect for achieving the two-State solution. For that to happen, there must be an immediate freeze on Israeli settlement building, as well as progress within the Palestinian Authority. In that latter effort, the leaders had his delegation's firm backing. He had followed with deep concern provocative actions in Jerusalem, as well as continued settlement there. In addition, he repeated his call on Israel to relax restrictions on goods going into Gaza. He also repeated the call for the release of Gilad Shalit from Gaza.

He said that the Goldstone Report did not adequately address Israel's need to protect itself, but it also raised serious allegations regarding Israel's conduct of the military actions in Gaza. He regretted that Israel did not cooperate with the Fact Finding Mission, and he urged that Government to conduct full investigations of the allegations contained in its report. He also looked forward to further discussion on the issue in the Human Rights Council. In other matters, he called for investigations of explosions in Lebanon, and he urged all the parties in the region, despite any set-backs, to intensify their work towards peace.

VICE SKRACIC ( [Croatia](#) ) said he shared the sense of urgency over the need to resume talks towards a two-State solution in the Middle East. He welcomed the recent statements of the Quartet and the United States in that regard, and stressed that both Israelis and Palestinians must rise to their responsibilities. The international community must do what it could to remove all roadblocks to peace. He expressed concern over the recent clashes in Jerusalem, as well as settlement expansion and building demolitions, and condemned increased attacks against Israel from Gaza in the past months. He welcomed, however, Palestinian advances in governance in the West Bank and the removal of some obstacles there by Israel.

Finding a durable solution in Gaza was necessary, with sustained, controlled opening of crossings essential to that goal, he said. He took note of the Goldstone Report and respected the purview of the Human Rights Council in the area. However, he strongly supported the upholding of international law and urged that violations be effectively dealt with. Finally, he paid tribute to the dedication to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and vowed to continue to support its work, as well as a two-State solution in the region.

ALEJANDRO WOLFF ( United States ) said advancing the cause of peace was among the most important objectives of President Obama, who had called for relaunching negotiations without conditions, towards the goal of two States living side by side in security. The President placed in clear contrast different visions for the road ahead, namely, the road of statehood and the road of conflict. The Palestinian Authority was establishing a basis for founding the Palestinian State and had given a two-year plan for establishing institutional capacity. Israel had taken steps to facilitate progress by easing movement restrictions.

Those steps showed that practical progress could be made between Israelis and Palestinians, he continued. Israel should end settlement activities, ease access and movement, and facilitate economic growth in the West Bank. Palestinians should continue its security efforts and end incitement. All parties must move forward to relaunch negotiations.

As for "the road of conflict", he noted that Hamas had fallen short in compliance with the demands of the Quartet, namely, renunciation of violence, recognition of Israel and recognizing previous agreements. Hamas had also recently undertaken numerous attacks on Israel. Terrorist attacks were not a form of resistance, he said, and emphasized that such attacks had been the cause of the conflict in Gaza between Israel and Hamas last winter. A danger to international peace and security was also the presence of armed groups in Lebanon, including Hizbullah. He strongly supported full implementation of resolution 1701 (2006), including calls for all arms being under control of the Lebanese State. All States must fulfil their responsibility and prevent arms smuggling into Gaza.

He said the continuing humanitarian crisis in Gaza was not acceptable and called for reopening crossings within an appropriate monitoring regime. The allegations of violations mentioned in the Goldstone Report were not a matter for Council action, and he expressed his serious concern at the Report's unbalanced focus on Israel and its sweeping conclusions. The allegations were to be taken seriously, however. Israel had the ability to carry out serious investigations. Hamas was a terrorist organization and did not have the ability to carry out investigations regarding violations of human rights.

RUHAKANA RUGUNDA ( Uganda ) said that resolution 1860 (2009) had provided an opportunity for all parties to find a lasting solution to the Middle East question and called for its full implementation. He welcomed the recent statement of the Quartet, as well as the first tripartite between the President of the United States, Prime Minister Netanyahu and President Abbas, and hoped that those events would give renewed impetus to restarting negotiations towards a two-State solution. He was encouraged by the commitment by the Palestinian Authority to establish State institutions and called on all Palestinians to resolve their differences and achieve unity. He also called for the removal of check points in the West Bank.

He went on to welcome the opening of some crossings in Gaza, but noted that the blockade still remained in place. He further called for complete lifting of the blockade and for a freeze of all settlement activities, as well as for an end to arms smuggling in Gaza and for the release of all political prisoners. Welcoming the release of the Goldstone Report, he noted with concern the serious violations of human rights and international humanitarian law. He had taken note of the Report's recommendations. After the Report was presented to the Human Rights Council, that body had deferred its consideration, an action which had heightened tensions in the Palestinian Territory. He, therefore, welcomed the decision by the Human Rights Council to reschedule consideration of the Report. He called on all parties to take steps to restart negotiations and respect all previous agreements.

ERTUĞRUL APAKAN ( Turkey ), expressing his full support for efforts towards reactivating the Middle East peace process in all its tracks, asserted that a serious and active engagement between the parties had become a matter of urgency in the absence of any functional political process in the region for a long time. And to that end, upholding the framework of peace as embodied in the relevant Security Council resolutions, Madrid Principles, Arab Peace Initiative and Road Map obligations was important for serious negotiations. Saying the situation in the Gaza continued to be a matter of grave concern, he said that, despite repeated calls, resolution 1860 (2009) had not been implemented, thereby perpetuating the suffering of the people of Gaza who remained without proper construction, socio-economic activity and humanitarian assistance.

Consequently, Turkey viewed the report of the Fact Finding Mission as a document to shed light into the Gaza conflict because it was comprehensive and contained pertinent points and observations, and addressed all alleged violations. He called for the Report to be taken seriously following "its course". Further, he agreed with the understanding that if the parties conducted credible investigations on the violations, as suggested in the Report, it would serve as a much-needed and important confidence-building measure which would contribute to the efforts in the political arena. In that regard, he was hopeful that the Goldstone Report's findings and conclusions could create an opportunity to put an end to the deprivation and dramatic conditions the people of Gaza were currently going through.

GERARD ARAUD ( France ), supporting the statement to be made later on behalf of the European Union by Sweden, urged all the parties in Lebanon to work for dialogue, for strengthening the democratic process and for the full implementation of resolution 1701 (2006), including the end of the arming of non-Government groups in the south. In the Israeli-Palestinian conflict, he said that that was a propitious time, but progress needed to be made on the ground, settlement activity needed to stop, and restraint must be exercised in Jerusalem following recent clashes there. More progress was needed to remove obstacles and allow a normal life in the West Bank, as well. The Palestinian Authority should continue its efforts on governance and security.

In Gaza, he said that reopening of crossings with control of contraband materials was crucial, along with the immediate and unconditional release of Gilad Shalit. Regarding the Goldstone Report, he stressed that international humanitarian law must be followed and both parties must conduct serious investigations. Palestinian reconciliation was crucial for the peace progress to make progress. It was also time to make progress on lasting peace in the Lebanese and Syrian fronts. Stressing that the situation in the Middle East was urgent, he pledged his country's strong support for that effort and supported also an international conference on the topic.

ZHANG YESUI ( China ) expressed deep concern over the humanitarian situation in Gaza, as returned to the international spotlight by the Goldstone Report. That situation, as well as the humanitarian situation in the West Bank, was unsustainable. Stressing that all attacks on civilians must cease, he said all parties should be urged to follow up on resolution 1860 (2009) to bring about a durable ceasefire.

Israel, he said, should allow access for humanitarian goods and freeze settlements. He appealed to both parties to abide by international humanitarian law and for both to follow their responsibilities under the Road Map leading to a two-State solution, and he called for the international community to continue to provide humanitarian aid and to encourage diplomatic efforts leading to a fair and lasting peace.

THOMAS MAYR-HARTING ( Austria ) said negotiations between Israel and the Palestinians must be urgently resumed, and he appealed, in that regard, to all parties to remove remaining obstacles by acting on previous obligations. Israel's right to exist in security and the realization of the rights of Palestinian people were not in contradiction. The creation of an independent and viable Palestinian State comprising West Bank and Gaza was indispensable to peace in the wider region. He called for an end to all settlement activities, including in East Jerusalem, and urged all sides to exercise the utmost restraint regarding incidents in East Jerusalem. Establishing a Palestinian State required renunciation of violence and Palestinian reconciliation. The viability of a future Palestinian State also depended on efforts of the Palestinian Authority to establish institutions and the rule of law.

He called on Israel to stop construction of the barrier and remove restrictions to movement. Violent incidents such as firing rockets into Israel must come to an immediate end. He respected legitimate Israeli security concerns, but noted that maintaining lack of access to Gaza might be counterproductive from a security

point of view. He said that rebuilding trust and respect for the rule of law required thorough investigation of all violations of international humanitarian and human rights law. The Goldstone Report contained allegations of grave violations of those laws, including deliberate attacks on civilians. The Human Rights Council should seriously consider the Report, which should be used as a starting point for credible investigations by all sides. That body should take a decision on the way forward. As for Lebanon, he hoped the formation of a new Government would come to a soon conclusion and reiterated that all parties should fully comply with resolution 1701 (2006).

Council President LE LUONG MINH (Viet Nam), speaking in his national capacity, said that, over the past months, efforts had been made for the resumption of negotiations towards a two-State solution, but that the peace process remained clouded by challenges. Military incursions into Gaza, settlement activities and the blockade of Gaza, among other things, had never ceased. Rocket attacks had placed civilians in southern Israel under threat. All parties concerned should shoulder their responsibilities under the Road Map. He urged Israel to halt all settlement activities, open crossings and free political prisoners, and urged Palestinian factions to resolve their differences.

Taking note of the findings of the Goldstone Report, he said that, according to that report, Israel had seriously violated human rights and humanitarian law during the conflict and that rocket attacks had caused loss of life and damage to Israeli communities. The Report should receive due attention by the pertinent United Nations bodies. He expressed concern at the delay in the formation of a new Government in Lebanon and hoped that such a Government representing the interests of all Lebanese would soon be established. He expressed his support for the convening of an international conference in Moscow before the end of the year.

MAGED ABDELAZIZ (Egypt), speaking on behalf of the Non-Aligned Movement, stressed that more action was required from the Security Council at this critical stage in the region. The deteriorated situation in the Middle East as a result of Israel's unlawful occupation of Palestinian, Syrian and Lebanese Territories since 1967 was a matter of serious concern. He regretted the lack of progress made, notably due to Israel's defiance of international law, and the global community must call on that country to end its collective punishment of Palestinians. Expressing grave concern at findings by the United Nations Fact Finding Mission in Gaza in its Goldstone Report, he called for serious follow-up action on its recommendations, adding that all United Nations bodies must assume their duties in that regard.

Also, priority should be given to promoting respect for obligations assumed under the Fourth Geneva Convention, and his delegation urged the Council to hold Israel accountable for war crimes committed against Palestinian civilians during its military aggression in the Gaza Strip. Indeed, the negative consequences of that aggression had worsened the humanitarian crisis, and he urged the Council to immediately implement all its resolutions and take measures to address that grave situation. Recounting the Goldstone Report's findings, including that Israel had carried out a policy of progressive deprivation in the Gaza Strip, he said serious measures had to be taken to end such impunity. They were also needed to address Palestinians' economic needs, notably by pushing Israel to permanently open Gaza's border crossings.

On the situation in occupied East Jerusalem, he condemned recent attacks by extremists and militant Israeli settlers at Al-Haram Al-Sharif and Al-Aqsa mosque, and further provocations aimed at altering the demographic composition and geographic nature of East Jerusalem and the Occupied Palestinian Territory. Gravely concerned at Israel's continued building of illegal settlements, he said the Council had to take actions against such violations. On Lebanon, he called on Israel to fully withdraw from the Shebaa Farms, Kafarshuba hills and northern Al Ghajar village. In the occupied Syrian Golan, Israel had to abide by resolution 497 (1981) and withdraw to 4 June 1967 borders. The lack of accountability for serious violations had reached a crisis point, and his delegation remained ready to engage in any actions to guarantee prosecution for those responsible for crimes against civilians in Gaza.

BASHAR JA'AFARI (Syria), on behalf of the Organization of the Islamic Conference, expressed serious concern about the situation in the Occupied Palestinian Territories, particularly what he called the inhumane Israeli blockade and dire humanitarian crisis imposed on civilians in the Gaza Strip and the ongoing illegal colonization in and around East Jerusalem. He called for their immediate cessation, and he condemned, in addition, recent attacks by Israeli forces and settlers at the Al-Aqsa Mosque and Al-Haram Al-Sharif compound in East Jerusalem.

He called on the international community to take urgent action to halt all illegal Israeli measures, particularly those aimed at changing the demographic character, geographic nature and legal status of the Holy City. The Organization of the Islamic Conference requested the Security Council to revive the International Supervision and Monitoring Committee to Prevent and Prohibit Colonial Settlement in Al-Quds and the Occupied Arab Territories. As regards the Goldstone Report, he said that it showed once again that the root cause of the conflict was Israeli occupation and that Israeli practices amounted to violations of international law. In response, the Security Council must rise to its responsibilities and take all actions necessary to bring the perpetrators of those war crimes to justice and put an end to Israel's mindset of impunity.

He expressed deep concern, in addition, over air and land violation of Lebanon's territory by Israel, and called on Israel to withdraw fully from remaining Lebanese occupied land. He reaffirmed the view of the Organization of the Islamic Conference that all measures taken by Israel in the occupied Syrian Golan were null and void and demanded that Israel withdraw to its 1967 borders in that area. Finally, he called for an intensification of efforts by the international community to achieve a just and comprehensive peace based on relevant United Nations resolutions and other international agreements, including the Arab Peace Initiative and the Road Map.

MARIA LUIZA RIBEIRO VOTTI (Brazil) said that the immediate priority in the Israeli-Palestinian conflict was to sustain hope for a peaceful solution. The actions needed were well known, including the cessation of settlement activities and restrictions on movement on the part of Israel and, on the part of Palestinians, ending rocket attacks, healing divisions and enhancing democratic governance. Confidence-building measures from both sides were also needed, along with visible gains to the ordinary citizen in the short term. Holding an international conference on the peace process could also be a powerful tool to encourage the peace process.

She said that the Fact Finding Mission of Justice Goldstone had discharged its mandate in an effective and professional manner, addressing violations of international law committed by all sides in Gaza. She found the findings extremely disturbing and said that the Human Rights Council must review them and adopt decisions that were just and effective, focusing on the full respect for humanitarian legislation and human rights on the ground and aiming for justice, which was an indispensable basis for achieving peace and reconciliation among Israelis and Palestinians.

ANDERS LIDÉN (Sweden), speaking on behalf of the European Union, noted that developments over the past year had made it clear that the international community needed to move swiftly towards a renewal of the peace process in the Middle East, and urged the Palestinian Authority and Israel to enter into serious peace talks as soon as possible. They should do so respecting international law and previous agreements, including implementing their Road Map obligations. In that regard, he also reiterated the need for a political solution with an independent, democratic, contiguous and viable Palestinian State, living side by side in peace and security with Israel.

The European Union welcomed the United States' commitment to pursue vigorously a two-State solution and a comprehensive peace in the region, he said, adding that the European Union was ready to work with the parties to the conflict, as well as the United States, other Quartet members and Arab partners, to achieve that goal. The European Union also welcomed the initial step announced by Israeli Prime Minister Netanyahu of commitment to a peace that would include a Palestinian State. A durable solution to the Gaza crisis had to be achieved through the full implementation of resolution 1860 (2009), he stated. Expressing grave concern at the situation in Gaza, he called for immediate and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza.

Continuing, he praised the declared readiness of the Israeli Government to promote Palestinian economic development as a positive sign, and looked forward to

further and sustained improvements of movement and access in all the Occupied Palestinian Territories. However, the European Union remained deeply concerned at continued settlement activities, house demolitions and evictions in the Occupied Palestinian Territories, including East Jerusalem. He urged Israel to end settlement activities immediately, including the so-called natural growth, and to dismantle all outposts erected since March 2001. The European Union viewed such settlements as illegal under international law and only served as an obstacle to peace, he said, warning: "The EU will not recognize any changes to the pre-1967 borders other than those agreed by both parties."

CHRISTIAN WENAWESER ( [Liechtenstein](#) ) said that, while there was a stated commitment to lasting peace on the basis of a two-State solution, he had not seen any credible peace process for quite some time now. That process should be based on past resolutions and commitments, and respect for international law. To that end, he reiterated his hope for a political solution that provided for an independent and viable State of Palestine living peacefully side by side with the State of Israel, with secure and internationally recognized borders. He believed that one of the prerequisites for such an outcome was the full implementation of Council resolution 1860 (2009), and he noted that nine months after adoption of that resolution, the humanitarian situation in Gaza was still of serious concern.

Expressing concern at the findings in the Goldstone Report, he supported the recommendation that the parties to the conflict establish, within a set timeframe, independent investigations of serious violations of international law. At the same time, however, he believed the Security Council had an obligation to make it clear that there was no choice between peace and justice, and that measures taken against impunity would contribute to a lasting political solution in the Middle East. Finally, he said the laws of armed conflict applied, irrespective of the parties' reasons to engage in combat – be it the fight against terrorism or the fight against foreign occupation. "The protection of civilians should always be the primary consideration – in accordance with international humanitarian law, as well as in keeping with the most basic principles of humanity."

ABDALMAHMOOD ABDALHALEEM MOHAMAD ( [Sudan](#) ), speaking on behalf of the Arab Group, said the despicable occupation by Israel, its many violations of international law and disregard for United Nations resolutions had once again been put before the Council, this time, through the gateway of the Goldstone Report. For six decades, the Council had been unable to bring about Israel's withdrawal from the Occupied Territories and enable the Palestinian people to have an independent State with East Jerusalem as its capital. The Goldstone Report presented a real challenge to the Council.

He said the report had concluded that the behaviour of the Israeli forces in Gaza was a violation of the Fourth Geneva Convention and that Israel's deliberate targeting of Palestinian civilians was a violation of the right to life. The persecution of the population of Gaza during the siege was a crime against humanity. Citing numerous examples from the Report, he said that the occupying Power had been responsible for war crimes and crimes against humanity and that the main reason for those crimes was the occupation. The Council must now deal with the Report's conclusions and support the Palestinian people in demanding their legitimate rights to self-determination and in demanding withdrawal by Israel to the 1967 borders.

Israel was now beginning another war, this time against the holy al-Quds, with destruction of homes, excavations and a siege against those who wanted to pray. The situation in East Jerusalem was extremely grave and Israeli practices would cause a catastrophe there. The Arab Group reaffirmed that all actions by Israel to change the legal or demographic structure of the Syrian Golan were null and void. The building and expansion of settlements there was a grave violation of international law and Council resolutions. In conclusion, he said that Israel remained a grave threat to the peace and security of the region and the world. The Goldstone Report provided the Council with a last opportunity to restore its lost credibility and to refute all claims that justice was politicized.

MARIA RUBIALES DE CHAMORRO ( [Nicaragua](#) ), joining with Egypt's statement on behalf of the Non-Aligned Movement, said that only Israel was opposed to the consensus for ending its occupation through negotiations and the creation of two States. The Security Council could not stand by passively while Israel manipulated the situation and continued to violate the United Nations Charter and all norms of international law.

She maintained that Israeli war crimes during its invasion were a final test of the international community's patience, and that the report of the Fact Finding Mission constituted one more piece of evidence of all the crimes committed by Israel. She called on all United Nations bodies to adopt the recommendations of the Report, and to apply all possible legal measures to put an end to Israel's impunity. The Security Council would be an accomplice in the crimes described in the Report if it did not take the decisions necessary for its recommendations to be adopted, she said.

MARTY NATALEGAWA ( [Indonesia](#) ) associated his delegation with the statements made by Egypt, on behalf of the Non-Aligned Movement, and by Syria, in its capacity as Chair of the Organization of the Islamic Conference. He expressed dismay and grave concern over findings of the Fact Finding Mission that Israel committed a variety of crimes, including war crimes, in Gaza, and he reaffirmed his outrage and strong condemnation of Israel's military onslaught there. He urged all parties concerned to pay utmost attention to the conclusions of the Goldstone Report and follow up on its recommendations.

He fully agreed with the Report's conclusion that Israel's occupation was the fundamental factor underlying violations of international human rights law and must end. He, therefore, supported the current surge in diplomacy aimed at relaunching negotiations and jumpstarting a comprehensive peace process. A core issue that had to be addressed, he stressed, was Israeli settlement activity. He expressed hope that the Council would act towards ending it and dismantling existing settlements. He finally urged Palestinians to focus on the critical importance of reconciliation.

BASO SANGQU ( [South Africa](#) ) said the situation in the Middle East should be understood in the context of the ongoing Israeli military occupation of the Palestinian Territory and other Arab lands, and the associated denial to the right of self-determination of the Palestinian people. Israel's track record of disregarding international law and the failure of the Council to respond was the key contributing factor to the lack of progress in the peace process. He condemned the continuing Israeli blockade of Gaza and the ongoing illegal settlement activities in the West Bank and East Jerusalem. He condemned the acts of aggression and gross violations of human rights in Gaza during the winter and welcomed the decision of the Secretary-General to establish a board of inquiry. The recommendations of that inquiry have yet to be implemented, however.

He said his country unequivocally endorsed the finding and recommendations contained in the Goldstone Report and called on the Council to discharge its Charter-mandated responsibilities with respect to that issue. The creation of a Palestinian State, coexisting peacefully alongside Israel on the basis of the 1967 borders, with East Jerusalem as its capital, was the only sustainable solution to the conflict. Negotiations were the only way to end the conflict, as well as to end the occupation of the Palestinian and other Arab territories.

PEDRO NUÑEZ MOSQUERA ( [Cuba](#) ) said the absence of respect for international law by Israel, and its ongoing illegal occupation of Palestinian and other Arab territories, remained the major obstacles to achieving a just, lasting and comprehensive peace in the region. The rejection by Israel of the conclusions of the Fact Finding Mission and its reluctance to cooperate in their implementation corroborated that lack of respect. The Mission had confirmed that both the previous blockade and the recent aggression against the Gaza Strip constituted a form of collective punishment and that they were conceived for that purpose by the authorities of Israel. The report had provided evidence of numerous violations of international humanitarian law by Israel, including the principles of distinction and proportionality. He urged the international community to ensure that those accountable be prosecuted with the severity those crimes entailed.

He called on Israel to stop violating the rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, noting that the occupying Power continued its illegal construction of settlements and the separation wall, in particular in and around East Jerusalem. He reaffirmed that all measures or actions taken by it with the purpose of modifying the legal, physical and demographic condition and institutional structure of the occupied Syrian Golan, as well as Israeli measures to impose jurisdiction and administration there, were null, void and had no legal effect.

ABDULLAH HUSSAI HAROON ( [Pakistan](#) ) said the international community was confronted with a situation that continued to fester. The consequences of the collective failure to respond would be disastrous for the region and beyond. The humanitarian situation in Gaza and the West Bank was worsening. Closure of Gaza's border to people and commerce was strangling the local economy and public services and was a threat to human security. The "magnificent" report by

Justice Goldstone deserved to be commended and must be read without reservation as it spoke in a strong and truthful voice. He said the Council, especially the body's five permanent members, should show the political will to achieve real progress for peace in the Middle East and urge for relaunching negotiations for a two-State solution.

He said the framework for peace had already been laid out in Council resolutions, the Annapolis understanding, the Arab Peace Initiative and the Road Map peace plan. The Quartet must support the peace process through a transparent and objective engagement. There was an urgency to address the humanitarian plight in the Occupied Palestinian Territory and rebuild the Palestinian institutions. Intra-Palestinian reconciliation was also a prerequisite for peace. To achieve a lasting settlement, it was imperative to address the root cause, which was the Israeli occupation of the Arab territories. The solution, therefore, required Israel's complete withdrawal from the Occupied Palestinian Territories, including East Jerusalem and all other occupied Arab territories. It was also crucial that Israel should immediately cease all settlement activities. Parallel progress should be made on the Syria-Israel and Lebanon-Israel tracks.

YAHYA MAHMASANI, Permanent Observer for the League of Arab States, said that the Fact Finding Mission on Gaza had found that Israel deliberately targeted civilians, used disproportionate force, wilfully destroyed property and pursued other activities counter to international law. He said it was high time to put an end to Israel's impunity and to bring to justice the violators of international humanitarian and human rights law. He called for the implementation of the recommendations of the Goldstone Report.

In addition, he called for the Council to act to end illegal Israeli practices in and around Jerusalem, including the expansion of settlements, the building of the separation wall, the excavation of the holy sites and the "Judaizing" of the city. He maintained that it was the Israeli occupation that had caused the wars in the region, and that Israel did not take the peace process seriously. If efforts to bring about peace were not successful, further instability in the region could result, he said in conclusion.

PAUL BADJI (Senegal), speaking in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, described the situation in Gaza as "devastating", and said there were presently no signs that a genuine political dialogue, let alone serious negotiations on all permanent status issues between Israel and the Palestinians, was about to begin. That situation allowed the illegal Israeli occupation of Palestinian land to continue. With ongoing settlement construction in the West Bank, the situation in the occupied East Jerusalem was deteriorating by the day.

As his Committee had stressed numerous times, the continuing occupation of Palestinian Territory was a violation of international law. The applicability of the Fourth Geneva Convention to the Israeli occupation of the Palestinian Territory had been confirmed by the High Contracting Parties to the Convention, as well as by the Security Council, and it was clear that the Israeli military invasion of Gaza during "Operation Cast Lead" had demonstrated the total disregard by Israel of its obligations and responsibilities under international law. He acknowledged that the international community had reacted promptly, and "with one voice" to the violations which took place in Gaza, noting that several investigative missions had been sent by various international entities in the past several months to establish facts concerning the events of December 2008 through January 2009.

The results of those enquiries had shown widespread violations of international humanitarian law, including the possibility that war crimes had been committed by both sides. He said his Committee was of the view that perpetrators of serious crimes on either side of the conflict had to be brought to justice and held accountable for their actions. It encouraged principled action by the international community to ensure respect of, and adherence to, the norms of international humanitarian law, and, in particular, the Committee appealed to all the High Contracting Parties to the Fourth Geneva Convention to fulfil their obligations in accordance with the appropriate provisions of that Convention which required those Parties to respect and ensure respect for the Convention in all circumstances.

SEIF ALLI IDD, Deputy Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania, welcomed efforts made by the United Nations, European Union, United States, Egypt and others in the search for durable peace and security in the region. He also reiterated his concern at the situation in the Occupied Palestinian Territory, including East Jerusalem, as a result of Israel's unlawful activities. He also was very concerned at Israel's ongoing illegal settlement activity in the heart of East Jerusalem, and urged Israel to lift its embargo against Palestinians and immediately open all border crossings to allow for the free movement of goods, persons and humanitarian aid.

Further, he called on the global community, notably the Security Council, to pressure Israel to act in accordance with its legal obligations under the Quartet-backed Road Map peace plan, as outlined in resolution 1515 (2003). Encouraging all parties to exercise restraint, observe permanent ceasefire and embark on sincere dialogue to negotiate the Road Map's implementation, he also urged the leadership of both sides to avoid inflammatory statements and stop all forms of violence, especially against civilians. With that, he renewed his country's support for the peace process and for Palestinians to regain their basic rights, including that to exist in an independent State living in peace and security alongside Israel.

GUNNAR PALSSON (Iceland) said that the situation in the Occupied Palestinian Territory remained of grave concern and the humanitarian situation in Gaza was unacceptable, due to restrictions on movement of people of goods. In regard to the West Bank, he called for an immediate end to settlements and impunity, which he said had created a crisis of justice. He recognized Israel's legitimate security concerns, including those over weapons smuggling and rocket firing against its citizens, but said that such violations did not warrant the disproportionate use of force and the breach of international humanitarian and human rights law.

He said that the comprehensive report of the Fact Finding Mission concluded that serious violations of such law had been committed by Israel in Gaza and the West Bank, as well as by the Palestinian armed groups who fired rockets. The report required concrete action, the establishment of a credible system of investigation and the full cooperation of every Member State. Finally, he said that every effort must be made to revitalize the peace process, including pressure on both sides, in order to achieve a lasting solution and end the human tragedy of the Occupied Palestinian Territories.

PETER MAURER (Switzerland) said the Middle East continued to suffer from tensions that were giving rise to instability and suffering, especially among civilians, observing that the difficulty in forming a Government in Lebanon, in spite of the free and transparent elections last June and the precarious maintenance of a ceasefire between Israel and the Gaza Strip, were both indications of that recurrent instability. In particular, he expressed serious concern about the situation prevailing throughout the Occupied Palestinian Territory, saying it had not proved possible to achieve any notable progress in responding durably to the humanitarian situation in Gaza or to the needs of the population for reconstruction and economic development.

Further, Israel was not fulfilling its obligations under international law and that the continued construction of settlements, including in East Jerusalem, was in contravention of the law. On the Goldstone Report, he expressed satisfaction that mission had investigated the allegations of violations committed by all parties. "Beyond the method, we are preoccupied by the mission's finding that very serious crimes have been committed by the different parties in the context of the conflict in Gaza, and it would be irresponsible to not follow up that finding", he declared. The quest for a negotiated solution to the Israeli-Palestinian conflict could never be imposed to the detriment of the other main goal of the search for justice and the fight against impunity. Following up the Goldstone mission in a serious way would indicate the international community's will to actively promote a lasting solution to the Israeli-Palestinian conflict.

AK. ABDUL MOMEN (Bangladesh), aligning himself with the statement delivered by Egypt on behalf of the Non-Aligned Movement, reiterated his country's solidarity with the Palestinian people and its long-held position that continued occupation of Palestine was the root cause of violence and destabilization in the region. He condemned Israel's illegal settlements in the Occupied Palestinian Territories and called for the dismantling of existing ones, as well as a freeze on any new building.

Every opportunity should be seized to take measures towards compliance by Israel and its patrons with relevant United Nations resolutions on Palestine, he said,



particularly key provisions of resolution 1860 (2009). In addition, he found the recent attacks on Palestinian worshippers in Jerusalem disturbing, and he said that the Security Council must adopt appropriate measures in accordance with the report of the Fact Finding Mission on Gaza. In conclusion, he voiced hope that all parties involved in the Middle East would take a pragmatic approach to the implementation of the Road Map for Peace in the Middle East.

HAMIDON ALI ( [Malaysia](#) ) said that urgent, decisive action by the Council was needed to stabilize the perilous situation in the Middle East and to restart the peace process. He added that the war unleashed by Israel on Gaza had further exacerbated the situation, and that the people there were still suffering because of the blockage of humanitarian aid, despite the provisions of the Council's unanimously adopted resolution 1860 (2009).

He fully supported the findings of the Board of Inquiry and the Goldstone Report on Gaza, especially on the need for full investigation by relevant authorities in pursuing possible charges of war crimes and crimes against humanity. He wondered about the silence of the Council on the Board of Inquiry report that had appeared several months ago, and said that he was alarmed at the increase of settler violence and other attacks on Palestinians. He urged the Council to take decisive action to end all of Israel's provocative actions. In conclusion, he advocated a serious focus on restoring inalienable rights to the Palestinians, including the establishment of their independent State.

DIEGO MOREJON ( [Ecuador](#) ) said the parties to the Middle East conflict must fully respect international law, support peaceful settlement of disputes, refrain from the threat of violence, and fully comply with United Nations resolutions. He condemned acts of violence in the Middle East, which clearly violated international law and stood in the way of a solution to the conflict. He also condemned the military operations in the Gaza Strip which had caused the loss of lives and extensive damage. The suffering of the Palestinian people in Gaza was exacerbated by the blockade.

He said the Human Rights Council had established a fact finding mission to investigate conduct during the Gaza conflict. He took note of the findings and the recommendations of the Goldstone Report, as well as of the scant report Israel had given to the Mission.

MOHAMMAD KHAZAEI ( [Iran](#) ) said the Israeli regime's attacks during the Gaza conflict bore all the trademarks of collective punishment, crimes against humanity and war crimes. The Goldstone Report, which reflected only partial and minimal dimensions of the various crimes committed by Israeli regime in Gaza, contained important recommendations to the Council, including a request to require the occupier regime to carry out investigations and prosecutions with regard to violations identified by the mission within six months.

He said the recommendations contained in the Report should be considered as a valid basis for the prosecution of Israelis who had been involved in the Gaza massacre. There should be no impunity for those who had committed war crimes and crimes against humanity. Taking full account of the recommendations of the Goldstone Report by the Council would be the true test of the Council's credibility and reliability. He rejected the baseless allegations from the representative of Israel against his country. That was yet another smear campaign of the regime in trying, in vain, to divert the attentions from its own nuclear arsenals and State terrorism.

GARY QUINLAN ( [Australia](#) ) said his country strongly supported Israel's right to self-defence, but that did not alter its concern at the humanitarian situation of the civilians of Gaza, before, during and after the conflict. That situation was unacceptable. He called for border controls to be eased and, equally, for a stop to arms smuggling. He also called on the parties to undertake the proper investigation of allegations of violations of human rights and international humanitarian law. His strong preference was that consideration of the Goldstone Report remained within the Human Rights Council to allow the parties time to pursue those investigations.

He said that one lesson from the Gaza conflict was that a lasting resolution of the Israeli-Palestinian dispute could only be brought about through peaceful means and that peace should be predicated on the two-State solution. Israel must halt settlement activity and work to normalize everyday life of Palestinians. Palestinian must continue to dismantle terrorist infrastructures and to halt violence and incitement. Gilad Shalit should be immediately and unconditionally released. He called on the parties to resume negotiations urgently and supported efforts to establish reconciliation between the Palestinian parties. Any representative body of the Palestinian people must meet the Quartet principles of renouncing violence, recognizing the State of Israel and abiding by previous agreements.

MOHAMMED LOULICHI ( [Morocco](#) ), associating his delegation with statements made on behalf of the Non-Aligned Movement, the Organization of the Islamic Conference and the Arab Group, objected to provocative acts that he said aimed to change the character of Jerusalem, endangered the holy places and impeded the peace process in the Middle East. His country was focused on such problems and was co-organizing actions to end them through an Al-Quds fund and other mechanisms.

He welcomed the efforts of the American administration and others aimed at restarting peace negotiations, which he hoped would be recommence based on previous agreements, as well as the Arab Peace Initiative. The Palestinian Authority had worked to meet its internationally agreed responsibilities, but the Palestinian people had not reaped the fruits of such initiatives. He expressed hope that reconciliation efforts would help bring about a lasting peace, and that this meeting, in particular, would open up new prospects for a genuine peace process.

MOHAMMED AL-ALLAF ( [Jordan](#) ), associating his delegation with the statements made on behalf of the Non-Aligned Movement, the Organization of the Islamic Conference and the Arab Group, said there was consensus on the way forward to peace in the Middle East in much of the region and the international community, along with tireless efforts of the Palestinian Authority. However, Israel continued to defy the international community and continue its settlement activities, which ran counter to international law and hindered the establishment of a viable Palestinian State.

He condemned all unilateral Israeli actions, such as excavations in Jerusalem, the removal of homes, displacement of Palestinian inhabitants and other illegal practices, saying that the escalation of the last two weeks of such actions represented the crossing of a red line that must not be crossed. He called for international pressure to end all provocative measures once and for all. Preserving the sanctity of Jerusalem was a priority for Jordan, he stressed. He also welcomed the Report of the Fact Finding Mission on Gaza and supported the holding of an emergency meeting of the Human Rights Council tomorrow. In addition, he called for the lifting of the blockade of Gaza and the realization of the two-State solution as set out recently by United States President Barack Obama.

MONA JUUL ( [Norway](#) ) added her voice to those calling for Israel and the Palestinians to act on past agreements to create conditions for resumed negotiations, and further, to fully engage in talks to create a viable Palestinian State on the basis of 1967 borders. "There is broad and growing recognition that we are nearing a moment of truth", she said, underscoring that the prospective two-State solution could ill afford another abortive process. As chair of the Ad Hoc Liaison Committee, Norway stressed the importance of resumed negotiations to continued donor support for the Palestinian state-building project, as donors would have a hard time justifying support beyond their 2007 Paris pledges, which would expire next year.

Citing a World Bank finding of 7 per cent growth in the Palestinian economy on the West Bank, due in part to Israel's easing of restrictions, she said that such developments, if expanded, would ease humanitarian suffering and underpin peace efforts. The Committee's goal was to support the search for a two-State solution, and the willingness of donors to maintain high levels of support was a strong message to parties to engage in negotiations to bring the peace process to its rightful conclusion. Also, the Report of the United Nations Fact Finding Mission on the Gaza Conflict should first be addressed by the Human Rights Council, which was doing so this week. As a member of that council, Norway would work to achieve broad support for a resolution ensuring follow-up on the Report's recommendations. Finally, Norway was deeply concerned about protecting vulnerable groups in armed conflict and she urged that international humanitarian law be expanded.

ABDUL GHAFOOR MOHAMED ( [Maldives](#) ) said his delegation strongly supported the right of the Palestinian people to freely determine their own political and economic system, including the right to resist forcible deprivation of their right to self-determination, and the right to live in peace and freedom in their own State.

He also supported Israelis' right to live in peace and security. Perhaps the greatest tragedy of the recent Gaza conflict was that. Although it had been waged to assert those rights, it had in fact pushed them further away.

In the wake of the Goldstone report, a few things were clear, he said, stressing first that the blockade amounted to collective punishment and, as such, violated international humanitarian law and should be immediately lifted. Likewise, rocket launches by Palestinian armed groups into Israeli civilian areas violated humanitarian and human rights law. However, Israel's military incursion into Gaza, following those attacks, was "massively" disproportionate, and indeed, the destruction of buildings and large number of civilian casualties showed a blatant disregard for the fundamental principle of distinction. The Maldives supported the recommendation that all alleged violations in the Gaza conflict be independently investigated, and that those investigations, together with any subsequent prosecutions, be monitored by the Security Council.

PALITHA T. B. KOHONA (Sri Lanka) said that, as a country that had suffered much at the hands of unbridled violence unleashed by terrorism, Sri Lanka knew only too well the human and material costs of such violence and had consistently endorsed the two-State solution in the Middle East in order to bring about peace for the people of the region. In that context, he recalled the deep anguish that his Government had expressed over the fighting in Gaza at the beginning of the year.

He expressed the hope that the issues before the Council today would be addressed in a just and equitable manner that would not obstruct the search for peace. He also said that there would be further opportunity to discuss them at the forthcoming sessions of the Human Rights Council. In addition, he stressed that the unity of the Palestinian people was of utmost importance for the pursuit of their aspirations, and reiterated support for the Palestinian quest for legitimate, human and national rights.

JORGE VALERO BRICEÑO (Venezuela) said that, since 1947, none of the relevant United Nations resolutions on the situation in the Middle East had been implemented by the Government of Israel. Over the decades, Israel had continued military aggression and violations of international humanitarian and human rights law. In January, given the inaction of the Council, the General Assembly and the Human Rights Council had acted to mitigate the brutal aggression launched against the Palestinians in the Gaza Strip. The Report of the Fact Finding Mission mandated by the Human Rights Council had revealed grave violations of humanitarian and human rights law during the military operation in Gaza, including arbitrary detentions, torture, extrajudicial killings, forced expulsions, demolition of homes and a broadening of settlement activities all committed with impunity.

The Report also indicated that there were serious doubts regarding the will of Israel to undertake impartial, independent and rapid investigations. The International Criminal Court played an important role in the objective of bringing justice and preventing violations of international law. The Security Council was obligated to review the non-compliance by Israel with Council resolutions and now faced a dilemma: Should it gather more proof of aggression against the people of Palestine or should it assume its responsibility? There had been flagrant, clear and obvious violations of humanitarian law, which had no parallel in modern history. He called on the international community not to accept or allow the jurisprudence of military conquest. Venezuela would maintain its suspension of the diplomatic relations with Israel as a result of the criminal attack against the Palestinian people in the Gaza Strip.

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For information media • not an official record