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Official Records

*President:* Mr. Ali Abdussalam Treki . . . . . (Libyan Arab Jamahiriya)

*The meeting was called to order at 3:15 p.m.*

## Agenda item 16 (continued)

### Question of Palestine

**Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/64/35)**

**Report of the Secretary-General (A/64/351)**

**Draft resolutions (A/64/L.20, A/64/L.21, A/64/L.22 and A/64/L.23)**

**The President** (*spoke in Arabic*): I would like to make a brief statement as President of the General Assembly.

We meet today to consider the question of Palestine, which remains the oldest unresolved issue before the General Assembly. We have before us the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/64/35) and the Secretary-General's report on the peaceful settlement of the question of Palestine (A/64/351).

This morning we observed the International Day of Solidarity with the Palestinian People, an occasion for renewing our commitment to the realization of the inalienable rights of the Palestinian people — primarily the right to self-determination and the right to an independent State — and for reaffirming our 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. 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 and the right of the Palestinian people to their homeland is realized.

The Israeli blockade of the Gaza Strip has forced 1.5 million Palestinian civilians into poverty and isolation. The Israeli military offensive almost a year ago further exacerbated the already desperate situation. International efforts to rebuild the Gaza Strip and to assist its civilian population are blocked by Israel. The United Nations has repeatedly called on Israel to lift the blockade, but Israel continues to impose collective punishment on the civilian population of Gaza, in clear violation of international law. Israel must heed the call of the international community to release its stranglehold on civilian life in the Gaza Strip and to lift the illegal blockade.

Earlier this month, the General Assembly endorsed the report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48) and called on Israel and the Palestinian side to undertake independent, credible investigations with a view to ensuring accountability and justice (see resolution 64/10). The Secretary-General has been requested to report on the implementation of the resolution before 2 February 2010. The General Assembly will in due course consider the report of the Secretary-General and any further action.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506. Corrections will be issued after the end of the session in a consolidated corrigendum.



The situation of the question of Palestine is at a critical juncture where sustained focus and a reinvigoration of the peace process are needed. The renewed engagement of President Barack Obama to promote peace in the Middle East has the support of the international community. But, on the ground, the obstacles to peace remain in place.

The continued expansion of Israeli settlements and construction of the separation barrier on occupied Palestinian territory, notwithstanding the advisory opinion handed down by the International Court of Justice, undermine the peace process and violate United Nations resolutions. Continued Israeli actions to change the status of Jerusalem further endanger the establishment of a Palestinian State with East Jerusalem as its capital.

The United Nations has consistently upheld the right of the Palestinian people to self-determination and will continue to work for a peaceful settlement of the question of Palestine on the basis of the relevant Security Council and General Assembly resolutions, the Madrid terms of reference, the road map and the Arab Peace Initiative. These resolutions and agreements are the building blocks of a Palestinian State and must be implemented. In order to achieve a comprehensive peace in the region, the international community must also work for a just and lasting settlement of the conflict in the Middle East that ensures the withdrawal of Israel from the Syrian Golan and the territories it occupies in Lebanon.

I now give the floor to His Excellency Mr. Paul Badji of Senegal, who will speak in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and who will also introduce draft resolutions A/64/L.20, A/64/L.21, A/64/L.22 and A/64/L.23.

**Mr. Badji** (Senegal) (*spoke in French*): Allow me, at the outset, to express, on behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, our sincere appreciation to all the representatives of Member States, observers, representatives of intergovernmental organizations, United Nations system entities and civil society who participated this morning in the special meeting of the Committee to observe the International Day of Solidarity with the Palestinian People. The meeting forcefully reaffirmed the solidarity of the international community and highlighted the broad support for the

exercise by the Palestinian people of its inalienable rights.

Before I introduce for the Assembly's consideration the four draft resolutions prepared by our Committee under this agenda item, I would like to talk about the situation in the occupied Palestinian territory and developments in the political process. Today, the situation can only be described as bleak. It is characterized by a steadily worsening humanitarian situation in the Gaza Strip exacerbated by the Israeli military offensive of last December and January, a lack of progress in efforts to unite the West Bank and the Gaza Strip under the Palestinian Authority and a stagnation of the political process. The continuing blockade of Gaza does not allow the long overdue reconstruction and rehabilitation, which are so necessary.

Equally disturbing are the Israeli actions in East Jerusalem, in particular, land confiscations, house demolitions, evictions of Palestinian residents and settler violence. Elsewhere throughout the West Bank, we have witnessed unrestrained settlement construction, Israeli incursions into Palestinian towns and villages and arrests of Palestinians. Violent actions on the part of radical Israeli settlers against the Palestinian population are also of great concern.

Let me address two of the most critical issues and remind Israel of the position of the overwhelming majority of the international community on them, namely the settlements and East Jerusalem.

As regards the settlements, it is recognized by all, with the exception of Israel, the occupying Power, that settlements in the occupied West Bank and East Jerusalem are illegal under international law and contravene Israel's obligations under the road map. All settlement construction, including so-called natural growth, must be halted immediately. All outposts must be dismantled. The settlements built on Palestinian land perpetuate conflict, lead to violence and constitute a clear obstacle to ever achieving peace between Israelis and Palestinians, as they undermine efforts at establishing a State of Palestine that will live in peace and security with Israel.

As regards East Jerusalem, the international community does not recognize Israel's unilateral claims that the entire city of Jerusalem is the capital of Israel. All actions taken by Israel that alter or purport to alter the status of the city are null and void and

illegal under international law. The status of the Holy City is clearly and unequivocally outlined in several Security Council and General Assembly resolutions, and Israel must abide by them. The continuation of those policies by the Israeli Government has prevented any tangible improvement in the situation in the occupied territories and cast serious doubts on the genuine intention of the Israeli leaders when they declare their interest in the resumption of negotiations without preconditions.

The Committee is a strong supporter of the two-State solution, by which an independent, sovereign State of Palestine would be created within the 1967 borders, with East Jerusalem as its capital, living side by side with Israel in peace and security. It considers it to be the only feasible solution whereby the Palestinian people would be able to exercise its inalienable national rights. That solution would also bring peace and security to the State of Israel and give a considerable boost to economic development and cooperation in the Middle East region.

To achieve that goal, the Israeli Government must change its policy. The continuation for decades of settlement-expansion policies, land annexations, exploitation of Palestinian natural resources and control and, in fact, stifling and collective punishment of Palestinians by erecting a separation wall on their land and establishing checkpoints and closures will not lead to peace. Those policies have entrenched the status quo, subjugated the Palestinian people, triggered two intifadas and created tension and conflict in the region.

More than 20 years ago, Palestinian leaders declared their acceptance of the two-State solution in accordance with relevant United Nations resolutions. President Abbas has undertaken to achieve that goal through negotiations. Palestinian and Israeli negotiators have met many times for that purpose and have invariably found themselves confronted with a new situation on the ground: new or expanded settlements, outposts and the construction of the separation wall with its detrimental effect on the lives of Palestinians. Furthermore, daily oppressive practices of the occupying Power continue unabated: military raids, arrests, restrictions on the movement of persons and goods, settler violence and numerous other coercive measures. The list of illegal acts and measures by Israel is long.

That was not the objective expected when the international community wholeheartedly worked for the Madrid peace process that started in 1991 and then the confidence-building measures set up by the Oslo Accords of 1993 and those that followed. That was not at all what the participants in the Annapolis Conference had in mind when they supported the resumption of the negotiations on permanent status. A lack of cooperation on the part of the Israeli Government is contrary to the spirit and letter of the road map of the Quartet and leaves no room for implementing the Arab Peace Initiative.

Our Committee has continuously supported efforts by the parties and the international community to bring about a peaceful solution to the Palestinian question. In view of the widening gap between the desired objective — namely, the establishment of a Palestinian State within the borders of 1967 — and the reality on the ground, the Committee has focused its annual programme of work on the urgent achievement of the two-State solution. Serious and honest negotiations in good faith on all permanent status issues are necessary to get the process off the ground.

At the same time, actions on the ground have to change radically. Settlement expansion has to stop. Extremists on all sides must be held accountable for their acts. The rule of law must prevail. The blockade of Gaza has to be lifted. Palestinian economic activity must be relaunching through the lifting of the restrictions on the movement of people and goods. That would create a climate of trust and encourage growing support on the part of Palestinian and Israeli public opinion, allowing the parties to reach decisions that at the moment may seem very difficult or remote.

The Committee's position is that the continuing illegal occupation of the Palestinian territories remains the root cause of the conflict. As long as that situation continues, we will not cease to remind Israel, the occupying Power, that it is bound by well-defined obligations enshrined in international humanitarian law.

The international community must ensure that all of its members adhere to those principles. Impunity for serious violations must end. The General Assembly recently held an important discussion on those issues when considering the Goldstone report (A/HRC/12/48). Our Committee encourages the parties and the international community to implement the

recommendations contained in that report. Responsibility and accountability must be established, and everything must be done to prevent a reoccurrence of the devastation caused by Israel during the war in Gaza and the human tragedy it brought to the civilian population of Gaza.

The best solution would be a negotiated solution that would end the occupation, ensure the exercise by the Palestinian people of its inalienable rights and guarantee security for the State of Israel. Such a settlement must be based on international law, relevant United Nations resolutions and the principles outlined in the Road Map and the Arab Peace Initiative.

On a number of occasions, the Committee has voiced its concern about internal Palestinian divisions that block national reconciliation and the reunification of the West Bank and Gaza under the aegis of the Palestinian Authority. The Committee supports all efforts, in particular those by Egypt, aimed at restoring Palestinian national unity, which is indispensable for a permanent settlement of the question of Palestine.

The Committee firmly believes that the United Nations should continue to maintain its permanent responsibility towards the question of Palestine until it is effectively resolved in all its aspects in accordance with international law and legitimacy. The Committee calls on the Security Council to act decisively to ensure implementation of its own resolutions with respect to the question of Palestine, in particular resolutions 242 (1967) and 338 (1973). The Committee also hopes that the Council, as the principal United Nations organ responsible for the maintenance of international peace and security, will live up to its obligations under the Charter. For its part, the Committee will continue to fulfil the mandate entrusted to it by the General Assembly, the purpose of which is to help the Palestinian people to realize its inalienable rights.

In this context, I wish to introduce to the Assembly the four draft resolutions approved by the Committee and circulated under agenda item 16, in documents A/64/L.20, A/64/L.21, A/64/L.22 and A/64/L.23.

The first three draft resolutions are related to the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, of the Division for Palestinian Rights of the Secretariat and of the special information programme on the question of Palestine of the Department of Public Information.

They reaffirm the important mandates entrusted to this organ of the General Assembly and to the divisions of the Secretariat. As in the past, the Committee intends to ensure that its resources placed at its disposal are used in the most cost-effective manner for all activities relevant to its mandate. These three draft resolutions have been updated.

The fourth draft resolution, entitled "Peaceful settlement of the question of Palestine", reaffirms the position of the General Assembly with regard to the essential elements of such a settlement and includes references to developments during the past year. This draft reaffirms in particular our full support for the Middle East peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative, the Quartet road map and the existing agreements between Israel and the Palestinians.

The four draft resolutions I have just introduced outline positions, mandates and programmes that are of special importance, in particular at the crucial juncture where we find ourselves today. I call on Member States to vote in favour of the draft resolutions and support the important goals contained therein.

**The President** (*spoke in Arabic*): I now give the floor to His Excellency Mr. Saviour Borg of Malta, Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to introduce the Committee's report.

**Mr. Borg** (Malta): It is an honour for me, in my capacity as Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to present to the General Assembly the annual report of the Committee, contained in document A/64/35. Indeed, the report I am presenting today is the Committee's thirty-third report to the Assembly.

For the past three decades the Committee has followed the recommendations that it made in its first report to the Assembly, recommendations that have been endorsed by the Assembly in its 32 subsequent sessions, as a basis for the solution of the question of Palestine. However, as indicated in paragraph 2 of this year's report,

"The recommendations of the Committee contained in its first report could not be implemented, and the Assembly each year

renewed the Committee's mandate in pursuit of the tasks assigned to it."

Allow me now to summarize each section of the report.

Chapters I through III cover the Committee's objectives and its general perspective on the events that have taken place in the course of the year. They also summarize the General Assembly mandates to the Committee and contain information on the organization of the Committee's work during the year.

In Chapter I, the introduction to the report, a number of facts are highlighted. They include in particular the Committee's consistent support for a peaceful solution of the question of Palestine; the stagnation of the political process, lack of progress in efforts to unite the West Bank and the Gaza Strip under the Palestinian Authority, and the worsening situation on the ground throughout the occupied Palestinian territory, including East Jerusalem; the failure of the political process between the Israeli and Palestinian sides, which was resumed after the Annapolis Conference of November 2007, to produce any tangible results; the response by the international community to the assault on Gaza by calling for calm and respect for the lives of innocent civilians; the continued efforts by the Quartet to achieve a comprehensive resolution of the Arab-Israeli conflict; and the Committee's activities which sought to draw attention to the urgent need for coordinated and collective efforts to mitigate the negative developments occurring on the ground.

In Chapter IV the report reviews the situation, monitored by the Committee during the year, in the occupied Palestinian territory, including East Jerusalem, as well as the relevant political situation. This chapter contains a detailed factual account of events that took place in the period under review, as well as the role played by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Office for the Coordination of Humanitarian Affairs in alleviating the hardships that the populations suffer because of the situation prevailing in and around the occupied Palestinian territory, including East Jerusalem and the Gaza Strip.

Chapter V reviews the action taken by the Committee in accordance with Assembly resolution 63/26, including action taken in the Assembly and the Security Council and the participation of the Committee Chairman in the debates of these two

principal organs of the United Nations. The chapter reviews statements issued by the Committee and its Bureau and the Committee's continued dialogue and consultations with Governments, United Nations agencies and programmes, intergovernmental organizations, non-governmental organizations and parliamentarians. It also reports on the series of international meetings and conferences organized by the Committee. The valid role and mandated activities carried out by the Division for Palestinian Rights are appropriately reflected in the report.

Chapter VI provides an overview of the work done over the year by the Department of Public Information (DPI) in pursuance of Assembly resolution 63/28 of 26 November 2008. In particular, it outlines in some detail the role of DPI in the implementation of its special information programme on the question of Palestine in order to raise the awareness of the international community on that question, as well as on the situation in the Middle East, in such a way as to contribute actively to an atmosphere conducive to dialogue and supportive of the Middle East peace process.

The last Chapter of the report contains the Committee's conclusions and recommendations. The Committee has repeatedly expressed, throughout the reporting period, its utmost concern about the ever-deteriorating situation in the occupied Palestinian territory, including East Jerusalem, and the breakdown of the political process. It condemned the offensive by the Israeli military in the Gaza Strip late last year and in the beginning of this year. The Committee also denounced the firing of rockets and mortar rounds by Palestinian militants from Gaza. The Committee expressed its deep alarm about the resultant suffocating blockade of the Gaza Strip, which continues to be imposed by Israel after the thousands of casualties among the civilian population and massive destruction of Palestinian homes, property and infrastructure caused by the offensive.

In this regard, the Committee reminds Israel, the occupying Power, of its obligation under the Fourth Geneva Convention to protect the civilian population under its occupation and to act within the ambit of international law. The Committee recommends that the international community consider strengthening respect of international humanitarian law by creating appropriate mechanisms to monitor adherence, and that the High Contracting Parties take, individually or

collectively, the measures they deem appropriate to ensure respect for the Convention, including the convening of a conference of the High Contracting Parties to address the subject of respect and ensuring respect for the Convention.

The Committee notes that the actions of the Israeli Defence Forces during Operation Cast Lead in the Gaza Strip led to serious allegations of violations of international humanitarian law and, possibly, war crimes. The Committee commends the work of the various investigative missions and, at the same time, expresses its disquiet over an almost complete denial by Israel of any violations of the rules governing the conduct of war. The Committee deplores the lack of Israeli cooperation with some of the missions. The Committee expresses its view that the perpetrators of serious crimes on either side should be brought to justice and held accountable for their actions, and calls for the recommendations contained in the various reports to be implemented.

The Committee also expresses its serious concern over Israel's ongoing settlement activity and reiterates that the presence of settlements in the occupied Palestinian territory, including East Jerusalem, is illegal under international law. In this context, the Committee welcomes the fact that the international community has remained focused on the damaging effects of Israel's settlement policies for the achievement of a two-State solution and calls for serious action to be taken in that regard. The Committee also expresses its concern about the accelerated creation of *faits accomplis* in East Jerusalem, including recent policy statements and illegal unilateral measures by the Government of Israel. The Committee reiterates that East Jerusalem is part of the occupied Palestinian territory, and that a negotiated solution to the question of Jerusalem, based on international law, is absolutely essential to resolving the Israeli-Palestinian conflict and crucial for a durable peace in the whole region. Moreover, the Committee denounces the continued construction of the wall in the occupied Palestinian territory, including East Jerusalem, and recommends that the international community take more determined action challenging the presence of the wall.

The Committee notes that as result of those detrimental developments and the continuing Israeli occupation, no progress has been achieved in the realization of the inalienable rights of the Palestinian

people. The Committee reiterates its full support to the international consensus that the only viable solution to the conflict and the exercise by the Palestinian people of its inalienable rights is the creation of a Palestinian State in the territory occupied by Israel in 1967, living side by side with Israel in peace and security. To that end, the Committee calls for the resumption of the permanent status negotiations between Israel and the Palestinians. The Committee also calls for invigorated efforts by all to work to reconcile their positions on the basis of the prevailing consensus on the need to achieve a two-State solution, which would lead to the exercise by the Palestinian people of its inalienable rights.

The Committee also emphasizes the useful and constructive contribution of the Division for Palestinian Rights in support of its mandate. It expresses the view that that the programme of international meetings and conferences implemented by the Division contributes to focusing the attention of Governments, intergovernmental and civil society organizations and the public on the urgency of bringing about the two-State solution and mobilizing assistance to the Palestinian people. The Committee intends to further generate wide support for a peaceful solution of the conflict based on international law and relevant United Nations resolutions through its programme of international meetings and conferences for 2010. Furthermore, the Committee intends to reach out, with the assistance of United Nations entities on the ground, to the people most affected by the status quo, namely, refugees and Palestinians living under occupation, and to members of the Israeli public to involve them in the search for solutions, to promote dialogue and common projects and to win their backing for a settlement negotiated by their leaders and supported by the international community. The Committee wishes to contribute to efforts aimed at ending incitement on both sides, provide a venue to have the narratives heard and reconciled and, with the help of civil society, promote peace education on the ground. It will pay particular attention to the empowerment of women and their organizations in this process.

The Committee also commends civil society organizations for their support of the Palestinian people and lauds the courageous advocacy actions of numerous activists, including parliamentarians, who have participated in demonstrations against the wall, provided assistance to Gaza and kept their home

constituencies informed about the harsh realities of life under occupation. The Committee will continue to assess its programme of cooperation with civil society organizations and consult them on ways to enhance their contribution. The Committee also commits to further developing its cooperation with parliamentarians and their umbrella organizations, which have a special responsibility to ensure that their Governments actively promote and support the realization of a two-State solution and ensure respect for international law, in accordance with their international obligations.

Lastly, the Committee expresses its view that the Department of Public Information's special information programme on the question of Palestine has made and continues to make an important contribution to informing the media and public opinion of the relevant issues. In this regard, the Committee requests the continuation of the programme with the necessary flexibility as warranted by developments relevant to the question of Palestine.

In closing, I would like to express the hope that the report I have just presented will be of assistance not only to the Members of this Assembly in its deliberations on the question of Palestine but also serve as another clarion call to all States and parties to join in this endeavour and to expand their cooperation and support to the Committee. In that context the Committee invites the General Assembly again to recognize the importance of the Committee's role and to reconfirm its mandate.

**The President** (*spoke in Arabic*): I now give the floor to His Excellency Riyad Mansour, Chairman of the observer delegation of Palestine.

**Mr. Mansour** (Palestine) (*spoke in Arabic*): Allow me at the outset, Sir, to express our deep appreciation for your wise leadership and excellent stewardship of the General Assembly. At the same time, it is my pleasure to express our gratitude and appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to its Chairman, His Excellency Ambassador Paul Badji, to all members of the Committee and to the members of the Bureau. I also wish to thank the Division for Palestinian Rights and the Department of Public Information of the United Nations Secretariat for their tireless efforts and serious work to mobilize international support for the Palestinian cause and for

the Palestinian people in their endeavour to realize their inalienable rights. I also express gratitude to the Secretary-General, His Excellency Mr. Ban Ki-moon, for his efforts to serve the cause of peace.

We gathered this morning in the Trusteeship Council Chamber to solemnly commemorate the International Day of Solidarity with the Palestinian People. Our people express their profound gratitude for the solidarity and the support for their cause, which have been reaffirmed on this Day from all corners of the world. The Day is traditionally observed on 29 November, the date in 1947 when the General Assembly adopted resolution 181 (II), which partitioned historic Palestine into two States — one of which is Palestine, which has yet to see the light of day, and the other, Israel. That resolution led to the tragedy and injustice that befell the Palestinian people, who were uprooted from their land, dispossessed and dispersed and who suffered the loss of their homeland in 1948. The Day also reaffirms the continuing international commitment, including on the part of the United Nations, to uphold its historic responsibility with regard to the question of Palestine until it is resolved in all its aspects, in accordance with international law and United Nations resolutions.

The consequences of the Nakba are known to everyone. More than half the Palestinian people, comprised of more than three generations of families, continue to live in exile as refugees after their displacement from their homeland. They are scattered in all parts of the world, with millions still languishing in refugee camps and denied the right to return to their homes to live in peace with their neighbours, and are suffering innumerable hardships. The rest of the Palestinian people, including refugees, continue to live under Israeli occupation in the Palestinian territory, including East Jerusalem, and are continually suffering repression, punishment and violations of their basic rights.

Israel, the occupying Power, continues to deny the rights of the Palestinian people and to slight international law, including international humanitarian law and human rights law. At the same time, it continues its illegal colonial settlement by building and expanding settlements and by constructing the separation wall in the occupied Palestinian territory, including East Jerusalem, aimed at advancing its expansionist plans by creating facts on the ground so as to alter the character, status and demographic

composition of the occupied Palestinian territory. The Israeli occupying forces use excessive and indiscriminate military force against Palestinian civilians, in flagrant violation of the Fourth Geneva Convention. That has resulted in the loss of innocent lives, including children and women, and many injuries and cases of psychological trauma among the civilian population, as well as the destruction of property, homes, agricultural fields and the Palestinian infrastructure. Acts of violence, harassment, provocation, incitement and terror against Palestinian civilians continue to be committed by the armed extremist Israeli settlers who have been transferred illegally to the occupied Palestinian territory.

In addition, Israel, the occupying Power, continues to arbitrarily detain and imprison approximately 11,000 Palestinian civilians, including children and women. Moreover, Palestinian prisoners and detainees continue to be subjected to physical and mental ill-treatment, solitary confinement and torture. They are denied family visits, adequate medical care and food and are held in completely unsanitary and inhumane conditions, in violation of all rules and principles of international humanitarian law.

Since its occupation of the Palestinian territory, Israel has persistently pursued a policy of collective punishment against the Palestinian people by imposing closures and restrictions on the movement of persons and goods within, into and out of the occupied Palestinian territory, including East Jerusalem, which has been completely cut off from the rest of the occupied Palestinian territory. That policy has led to obstructing Palestinian access to schools, hospitals, farms and work and holy places and to preventing the arrival of food supplies and humanitarian aid. That policy is reflected in its ugliest forms through the complete blockade of the Gaza Strip and the creation of more than 550 checkpoints and roadblocks in the West Bank, in addition to the settlements, the separation wall, bypass roads, the permit regime and, in particular, the residency restrictions imposed on the Palestinian inhabitants of Jerusalem.

At the same time, Israel continues to defy the consensus of the international community, which demands the cessation of Israel's illegal settlement activities. Israel is continuing its colonization campaign in the occupied Palestinian territory, including East Jerusalem, in grave breach of the Fourth Geneva Convention and its Additional Protocol I, in

violation of United Nations resolutions and in complete disregard for the 9 July 2004 Advisory Opinion of the International Court of Justice, showing deliberate disrespect for the commitments made in the peace process.

The city of East Jerusalem is subjected to a feverish campaign through the continued expansion of settlements and the transfer of settlers, the destruction and seizure of Palestinian homes, the displacement of its inhabitants, severe residence restrictions and the serious excavations beneath and around Al-Aqsa Mosque that threaten its foundations. All those illegal Israeli measures and actions are clearly aimed at changing the character, status and demographic composition of the city.

The immoral Israeli practices forcibly displacing Palestinians and replacing them with unlawful settlers are illegal and must be seriously condemned and seriously and immediately addressed by the international community. Such actions constitute war crimes under article 8 of the Rome Statute of the International Criminal Court, a violation of article 49 of the Fourth Geneva Convention, and grave breaches of international humanitarian law under article 147 of the Convention. They are also in violation of numerous United Nations resolutions, including Security Council resolutions 476 (1980) and 478 (1980).

The ongoing building of additional colonial settlement units in the occupied Palestinian territory by the Israeli Government, including in East Jerusalem, are stark evidence of Israel's continued policy of seizure and confiscation of Palestinian land and reflect the absolute arrogance of power and disdain for the international will and consensus in that regard and for the resolutions of international legitimacy that affirm that occupied East Jerusalem is an integral part of the occupied Palestinian territory and that all Israeli settlement and annexation activities in the city are null and void and have no legal validity.

Allowing Israel to continue its campaign of illegal colonial settlement seriously jeopardizes the chances of achieving peace in the future. That campaign undermines not only the contiguity, integration and unity of the occupied Palestinian territory but also the efforts seeking to achieve a two-State solution.

The brutal military aggression launched by Israel on 27 December 2008 against the defenceless

Palestinian civilians in the Gaza Strip viciously killed more than 1,400 people, including hundreds of innocent children and women, and left more than 5,500 injured. Undoubtedly, that was a disgraceful illustration of Israel's complete disregard for human rights and for the sanctity of human life. At the same time, Israel has continued its illegal and unjust blockade of the Gaza Strip in collective punishment of the entire Palestinian population of Gaza. That blockade has turned the Gaza Strip into a large prison and exacerbated the humanitarian crisis, causing massive poverty, hunger, disease and unemployment.

Regrettably, the selectivity and inaction of the international community, including the Security Council, has allowed Israel, the occupying Power, to continue its shameful violations of international law and international humanitarian law and human rights law against the Palestinian civilian population in the occupied Palestinian territory, including East Jerusalem. Undoubtedly, the international community's failure to hold Israel accountable for its violations and war crimes has reinforced Israel's impunity and lawlessness, allowing it to continue to use military force and collective punishment against the defenceless Palestinian people under its occupation.

The investigation carried out by the United Nations Fact-Finding Mission on the Gaza Conflict clearly confirmed that Israel, the occupying Power, had committed serious human rights violations and grave breaches of international humanitarian law, including the Fourth Geneva Convention, amounting to war crimes and even crimes against humanity against the Palestinian people. It also concluded that the absence of accountability and, worse still, in many instances the lack of any expectation thereof is what allowed Israel, to a large extent, to continue its violations and to persist in the culture of impunity that it has enjoyed for more than four decades. That has not only gravely deepened the injustice and suffering endured by the Palestinian people, but has also undermined the credibility of international law and of the international order as a whole.

In that regard, resolution 64/10, adopted by the General Assembly on 5 November 2009, is an important step in the direction of beginning the process towards ensuring accountability and justice. In addition to efforts made to address that serious issue in the General Assembly, we will continue to call on all relevant United Nations bodies, including the Security

Council, to shoulder their responsibility and on the High Contracting Parties to the Fourth Geneva Convention to accept their individual and collective legal obligations and responsibilities in order to embark on a new era for our people and for the entire world, based on respect for international law — the true guarantor of peace, freedom, security and human dignity.

The international community, in particular the Security Council, must shoulder its responsibility by sending a clear and strong message to the occupying Power that the international community will no longer tolerate its illegal practices, violations and crimes, because the duty to abide by the principles of international law should be above all other considerations that may make a mockery of our international system. Such principled commitment to the law will help us to break that vicious cycle of impunity and to bring an end to the crimes that have caused so much suffering and have prolonged that tragic conflict, as well as to ensure the protection of the Palestinian civilian population. There is no doubt that that would bring an end to the human suffering caused by the Israeli occupation of our people, create an appropriate and more stable environment for achieving peace and a two-State solution and put an end to the Palestinian-Israeli conflict and the Arab-Israeli conflict as a whole.

There will be no peace, security or stability in the Middle East as long as the question of Palestine remains unresolved. That cannot be achieved while Israel continues to defy the law and continues not to fulfil its legal obligations, remaining an absent or unwilling partner in the peace process and constantly trying to impose a solution based on military force.

We are going through a period of serious political activity in order to revitalize a political process aimed at achieving a comprehensive peace agreement. However, we again emphasize that launching that process should be based on each party, in particular Israel, implementing its obligations under the first phase of the Road Map, which basically calls for the complete cessation of all forms of settlement activities and the commitment to resolving the final status issues, in accordance with the known terms of reference, in particular Jerusalem, refugees, borders, water, security and others. That position is the core of the Arab Peace Initiative, which we and all international Powers,

without exception, in particular, the Quartet, have been pursuing.

We affirm that the Palestinian leadership, in any future political move, will adhere firmly to its commitment to the national programme and the Palestinian peace initiative endorsed by the Palestinian National Council, as stated in the Declaration of Palestinian Independence of 15 November 1988, to its obligations in the peace process in the Middle East that began in 1991, and to the two-State solution for the establishment of an independent State of Palestine, with East Jerusalem as its capital, in the Palestinian territory under Israeli occupation since 1967. The Palestinian leadership remains committed to the Madrid terms of reference and the principle of land for peace, Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008), the Arab Peace Initiative and the road map.

However, we wish to reiterate that the Palestinian leadership fully rejects any ideas or schemes pertaining to an alternative homeland, to resettlement, or to a State with provisional borders. We reject Israel's toying with the peace process and using it as a cover to achieve its expansionist and settlement objectives, including the latest theatrical declaration by the Israeli Prime Minister of a partial and provisional suspension of settlement building in the West Bank but not in East Jerusalem. That is not subject to debate. The State of Palestine will be based on the entire territory occupied in 1967 and on a solution to the Palestine refugee issue. The interests of Palestinians, wherever they are, form an indispensable priority that must be solved justly, in accordance with United Nations resolution 194 (III) of 1948. The only means to resolve the conflict and to achieve peace in our region is complete withdrawal of Israel from all Palestinian, Syrian and Lebanese territories occupied since 1967 and a just solution of the issue of Palestinian refugees.

The obligations of the Palestinian and Israeli sides are specific and unambiguous. The Palestinian side has fulfilled all of its obligations, unlike Israel, which has not complied with any of its obligations, including in particular halting its settlement activities. We are not placing any preconditions but we demand that Israel fulfil its obligations as called for in the road map referred to in Security Council resolution 1515 (2003).

In conclusion, I wish to reiterate the immense gratitude and appreciation of the Palestinian people for all the support and solidarity extended to it over the years by the international community, including the United Nations. In that connection, we express the hope that all countries will vote in favour of all of the draft resolutions submitted under the agenda items on the question of Palestine and the situation in the Middle East, as well as all other draft resolutions relevant to Palestine that will be put before the Assembly. We firmly believe in the principles and purposes of the Charter of the United Nations and of international law. We also believe that all free and peace-loving nations of the world stand for peace and justice and support the question of Palestine because it is a just and noble cause and because they wish to see an end to the suffering and pain of our people through the realization of their rights and freedom and the establishment of an independent State of Palestine. They also wish to see an end to decades of occupation and cycles of violence, so that peace, security, stability, justice and prosperity will be achieved for all peoples of the Middle East region. We express the hope that one day soon we shall gather here to celebrate the inclusion of the free and independent State of Palestine among the family of nations.

**Mr. Abdelaziz** (Egypt): I have the pleasure of addressing the General Assembly on this important occasion on behalf of the Non-Aligned Movement.

Today we mark the International Day of Solidarity with the Palestinian People, which provides a special opportunity for the international community to reaffirm its support for the legitimate endeavours of the Palestinians to restore and fully exercise their inalienable rights, foremost among which is the right to establish an independent, sovereign and viable State of Palestine with East Jerusalem as its capital. The Movement believes that the achievement of such a lofty goal 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 Non-Aligned Movement therefore calls for the early resumption of the peace process. It regrets the lack of progress that has been made, despite the international consensus on the urgent need for peace and the increased efforts by the international community to achieve a just and lasting solution to the question of Palestine and comprehensive peace in the

Middle East region. Regrettably, no progress has been made, owing to Israel's continued defiance of United Nations resolutions and international law, including international humanitarian and human rights law. The international community must not waver in its calls upon Israel to cease its violations and to return to negotiations in good faith.

Since the consideration of the agenda item on the question of Palestine by the General Assembly in 2008, Israel, the occupying Power, has not ceased its unlawful practices in the occupied Palestinian territory, including its collective punishment of the Palestinian people in the Gaza Strip and its illegal settlement activities in the West Bank. Moreover, Israel has used excessive and indiscriminate force against Palestinian civilians and has committed grave breaches of international humanitarian law and human rights law, as described by the United Nations Fact-Finding Mission on the Gaza Conflict, the United Nations Headquarters Board of Inquiry and the independent fact-finding mission of the League of Arab States. Israel's activities have had a negative impact on the conducive environment needed to achieve the objective of peace. They have also affected endeavours to resume negotiations and reach an agreement on final status core issues.

Israel is continuing to impede efforts to resume peace negotiations by oppressing the Palestinian people, refusing to stop settlement activities and trying to impose unilateral solutions by creating new facts on the ground whose aim is to alter the status and character of occupied Palestinian territory, including East Jerusalem. Israel does not refrain from measures that prejudice the outcome of negotiations on final status issues, namely, those of Jerusalem, settlements, refugees, borders, security and water. Such illegal measures undermine confidence, inflame tensions on the ground, prevent any progress and raise questions about Israel's credibility as a partner for peace.

Israel is continuing its illegal settlement activities in the West Bank, in particular in and around East Jerusalem. It is also intensifying its confiscation of Palestinian land, expanding settlements, transferring Israeli settlers, constructing the wall and engaging in other destructive measures, including demolishing more Palestinian homes, in an attempt to annex de facto more Palestinian territory. All of that is being done in grave breach of international law, United Nations resolutions and Israel's commitments under the

road map, which clearly call upon Israel to freeze all settlement activities, including as a result of natural growth, and to dismantle all settlement outposts established since March 2001.

The Non-Aligned Movement continues to have grave concerns in that regard. It also wishes to raise a warning with regard to the effects of Israel's ongoing policy and the prospects for achieving a two-State solution and establishing a viable Palestinian State. Furthermore, the Non-Aligned Movement is alarmed about the latest illegal Israeli measures in the occupied West Bank, including its approval of the construction of 900 additional new housing units in the Gilo settlement, south of East Jerusalem. That contradicts the internationally supported objective of resolving the conflict through the peace process. Settlement activities undermine the possibility of realizing a two-State solution. The Non-Aligned Movement would like to draw the attention of the international community to the fact that Israeli settlement expansion in occupied East Jerusalem is accelerating at an unprecedented rate. That expansion requires the demolition of Palestinian homes and the eviction and displacement of hundreds of Palestinian families in a flagrant and illegal attempt to alter the demographic composition, status and nature of the city and to pre-empt any final solution to the conflict.

Concerning the situation in occupied East Jerusalem, the Non-Aligned Movement would like to express its grave alarm and warn against the continued and persistent attacks by extremist and militant Israeli settlers, with the protection of Israeli forces, against Palestinian worshippers at the Islamic holy sites of Al-Haram Al-Sharif and the Al-Aqsa Mosque. Such attacks pose a threat and constitute a provocation in an already volatile situation in the occupied city.

The Non-Aligned Movement expresses its grave concern that, in defiance of the clear international consensus rejecting Israeli illegal colonization in occupied East Jerusalem, Israel is continuing to construct settlements in the city and, inter alia, to demolish Palestinian homes, evict Palestinian families, confiscate their land and property and carry out excavations in the city, including in the vicinity of the Al-Haram Al-Sharif compound.

The Non-Aligned Movement condemns Israel's continuing provocations and illegal actions against the city's holy sites and against its Palestinian inhabitants,

who are living under foreign occupation. Furthermore, the Non-Aligned Movement reiterates that it deplors all Israeli actions and provocative measures aimed at altering the demographic composition, geographic nature, character and status of occupied East Jerusalem. The Non-Aligned Movement believes that the time has come for the Security Council to pronounce itself and to take a clear position and serious actions with regard to Israel's violations in occupied East Jerusalem.

The situation in Gaza also continues to be a matter of grave concern for the Non-Aligned Movement. We have repeatedly stressed the fact that the current situation in Gaza is unacceptable and unsustainable and has negative repercussions on all efforts to advance the peace process. By closing all its crossing points to Gaza, Israel is continuing to impose a blockade on the Palestinian civilian population, thereby depriving it of its humanitarian needs.

Israel is also continuing to prevent Gaza's reconstruction, in violation of international humanitarian law and United Nations resolutions, including Security Council resolution 1860 (2009) and the resolution adopted at the resumption of the tenth emergency special session of the General Assembly (ES-10/18) on 15 and 16 January 2009. The Non-Aligned Movement demands that Israel immediately lift its illegal blockade and allow for the immediate and sustained opening of all border crossings to alleviate the humanitarian crisis and to achieve the urgent early recovery and reconstruction of the Gaza Strip.

The Non-Aligned Movement stresses the urgent need for reconstruction to begin in Gaza, including through the implementation of the Secretary-General's proposal for the commencement of United Nations-led civilian reconstruction activities and the completion of numerous suspended projects managed by United Nations agencies working on the ground despite the availability of funds. The Non-Aligned Movement regrets the continued obstruction of the import of essential reconstruction materials into Gaza as a result of the ongoing Israeli blockade.

A peaceful settlement of the question of Palestine requires a rapid response and intensive efforts by the international community to rectify the unlawful current situation in the occupied Palestinian territory and to commit Israel to comply with its obligations under

international law and international humanitarian law. The Non-Aligned Movement believes that respect for international law will bring about a real change in the situation and create the appropriate environment for pursuing the negotiation of a final, just and lasting settlement that will bring the peace, stability and coexistence that our long-troubled region needs and deserves.

The Non-Aligned Movement calls upon the Security Council to act in conjunction with the General Assembly to fulfil its permanent responsibility with regard to the question of Palestine until it is resolved through the establishment of a Palestinian State, thereby fulfilling the vision of a two-State solution.

In conclusion, the question of Palestine and the Middle East peace process is now at a crucial juncture. Fulfilling the vision of the two-State solution of Palestine and Israel living side by side in peace and security is the only way to settle the question of Palestine and to restore peace in the Middle East. The Non-Aligned Movement supports the achievement of the two-State solution and will continue to support the Palestinian people and its leadership in their endeavours to bring an end to the long-standing Israeli occupation, which began in 1967, through a just, lasting and peaceful solution in accordance with international law and United Nations resolutions.

**Mr. Ja'afari** (Syrian Arab Republic): I have the honour to make this statement on behalf of the Organization of the Islamic Conference (OIC).

The OIC would like to express its serious concern about the grave situation in the occupied Palestinian territory, in particular the continuing inhuman Israeli blockade and the dire humanitarian crisis being imposed on the Palestinian civilian population in the Gaza Strip, as well as the ongoing illegal colonization campaign being carried out by Israel, the occupying Power, in and around Al-Quds Al-Sharif.

The international community has witnessed and condemned Israel's 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, the transfer of more Israeli settlers, the continued construction of the separation wall in and around the holy city, which includes changing its demographic and geographic character, the restrictions on the freedom of movement

of Palestinian citizens, their unlawful detention, the demolition of Palestinian houses and, in particular, the continued excavation work in and around the Al-Aqsa mosque.

The OIC emphasizes that the question of the holy Al-Haram Al-Sharif in Al-Quds Al-Sharif is a red line that cannot be addressed with laxity or be the subject of any debate. Any prejudice to the holy Al-Aqsa mosque will have very serious repercussions for the Islamic world and is likely to destabilize the region.

The OIC affirms its unwavering support for the stand of the State of Palestine based on a commitment to the right of sovereignty over Palestinian territories occupied in 1967, including Al-Quds Al-Sharif, Al-Haram Al-Sharif and all Christian and Muslim holy places that are part of the Palestinian territories occupied since 4 June 1967. It also emphasizes that Al-Quds is the capital of the independent State of Palestine. In that regard, the OIC rejects any attempt to undermine the Palestinian right of sovereignty over Al-Quds Al-Sharif.

We strongly condemn the recent attacks by the Israeli occupying forces and extremist settlers perpetrated against Palestinian civilians and worshippers at Al-Aqsa mosque and the Al-Haram Al-Sharif compound in occupied Al-Quds Al-Sharif. Our group reiterates its condemnation of Israel's persistent aggression against Islamic and Christian holy places in Al-Quds Al-Sharif and against the Palestinian inhabitants of the holy city. That aggression continues to cause rising tensions and mounting difficulties for the Palestinian inhabitants of the city in all spheres of life.

That ongoing aggression is a new chapter in the constant saga of terror committed by Israel, the occupying Power. This current aggression began on 27 September 2009 with Israel's excavation activity, which seeks to undermine the symbolic and sacred significance of the city for Muslims throughout the world and to the Islamic faith itself.

Early this year, the international community witnessed with horror the events in the occupied Gaza Strip. The Goldstone report (A/HRC/12/48) confirmed the international community's worst fears about the commission of war crimes and crimes against humanity, including wilful killings, deliberate attacks on civilian objects, the wanton destruction of civilian property, indiscriminate attacks, the use of human

shields and collective punishment against Gaza's civilian population in the form of a continuing blockade by Israel during its aggression on the Gaza Strip, which continues to this very moment.

The OIC welcomes the General Assembly's adoption, on 5 November 2009, of resolution 64/10, entitled "Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict". We are of the view that this resolution constitutes an important first step in remedying those Israeli violations, which have been confirmed and authenticated in the Goldstone report. Hence, further action is yet to be taken by the relevant organs and bodies of the United Nations, including by the Security Council, in order to bring the Israeli perpetrators of those crimes to justice and to put an end to Israel's impunity and above-the-law attitude.

Israel has left behind much more than dead and injured Palestinians in the bleeding Gaza Strip. Israeli jets, tanks and battleships could see only one target on their radar screens — civilians — and yet they fired. That was documented by a United Nations team. Israel has therefore placed the United Nations in a situation in which it has either to react or to tell us why it does not.

The OIC remains deeply concerned by Israel's ongoing air and land violations of Lebanon's sovereignty, in breach of Security Council resolution 1701 (2006). The OIC calls on Israel to withdraw fully from the remaining Lebanese occupied land in the Shab'a Farms, the Kfar Shouba hills and the northern part of the village of Al-Ghajar.

The OIC also reaffirms that all measures and actions taken or to be taken by Israel, the occupying Power, to alter the legal, physical and demographic status of the occupied Syrian Golan and its institutional structure or to impose jurisdiction and administration there are null and void and have no legal effect. The OIC demands that Israel abide by Security Council resolution 497 (1981) and withdraw fully from the occupied Syrian Golan to the lines of 4 June 1967, in implementation also of Security Council resolutions 242 (1967) and 338 (1973).

The OIC calls for an intensification of efforts by the international community aimed at accelerating the process of achieving a just and comprehensive peace settlement on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including

the principle of land for peace, the Arab Peace Initiative and the Road Map. In that regard, the OIC reiterates its firm and unwavering support for the just cause of Palestine. The OIC calls for the speedy realization by the Palestinian people of their inalienable rights, including their right to self-determination, with the establishment of their independent State of Palestine, with Al-Quds Al-Sharif as its capital, and a just solution to the plight of the Palestine refugees on the basis of resolution 194 (III).

**Mr. Lidén** (Sweden): I have the honour to speak on behalf of the European Union (EU). Turkey, Croatia, the former Yugoslav Republic of Macedonia, Albania, Montenegro, Serbia, Iceland, Ukraine and the Republic of Moldova align themselves with this statement.

The European Union continues to be concerned about the current lack of movement in the Middle East peace process. The combination of negative developments on the ground and limited achievements in the diplomatic efforts is dangerous. At this juncture, relaunched negotiations and positive movement on the ground are 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.

The European Union remains committed to a comprehensive settlement of the Arab-Israeli conflict on the basis of international law, the relevant resolutions of the Security Council, the terms of reference of the Madrid Conference, including the principle of land for peace, the Road Map, the agreements previously reached by the parties and the Arab Peace Initiative. We reiterate the need to ensure a political solution, with two states — Israel and an independent, democratic and viable Palestinian State — living side by side in peace and security. We welcome the United States Administration's commitment to pursuing vigorously the two-State solution and comprehensive peace in the Middle East. The European Union is ready to work with the parties to the conflict as well as with the United States, other Quartet members and Arab partners to achieve that goal. The two-State solution is the road to future security for both peoples.

Both parties must now take concrete measures to resume peace negotiations, while respecting previous agreements and understandings. The continuing settlement activities, house demolitions and evictions

in the occupied Palestinian territories, including in East Jerusalem, remain a serious concern for the European Union. We urge the Government of Israel to end immediately those settlement activities, including so-called natural growth, and to dismantle all outposts erected since March 2001. The European Union reiterates that the settlements are illegal under international law and constitute an obstacle to peace. The EU will not recognize any changes to the pre-1967 borders other than those agreed by both parties.

A durable solution to the Gaza crisis has to be achieved through the full implementation of Security Council resolution 1860 (2009). The European Union remains gravely concerned at the humanitarian situation in Gaza and calls for the immediate and unconditional opening of crossings to the flow of humanitarian aid, commercial goods and persons to and from Gaza. Reconstruction and economic recovery have to be allowed. An effective mechanism to prevent ammunition smuggling into the Gaza Strip must also be established. The European Union calls for a complete stop to all violence, including a sustained halt to rocket attacks against Israel. We reiterate our call on those holding the abducted Israeli soldier Gilad Shalit to release him without delay.

The European Union is also very concerned about the recent incidents in East Jerusalem. We have been following closely the situation around the Al-Aqsa mosque and the Temple Mount/Al-Haram Al-Sharif. We urge all parties to refrain from any provocative actions that could further inflame tensions or lead to violence. Everyone must take action to avoid escalation. If there is to be genuine peace, a way must be found to resolve the status of Jerusalem as the future capital of two States.

This year, as we commemorate the sixtieth anniversary of the four Geneva Conventions, the European Union reiterates the importance it attaches to the Geneva Conventions, which, together with their Additional Protocols, form the heart of international humanitarian law. We call on all parties to stop incitement and violence against civilians. Respect for international humanitarian law and human rights law must be ensured. The European Union emphasizes the importance of appropriate and credible investigations into possible violations of international human rights law and international humanitarian law.

The European Union calls upon the Palestinians to step up the intra-Palestinian reconciliation efforts behind President Mahmoud Abbas. We support the mediation by Egypt and the Arab League. The European Union will continue to promote Palestinian State-building and will intensify work on reforms, in partnership with the Palestinian Authority. The efforts of the Palestinian Authority to develop an effective and reformed security sector are positive. We will cooperate towards additional improvement. Civilian police and the judicial sector will continue to be a focus of European Union support.

The declared readiness of the Government of Israel to promote Palestinian economic development is a positive sign. This should be carried out within the framework of the broader perspective of the two-State solution. The European Union welcomes the positive steps taken by the Israeli authorities regarding the easing of restrictions on the West Bank. The ongoing limitations of freedom of movement in the West Bank negatively affect the human rights situation. We therefore look forward to further and sustained improvements of movement and access in all of the occupied Palestinian territories. The Agreement on Movement and Access of 2005 must be fully implemented. The European Union is ready to work closely with Israel, the Palestinian Authority and international donors to achieve the sustainable development of the Palestinian economy.

The European Union will contribute substantially to post-conflict arrangements aimed at ensuring the sustainability of peace agreements and addressing the regional economic and security dimensions. We call on all partners in the international community to contribute actively to the achievement of a comprehensive settlement. In the light of further developments at the political level and on the ground, the European Union stands ready to support concrete and early results on the path to a comprehensive settlement of the conflict.

**Mr. Salam** (Lebanon): Does one need to recall that the principle of the self-determination of peoples is among the fundamental purposes of the United Nations, as enshrined in Chapter I, Article 1, of the Charter? Does one need to recall that the principle of the self-determination of peoples was confirmed by this Assembly in its resolution 637 (VII) of 1952 on the right of people and nations to self-determination; in its Declaration on the Granting of Independence to

Colonial Countries and Peoples, adopted in 1960 as resolution 1514 (XV); in its resolution 1803 (XVII) of 1962 on permanent sovereignty over natural resources; and in its Declaration of Principles of International Law concerning Friendly Relations and Co-operation Among States in accordance with the Charter of the United Nations, which was unanimously adopted as resolution 2625 (XXV) in 1970 and is considered an expression of customary international law?

Moreover, does one need to recall that common article 1 of both the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights reaffirms the right of all peoples to self-determination?

Self-determination has become almost synonymous with the long struggle of the Palestinian people to exercise their internationally recognized inalienable rights, including the right to national independence and sovereignty and the right to return to the homes and property from which they have been uprooted. The mere fact, however, that this Assembly has been meeting on a yearly basis since 1978 to celebrate the International Day of Solidarity with the Palestinian People is in itself an indication of the enormity of the obstacles preventing the Palestinian people from exercising their right to self-determination.

The aforementioned resolutions of this Assembly convey upon States not only the obligation to respect the principle of self-determination, but also the duty to refrain from actions which deprive peoples of such a right. In this case, however, not only has Israel failed to withdraw from the Palestinian territories that it occupied in 1967, as per its legal obligations under Security Council resolutions 242 (1967) and 338 (1973), but it has also been creating a series of facts on the ground in the occupied territories in the form of security zones, settlements, bypass roads and checkpoints, not to mention the annexation of East Jerusalem and the erection of the wall, which all prevent the Palestinian people from exercising its right to self-determination.

The magnitude of these facts on the ground is well illustrated by the size and growth of settlement activities in the occupied territories. So-called official settlements have recently exceeded 120, in addition to some 100 so-called unofficial outposts. According to the Israeli Information Center for Human Rights in the

Occupied Territories, B'Tselem, the number of settlers in the West Bank by the end of 2008 stood at 479,000, including 193,000 in East Jerusalem. It is also noteworthy that by 2008, the settler population — excluding East Jerusalem — had grown at a much faster rate than the general population of Israel: 4.7 per cent compared to 1.6 per cent, respectively. The same was true in 2007.

*Mr. Cabral (Guinea-Bissau), Vice-President, took the Chair.*

In addition, the International Court of Justice in its Advisory Opinion of July 2004 found that vast sections of the wall that are on occupied Palestinian territory

“severely impede[s] the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel’s obligation to respect that right”.

The Court ruled that Israel is legally obliged to “return the land, orchards, olive groves and other immovable property seized”.

However, five years on, construction of the wall continues, with approximately 200 kilometres built since the Advisory Opinion was rendered. Approximately 58 per cent of the 709-kilometre wall is complete; a further 10 per cent is under construction and 31.5 per cent is planned. The total area located between the wall and the Green Line amounts to 9.5 per cent of the West Bank. When completed, the majority of the route, or approximately 85 per cent of it, will run inside the West Bank and East Jerusalem rather than along the 1949 armistice line. Also, when completed, this wall will be four times as long as the no-less-infamous Berlin Wall, which was 155 kilometres long. Reaching in places a height of 8 metres, it will also be twice as high as the Berlin wall, the average height of which was 3.6 metres.

Until such time as it complies with its obligations to withdraw from the occupied Palestinian territories, thus removing the main impediment to the Palestinian people exercising their right to self-determination, Israel’s duties as the occupying Power in the West Bank and Gaza shall remain those described under international humanitarian law as set out in The Hague Regulations and the Geneva Convention relative to the Protection of Civilian Persons in Time of War. This has been reaffirmed in repeated resolutions by the General

Assembly and the Security Council, by the high contracting parties to the Fourth Geneva Convention and by the International Court of Justice in its Advisory Opinion on the wall.

However, since 1967, Israel, as an occupying Power, has constantly and systematically violated its basic duties under international humanitarian law. Such violations have included the annexation of land, the punitive demolition of houses, the transfer of populations, collective punishment, political assassinations and the use of torture.

In addition, based on evidence gathered by internationally respected human rights organizations, such as Amnesty International and Human Rights Watch, and by the United Nations Fact-Finding Mission on the Gaza Conflict, led by Judge Richard Goldstone, Israel has been charged with grave violations of human rights and with a number of war crimes in its conduct of military operations in the occupied territories. Those include failing to protect civilian populations; deliberately attacking civilian targets; the premeditated killing of civilians; denying medical aid to wounded Palestinians; firing at civilians carrying white flags; carrying out attacks on the foundations of civilian life, such as the destruction of industrial infrastructure, food production, water installations and sewage treatment plants; using Palestinian civilians as human shields; detaining civilians, including women and children, in humiliating and degrading conditions; arbitrarily depriving Palestinians of liberty and violating their due process rights; and using phosphorus bombs in residential areas and using dense inert metal explosive munitions.

For too long, Israel has systematically challenged the will of this Assembly. For too long, it has shown flagrant disrespect for international law. For too long, its war criminals have benefited from impunity.

Seeking to reverse this trend, earlier this month this Assembly demonstrated resolve by endorsing the report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48), led by Justice Richard Goldstone. More resolve will be needed, however, if we are one day to celebrate the fact that we no longer need an International Day of Solidarity with the Palestinian People. My delegation is confident that this day will come because the cause of the Palestinian People is just and because international law must ultimately prevail.

**Mr. Benmehidi** (Algeria) (*spoke in French*): For over three decades now, the General Assembly has identified the Israeli-Palestinian conflict as the core of the problem in the Middle East and has put forward proposals for its settlement.

Today, as we celebrate the International Day of Solidarity with the Palestinian People, my delegation would like to reaffirm Algeria's unfailing solidarity with the Palestinian people in their struggle to exercise their inalienable rights, first and foremost their right to establish in their land an independent, sovereign and viable State with Al-Quds Al-Sharif as its capital, on the basis of the pertinent resolutions of the General Assembly and the Security Council and in line with the principles underpinning the Arab Peace Initiative.

When faced with the clear framework for the settlement of this conflict based on the principles of international law and international legality, Israel's response has always been one of defiance of the efforts of the international community and disdain for its peace partner. This negative trend attained its peak during the horrifying military aggression by Israel against the defensive population of the Gaza Strip. That aggression caused the deaths of over 1,400 Palestinian civilians, most of whom were non-combatants, including women and children, not to mention the thousands of injured and the essential infrastructure that was totally or partially destroyed. That serious situation was created deliberately and leads us to note that the peace process has been completely deadlocked since the General Assembly examined the question of Palestine at its sixty-third session.

Achieving comprehensive peace in the Middle East is a shared goal of the international community, which has spared no effort in seeking to patiently define a negotiated settlement framework that depends on the good faith of both parties in question and cedes no ground in terms of the Palestinian people's inalienable rights.

Despite the declared commitment to lasting peace based on a two-State solution, over the past year we have witnessed Israel's continued application of illegal and aggressive policies and practices, which all seek to torpedo an already fragile peace process. The impact of Israel's aggression against the Palestinian people in Gaza has become tragically obvious, given the incontrovertible truth of pictures taken and reports

drawn up by United Nations bodies. This should have prompted the international community, in particular the Security Council, to play a more decisive role, first in putting an end to the aggression, and then in pushing for a peaceful and definitive solution to the conflict.

Instead, the reaction was only one of vague moral disapproval that failed to sway Israel in the pursuit of its concealed designs. The international community must not continue to tolerate such impunity. The law must prevail once again. The General Assembly, for its part, in adopting resolution 64/10 on the conclusions of the Goldstone report (A/HRC/12/48), has shown a way forward that does not depend on the abhorrent practice of applying double standards.

All the reports of United Nations bodies highlight the disturbing deterioration of the situation in the occupied Palestinian territories due to the illegal and destructive policies and practices adopted by Israel, the occupying Power. In Gaza, the complete and ongoing blockade imposed by Israel has led to some particularly worrisome developments.

More than 10 months after Israel's destructive military aggression, the Palestinian population is still living in a state of siege, with limited freedom of movement, restrictions on the import of even basic goods and negative gains in terms of economic development. The intensity of the conflict and its destructive impact have seriously exacerbated the humanitarian crisis, causing environmental degradation, health problems and a deterioration in food security.

Given the heavy sacrifices made by the Palestinian people in Gaza, and in the light of established international standards, this situation is unacceptable. In particular, it runs counter to the provisions of Security Council resolution 1860 (2009). The Council should, with no further hesitation, call for the criminal and illegal blockade to be lifted, immediately and unconditionally.

The situation in the West Bank and East Jerusalem is also extremely worrying. Israel is continuing its illegal settlement activities, particularly in and around Jerusalem, stepping up its confiscation of Palestinian lands, its destruction and seizure of their houses, and expanding settlements and moving settlers with the clear goal of creating *fait accompli* situations, particularly since, in violation of the advisory opinion of 9 July 2004 of the International Court of Justice, the

wall of separation that Israel continues to build deviates clearly from the 1967 Green Line and crosses into the occupied Palestinian territory in the West Bank. Algeria firmly condemns Israel's provocations and illegal actions against Jerusalem's holy sites, aimed at changing the city's demographic composition and status. We appeal to the Security Council to shoulder its responsibility and require Israel with the utmost urgency to immediately lift the illegal blockade of Gaza and bring a complete halt to the settlements and their expansion, and to adopt the necessary decisions to deal with Israel's provocative measures, particularly in Jerusalem, that seek to strip the peace process of its substance.

The quest for a negotiated solution to the Israeli-Palestinian conflict must be based on the principles of international law and the conditions and parameters defined in the draft resolution on the peaceful settlement of the Israeli-Palestinian conflict (A/64/L.23) that will be adopted at the end of our work. The international community is within its rights to demand that the global rejection of these barbaric acts should be reflected in binding decisions on Israel by the Security Council. The United Nations should also implement standards concerning the protection of civilians in armed conflict in order to protect the civilian population of Palestine, who have been subjected to collective punishment.

Only by ensuring that these parameters are implemented on the ground and by stepping up demands with respect to the Charter and to international law will our Organization restore its credibility and encourage the Middle East peace process by protecting it from power struggles and faits accomplis.

**Mr. Hoang Chi Trung** (Viet Nam): To begin, allow me, on the occasion of the International Day of Solidarity with the Palestinian People, to convey the warmest greetings of the Government and people of Viet Nam to the Government and people of Palestine.

The Vietnamese delegation wishes to align itself with the statement delivered by the representative of Egypt on behalf of the Non-Aligned Movement.

The question of Palestine remains the oldest unresolved issue on the agenda of the United Nations. For many decades now, the Palestinian people have continued to be deprived of their inalienable rights and to undergo much suffering and sacrifice. This year has

been marked by the steady deterioration of the security, economic and humanitarian situation in the occupied Palestinian territory, including East Jerusalem, and by the breakdown of the political process. It is truly heartrending to see more lives of innocent Palestinian and Israeli civilians lost or harmed in this conflict. Despite unanimous appeals by the world community, the Israeli authorities continue to move ahead with their policies of occupation, settlement expansion and blockade in the occupied Palestinian territory, including the ongoing settlement activity, land confiscation and destruction of Palestinians' homes and property in and around East Jerusalem. Those measures have seriously affected the legal, demographic and cultural character and status of the city, threatening to destroy the fragile hopes for the restoration of the peace process as well as the search for a two-State solution to the long-running conflict.

Our delegation wishes to reiterate that the settlements and the wall constructed by Israel in the occupied Palestinian territory, including East Jerusalem, are contrary to international law and to numerous resolutions of the Security Council and the General Assembly as well as the provisions of the road map. We call upon 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 has expressed its profound concerns over the findings contained in the Goldstone Report (A/HRC/12/48) regarding the accusations of war crimes, as well as other violations of international humanitarian law, committed during the Gaza conflict. In this context, we welcome the General Assembly's adoption on 5 November of resolution 64/10, which calls on both Israel and Palestine to investigate the accusations of war crimes committed during the incursion of the Israeli armed forces into Gaza. We welcome the statements made by the two sides that they will conduct those investigations. It is our hope that the parties concerned will do their utmost to conduct early and proper investigations and bring justice to the victims.

In addition, we wish to urge the Palestinian factions to make greater efforts to promote national reconciliation and to rally behind the Palestinian National Authority for a Government of national unity and future statehood. We also call for early resumption of the permanent status negotiations between Israel and

Palestine. In this connection, the continued strong support of the international community is crucial in order to get the peace process back on track and enable Israeli-Palestinian negotiations to move forward on all core issues. We thus support the collective efforts and all peace initiatives of the United Nations, the Quartet, the League of Arab States and the international community in the quest for a two-State solution based on internationally recognized guidelines such as the road map, the Annapolis outcomes, the principle of land for peace, the Arab Peace Initiative and relevant Security Council resolutions, including, recently, resolutions 1850 (2008) and 1860 (2009).

On this occasion, my delegation wishes to reiterate the consistent support of the Government and people of Viet Nam for the just cause of the Palestinian people in their heroic and tireless struggle for independence, sovereignty and statehood.

**Mr. Shalgham** (Libyan Arab Jamahiriya) (*spoke in Arabic*): This meeting is especially important because it is the first held to consider this item since the adoption on 5 November 2009 of General Assembly resolution 64/10 on the report of the Fact-Finding Mission on the Gaza Conflict. That document, the Goldstone Report, called for an impartial and independent investigation into violations of human rights and war crimes against civilians in the Gaza Strip. It seems that the Israeli authorities will deal with this as they have dealt with previous resolutions, because Israel believes it is a State above the law and cannot be held accountable or subjected to punishment. Instead of trying to achieve progress on the ground and improve conditions for Palestinians — whether in the Gaza Strip or the West Bank — and to convince the world of the need to focus on the peace process, Israel announced that it was allowing the construction of 900 more settlement units in East Jerusalem, in flagrant defiance of the international community and international legitimacy, thus emphasizing their lack of interest in the peace process.

The situation in the region has plunged to unprecedented levels of deterioration owing to the intransigence of the Israeli authorities and their lack of interest in negotiating with the Palestinians. The way Israeli authorities respond to international resolutions and calls by the international community are clear.

The killing and detention of Palestinians have continued, settlement activities have intensified, the

state of siege in Gaza has been reinforced, the number of barriers in the West Bank has increased, the demolition of houses continues and the building of the wall persists. The whole world has witnessed how the Israeli army and the security forces of Israel have provided protection for the acts of terrorism perpetuated by the settlers and extremists against Palestinian people. All of that has resulted in unbearable daily living conditions for Palestinians.

The continuation of that situation goes against the grain of what has been achieved all over the world in the field of human rights since the adoption of the Universal Declaration of Human Rights. It undermines the credibility and effectiveness of the United Nations and turns the principles of international law and the values of human rights into empty slogans and tools to be used by a certain country according to its interests and political objectives. It leads to a culture of violence, hatred and extremism in the region.

Libya is of the view that the international community must, pursuant to the letter and spirit of the Charter, consider and resolve the question of Palestine, which has represented a continuous threat to international peace and security for six decades. The international community has to put an end to the suffering of the Palestinian people and the other peoples of the region because of what they are subjected to in terms of violations of human rights, international law and international humanitarian law by the Israeli occupying forces. Those violations have reached unprecedented levels in their atrociousness, scope, duration and contravention of all international norms and laws.

Peace efforts aimed at achieving a two-State solution have reached a dead end because of Israeli policies and that option has, thus, become unrealistic, especially with the disappearance of the land on which the Palestinians have dreamt of establishing their State and the continuation by Israel of the confiscation of Palestinian land for settlements, in clear defiance of all international resolutions.

It is therefore time for the international community to seriously consider another option to resolve the question of Palestine, namely, a solution that takes into account historic experience and fulfils both Jewish and Palestinian aspirations, namely, the establishment of a single democratic State in which the two peoples coexist with equal rights and duties. On

23 September, that option was proposed by Brother Muammar Al-Qadhafi, the initiator of the resolution before the General Assembly. We urge States to support that option, which proved to be effective in South Africa. There is no other alternative in light of Israeli intransigence, the confiscation of land and the continued suffering of the Palestinian people.

**Mr. Kleib** (Indonesia): Let me first of all extend our appreciation to the Secretary-General and the Committee on the Exercise of the Inalienable Rights of the Palestinian People for their respective reports, contained in documents A/64/351 and A/64/35. Indonesia fully shares the observations as well as the recommendations contained in both reports.

My delegation also wishes to associate itself with the statement delivered by the representative of Egypt on behalf of the Non-Aligned Movement, and the representative of Syria on behalf of the Islamic Conference of Foreign Ministers.

Today, we held a solemn meeting to observe the International Day of Solidarity with the Palestinian People. Every year on this occasion, the international community reiterates its full support for the Palestinian people in the exercise of their inalienable right to establish a sovereign and independent State. Indonesia is of the view that the past year is the one of the worst for the struggle of the Palestinians to achieve their legitimate rights.

Following the brief flicker of hope for the two-State solution, arising from the Annapolis Conference at the end of 2007, Israeli-Palestinian negotiations were soon abandoned, to be replaced by renewed violence. We witnessed the inhumane Israeli military assault in the Gaza Strip, causing immense loss of lives and injuries to thousands of Palestinians.

The Goldstone report has shown that an excessive and disproportionate use of force and a policy of collective punishment were intentionally inflicted on the people of Gaza. Israel committed a variety of crimes, including war crimes, and violations of international law and international humanitarian law, including the Fourth Geneva Convention. The war in Gaza in December 2008 and January 2009 was a deliberate assault aimed at punishing, humiliating and terrorizing a civilian population.

That Israeli military offensive is further described in the report issued by the Special Committee to

Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories in document A/64/339. Not only does the report show that over 3,000 private homes were destroyed during the conflict, but also that over 20,000 other homes, hospitals, schools, universities, factories, businesses and mosques were damaged.

Israel is further extending or complicating some of the final status issues. It continues to extend its illegal settlement activity in the West Bank. Contrary to all expectations, Israel has failed to commit to its obligation under the road map to freeze all settlement construction, including natural growth, and to dismantle outposts erected since March 2001.

And in East Jerusalem, Israel has continued with the odious policy of evicting Palestinians from their homes and demolishing those structures. The settlements are the greatest obstacles to the establishment of a physically viable, sovereign and independent Palestinian State, and thus, to the achievement of peace.

Similarly, Israel has also continued with its construction of the separation wall, despite the 2004 advisory opinion of the International Court of Justice. It has also continued restricting Palestinian access to East Jerusalem, social services and agricultural land.

Furthermore, the insensitive and reckless recent attacks against Palestinian worshippers and other civilians at the Al-Aqsa Mosque and the Al-Haram al-Sharif compound in East Jerusalem, which are condemnable, can only further complicate the road to peace.

While the international community is today expressing its solidarity with Palestinians, we call upon all nations to go beyond mere expressions of goodwill and take action. Indonesia stands ready to fully support Palestinian independence and the resumption of the peace process in the region. Without doubt, the events all over the occupied territories in the past year show that, unless concerted, determined and just action is taken, peace will not be achieved in the near future. Indonesia therefore strongly supports a just and comprehensive resolution to the conflict. We wish to reaffirm our support for a two-State solution that envisions the creation of an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours.

Before concluding, I should like to take this opportunity to express the gratitude of my delegation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its tireless and consistent implementation of its mandate.

We also express our deep recognition to and appreciation of the Department of Public Information for its work in pursuing a strong and effective public information programme to raise awareness among the international community on this issue, as well as on the situation in the Middle East.

**Mr. Núñez Mosquera (Cuba)** (*spoke in Spanish*): Cuba supports the statement made by the representative of Egypt on behalf of the Non-Aligned Movement. This meeting is an appropriate occasion for the international community to reaffirm its support for the heroic efforts of the Palestinian people in their struggle to exercise their inalienable right to self-determination and, furthermore, to express its commitment to stepping up efforts to attain a comprehensive solution to the Palestinian question in all its aspects.

Cuba reiterates its solidarity with the Palestinian people and condemns the continued illegal occupation of their land by Israel, which is the principal obstacle to a just, lasting and comprehensive peace in the whole region.

Over the past year, the situation in the occupied Palestinian territories, including East Jerusalem, has continued to deteriorate. Israel continued to violate international law and international humanitarian law. Since the military aggression carried out by Israel in Gaza, there has been an alarming increase across the whole of the occupied Palestinian territories, and in the besieged Gaza Strip in particular, in the number of casualties as well as of injured, displaced, homeless and impoverished persons, unable to meet their basic needs.

The human damage caused by the aggressor has been irreparable. The report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48), better known as the Goldstone report, and the results of the Secretary-General's Board of Inquiry lay out the situation in a vivid and graphic way. Nonetheless, the perpetrators of these barbarous acts continue to go unpunished, enjoying impunity that is only possible owing to the protection that Israel receives from the superPower, which continues to

supply Israel with the financial resources and arms that sustain its policy of aggression.

Unfortunately, the Security Council continues to be unable to adequately address the situation in Palestine as it should in order to find a fair and impartial solution to this longstanding conflict. This is a result of the habitual application of double standards and of the use, or threat of the use, of the veto on the part of the superPower on any draft resolution aimed at this objective.

Israel continues to severely limit the freedom of movement of Palestinians, imposing a humiliating and discriminatory network of hundreds of checkpoints, in particular in the Gaza Strip. It continues the unjust and inhumane blockage against Gaza inhabitants, its policy of border-crossing closures, the imposition of physical barriers on roads used by Palestinians, as well as the limitation of the movement of persons and goods such as food, medicine, fuel and other essential humanitarian supplies.

Post-war reconstruction work in Gaza has not yet begun because of the intransigence of the Israeli Government. Cuba condemns this aggressive policy, which ignores the repeated calls by the international community and the successive resolutions adopted by various bodies of the United Nations, in clear violation of international law, and we insist that Israel immediately lift the Gaza blockade.

Israel continues to build barriers throughout the occupied Palestinian territory, thus fragmenting and profoundly undermining the contiguity and integrity of the territory, totally isolating East Jerusalem from the rest of the West Bank and causing great damage to Palestinian society and the Palestinian economy.

The occupying Power continues its intensive colonization activities, such as the ongoing practice of confiscating large tracts of land, the construction and extension of Israeli settlements and the construction of the wall. The settlement policy aimed at altering the demographic composition, character and nature of the Palestinian lands, annexing them de facto by means of confiscating large areas of Palestinian territory, have been accelerated to an unprecedented rate. This situation has been intensified in the West Bank in particular. The most recent example is the announcement of the construction of 900 new settler homes south of Jerusalem. The continuation of those

settlement activities endangers the realization of a negotiated two-State solution.

Cuba condemns those policies and practices, which violate international law, including the Fourth Geneva Convention, United Nations resolutions and the advisory opinion issued on 9 July 2004 by the International Court of Justice, and we insist that Israel immediately end all of these illegal practices.

On this occasion, as we are gathered here to consider the Palestinian question, which goes back more than 60 years now, Cuba reaffirms its support for the just cause of the Palestinian people and for their efforts to realize their legitimate national aspirations. Cuba will continue to support the Palestinian people in their fight to end the Israeli occupation, which began in 1967, as well as in the search for a just, peaceful and lasting solution to the Israeli-Palestinian conflict that will allow the Palestinian people to exercise their inalienable rights, including the right to self-determination and sovereignty in an independent State within the 1967 borders with East Jerusalem as its capital.

**Mr. Al-Jarman** (United Arab Emirates) (*spoke in Arabic*): At the outset, I should like to thank the President of the General Assembly for having convened this important meeting, which the General Assembly organizes every year in conjunction with the world's celebration of the International Day of Solidarity with the Palestinian People to renew the commitment and support of the international community for the efforts made by the Palestinian people towards exercising their inalienable rights to determine their destiny, attain independence and freedom, and return to their homeland.

I wish also to seize this opportunity to express my country's appreciation of and support for the efforts made by the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its Chairman, Ambassador Paul Badji.

Today, the international community recalls the 61 years of suffering, misery and deprivation of the Palestinian people, which started in 1948 with Israel's occupation of their land and continues to this very day owing to Israel's serious and repeated violations of international law and human rights. Such human suffering, which the Palestinian people have endured collectively and individually, has continued for years before the eyes of the world.

The Palestinian people — more than half of whom live in exile or are in refugee camps and are deprived of their most basic rights, including their legitimate right to return to their homeland and live in peace with their neighbours, like other peoples — are very disappointed today at the many unfulfilled promises regarding achieving their aspirations for freedom, independence and self-determination, in accordance with international law and resolutions of international legitimacy. Their disappointment has especially increased with the growing hostile policies of the present Israeli Government, which follows an intensive plan for the illegal confiscation of more Palestinian lands and properties, expansion of illegal settlements and the building of the separation wall in the occupied Palestinian cities and villages, particularly in Jerusalem and its surroundings, with a view to changing the demographic composition of East Jerusalem and its legal structure and Arab identity in order to create a new reality on the ground that would lead to a new interruption of negotiations with the Palestinian Authority.

The United Arab Emirates, which expresses its grave concern at the continued deterioration of the already desperate and dangerous situation in the occupied Palestinian territory, including East Jerusalem, condemns Israel's policies and its aggressive and countless violations of international law, including international humanitarian law and human rights law, and its total impunity for the war crimes and crimes against humanity committed in Gaza. The United Arab Emirates also condemns the continued collective punishment measures imposed by Israel on Gaza, including the frequent closures.

The United Arab Emirates reiterates the importance of maintaining the integrity of the Palestinian territory as one contiguous political entity in the West Bank and Gaza under the Palestinian Authority and also welcomes efforts in that regard by the Arab Republic of Egypt to achieve Palestinian reconciliation and accord. The United Arab Emirates demands that the international community — represented by the United Nations, including the Security Council and other agencies of the Organization, each within its own field of competence, as well as the members of the Quartet — increase effective efforts and put further political and economic pressures on Israel to cease its aggression and settlement building and renounce its current hard-line

political positions and comply with the international demands that it correct the unlawful present reality it has created in the occupied Palestinian territories, especially in East Jerusalem.

Israel should stop immediately, permanently and unconditionally, under international oversight, all its present settlement activities and remove what is already built, including the separation wall in the West Bank and around Jerusalem, in compliance with relevant international laws and the advisory opinion of the International Court of Justice. We further demand that Israel be compelled to lift all restrictions on movement and passage, re-open the crossings in Gaza and the Palestinian Authority institutions in occupied East Jerusalem, and release all the Palestinian prisoners, in compliance with its commitments to international law and international humanitarian law, in particular the Fourth Geneva Convention. That will lead to a final, permanent and just settlement to all aspects of the Palestinian question, including a just settlement to the issues of Palestinian refugees, Jerusalem and the final demarcation of the borders of the two States, Israel and Palestine, according to the provisions of the road map, the Annapolis Conference understandings, Security Council resolutions 242 (1967) and 338 (1973), all relevant General Assembly resolutions, in particular 181 (II) and 194 (III), the Madrid principles and the Arab Peace Initiative, which calls for the unconditional complete withdrawal of Israel from the Palestinian territories.

In that context, we renew our demand to implement the recommendations of the report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48), identify those responsible for war crimes and crimes against humanity committed in the Gaza Strip and bring them to justice, and prevent the continuation of impunity, in compliance with Assembly resolution 64/10.

The United Arab Emirates believes that the Arab-Israeli conflict, which continues to dominate all other issues in the Middle East, is the root of the tension, violence and persistent instability in the region. We renew today our commitment to the choice of peace with the rest of the Arab countries, based on implementation of the principles of international legitimacy and the principle of land for peace. We stress that establishing permanent, just and comprehensive peace and security in the region is conditional on the sincerity of the international

community in showing a genuine and earnest political will to put an end to Israel's aggression and intransigence, to revive the peace process and to ensure a complete withdrawal of Israel from all Palestinian and Arab territories occupied since 1967, including East Jerusalem, the Syrian Golan and the Sheba'a farms and the village of Al-Ghajar in Lebanon.

We hope that our deliberations on this item will contribute to strengthening the important, major role that the United Nations plays in reaching a settlement for the Palestinian problem and the situation in the Middle East, in accordance with the Charter. We urge the international community, especially the donor countries and parties, to increase political, moral and financial support to the Palestinian people so as to alleviate their exacerbated humanitarian crisis until the just realization of their rights and the fulfilment of their aspirations to freedom, independence and the establishment of their State of Palestine as a viable independent State, on the basis of the two-State solution.

**Mr. Al-Saadi** (Yemen) (*spoke in Arabic*): This International Day of Solidarity with the Palestinian People has political, humanitarian and ethical significance for our Organization, which for over half a century has especially championed the struggles of oppressed peoples and their right to resist occupation. Our celebration of this occasion confirms the legitimacy of the Palestinian people's struggle to resist occupation and its right to establish its independent State on its national soil, with Jerusalem as its capital.

The situation of the Palestinians in the occupied territories is a tragedy because of the killings, genocide, State terrorism, displacement policies, the building of the separation wall, the ongoing building of illegal settlements, the blockade of Gaza and the infliction of collective punishment. All that contravenes international law, the Fourth Geneva Convention and relevant General Assembly and Security Council resolutions. Those aggressive and dangerous practices aim at killing the peace process and the efforts of the international Quartet, which are supported by the international community. That escalation can lead to real dangers which might push the region to violence and terrorism, with very dangerous repercussions for the stability of the region and for international peace and security.

My delegation expresses its deep concern at the aggressive policies with which Israel is challenging the international community, at its rejection of all relevant Security Council resolutions, including resolutions 242 (1967) and 338 (1973), at its disregard of all appeals and calls by the countries of the world, and at its negative response to international initiatives, including the Arab Peace Initiative submitted by King Abdullah Bin Abdulaziz Al Saud, King of sisterly Saudi Arabia — the initiative that provided a political framework for peace in the region.

My delegation calls on the United Nations and the international community to shoulder their responsibilities to guarantee the rights of the Palestinian people and force Israel to stop its policies of violence and State terrorism, compel it to respond positively to international and regional agreements, initiatives and resolutions relevant to the peace process, and make it reach comprehensive and just solutions leading to the establishment of an independent Palestinian State in the territories occupied since 4 June 1967, with Jerusalem as its capital.

We would like to renew the call on Israel to withdraw from all occupied Arab territories and return the occupied Syrian Golan to Syrian sovereignty. We also call on Israel to resume negotiations with Syria, with the expectation that Israel will respect its previous commitments. Such negotiations cannot succeed in achieving peace unless Israel respects what has already been agreed with the Syrian side and unless it withdraws from the occupied Lebanese lands.

We support here the recommendations and conclusions of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. We also wish to reiterate the need for the Security Council to implement the advisory opinion of the International Court of Justice and Assembly resolution ES-10/15, which calls on Israel to stop building the separation wall. Furthermore, we call on the Security Council to consider imposing sanctions on Israel if it continues to ignore its international legal commitments.

My country supports the exercise of the inalienable rights of the Palestinian people in its struggle to achieve independence and establish its independent State.

**Mr. Fageeh** (Saudi Arabia) (*spoke in Arabic*): The delegation of Saudi Arabia is honoured to

be able to thank both the President of the General Assembly and the Secretary-General for their efforts to hold this meeting to discuss agenda item 16 on the question of Palestine under the present circumstances and changes that threaten international peace and security.

My delegation would like to express its concern about the deteriorating situation in the occupied Palestinian territory and the grave threats to our brethren in Palestine. Since the onset of aggression against Gaza at the end of 2008 and at the beginning of 2009, the negative effects and repercussions have continued, not only with regard to the security of Palestinians but for the security, peace and well-being of the entire world.

Whatever the complexity of details and differences in interests and positions with respect to the question of Palestine, the solutions must meet one sole criterion — namely, comprehensive compliance with international legitimacy, international law and international justice that allows no exception, double standard or selectivity. Any departure from that inclusive criterion, whatever justification might be used, would lead to the deterioration of the situation and would have a grave negative impact on our ability to effectively address the list of problems and crises we face with respect to the maintenance of international peace and security.

Compliance with international legitimacy is the easiest, best and most effective way to resolve the Arab-Israeli conflict, which is truly the gravest threat to peace and security in the Middle East, which in turn is a strategic region whose situation has broad effects on the entire world. That conflict could never have continued for over seven decades with such tragic effects were it not for the deviation from the principles of international legitimacy, the norms of international law and the requirements of international justice.

The Arab world, including the State of Palestine, has done its best to achieve a true and lasting peace. The Arab Peace Initiative is still continuing and provides an offer to end the conflict with Israel and to enter into a peace agreement that would provide security, recognition and normal relations for all countries of the region. It embodies the Arab commitment to peace as a strategic option and is consistent with the Charter of the United Nations.

All initiatives and international efforts and solutions in this respect are still facing a wall of rejection, manipulation, procrastination and delaying tactics by Israel, which continues to take unilateral measures in violation of international law and of the resolutions of the Security Council. Instead of making a true effort to achieve peace, Israel continues daily to subjugate and oppress the Palestinian people, building settlements, walls and bypass roads that contradict international legitimacy and create new realities on the ground.

It is the building of settlements that changes the geography and demography of the Palestinian territories, especially in Jerusalem and its surrounding areas, in clear violation of international law and all relevant Security Council resolutions. Those settlements undermine most of the major cities in the West Bank, consuming more than half of its resources, including water resources.

Despite our presence here in this General Assembly meeting, where we are expressing hope and optimism with regard to reaching tangible results, and despite all the commendable efforts made by the United States and the Quartet, no actual results have been achieved.

If all the interest of the international community, all this unanimity and all of those international efforts are still unable to push Israel to fulfil its obligations under the road map, how can we be optimistic? The protection of human rights in Palestine should be given priority in the agenda of the United Nations through the rule of law and the dissemination of the culture of peace and dialogue between civilizations and peoples, which are basic elements in any effective strategy seeking to achieve a comprehensive and just peace between the Palestinians and the Israelis and to reject violence and extremism.

The Arab-Israeli conflict, which has been going on for over six decades, has dominated all issues in the Middle East. It has led to more extremism and terrorism, and it seriously impedes development and reform in a region that should play a cultural role instead of being submerged in a conflict that depletes its resources and capabilities.

All Arab countries reconfirm their commitment to a just and comprehensive peace based on international legitimacy. Those countries are still waiting for the same serious commitment by Israel. In that context,

partial solutions do not support current negotiations between the two sides aimed at reaching a lasting and comprehensive solution. The peace process requires Israel to immediately stop building settlements in the occupied Palestinian territories because Israel's continued settlement activities are an obstacle to negotiations.

The peace process is based on a good idea, but it requires more communications and contacts between our peoples. We have understood that we need to have our Arab Peace Initiative reach the Israeli people easily and quickly. Affecting public opinion can lead to peace. We should intelligently and wisely use the available mass media to create channels of communication and structures that enable us as leaders, Governments and civil society to create the appropriate conditions for the peace that we seek.

International dialogue has come to focus on humanitarian issues as we see it now at the United Nations and in other forums such as the 2008 World Conference on Dialogue held in Madrid and other dialogues on religions and cultures. Those efforts all work towards enriching peaceful coexistence among societies and peoples as the optimal means of relating to one another and as the main way to relieve tensions, conflicts and divisions.

The investigation of the events in Gaza at the end of last year and into January of this year, presented in the Goldstone report to the Human Rights Council (A/HRC/12/48), proved that Israel has committed war crimes and crimes against humanity. In that war, 1,400 Palestinians, mostly women and children, were killed, thousands of Palestinians were wounded, and Israel even attacked United Nations facilities in Gaza. Those who tried to flee were brutally killed. Israel also aggressively attacked holy sites. Such aggressive practices have made peace absent from the region.

Israel has also conducted two destructive wars against Lebanon and has besieged Gaza, and it is still occupying the Syrian Golan. It used excessive force in both cases, including internationally banned weapons, in violation of international humanitarian law. The report of the United Nations Fact-Finding Mission on the Gaza Conflict testifies to that. The head of that Mission stated that Israel violated international humanitarian law and human rights law, and those violations amount to war crimes and probably crimes against humanity.

Saudi Arabia is deeply concerned by the continued Israeli blockade of Gaza, which undermines the rights of the Palestinians and causes deterioration of their living conditions. In addition to that, Israel has imposed a blockade on East Jerusalem that has prevented people from accessing their homes and places of worship.

Israel's practices against Islamic holy places are daily aggressions against the defenceless Palestinian people. The flagrant Israeli attacks on the Al-Aqsa Mosque will undoubtedly have a serious direct effect on international peace and security. In that context, my Government calls on the international community to stand against those flagrant aggressions and to support the Goldstone report and the recommendations contained therein to prevent the reoccurrence of such crimes.

This year, contrary to past years, the international handling of the Middle East crisis took a different track and occupied a prominent place on the international agenda. We optimistically welcome that. However, at the same time we see that despite the action of the United States and its new Administration and of other members of the Security Council, as well as of the European Union, the Organization of the Islamic Conference and the Non-Aligned Movement, Israel still acts in contravention of the most basic principles of the peace process and so defies the will and policies of its allies and friends and the majority, if not all, of the international community. Thus, Israel shows its true

face, perpetuating its systemic aggression, racism, expansionism and rejection of peace in defiance of all those calling for it.

Israel refuses to freeze settlement activity even though it is illegal under international law. It continues confiscating Palestinian land, building the separation wall, trying to judaize Jerusalem and to expel Palestinian people from their homes. I could continue the list, but it would take a long time to provide all details and statistics. Israel rejects the two-State solution, which is supported by the international community, and what its Prime Minister has said was just a manoeuvre and a formality that contradicts the policies of his Government and does not reflect realities on the ground.

In conclusion, Saudi Arabia reaffirms that peace and occupation are mutually exclusive and that our strategic option is a just and comprehensive peace based on implementation of Security Council resolutions 242 (1967) and 338 (1973), the Madrid terms of reference, the principle of land for peace and the Arab Peace Initiative.

We therefore support all efforts to reach a comprehensive regional peace. The lack of genuine political will for peace on the part of the Israeli Government and its aggressive war against Gaza closed all doors to those efforts. We are still hopeful and confident, however, that the United Nations and peace-loving nations and peoples can lead us to peace, stability, cooperation and prosperity for all.

*The meeting rose at 6.10 p.m.*