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Committee on the Inalienable Rights
of the Palestinian People
318th Meeting (AM)

PALESTINIAN RIGHTS COMMITTEE ADOPTS ANNUAL REPORT, NOTING CONCERN

AT ISRAELI SETTLEMENT ACTIVITY, OTHER ISSUES

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, today, adopted its annual draft report, urging Israel and the Palestinians to resume the permanent status talks. The 25-page report also denounced the sustained building of the wall in the Occupied Palestinian Territory, expressed its concern over Israel's ongoing settlement activity and its alarm about the Israeli military invasion of Gaza.

The Committee also heard Feda Abdelhady-Nasser (Permanent Observer of Palestine) deliver a similar message as she updated Committee members on developments in the occupied territories. Ms. Nasser called for an end to Israel's illegal activities, including its construction of settlements, as well as the lifting of the blockade of the Gaza Strip and the beginning of reconstruction, and a resumption of the peace process.

The Committee decided to forward the report (document A/AC.183/2009/CRP.2) to the sixty-fourth session of the General Assembly for its consideration this fall. Committee Chairman Paul Badji (Senegal) noted that the Committee had been active over the past year, with events such as the Gaza war, and had actively worked to internationally publicize the issue. He thanked all Committee members for their help.

Introducing the draft report, Rapporteur Saviour F. Borg (Malta) explained that it covered developments on the ground and the Committee's work between 7 October 2008 and 6 October 2009. It had been approved by the Bureau of the Committee and provided the Committee's perspective on events that had taken place this year.

Discussing various chapters, he said chapter IV reviewed the situation relating to the question of Palestine and contained a detailed account of events during the review period. Chapter V reviewed the Committee's actions, which included the Chairman's participation in Assembly and Security Council debates, among other activities, and mandated activities carried out by the Division for Palestinian Rights. Chapter VI discussed work done by the Department of Public Information, pursuant to Assembly resolution 63/28 (2008).

The last chapter contained conclusions and recommendations, in which the Committee expressed its utmost concern at the Israeli military invasion of Gaza and the callous disregard for civilian life. Actions by the Israeli Defense Forces during "operation Cast Lead" had led to serious allegations of violations of international humanitarian law, and possibly war crimes. While commending the work of various investigative commissions, the report also expressed dismay at Israel's almost complete denial of breaking rules surrounding the conduct of war, and deplored the lack of Israeli cooperation with some of those commissions. It called for recommendations contained in various reports to be implemented.

Moreover, he said the draft report also expressed the Committee's dismay at Israel's continued blockade of the Gaza Strip and reminded Israel of its obligation under the Fourth Geneva Convention to both protect civilians under occupation and act within the ambit of international law. Further, it recommended that the international community consider creating appropriate mechanisms to monitor adherence to international law and that the High Contracting Parties take appropriate measures to ensure respect for the Convention, including through the convening of a conference.

Also by the draft, the Committee expressed its serious concern at Israel's ongoing settlement activities, whose presence in the Occupied Palestinian Territory, including East Jerusalem, was illegal, he said. It was concerned with the accelerated creation of "faits accomplis" in East Jerusalem, including recent policy statements and illegal unilateral measures by Israel. East Jerusalem was part of the Occupied Palestinian Territory and a negotiated solution to the question of Jerusalem, based on international law, was absolutely essential to resolving the Israeli-Palestinian conflict. As such, the report urged the global community to take more determined action to challenging the presence of the wall in the Occupied Palestinian Territory, including East Jerusalem.

Further by the draft, the Committee emphasized the Division's useful contribution in support of its mandate, as the programme of international meetings and conferences continued to focus attention on the urgency of bringing about a two-State solution. The Committee would generate wide support for a peaceful solution to the conflict, notably by reaching out to those most affected by the status quo — refugees, Palestinians living under occupation and the Israeli public — to involve them in the search for solutions and win their backing of a settlement negotiated by their leaders.

Finally by the draft, the Committee would continue to assess its programme of cooperation with civil society and further its cooperation with parliamentarians, who had a special responsibility to ensure their Governments promoted the realization of a two-State solution. The Committee would request continuation of the Department of Public Information' special information programme on the question of Palestine, with the necessary flexibility.

In line with established practice, the Secretariat would update the draft as necessary to reflect any new developments that might take place before it goes to the General Assembly.

In her overview, Ms. Nasser said the obstacles to the peace process had to be removed; Israel's illegal settlement activities contradicted the peace process and had to be stopped. These settlements and the Israeli wall construction in and around East Jerusalem were undermining the territories' integrity and had rendered the two-State option unviable. The international community had to push Israel to cease its activity in compliance with the Road Map and other international agreements. The international consensus was that the settlements had to stop. The Palestinian position was that the cessation of settlements was an obligation under international law. They were illegal and were a massive obstacle to the path to peace.

Turning to the resumption of the peace process, she said the Palestinians did not want to start from zero as this would lead to endless negotiations. Any talks needed to start with the Annapolis process and incorporate other agreements, such as the Arab Peace Initiative and the Road Map, to insure the Palestinian position was well understood. The Palestinians sought to end the occupation that began in 1967. Any provocative statements by the Israelis, such as that Jerusalem was off the negotiating table, were considered non-starters.

Concerning the Palestinian reconciliation issue, Palestine thanked its Egyptian brothers for their work in this area. But even without a settlement on this internal issue, President Mahmoud Abbas had to honour his constitutional duty and set a date for parliamentary elections by 25 October. On the issue of Gaza, she called for the opening of the crossings to allow the unimpeded flow of people and goods, and to stop the delays in the area's reconstruction. There was a global consensus to begin reconstruction and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) projects, stalled since the blockade. It was an illegal activity and 1.5 million Palestinian civilians were living in despair. It was a humanitarian and political imperative to resolve the situation.

On legal issues, she noted that the Goldstone report of Justice Richard Goldstone was circulated on 15 September and considered by the Human Rights Council in Geneva last week. Justice Goldstone had compiled a thorough report that said war crimes and crimes against humanity had been committed. It was another record of the crimes committed against the Palestinian people. The deterrent capacity of the report was very important. Though they had hoped for a different outcome at the Council, the Palestinians were hopeful since the issue would be reconsidered in March. This would be crucial in keeping the issue alive and insuring that all legal obligations were met.

The prosecution of war crimes was not an overnight process and she called for an end to the impunity that allowed war crimes. Israel must be stopped from ever again committing crimes against innocent people. Impunity for war crimes would only further fuel such criminal behaviour. In closing, she called for a halt to Israel's illegal practices and demanded the cessation of settlements, the lifting of the Gaza blockade and the beginning of reconstruction. She also asked that Israel refer to the points of the peace process.

In other business, the Chairman, Mr. Badji, reviewed some of the activities and political developments that had taken place since the Committee's last meeting on 17 September. He noted that United States President Barack Obama, in his statement to the Assembly at its general debate on 23 September, had said the time had come to re-launch negotiations. On 22 September, President Obama had hosted a trilateral meeting in New York with President Abbas and Israeli Prime Minister Netanyahu. That same day, a meeting of the Ad Hoc Liaison Committee, chaired by Norwegian Foreign Minister Jonas Gahr Støre, was held at Headquarters. The meeting welcomed the Palestinian Authority's political programme for creating a Palestinian State within the next two years and demanded the opening of the crossings into Gaza.

On 24 September, the Quartet (United Nations, European Union, United States and Russian Federation) had met at the level of principals at Headquarters. In a statement issued after the meeting, the Quartet called on Israel and the Palestinians to act on their previous agreements and obligations, particularly adhering to the Road Map. The Quartet also urged the Israeli Government to freeze all settlement activity, including natural growth, and refrain from provocative actions in East Jerusalem. It called on the Palestinian Authority to improve law and order, and fight violent extremism. UNRWA commemorated its sixtieth anniversary on that same day.

The Bureau of the Committee met with a delegation of the Parliamentary Assembly of the Mediterranean on 29 September to discuss the preparation of the international meeting in support of a peaceful solution of the question of Jerusalem. This meeting would be organized by the Parliamentary Assembly of the Mediterranean and the Palestinian Rights Committee in Malta in early February 2010.

On 29 September the Human Rights Council had discussed the report of the United Nations fact-finding Mission on the Gaza conflict, chaired by Justice Goldstone.

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