



General Assembly

GA/10894

Department of Public Information • News and Media Division • New York

Sixty-fourth General Assembly

Plenary
51st Meeting (PM)

NEARLY YEAR AFTER ISRAEL'S GAZA MILITARY OFFENSIVE, SUSTAINED FOCUS NEEDED TO REVIVE

STAGNANT PEACE TALKS, CREATE CONDITIONS FOR BROADER PEACE, GENERAL ASSEMBLY TOLD

Assembly President: Human Cost of Middle East Conflict Borne by Palestinian People;
Palestine Observer: Gaza 'Fatal Illustration' of Israel's Disregard for Human Rights

Nearly a year after Israel's military offensive into the Gaza Strip which left some 1,400 Palestinians dead and pushed an already desperate humanitarian situation into crisis, the question of Palestine was at a critical juncture, and sustained focus was needed to both revive stagnant peace talks and create conditions for broader peace in the Middle East, General Assembly delegates said today, as they launched their annual debate of those and related issues.

Opening the meeting, General Assembly President Ali Abdussalam Treki, of Libya, said the question of Palestine remained the oldest unresolved issue before the world body – a fact that weighed heavily on the United Nations. Today's observance of the International Day of Solidarity with the Palestinian People should “remind us that the human cost of the Middle East conflict is borne by the Palestinian people”.

Indeed, the Israeli blockade in Gaza had forced 1.5 million Palestinian civilians into poverty, he said. The Assembly had endorsed the Report of the United Nations Fact Finding Mission on the Gaza conflict earlier in November and called on Israel and the Palestinians to undertake independent, credible investigations. The Secretary-General had also been requested to report on the resolution's implementation before 2 February 2010. In due course, the Assembly would consider the Secretary-General's report and any further action.

Describing the current situation, the Permanent Observer of Palestine said more than half of Palestinians were living in exile as refugees after displacement from their homeland, with the remainder living under Israeli occupation in the Palestinian Territory, including East Jerusalem. Israel's policy of collective punishment against Palestinians was reflected everywhere – from the complete blockade of Gaza and network of checkpoints in the West Bank, to the continued settlement activity, construction of the separation wall and imposition of residency restrictions on Palestinian inhabitants of Jerusalem.

Further, Israel's aggression in Gaza was a “fatal illustration” of its disregard for human rights, he said, and a regrettable absence of accountability had allowed that country to revel in a “culture of impunity”. The Palestinian leadership would adhere to the two-State solution for the establishment of an independent Palestinian State, with East Jerusalem as its capital in the Palestinian Territory under Israeli occupation since 1967. He firmly believed that the question of Palestine was a just and noble cause.

On a similar note, Egypt's delegate, speaking on behalf of the Non-Aligned Movement, said that in the year since the Assembly had last taken up the question of Palestine, Israel had not ceased its unlawful practices. It had used excessive and indiscriminate force against Palestinian civilians and had not refrained from measures that prejudiced the outcome of negotiations on the final status issues.

The situation in Gaza was unacceptable, he said. The Movement demanded that Israel immediately lift its blockade and allow the sustained opening of all border crossings to alleviate the humanitarian crisis. It also called on the Security Council to act hand-in-hand with the General Assembly to fulfil its permanent responsibility regarding the question of Palestine.

Pointing a way forward, Sweden's delegate, speaking on behalf of the European Union, underscored that both parties must take concrete measures to resume peace negotiations, respecting previous agreements and understandings. Israel must end immediately its settlement activities in the Occupied Palestinian Territories, including so-called natural growth, and dismantle the outposts erected since March 2001. If there was to be genuine peace, a way must also be found to resolve the status of Jerusalem as the future capital of two States. “If we fail, the responsibility will be for all of us to bear and the consequences will also be felt widely.”

To kick-start the process of bringing about a two-State solution, serious negotiations must be held on all permanent status issues while actions on the ground changed dramatically, said Senegal's representative, speaking as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Settlements must stop, extremists must be held accountable and the rule of law must prevail. Recommendations in the Goldstone report also should be implemented.

With that, he introduced four draft resolutions on the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/64/L.20), Division for Palestinian Rights of the Secretariat (A/64/L.21), Special information programme on the question of Palestine of the Department of Public Information of the Secretariat (A/64/L.22) and Peaceful settlement of the question of Palestine (A/64/L.23).

Also speaking today was the representative of Malta, as Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, who introduced the report on the Exercise of the Inalienable Rights of the Palestinian People (A/64/35).

The representatives of Syria (on behalf of the Organization of the Islamic Conference), Lebanon, Algeria, Viet Nam, Libya, Indonesia, Cuba, United Arab Emirates, Yemen and Saudi Arabia also spoke.

The General Assembly will reconvene at 10 a.m. Tuesday, 1 December, to continue its debate on the question of Palestine and begin its consideration of the situation in the Middle East.

Background

The General Assembly met today to consider the Question of Palestine.

For that discussion, the Assembly had before it the Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (document [A/64/35](#)), which characterizes the 7 October 2008 to 6 October 2009 reporting period as one of stagnation in the political process, lack of progress in uniting the West Bank and Gaza Strip under the Palestinian Authority and a worsening situation throughout the Occupied Palestinian Territory, including East Jerusalem.

Of particular concern was the continued humanitarian emergency in the Gaza Strip, exacerbated by the Israeli military offensive launched in December 2008 and January 2009, and continued blockade, which obstructed the movement of persons and goods, humanitarian access and import of all essential supplies. As a result of the Israeli offensive, 1,409 Palestinians were killed, of which 237 were combatants and 1,172 non-combatants. Of those non-combatants killed, at least 342 were children and 111 were women, the report states.

For its part, the Committee had repeatedly expressed its utmost concern at the deteriorating situation in the Occupied Palestinian Territory, including East Jerusalem, and a breakdown of the political process, the report says. It also was deeply alarmed at the Israeli military invasion in Gaza and reminded Israel of its obligation, under the Fourth Geneva Convention, to protect civilians. The report suggests that the international community consider strengthening respect for international humanitarian law by creating appropriate mechanisms to monitor adherence to the Geneva Conventions. It recommends that the High Contracting Parties convene a conference on ensuring respect for the Geneva Conventions in all circumstances.

Further, the Committee concluded that serious violations of international humanitarian law, and possibly war crimes, were committed during the warfare in Gaza, the report says. Having held a special international meeting on the findings of various investigations into those events, the Committee urged that the recommendations from those investigations be implemented.

In other matters, the Committee called on Israel to immediately cease settlement activities, including construction related to so-called "natural growth", the report says. 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 both the Israeli-Palestinian conflict and regional peace. The international community should take more determined action in challenging the presence of the wall in the Occupied Palestinian Territory and demand the removal of hundreds of checkpoints stifling life in the West Bank and East Jerusalem.

Because of those and other developments, there had been no progress in realizing the inalienable rights of Palestinians, the report concludes. The Committee called for resumed permanent status negotiations between Israel and the Palestinians, which required Israel's "genuine commitment" to a two-State solution and a halt to all settlement activities.

Also before the Assembly was the report of the Secretary-General on the Peaceful Settlement of the question of Palestine (document A/64/351 – S/2009/464), which contains replies received from the President of the Security Council and the parties concerned to the notes verbales sent by the Secretary-General. Those notes were sent pursuant to the request contained in paragraph 21 of resolution 63/29 (2008).

The report also contains the observations of the Secretary-General on the current state of the Israeli-Palestinian conflict and international efforts to move the peace process forward. In the report, which covers the period from September 2008 to August 2009, the Secretary-General says the United Nations will continue to work towards the peaceful settlement of the question of Palestine. The framework for peace remains unchanged: the creation of two States, an independent and viable Palestine living side-by-side in peace and security with Israel, on the basis of the principle of land for peace, and a just and comprehensive regional peace consistent with Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003), and 1850 (2008), as well as the Road Map and the Arab Peace Initiative.

The report notes that resolution 63/29 was adopted by the Assembly on 26 November 2008, under the agenda item "Question of Palestine." In a 30 April 2009 note verbale, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestinian Liberation Organization, regarding any steps taken by them to implement the resolution's relevant provisions. As of 31 August 2009, replies had been received from Israel and the Palestine Liberation Organization. The report contains those replies.

The Assembly was also set to consider several draft resolutions, including a text on the Committee on the Exercise of the Inalienable Rights of the Palestinian People (document A/64/L.20), which would have the Assembly ask the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, including their right to self-determination. It would authorize the Committee to adjust its approved work programme after considering developments and report to the Assembly.

Further by the text, the Assembly would request the Committee to continue to extend its cooperation and support to Palestinian and other civil organizations, as well as involve additional civil society organizations and parliamentarians in its work to mobilize support for the Palestinian people. It also would request the United Nations Conciliation Commission for Palestine, and other United Nations bodies associated with the question of Palestine, to cooperate fully with the Committee. Finally, the Secretary-General would be requested to circulate the report of the Committee to all competent bodies of the United Nations and urge them to take the necessary action, as appropriate.

The Assembly also had before it a draft resolution, special information programme on the question of Palestine of the Department of Public Information of the

Secretariat (document A/64/L.22), which would have the Assembly express hope that the Department of Public Information, in its upcoming programme for 2010

- 2011, would continue to examine ways to foster the contribution of media in support of the peace process between the Palestinian and Israeli sides.

Further, the Assembly would request the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme for the biennium 2010-2011. It would encourage the Department to find ways for the media and civil society to engage in open and positive discussions to explore means for encouraging people-to-people dialogue and promote peace and mutual understanding in the region.

By a draft text on the Peaceful settlement of the question of Palestine (document A/64/L.23), the Assembly would reaffirm the illegality of Israeli actions intended at changing the status of Jerusalem, including measures such as the so-called E-1 plan [which aims to connect Jerusalem to the West Bank and settlement of Ma'ale Adumim]. It would also reaffirm the illegality of other unilateral measures that are contrary to international law and endeavour to alter the character, status and demographic composition of the city and the territory as a whole, among them, Israel's construction of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem.

Further, the Assembly would express its deep concern at the continued Israeli policy of closures and severe restrictions on the movement of persons and goods, medical and humanitarian personnel and goods, continued establishment of checkpoints and imposition of a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, which had created a dire humanitarian crisis.

Also by the text, the Assembly would reaffirm its full support for the Middle East peace process, based on the relevant United Nations resolutions, Madrid terms of reference, the Arab Peace Initiative, the Quartet Road Map and existing agreements between the Israeli and Palestinian sides. It would encourage continued serious regional and international efforts to promote the Arab Peace Initiative; urge parties to undertake immediate steps in follow-up to their joint understanding reached at the 2007 Annapolis Conference; and encourage the convening of an international conference in Moscow, as envisioned by Security Council resolution 1850 (2008).

The Assembly would stress the need for advancing reconstruction in the Gaza Strip, including through completion of suspended projects managed by the United Nations; call on Israel to comply with its obligations under international law; and reiterate the demand for complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the Syrian Golan. Reaffirming its commitment to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on pre-1967 borders, the Assembly would stress the need for Israeli withdrawal from Palestinian territory occupied since 1967, including East Jerusalem.

Finally by the text, the Assembly would stress the need for justly resolving the problem of Palestine refugees; call on parties to resume direct peace negotiations towards conclusion of a final peaceful settlement; urge States to speed provision of economic humanitarian and technical assistance to Palestinians; encourage the Quartet's Special Representative to strengthen Palestinian institutions and request the Secretary-General to continue efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine.

Also before the Assembly was a text on the Division for Palestinian Rights of the Secretariat (document A/64/L.21), by which it would request the Secretary-General to continue to provide the Division for Palestinian Rights with the resources necessary to carry out its programme of work, as detailed in earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and including the monitoring of developments relevant to the question of Palestine, the organization of international meetings and cooperation with civil society.

Further by the text, the Assembly would request the Secretary-General to ensure the continued cooperation of the Department of Public Information in enabling the Division to perform its tasks, and invite all Governments to extend their cooperation in that regard. Finally, the Assembly would request the Division, as part of the observance of the International Day of Solidarity with the Palestinian People, to continue organizing an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine.

Statement by the General Assembly President

General Assembly President ALI ABDUSSALAM TREKI (Libya) said the question of Palestine remained the oldest unresolved issue before the body. Today's observation of the International Day of Solidarity with the Palestinian People was an occasion for renewing the commitment of the world community to realizing the rights of the Palestinian people, particularly their right to self-determination and their right to an independent state. It was also time to reaffirm support to a comprehensive, just and lasting peace in the Middle East.

"The fact that after all these years the question of Palestine still awaits a peaceful settlement weighs heavily on the United Nations," he said. "This day should also remind us that the human cost of the Middle East conflict is borne by the Palestinian people. Their suffering will continue until the question of Palestine is resolved."

He noted that the Israeli blockade of the Gaza Strip had forced 1.5 million Palestinian civilians into poverty and isolation, while the military offensive almost a year ago had further exacerbated the already desperate situation. International efforts to rebuild Gaza and assist its civilian population were blocked by Israel. Despite repeated calls by the United Nations to lift that blockade, Israel continued to impose collective punishment on Gaza's civilian population in contravention of international law. Israel must heed the international community's call to release its stranglehold on the Strip and lift the illegal blockade.

He recalled that the Assembly had endorsed the Report of the United Nations Fact Finding Mission on the Gaza Conflict earlier in November and called on Israel and the Palestinian side to undertake independent, credible investigations. The Secretary-General had also been requested to report on the resolution's implementation before 2 February 2010. In due course, the Assembly would consider the Secretary-General's report and any further action.

The question of Palestine was, thus, at a critical juncture and a sustained focus and reinvigoration of the peace process was needed, he said. The international community supported the renewed engagement by United States President Barack Obama. But, obstacles to peace remained in place on the ground with the continued expansion of Israeli settlements and the construction of the separation barrier. Continued Israeli actions to change the status of Jerusalem further endangered the viability of a Palestinian State, with East Jerusalem as its capital.

He said the United Nations had consistently upheld the rights of the Palestinian people to self-determination and would continue to work for a peaceful settlement of the question of Palestine based on the relevant Security Council and General Assembly resolutions, the Madrid framework, the Road Map and the Arab Peace Initiative, which formed the building blocks of a Palestinian State. Moreover, to achieve comprehensive regional peace, the world community must work towards a lasting settlement that ensured Israel's withdrawal from the Syrian Golan and the territories it occupied in Lebanon.

Introduction of Resolutions

PAUL BADJI, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that, before introducing the four draft

resolutions related to the question of Palestine, he wanted to comment on the situation in the occupied territory and the political situation. He said today the situation could only be described as "bleak". It was characterized by a steadily worsening humanitarian situation in Gaza that had been exacerbated by the Israeli military offensive a year ago, by lack of progress in unifying the West Bank and Gaza Strip and a stagnation of the political process. The blockade of Gaza prevented the long overdue reconstruction and rehabilitation of the area.

He said continued Israeli actions in East Jerusalem were equally disturbing, including land confiscations, evictions of Palestinians and settler violence against them. The most critical issues were related to settlements and the question of East Jerusalem. All but Israel recognized that the settlements in the Occupied West Bank and East Jerusalem were illegal under international law. Construction must be halted immediately and outposts dismantled. Further, there was no support for Israel's unilateral claim that the entire city of Jerusalem was its capital. All actions to alter the status of the City were null and void under international law. Israel must abide by the status as had been set out in numerous Council and Assembly resolutions.

Moving on, he said the Committee had always been a strong supporter of the two-State solution and the Palestinian leadership had declared its acceptance of the two-State solution more than 20 years ago. President Abbas had committed to achieving the goal through peaceful negotiations and Palestinian negotiators had met on "countless" sessions with Israeli counterparts to implement the mandate, only to be confronted time and again with new facts on the ground, that of new and expanded settlements, outposts and the separation wall. Meanwhile, the daily oppressive practices of the occupying Power continued unabated. They included military raids, arrests, restrictions on movement and numerous coercive measures.

Such actions, he said, were not those envisioned by the international community when it wholeheartedly supported the 1991 Madrid peace process, the set of confidence-building measures introduced in the 1993 Oslo Agreement process or the outcome of the Annapolis conference to resume negotiations on the permanent status question. "The lack of cooperation on the part of the Israeli Government runs counter to the spirit and letter of the Road Map of the Quartet and leaves no room for applying the Arab Peace Initiative," he emphasized.

To kick-start the process of bringing about the two-State solution, he said serious, honest and good-faith negotiations must be held on all permanent status issues at the same time that actions on the ground changed dramatically. Settlement action must stop, extremists must be held accountable and the rule of law must prevail. The Gaza blockade must be lifted and assistance must be given to Palestinian economic activity through the lifting of restrictions. That would build trust into the process and allow parties to arrive at decisions that now seemed very difficult or remote.

Finally, he said the Assembly had held an important discussion on the issues while considering the Goldstone report. The recommendations should be implemented, so as to establish responsibility and accountability. The intra-Palestinian divisions blocking national reconciliation and the reunification of the West Bank and Gaza under the Palestinian Authority must continue to be addressed, particularly through measures such as those put forward by Egypt. The United Nations must continue to maintain its permanent responsibility towards the question of Palestine until it is resolved and the Security Council must also live up to its obligations.

He then introduced the four draft resolutions: A/64/L.20, A/64/L.21, A/64/L.22, and A/64/L.23.

Introduction of the Committee's Report

SAVOUR BORG, Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, introduced that Committee's report (document A/64/35), which has seven chapters. Chapters I to II cover the Committee's objectives and its general perspective on the events of the last year. It also summarizes the General Assembly's mandates for the Committee and contained information on the Committee's organization of work. Chapter IV reviews the situation relating to the question of Palestine as monitored by the Committee and contains a detailed, factual account of the last year's events. Chapter V reviews actions taken by the Committee and reported on its international meetings and conferences, as well as the work of the Division of Palestinian Rights. Chapter VI gives an overview of work done by the Department of Public Information to fulfil resolution 63/28 of 26 November 2008.

Turning to the last chapter, which contains the Committee's conclusions and recommendations, he said the Committee noted that the actions of the Israel Defense Forces in Gaza during "Operation Cast Lead" had led to serious allegations of violations of international humanitarian law and, possibly, war crimes. While commending the various investigative missions, the Committee expressed dismay over an almost complete denial by Israel of breaking the rules of war and deplored its lack of cooperation with some of those investigative missions. It also expressed the view that perpetrators of serious crimes on either side had to be brought to justice, and it called for the implementation of recommendations in that regard.

The Committee also expressed dismay that the suffocating blockade of Gaza continued to be imposed, he said. It reminded Israel of its obligation under the Fourth Geneva Convention to protect the civilian population under its occupation. It recommended that the international community consider creating appropriate mechanisms to monitor Israel's adherence to international humanitarian law, among other things. It also expressed concern about the accelerated creation of "faits accomplis" in East Jerusalem, including recent policy statements and illegal unilateral measures by Israel's Government. It reiterated that East Jerusalem was part of the Occupied Palestinian Territory and that a negotiated solution on the question of Jerusalem was essential to resolving the conflict.

He went on to say that, among other things, the Committee recommended that the international community take more determined action to challenge the presence of the wall; called for the resumption of permanent status negotiations between Israel and the Palestinians; expressed its intention to reach out to refugees and Palestinians living under occupation, as well as to members of the Israeli public, to involve them in the search for a solution; commended civil society organizations for their support of the Palestinian people; and expressed its view that the special information programme on the question of Palestine in the Department of Public Information had made, and continued to make, an important contribution to informing the media and public opinion of the relevant issues.

Statements

RIYAD MANSOUR, Permanent Observer of Palestine, recalling that delegates had gathered earlier today to commemorate the International Day of Solidarity with the Palestinian People, said 29 November 1947 marked the Assembly's adoption of resolution 181 (II), which partitioned Palestine into two States – one Arab, which had yet to see the light of day – and the other, Israel, which had come into being. The Day also reaffirmed the international commitment to uphold the historic responsibility vis-à-vis Palestine until it was resolved, in accordance with international law and United Nations resolutions. That support had helped strengthen Palestinians' perseverance, over decades of struggle against injustice and occupation, towards realizing their legitimate national aspirations and inalienable rights, including those to self-determination and return.

Describing the situation, he said more than half of Palestinians continued to live in exile as refugees after displacement from their homeland, with the remainder living under Israeli occupation in the Palestinian Territory, including East Jerusalem. Israel continued to deny Palestinians their rights and breach international law. Occupying forces had used excessive and indiscriminate military force against Palestinians, violating the Fourth Geneva Convention, and had arbitrarily imprisoned some 11,000 Palestinian civilians. Detainees had been subjected to physical and mental abuse and denied adequate medical care and food.

Moreover, Israel had pursued a policy of collective punishment against Palestinians through the imposition of closures and restrictions on the movement of persons and goods within, into and out of the Occupied Palestinian Territory, including East Jerusalem, he said. That policy had obstructed access to schools, hospitals, farms and holy places. It was reflected in various ways, notably in the complete blockade of the Gaza Strip, which suffocated 1.5 million civilians, the establishment of more than 550 checkpoints in the West Bank, settlement activity, construction of the separation wall, creation of a permit regime and imposition of residency restrictions on Palestinian inhabitants of Jerusalem.

At the same time, he said Israel continued to defy international demands for an end to its illegal settlement activities, in breach of the Fourth Geneva Convention and its Additional Protocol I, and in complete disregard for the 2004 Advisory Opinion of the International Court of Justice. East Jerusalem had been subjected to a continued settlement campaign, transfer of settlers, seizure of Palestinian homes and serious excavations around Al-Aqsa Mosque. Such actions must be condemned, as they constituted war crimes, according to article 8 of the Rome Statute. Israel's continued settlement activity was stark evidence of the "seizure and confiscation" of Palestinian land. Allowing Israel to continue its illegal settlements seriously jeopardized the chances to achieve peace.

Turning to the Gaza Strip, he said Israel's aggression, launched on 27 December 2008, killed 1,400 people and injured more than 5,500. Such aggression was a "fatal illustration" of Israel's disregard for human rights. Its continued illegal blockade of the Gaza Strip had turned that area into a prison and deepened the humanitarian crisis. Regrettably, international inaction, including on the part of the Security Council, had permitted Israel to continue to violate international law. Investigation by the United Nations Fact Finding Mission on the Gaza Conflict confirmed that Israel had violated human rights and breached international humanitarian law, including the Fourth Geneva Convention, which amounted to war crimes and crimes against humanity. The absence of accountability allowed Israel to revel in a "culture of impunity", which it had enjoyed for four decades.

In that context, he said General Assembly resolution 64/10 (2009) marked an important step towards ensuring justice and his delegation would continue to call on all relevant United Nations entities to shoulder their responsibility. The Council, in particular, must send a clear message that the international community would no longer tolerate Israel's illegal practices. Such principled commitment to the law would help bring an end to human suffering caused by Israeli occupation. He reaffirmed that a political solution to the conflict in the region should include all occupied Palestinian, Syrian and Lebanese territories to achieve peace.

For its part, the Palestinian leadership had made every effort to promote national dialogue towards restoring national unity, he said, adding that the leadership supported Egypt's efforts in that regard. More broadly, there was now a serious political movement to launch a political process aimed at achieving a comprehensive peace agreement. But, he emphasized that the launch of such a process should be based on each party implementing its obligations under the first phase of the Road Map – which called for a complete cessation of settlement activities and commitment to resolving final status issues, in accordance with the known terms of reference: Jerusalem, refugees, borders, water and security among them.

He said the Palestinian leadership would adhere to the peace initiative endorsed by the Palestinian National Council (1988), its obligations in the Middle East peace process, which began in 1991 and the two-State solution for the establishment of an independent Palestinian State, with East Jerusalem as its capital in the Palestinian Territory under Israeli occupation since 1967. It outright rejected any "schemes" of resettlement or repatriation alternatives, or ideas for a State with provisional borders. The obligations of the Palestinian and Israeli sides were unambiguous. A just solution to the Palestine refugees issue was imperative, as the right of return was a right guaranteed by international legitimacy.

In closing, he said Palestinians continued to hope for international assistance and that all would vote in favour of all the draft resolutions on the question of Palestine and situation in the Middle East. He firmly believed that the principles and purposes of the United Nations Charter stood for peace, and that the question of Palestine was a just and noble cause. He expressed hope that one day soon the Assembly would celebrate the inclusion of the free and independent State of Palestine among the family of nations.

MAGED ABDELAZIZ (Egypt), speaking on behalf of the Non-Aligned Movement, said the establishment by the Palestinian people of an independent, sovereign and viable State of Palestine, with East Jerusalem as its capital, should be based on the two-State solution, the relevant Security Council and General Assembly resolutions, the Madrid principles and the Arab Peace initiative. The Movement, consequently, called for the early resumption of the peace process and regretted the lack of progress made to that end, despite international consensus on the need for a just and lasting solution. Regrettably, this lack of progress was due to Israel's continued defiance of United Nations resolutions and international law, and the international community should not waver in its calls for Israel to cease its violations and return to negotiations in good faith.

In the year since the Assembly took up the question of Palestine in 2008, Israel had not ceased its unlawful practices in the Occupied Palestinian Territory, he said. It had used excessive and indiscriminate force against Palestinian civilians and committed grave breaches of international humanitarian law as described by the United Nations Fact Finding Mission to the Gaza conflict, the Secretary-General's Board of Inquiry, and the Arab League's Independent Fact Finding Mission. Further, Israel continued to impede efforts to resume peace negotiations and did not refrain from measures that prejudiced the outcome of negotiations on the final status issues.

He said Israel continued its illegal settlement activities, particularly in and around Jerusalem, in grave breach of international law, United Nations resolutions and its own commitments under the Road Map. The Movement was concerned about the impact of Israeli policy on the prospects of achieving a two - State solution.

It was particularly alarmed at the approval of the construction of 900 more settlement-housing units in "Gilo", which further undermined those prospects. The continued and persistent attacks by extremist and militant Israeli settlers at the Islamic holy sites of Al-Haram Al-Sharif and Al-Aqsa Mosque provoked an already volatile situation. The Movement condemned these provocations and further deplored all Israeli actions aimed at altering the demographic composition, geographic nature, character and status of East Jerusalem. The time had come for the Security Council to take a clear position and serious action regarding Israel's violations in East Jerusalem.

He stressed that the situation in Gaza was unacceptable, unsustainable and had negative repercussions on all efforts to advance the peace process. The Movement demanded that Israel lift immediately its illegal blockade and allow for the immediate and sustained opening of all border crossings to alleviate the humanitarian crisis in Gaza and to realize the Strip's early recovery and reconstruction. Indeed, it stressed the urgent need for Gaza's reconstruction to begin, including through the implementation of the Secretary-General's proposal for United Nations-led civilian reconstruction activities and the completion of numerous suspended projects managed by the Organization's agencies. It also called on the Security Council to act hand-in-hand with the General Assembly to fulfil its permanent responsibility regarding the question of Palestine.

BASHAR JA'AFARI (Syria), in his statement on behalf of the Organization of the Islamic Conference (OIC), opened by expressing the group's serious concerns about the grave situation in the Occupied Palestinian Territory, in particular the continuing inhumane Israeli blockade and dire humanitarian crisis being imposed on the Palestinian civilian population in the Gaza Strip and the ongoing "illegal colonization campaign" by Israel in and around Al-Quds Al-Sharif. The international community had witnessed and condemned the Israeli illegal and intensifying "colonization" measures in the Occupied Palestinian Territory, the ongoing settlement activities, the persistent aggression against Islamic and Christian holy places in Al-Quds Al-Sharif and the transfer of more Israeli settlers, and in particular the continued digging and excavation work in and around Al-Aqsa mosque and its vicinity.

Reaffirming the OIC's unwavering support for the stand of the State of Palestine based on commitment to the right of sovereignty over the Palestinian territories occupied in 1967, he emphasised that the question of the Holy Haram in Al-Quds was a "red line" that could not be addressed with laxity or be subject of any debate. Any prejudice to the holy Mosque of Al-Aqsa, would similarly have very serious repercussions for the Islamic world and was likely to destabilize the region. He further emphasized that Al-Quds was the capital of the independent State of Palestine, and in that regard, rejected any attempt to undermine the Palestinian right of sovereignty over Al-Quds Al-Sharif.

Continuing, he strongly condemned the recent Israeli attacks against Palestinian civilians and worshippers at Al-Aqsa Mosque and Al-Haram Al-Sharif compound

in occupied Al-Quds Al-Sharif and reiterated the OIC's condemnation of Israeli persistent aggression against Islamic inhabitants of the Holy City, which continued to cause rising tensions and mounting difficulties for the Palestinian inhabitants of that City.

Early this year the international community witnessed "with horror" the events in the occupied Gaza Strip. The Goldstone report confirmed its worst fears. Welcoming the adoption of resolution 64/10 of 5 November 2009 by the General Assembly on the "Follow up to the report of the United Nations Fact Finding Mission on Gaza Conflict," he said the group was of the view that that resolution constituted an important first step in remedying those Israeli violations, which were authenticated and confirmed with evidence in the Goldstone report. Thus, more actions were yet to be taken by the relevant United Nations organs and bodies, including the Security Council, in order to end the Israeli impunity and above-the-law attitude.

He said the OIC remained deeply concerned by Israel's ongoing air and land violations of Lebanon's sovereignty and called on Israel to withdraw fully from the remaining occupied Lebanese land. Further, the OIC demanded that Israel abide by Security Council resolutions and withdraw fully from the occupied Syrian Golan. The OIC called for an intensification of efforts by the international community aimed at speeding up the process of achieving a just and comprehensive peace settlement based on relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Road Map, he stated.

ANDERS LIDEN (Sweden), speaking on behalf of the European Union and associated States, said that the combination of negative developments on the ground and limited achievement in the diplomatic efforts was dangerous. Re-launched negotiations and positive movement on the ground was urgently needed to create hope and strengthen the hand of those working for peace. "If we fail, the responsibility will be for all of us to bear and the consequences will also be felt widely," he said. 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 a two-State solution and comprehensive peace in the Middle East.

Both parties must now take concrete measures to resume peace negotiations, respecting previous agreements and understandings, he continued. He urged the Government of Israel to end immediately its settlement activities in the Occupied Palestinian Territories, including so-called natural growth, and to dismantle the outposts erected since March 2001. The Union would not recognize any changes to the pre-1967 borders other than those agreed by both parties. A durable solution to the Gaza crisis had to be achieved through full implementation of Security Council resolution 1860 (2009). The Union called for an immediate and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza. Also needed was an effective mechanism to prevent ammunition smuggling into the Gaza Strip. Calling for a complete stop to all violence, including a sustained halt to rocket attacks at Israel, he also reiterated the Union's call for an immediate release of soldier Gilad Shalit.

Concerned about recent incidents in East Jerusalem, he also urged all parties to refrain from any provocative actions that could further inflame tensions or lead to violence. If there was to be genuine peace, a way must be found to resolve the status of Jerusalem as the future capital of two States. He also reiterated the importance that the Union attached to the Geneva Conventions, calling on both parties to stop incitement and violence against civilians. The Union emphasized the importance of appropriate and credible investigations into possible violations of international human rights and humanitarian law. It also called upon the Palestinians to step up the inter-Palestinian reconciliation efforts behind President Abbas and supported mediation by Egypt and the Arab League. The Union would continue promoting Palestinian state-building and intensify work in partnership with the Palestinian Authority on reforms. The civilian police and the judicial sector would continue to be a focus of Union support.

He went on to say that the Israeli Government's declared readiness to promote Palestinian economic development should be carried out within the framework of the broader perspective of the two-State solution. He welcomed the positive steps by the Israeli authorities to ease the restrictions on the West Bank and looked forward to further and sustained improvements of movement and access in all the Occupied Palestinian Territories. The Union was ready to work closely with Israel, the Palestinian Authority and international donors to achieve sustainable development of the Palestinian economy.

He added that the Union would contribute substantially to post-conflict arrangements aimed at ensuring the sustainability of peace agreements, addressing also the regional economic and security dimensions. He called on all partners in the international community to contribute actively to the achievement of a comprehensive settlement. In light of further developments at the political level and on the ground, the Union stood ready to support concrete and early results on the path to a comprehensive settlement of the conflict.

NAWAF SALAM (Lebanon) said the fact that the Assembly was still meeting each year since 1978 to celebrate the International Day of Solidarity with the Palestinian People showed the enormity of the obstacles preventing the Palestinian people from exercising their right to self-determination. The Assembly's resolutions gave States not only the obligation to respect the principle of self-determination, but the duty to refrain from actions which deprived people of this right. But, Israel had failed to withdraw from the Palestinian territories it had occupied in 1967, as per its legal obligations under Security Council resolutions 242 and 338. It had also been creating in the occupied territories a series of "on the ground facts," such as security zones, settlements, bypass roads and checkpoints, and the annexation of East Jerusalem and the erection of the Wall. These actions all prevented the Palestinian people from exercising their right to self-determination.

The magnitude of these facts was shown by the size and growth of settlement activities in the occupied territories. "Official settlements" had recently exceeded 120, in addition to about 100 so-called "unofficial outposts," he said. According to the Israeli information Centre for Human Rights, B'tselem, the number of settlers in the West Bank by the end of 2008 totalled 479,500, including 193,700 people in East Jerusalem. Despite a July 2004 advisory opinion of the International Court of Justice, the construction of the Wall continued. About 58 per cent of the 709-kilometer wall was complete, with 10 per cent under construction and 31.5 per cent being planned. When completed, most of the route would run inside the West Bank and East Jerusalem, rather than along the 1949 Armistice Line (Green Line) and it would be four times as long as the Berlin Wall.

Since 1967, Israel had systematically violated its basic duties under international humanitarian law, including the annexation of land, the punitive demolition of houses, the transfer of people and collective punishments. Israel had also been charged by human rights organizations and the United Nations Fact Finding Mission on the Gaza Conflict with grave violations of human rights and war crimes while conducting military operations in the occupied territories, he said. Israel had systematically challenged the will of the Assembly. While praising the Assembly's resolve in endorsing the Goldstone report, he said more resolve was needed so it would no longer be necessary to celebrate this international day of solidarity.

MOURAD BENMEHIDI (Algeria) said that for more than three decades the General Assembly had identified the Palestinian conflict as the "hub" of the problem in the Middle East. He reaffirmed Algeria's unfailing solidarity with Palestinians to exercise their rights, notably for an independent sovereign State with Al-Quds Al-Sharif as its capital. Given the clear settlement framework based on international law, Israel's response had defied the international community and shown disdain for its peace partner. Such behaviour reached its peak during Israel's aggression in the Gaza Strip, in which more than 1,400 civilians died, most of them

non-combatants, including women and children. The Assembly could not fail to notice that the peace process had been deadlocked since the sixty-third

session.

Achieving comprehensive peace in the Middle East was a shared goal and the global community had not spared efforts to find a negotiated settlement framework. Despite the commitment to lasting peace based on a two-State solution, this year had seen continued illegal Israeli policies and practices that sought to "torpedo" a fragile peace process. The aggression in Gaza should have drawn a more determined call from the international community, and particularly the Security Council, to find a peaceful solution to the conflict. But, there had been only a vague, moral disapproval that had not dissuaded Israel from its designs.

Law must prevail once again and the General Assembly, in its adoption of resolution 64/10 (2009) on the Goldstone report, had shown the way forward.

In Gaza, the continued blockade had led to worrying developments, he said. More than 10 months after Israel's aggression, Palestinians were still living in a state of siege, with limited freedom of movement and an almost total ban on exports. The situation was unacceptable and contravened Security Council resolution 1860 (2009), which called for an unconditional lifting of the blockade. In the West Bank and East Jerusalem, Israel continued its illegal settlement activities and had stepped up its confiscation of Palestinian land and houses, with a clear goal of creating a "fait accompli" situation.

Moreover, the separation wall had deviated from the 1967 Green Line and crossed into the West Bank, he said. Algeria condemned such provocations in East Jerusalem and called on the Security Council to take decisions that pressed Israel to immediately stop its settlement activities. The quest for a negotiated solution must be based on international law. The international community should demand that rejection of such acts be reflected in binding decisions of the Security Council. The United Nations should put in place norms to protect civilians in armed conflict. Indeed, only by ensuring that such parameters were implemented on the ground would the United Nations restore its credibility and foster the peace process in the Middle East.

Aligned with the statement of the Non-Aligned Movement, HOANG CHI TRUNG (Viet Nam) said the question of Palestine was the oldest unresolved issue on the agenda of the United Nations and many Palestinian people continued to be deprived of their inalienable rights. Viet Nam reiterated that the settlements and the wall constructed by Israel in the Occupied Palestinian Territory, including East Jerusalem, were contrary to international law, numerous Council and Assembly resolutions, and the Road Map provisions. He called on Israel to immediately cease all its illegal settlement activity, including construction related to natural growth, and to dismantle settlement outposts and refrain from provocative actions.

Viet Nam had expressed its profound concerns over the findings contained in the Goldstone report on the accused war crimes and other violations of international humanitarian law committed during the Gaza conflict. In this context, he welcomed the Assembly's adoption of resolution A/64/10 on 6 November and hoped that the concerned parties would do their utmost to conduct early and proper investigations and bring justice to the victims. He urged Palestinian factions to make greater efforts to promote national reconciliation and rally behind the Palestinian National Authority for a National Unity Government and future statehood. He said the international community's continued strong support was crucial in bringing the peace process back on track and allowing Israeli-Palestinian negotiations to move forward on all core issues.

ABDURRAHMAN MOHAMED SHALGHAM (Libya) described today's General Assembly meeting as an important one, as it was the first since the findings of the Goldstone report, which had been empanelled to conduct a free and independent investigation into the situation in Gaza following Israeli military action there.

He said it was his belief that Israel had decided to deal with the Goldstone report's findings with the same defiant attitude that it dealt with previous matters concerning its illegal occupation of the Palestinian territory, because it considered itself to be a State above all others. As a consequence of that Israeli attitude and actions, the situation in the region had reached an unprecedented crisis. Israel continued to disregard all international community calls to desist its illegal activities in the Occupied Palestinian Territory, and had instead continued with such activities as demolitions, restriction of Palestinian movements, continued building of illegal settlements, as well as an economic blockade against the Palestinians. All those actions made the situation of the Palestinians in the area unbearable.

He said Israeli behaviour, therefore, undermined the credibility and effectiveness of the United Nations and the international community, and reduced the Organization's decisions to empty slogans and turned it into a body to be used only by certain countries for their own political aims. Libya was of the view that the international community had to consider and resolve the issue of Palestine and put an end to the suffering of the people of Palestine and the region, because what those people were subjected to by the Israelis had reached unprecedented levels. As a result, he believed attempts to get a two-State solution had reached a dead-end and Israel's continued confiscation of land was in defiance of all international law. It was time for the international community to come up with a solution that met the aspirations of Palestinian people and conferred on them equal rights and duties, as proposed by Libya's President. He added that Libya saw no other solution to settle the long-standing problem and, thus, put an end to the suffering of the Palestinian people.

HASAN KLEIB (Indonesia) said the past year was "one of the worst" in the Palestinian struggle to achieve their legitimate rights. The brief flicker of hope for the two-State solution that arose from the 2007 Annapolis process led only to the abandonment of negotiations and renewed violence. The inhumane Israeli military assault in the Gaza Strip had resulted in immense loss of life and injury to thousands of Palestinians. The Goldstone report had shown that the excessive and disproportionate use of force had been intentional, as was the policy of collective punishment. Israel had committed a variety of crimes, including war crimes. The war in Gaza in December 2008 and January 2009 aimed at punishing, humiliating and terrorizing a civilian population.

In addition, he said, Israel was postponing or complicating some final-status issues. It had failed to commit to its Road Map obligation to freeze all settlement construction, including "natural growth". It had not dismantled outposts erected since March 2001. It had continued its odious policy of evictions and demolition of homes in East Jerusalem. And despite the 2004 advisory opinion of the International Court of Justice, construction of the separation wall continued. Further, the insensitive and careless recent attacks against Palestinian worshippers and other civilians at the Al-Aqsa Mosque and Al-Haram Al-Sharif compound could only further complicate the road to peace.

On this day of solidarity with the Palestinian people, he said nations must go beyond expressions of good will and take action towards the achievement of the two-State process. Towards that end, the Palestinian Rights Committee's relentless and consistent implementation of its mandate was notable. Recognition was also due to the Department of Public Information for its strong and effective public information programme to raise awareness about issues involved.

Supporting the statement of Non-Aligned Movement, NUNEZ MOSQUERA (Cuba) said this day was an opportunity to affirm support for the Palestinian people. He repeated his solidarity with the Palestinian people and said Israel continued to violate international law and international humanitarian law. After the Israeli incursion into Gaza, there had been an alarming increase in the number of violations. The human damage was very great. The Goldstone report set forth the situation vividly and graphically. Those responsible enjoyed impunity.

The Security Council was unable to deal in depth with the Palestine situation, as the super-Powers used or threatened to use the veto. Israel limited the movement of Palestinians and used many checkpoints, particularly in the Gaza Strip. By blocking crossings, it limited the movement of people and goods. The work of reconstructing Gaza had not yet been done and was prevented by Israel, which continued to build barriers throughout the occupied territories and undermined the integrity of the territories. That hurt the economy.

He criticized Israel's settlement activities and the construction of the Wall. Those activities threatened the two-State policy. He called on Israel to put an end to all those illegal practices. Cuba reaffirmed its support for the just cause of the Palestinian people and their struggle to put an end to the Israeli occupation that began in 1967.

AHMED AL-JARMAN, (United Arab Emirates) said that for 61 years, the Palestinian people had suffered misery and deprivation before the eyes of the world, and Israel continued to violate international law and human rights. The Palestinians were disappointed that their aspirations for freedom, independence and self-determination remained unfulfilled, and the current Israeli Government's hostile policies had added to that disappointment. Those policies included a plan to illegally confiscate more Palestinian land and property, expand the occupation; and continue construction of the illegal separation wall in the occupied Palestinian cities and villages, especially in Jerusalem and its surroundings – all with a view to altering the demographic composition of East Jerusalem, its legal structure and Arab identity, and halting negotiations with the Palestinian Authority.

He expressed "grave concern" at the continued worsening of the situation in the Occupied Palestinian Territory, including East Jerusalem, and condemned

Israel's policies and countless violations of international law, and Israel's impunity for the war crimes and crimes against humanity that it had committed in Gaza. The United Arab Emirates also condemned the collective punishment on Gaza and reiterated the importance of maintaining the integrity of the Palestinian Authority, while welcoming Egypt's efforts to attain Palestinian reconciliation. Further, the United Arab Emirates demanded that the international community, represented by the United Nations, increase pressures on Israel, so that it might halt its hostile policies, give up its hard line positions and comply with international demands.

Israel should immediately stop its settlement activities; remove the separating wall in the West Bank and around Jerusalem; lift all restrictions on movement; reopen passage to Gaza; release all Palestinian prisoners; and identify those responsible for the war crimes and crimes against humanity committed in the Gaza Strip so that they might be brought to justice. "The Arab Israeli conflict, which continues to dominate all other issues in the Middle East, is the root of tension and violence and the persistent instability in the region," he said. He urged the international community to increase their financial, political and moral support to the Palestinian people.

ABDULLAH ALSAIDI ([Yemen](#)), noting the celebration of the International Day of Solidarity with the Palestinian People, said the day had political and ethical significance. Today's celebration confirmed the legality of the Palestinian people's right to establish an independent State, with Jerusalem as its capital. The tragic situation of the occupied territories was the result of, among other things, State terrorism, the establishment of illegal settlements and the collective punishment of the Palestinian people in contravention of the Fourth Geneva Convention. Together, these actions aimed at killing the peace process, as well as the efforts of the Quartet. It led to real dangers and threatened real violence that posed real threats to regional stability.

He stressed Yemen's opposition to Israel's rejection of all Security Council resolutions, including 242 and 338, as well its disregard of all appeals by the international community to secure a peaceful solution, including the Arab Peace Initiative. His delegation called on the United Nations and the international community to shoulder their responsibility to force Israel to end its violence toward the Palestinian people and to respond to the resolutions and initiatives relevant to the peace process.

He renewed the call on Israel to withdraw from all Occupied Palestinian Territories, return the occupied Syrian Golan to Syrian sovereignty and return to the peace negotiations. Those negotiations could not succeed unless Israel respected what had been agreed to with the Syrian side and with respect to the occupied Lebanese lands. Yemen supported the need for the Security Council to implement the advisory opinion of the International Court of Justice, as well as the need to stop the establishment of the wall. It supported the inalienable rights of the Palestinian people to establish their independent State.

KHALID FAQEEH ([Saudi Arabia](#)) said the grave threats to the Palestinians had been occurring for many years and threatened the security and peace of the world. The solutions to this situation had to be in compliance with international legitimacy and there could not be any double standards. This conflict was the greatest threat to regional peace and security. The Gaza conflict had had tragic effects on the whole region. The Arab Peace Initiative was still continuing and was a commitment to peace. All the tactics of Israel went against international peace. Israel continued its oppression of the Palestinian people and had built a situation that contradicted international legitimacy and violated international law.

All the international efforts could not push Israel to abide by its obligations under the Road Map. The protection of the Palestinians should be given priority. The Arab-Israeli conflict was spilling over into all issues in the Middle East and led to more extremism and terrorism. It impeded the development of the region and depleted its resources. Israel had to stop its settlements activities. The mass media should be used to create channels to reach civil society, in order to shape the right conditions for peace. The dialogue of cultures and peace should be used to improve relations between countries and reduce tensions.

The Goldstone report showed the violations committed by Israel during the Gaza incursion and that it had used aggressive force. Israel violated international law, which amounted to war crimes against humanity. Israel committed aggressive acts against the Palestinian people. He called on the international community to stand against the aggression and support the Goldstone report to prevent those crimes from happening again.

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