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Official Records

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

The meeting was called to order at 3.25 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)

Mr. McNee (Canada): At the outset, Canada wishes again to reiterate its commitment to the goal of a negotiated two-State solution and a comprehensive and lasting peace in the Middle East. Canada supports Israel's right to live within secure borders and the establishment of a sovereign, independent and viable Palestinian State as part of the negotiated settlement.

In that light, Israel has recently announced a 10-month suspension of private construction of settlements in the West Bank, excluding East Jerusalem. While that is not the complete settlement freeze that Canada would have preferred, it is, nevertheless, a significant step and it is a starting point. We hope that announcement will be accepted by the Palestinians and lead to the resumption of negotiations.

While the situation on the ground has remained largely calm since the Gaza conflict, there have been sporadic rocket attacks on Israel emanating from southern Lebanon and from Gaza, which we strongly

condemn as severely obstructing the resumption of the peace process. It is important that spoiler elements not be given the opportunity to derail the chance for both peoples to have a future where they can live in peace and security.

In order for the peace process to succeed, it is essential that the parties take the necessary steps to foster the conditions for peace. It is vital that the parties continue to make efforts towards meeting all of their road map obligations. While the Palestinian Authority has made real progress, more needs to be done. That is why Canada's assistance is focused clearly on the security and justice sectors.

At the same time, further action is needed by the Government of Israel to address its serious obligations regarding settlements, and access and movement.

(spoke in French)

Canada continues to recognize the important role of the United Nations and its Member States in supporting the peace process. United Nations agencies are at the forefront of providing assistance to those in need in the region. However, Canada remains concerned about the number of United Nations resolutions that single out Israel, as well as the disproportionate focus placed on the Middle East. We strongly believe that the efforts of the United Nations and its Member States should complement efforts towards a comprehensive settlement.

In conclusion, Canada urges the parties to take a gamble on peace by restarting negotiations. We stand

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ready to assist, if requested. It is the duty of the parties, with support from the international community, to return to the negotiating table so that Israelis and Palestinians may enjoy a future of peace and prosperity.

Mr. Mohamed (Maldives): On behalf of the Government and the people of the Republic of Maldives, I wish to reiterate the steadfast solidarity of the people of Maldives with our brothers and sisters in Palestine and our unwavering commitment to the realization of the inalienable rights of the Palestinian people.

My delegation also welcomes the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People as contained in document A/64/35 and the work carried out by the United Nations Division for Palestinian Rights in advancing the just cause of the Palestinian people.

As the Assembly will recall, the Maldives welcomed the Goldstone report (A/HRC/12/48), which was presented to the Assembly last month, and the Maldives voted in support of the resolution on the United Nations Fact-Finding Mission on the Gaza Conflict (resolution 64/10). We firmly believe that the principles enshrined in the Charter of the United Nations and the norms of international law must be upheld and respected by all Member States, if we wish to alleviate the suffering of the Palestinian people that occurs on a routine basis in the occupied territories.

The Maldives also wishes to raise concern over the aggravated suffering and hardship experienced especially by Palestinian women and children as vulnerable social groups. Social and economic instability has the greatest impact on those groups in any region of the world. It is for that reason that the Maldives urged the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 to include a gender perspective in his work. My delegation believes that the legitimacy of such a perspective can be derived from existing principles and norms of international law.

The Maldives is particularly disheartened by the deadlock in the peace negotiations between Palestine and Israel and reiterates the necessity of an immediate freeze on all illegal settlement activities in the occupied territories. We believe that a return to the peace process in pursuit of a comprehensive settlement of the Arab-Israeli dispute remains the best solution for

realizing the inalienable rights of the Palestinian people.

The Maldives welcomes the renewed efforts by the international community to revitalize the process of dialogue between Palestine and Israel in pursuit of finding a two-State solution to the Palestinian question. However, it is clear that more needs to be done to help the Palestinian people, who, for more than six decades now, have been denied their most basic rights to self-determination and their right to live in their own State in peace and freedom.

The President (*spoke in Arabic*): We have heard the last speaker in the debate on agenda item 16. I would like to remind members that action on draft resolutions A/64/L.20 to A/64/L.23 will be taken immediately after the debate on agenda item 15, entitled "The situation in the Middle East".

The representative of Lebanon has asked to speak in exercise of its right of reply, and I give him the floor.

Mr. Ramadan (Lebanon): Since mention has been made of Hizbullah, which is part of my country's National Unity Government at this time, allow me to remind the Assembly that what had prompted the creation of the resistance movement that is Hizbullah was nothing other than the occupation of parts of my country by Israel.

The President (*spoke in Arabic*): The General Assembly has thus concluded this stage of its consideration of agenda item 16.

Agenda item 15

The situation in the Middle East

Reports of the Secretary-General (A/64/343 and A/64/351)

Draft resolutions (A/64/L.24 and A/64/L.25)

The President (*spoke in Arabic*): I now give the floor to the representative of Egypt to introduce draft resolutions A/64/L.24 and A/64/L.25.

Mr. Abdelaziz (Egypt) (*spoke in Arabic*): Today, the General Assembly is considering the agenda item entitled "The situation in the Middle East". In so doing, it exercises its inherent role in addressing the conflict in the Middle East region and the constant tension resulting from Israel's illegal occupation of the Arab territories occupied since 1967 and its refusal to

accept the will of the international community by implementing the relevant United Nations resolutions and international law, despite all regional and international efforts to reach a lasting and just negotiated peaceful settlement of the question of Palestine, the core of the conflict.

There is no doubt that the Middle East has been going through an extremely serious phase this year, at a crossroads between achieving peace, security and coexistence, on the one hand, and having more violence, destruction and extremism, on the other. This is due to a deep impasse despite political efforts aimed at reaching a negotiated two-State solution based on 1967 borders and is a result of the new Israeli Government's rejection of the basic terms of reference and the core issues of the peace process and its refusal to implement previous commitments on freezing settlements and commencing serious negotiations on borders, refugees and all the other issues that must be resolved in a final solution adopted by the United Nations and that have been sought after for implementation by the Quartet for years and years.

In the light of the intransigent positions of the Israeli Government, the international community, as represented in the General Assembly, is called upon today more than ever to provide political support for the efforts aimed at resuming the negotiating process, to emphasize the illegality of the acquisition of the territories of others by force, and to compel Israel to fulfil its commitments and enter into serious negotiations on the six core issues, leading to a just, lasting and comprehensive peaceful solution to the Arab-Israeli conflict on all tracks, on the basis of the principle of land for peace, the Arab Peace Initiative, the road map and relevant United Nations resolutions.

To express the international community's rejection of Israel's ongoing occupation and illegal practices in the occupied Arab territories and to address the grave deterioration in the peace process, two highly important draft resolutions A/64/L.24 and A/64/L.25 are being presented by the sponsors under the agenda item entitled "The situation in the Middle East".

The first draft resolution, A/64/L.24, deals with the occupied city of East Jerusalem, which has been witnessing a fierce assault of Israeli settlement in Israel's attempt to alter the city's geographic and demographic features and to create de facto annexation, in order to consolidate its illegal

occupation. Israel has acted in this manner despite the opposition and denunciation of the international community which has emphatically referred to all relevant international resolutions on the illegality of this settlement activity and the need to maintain the particular character and status of East Jerusalem as occupied Palestinian Arab territory. The international community has also emphasized the illegality of all actions taken by successive Israeli Governments to change East Jerusalem's status before the negotiation of a final solution.

The second draft resolution, A/64/L.25, is related to the occupied Syrian Golan. It confirms the will of the international community by expressing the General Assembly's continued determination to see Israel's illegal occupation of the occupied Syrian territories come to an end, with full Israeli withdrawal from the Golan Heights to the borders of 4 June 1967. The draft resolution also emphasizes the illegality of Israel's decision to impose Israeli laws and Israeli settlements on this territory.

The aim of the two draft resolutions — each within its framework — is to exhort Israel to commit to stopping settlement activity, to put an end to its illegal practices in occupied East Jerusalem and its illegal blockade of the Gaza Strip, to accept to resume negotiations in accordance with clear terms of reference and within an internationally defined time frame, in order to reach an agreement that allows for the establishment of an independent, sovereign and viable Palestinian State on the West Bank and in Gaza, with East Jerusalem as its capital, and pave the way for a comprehensive settlement of the conflict, end the illegal occupation by Israel of all Arab territories occupied since 1967, including East Jerusalem, the Syrian Golan and the occupied Lebanese territories, in order to achieve just and comprehensive peace and establish normal relations between the Arabs and Israel, in accordance with the Arab Peace Initiative which is based on the principles of complete Israeli withdrawal and settlement of the refugee issue in exchange for full peace.

There is no question that the goal of a comprehensive peace is primarily dependent on the extent to which Israel is serious about committing to reaching the desired settlement, and about taking action to demonstrate that commitment. This should be, first and foremost, a complete cessation of all settlement activities in the occupied Palestinian

territory, including East Jerusalem; a halt to construction of the separation wall; an end to deepening the gap between the West Bank and the Gaza Strip; and promotion of endeavours to start fruitful negotiations to settle all final status issues.

In this regard, the unilateral declaration by Israel on a freeze on construction of housing units in the West Bank for a period of 10 months is not enough. What is needed is an end to the occupation of the West Bank, the Gaza Strip and East Jerusalem, and the establishment of a Palestinian State on all territories occupied by Israel since 1967. Similarly, we look forward to the resumption of negotiations on the Syrian track, and to reaching an agreement that allows for Israel's full withdrawal from the occupied Syrian Golan to the borders existing on 4 June 1967, on the basis of all the relevant terms of reference and what was accomplished during the previous rounds of negotiations, in order to achieve a comprehensive peace in the region.

I have the pleasure today of presenting to the General Assembly two draft resolutions under agenda item 15, "The situation in the Middle East": these are draft resolution A/64/L.24, on Jerusalem, and draft resolution A/64/L.25, on the Syrian Golan. The first of these recalls the relevant General Assembly and Security Council resolutions, which remain the main terms of reference for the special status of occupied East Jerusalem and which have repeatedly affirmed the renunciation and repudiation of all legislative and administrative measures and actions taken by Israel, the occupying Power, aimed at altering the character and legal status of the city.

Moreover, draft resolution A/64/L.24 confirms that any just and comprehensive solution to the question of Jerusalem must include provisions for international guarantees assuring its inhabitants freedom of religion and worship independent of settlement activity, Israel's unlawful attempts to impose a Jewish character on the city, violations of the right of Palestinians to worship, and their repeated attacks on and threatened destruction of the foundations of the Al-Aqsa Mosque.

The second draft resolution, A/64/L.25, on the occupied Syrian Golan, reaffirms Security Council resolution 497 (1981) and underlines the General Assembly's deep concern regarding Israel's continued non-compliance with its implementation. It also

reaffirms the applicability of the Hague Convention of 1907 and the Fourth Geneva Convention of 1949 to the Syrian territories occupied since 1967. It stresses the illegitimacy of both the decision to apply Israeli laws in this territory and the settlement activities there. The draft resolution also renews the Assembly's call on Israel to withdraw completely from the occupied Syrian Golan to the lines of 4 June 1967, to resume direct peace negotiations on the Syrian track and to respect the commitments reached in previous negotiations.

The sponsors of these two draft resolutions believe that it is high time for the international community to deal with the situation of the conflict in the Middle East through a comprehensive approach. The peoples of the region, who are still suffering under the scourge of war and aggression, aspire to peace, stability and coexistence. These cannot be achieved without Israel's political will and serious commitment to withdraw completely from all occupied Palestinian and Arab territories, based on the principle of land for peace, rules of international law, the Arab Peace Initiative and the road map, as well as all the terms of reference in the Madrid principles and the relevant Security Council and General Assembly resolutions.

To achieve all this, the sponsors look to all Member States of the General Assembly to vote in favour of these two draft resolutions, and to support the important goals they set out, in order to underscore the determination of the international community to achieve those goals and to uphold the lofty purposes and principles of the Charter endorsed over the years by the Member States of the United Nations.

(spoke in English)

In coordination with my dear colleague, the Permanent Representative of Senegal, Ambassador Paul Badji, who yesterday introduced the draft resolutions under agenda item 16, "Question of Palestine", contained in documents A/64/L.20, A/64/L.21, A/64/L.22 and A/64/L.23, and on my own behalf, we would like to request that action on those draft resolutions, and on draft resolutions A/64/L.24 and A/64/L.25, under agenda item 15, "The situation in the Middle East", be taken at 10 a.m. tomorrow, 2 December, before the pledging conference for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): Since 1947, the United Nations, especially the General Assembly and the Security Council, has been dealing with different aspects of the situation in the Middle East. The General Assembly has been considering the item "The situation in the Middle East" since its twenty-fifth session, in 1970, and is still considering it today. At each and every session, the Assembly has repeated its request to Israel, the occupying Power, to put an end to its occupation of Arab territories, and has emphasized that any measures taken by Israel, the occupying Power in Arab territories, to impose its laws, jurisdiction or administration on the occupied city of Jerusalem and the occupied Syrian Golan are illegal acts that lack any legitimacy and are in fact null and void.

The General Assembly, in its repeated resolutions, has been in full concert with the position expressed by the Security Council in its unanimous adoption of the two famous resolutions, namely, 478 (1980), concerning occupied East Jerusalem, and 497 (1981), concerning the occupied Syrian Golan — two resolutions that rejected the unilateral decision by the occupying Israeli authorities to annex Jerusalem and the Golan and considered them null and void and without any legal effects whatsoever. From this very rostrum, global leaders have repeatedly expressed unanimously that the Middle East is the most tense region in the world and that achieving a just and comprehensive peace immediately is essential to maintaining international peace and security.

Talking about the need for peace, however, is one thing; working for peace is something else. For reasons that are well known to all, peace has been elusive, due to Israel's actual practices, both in the region and outside it. In the last several years, Israel has launched, with external support, two destructive wars on Lebanon and Gaza. It has continued to violate international law, as we have seen in the blockade of the unarmed Palestinian people; the murder of women and children; the violation of places of worship; the application of policies of collective punishment, detention and scorched earth; the building of settlements; and the construction of the racist separation wall. It has also continued its occupation of Palestinian and Lebanese land and of the Syrian Golan.

Today, the new and more prominent chapter is Israel's aggression against the character and the population of occupied Jerusalem and an oppressive

blockade that is proving to be the most formidable in its history. The city is suffering a fierce and unprecedented oppression, along with an intensified and cancerous settlement activity that is targeting its Islamic and Christian character.

In view of the symbolic status of Jerusalem for the Arab and Islamic worlds and because it is an occupied city, which would give it some protection under the provisions of the Fourth Geneva Convention of 1949, the Israeli violations constitute a provocation against those peoples and exacerbate tensions in the region and around the world.

From this rostrum of the General Assembly, we renew our call to the international community to put an immediate and decisive end to those Israeli practices, in fulfilment of the will of the international community to create peace in the region and to abort the Israeli escalation, which seeks explosion and conflict.

Over the past year, we have seen yet another chapter of Israeli barbarity manifested in the war crimes committed by Israel against the people of Gaza at the end of 2008 and beginning of 2009. During that aggression, the Israelis used lethal weapons that are internationally banned. That aggression left behind in its wake thousands of dead and wounded, most of them children, women and the elderly. Israel also used civilians as human shields to implement its criminal plans.

The United Nations Fact-Finding Mission on the Gaza Conflict, chaired by Justice Richard Goldstone, has collected convincing evidence on the commission of those crimes, including war crimes and crimes against humanity. The evidence gathered by that Mission was not the only one to condemn Israel regarding its aggression against Gaza. Several international committees and international envoys have submitted dozens of reports, including the report of the United Nations Board of Inquiry, led by Ian Martin, on the targeting by Israel of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) buildings. That report presents the facts in a manner that makes Israel's denial of those legally and conscientiously obtained facts, in face of the entire international community and all laws of international legitimacy, all the more incredible.

Perhaps the best example of that attitude can be found in the statement by the Prime Minister of Israel on 20 October 2009, in which he announced that Israel

wants to reconsider all international humanitarian laws regarding war crimes. That statement by the Israeli Prime Minister came directly after the General Assembly endorsed the Goldstone report.

Could the United Nations ever forget the number of times Israel has refused to receive and cooperate with United Nations investigation and fact-finding missions? Could the United Nations forget the number of times Israel has denied its permission to United Nations rapporteurs seeking to visit the occupied Arab territories, or the number of United Nations personnel and peacekeeping forces killed in our region by Israeli fire?

Could the United Nations forget the way Israel has dealt with eminent international personalities like Count Bernadotte, Archbishop Desmond Tutu, former Finnish President Ahtisaari and former United States President Carter, as well as the Special Rapporteurs Jean Ziegler, John Dugard and Richard Falk? Could Israel have repeatedly pursued its policy of non-implementation of resolutions of international legitimacy had it not been assured of impunity for its actions? Had the Security Council implemented one of its 35 resolutions adopted on the Middle East, Israel could not have continued its disregard for international law and United Nations resolutions.

Recently, the General Assembly adopted resolution 64/10, by which it approved the recommendations of the Goldstone report, calling on all United Nations organs to implement those recommendations. Thus, the Security Council is now required to assume its responsibilities and to pursue Israeli officials for the crimes that they committed in Gaza, in conformity with legal standards. The impunity and double standards that Israel enjoys, despite its crimes, must come to an end. Justice must be sought for the victims of the barbarous Israeli aggression — the martyrs, the wounded and the disabled.

We also call on the international community, especially the Security Council, to immediately lift the unjust blockade imposed on the Palestinian people in Gaza and to open all the crossing points. Gaza must be rebuilt and international guarantees must be put into place to prevent Israel from destroying that reconstruction, including reconstructed infrastructures.

Since its occupation of the Syrian Arab Golan, Israel has used different methods to change its nature and character by expelling Arabs from their land,

villages and towns. Israel has continued to build settlements and to fill them with newly arrived immigrants at the expense of the people of the occupied Syrian Golan while depriving them of all their basic humanitarian freedoms and rights.

Israel, the occupying Power, has indeed exceeded its own policies against the civilian Syrian nationals of the occupied Golan and has crossed serious red lines in its grave violations of prisoners' rights. The people of the Golan are subject to indiscriminate and inhumane detention. Israel, in its oppressive practices, has adopted unimaginable policies. It has imposed house arrest on an infant who is no more than two years old, Fahid Lu'ay Shqeir, on the pretext that he was born outside the occupied Syrian Golan when his parents were studying at the University of Damascus.

Israel continues its policies of disconnecting and blocking all sorts of communication between Syrian families who were separated from one another as a result of the occupation. For example, Golan nationals are prevented from visiting the homeland, Syria, through the Quneitra crossing. Israel continues to detain the Syrian journalist, Atta Farhat and the citizen Youssef Shams and others who have been detained for more than 20 years on fabricated charges meant to weaken their belief in their country and their call for an end to occupation.

The clear, glaring reality, as stated by President Bashar Al-Assad, is that peace has never been the main preoccupation of Israeli Governments. Their preoccupation has always been, rather, security in the narrowest sense of the word: their security, which can never be realized, in their view, except at the expense of our security and our rights. It is illogical and unacceptable that we, the Arabs, are requested to continue providing evidence of our desire for peace despite the fact that we have repeatedly declared and expressed that wish on various occasions, especially since the Madrid Conference of 1991.

Israelis should prove that they have the same intentions and express in a concrete way their readiness for peace, and should try to convince us, the Arabs, that they are sincere. They are the ones who are occupying our land. They are the ones who are committing aggression against our people, who are displacing millions of our people, not the other way around. They are the ones who are committing all these infractions and yet they are calling for protection and

guarantees and using them as pretexts for more concessions and for blackmail.

The world is unanimous in stating that a just and comprehensive peace can only be realized on the basis of the terms of reference for peace that are well known, including resolutions of international legitimacy. Those terms mean, by definition, that there must be an Israeli partner to realize such terms. That partner is not there now. What is called for is the return of all the occupied Arab territories, including the Syrian Golan, to the borders of 4 June 1967, the establishment of an independent Palestinian State, with Jerusalem as its capital, because the continuation of the occupation runs contrary to peace, and therefore all methods to put an end to this occupation must be mobilized.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): Cuba is a sponsor of and supports the two draft resolutions on the situation in the Middle East just introduced by the representative of Egypt (A/64/L.24 and A/64/L.25).

The situation in the Middle East remains complex, in particular the situation in the occupied Palestinian territory, including East Jerusalem, which is characterized by the expansion of Israeli settlements and the ongoing construction of the separation wall. Israel's violations of international law and its ongoing illegal occupation of Arab territories remain the key obstacles to achieving a just, lasting and widespread peace in the region.

Cuba reiterates its deep concern for the ongoing deterioration of the situation in the occupied Palestinian territory, in particular as a result of Israel's excessive and indiscriminate use of force against the Palestinian civilian population and many other illegal policies and practices. These include the inhuman and destructive measures of collective punishment against the Palestinian civilian population, in particular in Gaza, which violate the rights of the Palestinian people and which worsen their socioeconomic circumstances.

Israel continues to build the separation wall in flagrant defiance of and disregard for the advisory opinion of the International Court of Justice (A/ES-10/273) and in violation of General Assembly resolution ES-10/15, which reaffirms the illegal character of the construction of the wall in the West Bank and East Jerusalem. Cuba remains concerned about the vast physical, economic and social devastation that the wall has caused, dividing occupied

Palestinian territory into isolated and enclosed cantons, destroying entire communities.

The illegal settlement activities are equally unacceptable, impeding the continuation of the peace negotiations and the search for a two-State solution. Cuba reaffirms that all actions that Israel has taken or may take to change the legal, physical and demographic status and the institutional structure of the occupied Syrian Golan, are null and legally void, as are any attempts on its part to exercise administrative jurisdiction over that area.

We reaffirm as well that all these measures and actions, including the illegal construction and expansion of Israeli settlements in the Syrian Golan since 1967, are violations of international law, of international agreements, of the Charter and resolutions of the United Nations, including Security Council resolution 497 (1981), and of the Fourth Geneva Convention. We demand that Israel respect Security Council resolution 497 (1981) and withdraw entirely from the occupied Syrian Golan to the borders of 4 June 1967.

Cuba reiterates its hope that current efforts and those that the international community might deploy in the future will put an end to the occupation of all the Arab territories occupied by Israel since 1967, including the occupied Palestinian territory with East Jerusalem and the occupied Syrian Golan. We trust that sooner rather than later the independent State of Palestine will be established, based on the 1967 borders, with East Jerusalem as its capital.

Mr. Bu Dhhair (Kuwait) (*spoke in Arabic*): At the outset, I would like to thank the Secretary-General for his great efforts to support peace efforts in the Middle East. I have the pleasure to declare, on behalf of my county, our full support for our Palestinian brothers, whose cause we honoured yesterday on the occasion of the International Day of Solidarity with the Palestinian People.

The General Assembly is discussing an important issue on its agenda, given the intrinsic link between this issue and international peace and security, in particular in the Middle East. For that reason, this is a very important issue. Six decades after the founding of the Israeli State, our region has not yet seen stability, despite its strategic and historic importance, because of the successive wars that the region has suffered and that have drained its energy and its resources. The

Middle East as a region is suffering in particular from a political and security situation that is constantly deteriorating, given the fact that the occupying Power, Israel, is continuing its illegal and immoral policies and practices.

Israel is unceasingly pursuing its illegal settlement policy in the occupied Palestinian territory, including East Jerusalem, by grabbing land, building new and expanding existing settlements under the pretext of so-called natural growth, which is not acceptable under international law and is strongly rejected by the United Nations and all States of the world. Israeli initiatives seeking to complicate the situation regarding the settlements present an obstacle to all hopes for negotiations aimed at bringing about a comprehensive and just peace. Israel called for a 10-month freeze on settlements in the West Bank, but it excluded Jerusalem from that initiative. That is a flagrant manoeuvre that Israel is using to blackmail the Quartet and the international community, using the pretext that it is making concessions, but in fact, those concessions do not meet any of the demands of the Palestinian people.

Israel continues to build the racist separation wall despite the advisory opinion of the International Court of Justice, which was adopted on 9 July 2004, and despite the illegal nature of that construction, which runs counter to international resolutions. The Court's opinion calls for the dismantling of the wall and for compensating Palestinians affected by its construction. Israel continues its almost daily detentions and assassinations of Palestinians and the demolition of their homes in flagrant violation of international laws and norms.

Israel's closing of crossing points, continuing its blockade of Gaza, and its imposition of collective punishment on Gaza, before and after the invasion, shows that Israel's total disregard for international law and highlights the enormity of the war crimes that amount to crimes against humanity, which Israel committed against the Palestinians, as was stated clearly in the Goldstone report (A/HRC/12/48).

We would like to reiterate our support for General Assembly resolution 64/10, adopted on 5 November 2009, after numerous intensive meetings where most of the nations of the world denounced these violations by Israel. We welcome the report that the Secretary-General has submitted to the General Assembly and the

Security Council (A/64/351), in which he draws attention to the problem of impunity and argues that Israel should realize that it is not exempt and is not beyond the reach of international law.

Israel pursues violations of provisions of the Fourth Geneva Convention adopted in 1949 on the protection of civilians during times of war. States parties to the Convention need to take practical measures to activate the provisions of the Convention as part of their full commitment to impose respect for this Convention by Israel. In this regard, we would like to thank the Government of Switzerland for expressing its determination to call the High Contracting Parties to the Convention to a meeting in Geneva as soon possible.

More than 40 years after the Israeli occupation of Arab territories, the situation in the occupied Palestinian territory, including East Jerusalem, remains very dangerous. The humanitarian situation is constantly deteriorating as is the economic situation. The Palestinian people are struggling to exercise their inalienable rights that they should enjoy, including their right to self-determination and the establishment of an independent State.

In this context, the State of Kuwait reiterates its commitment to support the struggle of the Palestinian people to recover all its legitimate political rights by setting up an independent State on its land, with Jerusalem as its capital. We affirm that if the Palestinian people do not recover their legitimate rights, in accordance with relevant Security Council resolutions, namely resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003) and 1860 (2009), and the principle of land for peace, not to mention the Arab Peace Initiative, which must not remain a dead letter just because of the obstinacy and refusal of Israel. Without these resolutions being enforced, we will not be able to find a just, lasting and comprehensive settlement to the Israeli-Palestinian conflict, which is at the core of the Arab-Israeli conflict.

The State of Kuwait once again calls for Israeli withdrawal from the occupied Syrian Arab Golan, a return to the borders of 4 June 1967, pursuant to Security Council resolution 497 (1981), with a view to reaffirming the illegal nature of Israeli activities in Syrian Golan. When Israel pursues the occupation of a part of the Syrian Arab territory and declares the

annexation of this area, Israel is putting sticks in the spokes of the wheel of progress ensuring that there will be no peace in the Middle East.

As regards Lebanon, my delegation reiterates its commitment to Lebanon and to the security, unity and territorial integrity and political independence of Lebanon. We call upon Israel to stop its violations of Lebanese land and air space and we call upon it to enforce Security Council resolution 1701 (2006), to withdraw from occupied Lebanese territory, namely, the Sheba'a farms, the village of al-Ghajar and Kafarshuba. We urge the international community to assist the Lebanese Government to expand its authority across the totality of its territory.

The international community continues to assist Israel, but Israel responds with more denial and rejection. Thus, after the Arab Peace Initiative and the initiative of the United States president, as represented by the road map. Israel responded by bombing Lebanon in 2006, and after the conference in Annapolis, Israel responded with Operation Cast Lead against Gaza. After President Barack Obama appointed Senator George Mitchell as his special envoy to the Middle East, and after the will expressed in his speech given at the University of Cairo that really did encourage us a great deal, Israel responded by expanding its settlement policy and declared the construction of hundreds of residential units in Jerusalem in breach of all conventions and all international instruments and norms.

At a time when we are extending a hand to the new American policy in the Middle East and to the efforts of the Quartet, without forgetting other options related to the two-State solution, Israel simply responds by more intransigence and procrastination and is using initiatives that are cobbled together to convince the world that it is making hard choices by temporarily freezing the settlements. This only leads to pessimism on our part and convinces us that Israel is not a genuine partner in the peace process.

The negotiations on Jerusalem, the freezing of settlement activity there and the return of refugees in accordance with resolution 194 (III) are opportunities that the Israeli Government should take seriously. We cannot go back to the starting point because of a change in Government in Israel. The Palestinian Authority came to an advanced stage of understanding with the previous Israeli Government, namely, with the

Madrid terms of reference and the Oslo Accords, but the current Israeli Government has taken a step back in terms of the negotiation process, which means that the peace-loving international community must express its despair and concern about reaching a new agreement or a new initiative.

The world's seriousness regarding the settlement of the Palestinian cause and the Arab-Israeli conflict is being put to the test. We call upon the international community, the Quartet and the United States Government to pursue their efforts to give new impetus to the peace process in order to achieve a comprehensive, lasting and just peace in the Middle East. We call upon Israel to listen to the calls of the international community and its repeated demands to find diplomatic solutions and to reject violence and extremism, which will naturally bring about peace for the Israelis, Palestinians and the peoples in the entire Middle East.

Mr. Okuda (Japan): Japan welcomes this opportunity to address the General Assembly on the situation in the Middle East.

For Japan, relations with the Middle East have always been a matter of the highest priority. We have been making serious efforts to enhance our ties with the region through cooperation in various fields. Japan and the Arab League have decided to launch the Japan-Arab Economic Forum, the first meeting of which will be held in Tokyo next week, with the participation of the economic ministers of Arab States. Japan strives to deepen mutual understanding between the Japanese and Arab peoples through such projects as the Dialogue among Civilizations between Japan and the Islamic World and the Japan-Arab Women's Exchange Programme.

We shall continue such efforts to further strengthen our multi-layered relations with Arab States, going well beyond the area of economics to embrace the full spectrum of other fields, including politics, culture, and science and technology. In particular, Japan has been willing to strengthen its cooperation to benefit future generations in the areas of science, technology and education; examples of this include contributing to the establishment of the Egypt-Japan University of Science and Technology, extending technical support to the Saudi-Japanese Automobile High Institute, and granting scholarships to Arab students and assisting scholarship programs in Arab

countries. Under these programmes, Saudi Arabia, for example, has already dispatched approximately 250 Saudi students to Japan to study. Through such efforts, Japan intends to help forge the foundations for peace and prosperity in the region and deepen its relations with the Arab League, a framework of critical importance for our regional cooperation.

Achieving peace in the Middle East based on the two-State solution is essential to both regional and global peace and prosperity. Japan remains determined to continue to support President Abbas and the Palestinian Authority, under his leadership, in seeking peaceful coexistence and mutual prosperity with Israel, leading to a just and lasting peace. Japan believes it is incumbent upon both the Israelis and the Palestinians to fulfil their obligations under previous agreements, such as the road map, in order to achieve steady progress in the peace process, and calls upon both parties to do so.

Japan is concerned about the current situation, in which peace talks have yet to be resumed. We call again upon Israel to halt its settlement activities, including “natural growth” in the West Bank, including East Jerusalem, while acknowledging the Israeli Government’s recent decision to freeze settlement activities for 10 months as a positive move in the right direction. Japan is convinced that we should make every effort to achieve a comprehensive peace in the Middle East. In this regard, Japan appreciates and supports the Arab Peace Initiative, and will continue to call on Israel to cooperate with Arab States in its implementation.

In order to create a viable Palestinian State, it is indispensable to stabilize the security situation, improve economic conditions and build judicial, legislative and administrative governance structures. In this regard, we greatly welcome the Programme of the Thirteenth Government, published by the Palestinian Authority in August as a blueprint for nation-building, and we are steadily implementing our assistance, amounting to \$200 million, announced last March. By means of the “Corridor for Peace and Prosperity” initiative and other efforts aimed at helping the Palestinian Authority to implement the Programme, we will support the creation of a viable State economy and will continue to make efforts towards the ultimate establishment of a Palestinian State.

With regard to the situation in the Gaza Strip, we are deeply concerned about the humanitarian conditions, which have not shown improvement, even 10 months after the adoption of Security Council resolution 1860 (2009). The humanitarian and human rights situation in Gaza, especially the plight of women and children, remains dire and precarious. Japan believes that international humanitarian law and human rights law must be respected by the parties concerned. We share the concerns of the international community and hope that every effort will be made by the parties concerned to improve the situation.

In that context, Japan urges Israel to ensure smooth access of people and goods to the Gaza Strip, and encourages the international community, including the Arab States, to enhance assistance to the Palestinian people there. At the same time, Japan calls on Hamas to renounce its policy of armed struggle against Israel and reaffirms its support for Egypt’s initiative towards reconciliation between Fatah and Hamas.

The normalization of relations between Syria and Lebanon is important for ensuring the overall stability of the region. Japan welcomes the establishment of full diplomatic relations between Syria and Lebanon through their exchange of ambassadors this year. Japan also welcomes the establishment of the new Lebanese Government headed by Prime Minister Saad Hariri, and hopes it will bring a new impetus to the efforts for peace and stability in Lebanon and the region as a whole.

In conclusion, I reiterate our hope that all parties concerned in the international community will enhance their efforts to realize a just, comprehensive and lasting peace in the Middle East, including on the Syria and Lebanon tracks. We must explore ways to secure a breakthrough in the current stalemate in peace negotiations between Israel and the Palestinians under President Abbas, who seeks to establish a Palestinian State living side by side in peace with Israel. Japan will continue to provide support to that end.

Ms. Grau (Switzerland) (*spoke in French*): Not a day goes by that we are not reminded of the urgency of the situation in the Middle East and of the need to provide concrete responses. In this context I would like to stress the following five points.

First, Gaza: Switzerland is deeply concerned by the economic and humanitarian situation in Gaza. With winter approaching, more than a million inhabitants of

Gaza are still living in precarious conditions, despite the promises made by the international community in Sharm El Sheikh in March. We call on Israel to end the blockade of the Gaza Strip, to guarantee regular humanitarian access and to authorize the delivery of building materials immediately. In order to facilitate this process, the United Nations, through its agencies, has offered Israel strict guarantees about the use of those materials, as well as meticulous monitoring of the projects.

The ceasefire with respect to the rocket attacks against the Israeli civilian population must be maintained. A lasting and duly formalized ceasefire agreement that includes access to the Gaza Strip should also be put in place to enable reconstruction and development. Such measures would be the best guarantees of security.

Secondly, the peace process: strict compliance with the requirements of the road map is the only way to achieve a two-State solution. We call on the parties to resume peace negotiations on the basis of a defined framework and precise timetable. Practical solutions do exist, as eminent representatives of Israeli and Palestinian civil society demonstrated recently by publishing the annexes to the Geneva Accord. This document outlines clear terms and conditions for achieving the shared vision of a just and lasting peace. The way has thus been cleared. However, the political will to follow this path resolutely is still lacking. A total freeze on settlements in the occupied Palestinian territory, including East Jerusalem, as well as intra-Palestinian reconciliation, would create conditions favourable to the resumption of negotiations. The decision by the Israeli Government to put a brake on new settlements is a gesture in this direction.

Thirdly, Switzerland strongly regrets the destruction of houses and the expulsion of their inhabitants, the restrictions imposed on the free movement of persons and goods as well as the violent and unpunished behaviour of certain settlers. Those actions not only violate international law but place further obstacles on the path of peace.

The decision to substantially extend the settlement of Gilo, to the south of East Jerusalem, is a violation of international law, which can only aggravate the political and security climate. With regard to the holy places, we call on the parties to the

conflict to refrain from any provocation that could trigger a spiral of violence.

Fourthly, regarding the Goldstone report, justice and the efforts to achieve peace are inseparable. In that context, Switzerland considers it essential to implement the recommendations of the Goldstone report. In the near future, Switzerland will hold consultations on the possibility of calling a conference of the High Contracting Parties to the Fourth Geneva Convention, in accordance with resolution 64/10 adopted by this Assembly on 5 November.

Ms. Štiglic (Slovenia), Vice-President, took the Chair.

Fifthly, as for Lebanon, I would like to conclude by congratulating it on its newly formed Government. We look forward to the forthcoming resumption of the national dialogue. We wish every success to this process, which is essential for the future of the country and of the entire region.

Ms. Solbakken (Norway): Once again, the situation in the Middle East calls for close attention. As the Security Council heard in the briefing by the Assistant Secretary-General on 24 November, political efforts towards a negotiated two-State solution have reached a deep and worrying impasse. The Assistant Secretary-General further warned that without a political horizon — where commitments are made, monitored and kept — destructive forces could fill the vacuum, putting both the Palestinian Authority and the two-State solution at peril.

President Abbas' decision not to seek re-election is a wake-up call. His decision reflects a situation in which confidence in a process with meaningful negotiations, from the Palestinian perspective, has eroded. An abrupt and disorderly change in the Palestinian leadership could seriously undermine the stability of the Palestinian Authority.

It could also lead to a reassessment by the international community of its economic and political relations with the Palestinian Authority, thereby undermining the Palestinian State-building project itself. It is more important than ever that the international community stand united in its support for the Palestinian political forces devoted to peace.

At this time, our first and foremost challenge is to avoid a political vacuum in the Palestinian territory. We should therefore strengthen our efforts to re-engage

President Abbas politically and send a clear message to the Palestinian people that a re-launch of the negotiations is the only way forward.

However, in order to restore Palestinian confidence in the political process, the situation on the ground must improve. This includes implementation of road-map obligations in terms of settlement activity and security. The international community and Israel should also make concerted efforts to strengthen economic development and institution-building, as set out in the Fayyad plan, in order to improve economic growth and living standards.

This is, however, not enough. In addition, there is an urgent need to establish a common understanding of the terms of reference for negotiations. Those terms of reference must be based on all earlier commitments and with a clear timeline as to ending the occupation and resolving the final status issues.

Let me briefly turn to Norway's role as Chair of the Ad Hoc Liaison Committee (AHLC). It is becoming increasingly difficult to maintain the motivation of donors to contribute the necessary funds to ensure that the Palestinian Authority is able to sustain its institution-building efforts. Donors have so far lived up to their commitments. But without a political horizon, without a credible political process, it is increasingly harder for donors to justify high levels of contributions to the Palestinian Authority.

Prime Minister Fayyad's two-year plan for the establishment of a Palestinian State, presented to the AHLC meeting here in New York on 22 September this year, received strong and unanimous support from donors. In the current political situation, the Fayyad plan is even more important as a platform for international support and political development on the Palestinian side. This is not the time to let the plan and Palestinian institutions falter owing to a lack of funding. However, in a longer-term perspective, only a credible, political process can ensure donors' continued support for the two-State solution.

Mr. Apakan (Turkey): Turkey fully aligns itself with the statement delivered yesterday by the representative of Sweden on behalf of the European Union, under the agenda item 16, "Question of Palestine". Therefore, my remarks will be brief.

Today, in the Middle East, we are confronted with many challenges. Although they differ in nature, all

those challenges are somewhat related to or result from the fact that we have no functioning peace process in place. We have to address this issue immediately and reactivate the peace process on all its tracks. It is a must for a peaceful future in the region and we are duty-bound for future generations. To achieve this, we need to remove the obstacles on the way to peace.

In this respect, the main impediment is the continuing Israeli settlement activities in the occupied territories, particularly in East Jerusalem. Israeli practices related to housing, as well as the evictions and demolitions of Palestinian homes, are illegal and unacceptable.

We call on Israel to meet in full its road-map commitments and to cease all settlement activities, not partially and temporarily, but completely and permanently. The status of Jerusalem is one of the core issues of the peace process, along with borders and refugees, and is subject to final status negotiations.

In the meantime, Jerusalem is a city held sacred by three monotheistic religions. Any unilateral act affecting the nature of Jerusalem can easily have much broader ramifications. Therefore, we reemphasize the importance of preserving the status as well as the cultural and religious fabric of Jerusalem and call on Israel to refrain from any provocative action in the city.

With a view to preparing the ground for an early resumption of the negotiations, we should also continue to uphold the basic framework for peace, as embodied in the relevant Security Council resolutions, the Madrid Principles, the Arab Peace Initiative and road-map obligations.

There is a general convergence on those fundamental parameters. What is needed is a comprehensive peace based on two States — Israel and an independent, democratic and viable Palestinian State — living side by side, with agreed borders based on those of 1967 and Jerusalem as the capital of both States and a just settlement for refugees.

At the current stage, the reaffirmation of that broad end result should help us as we work on how to reach it. We have always been aiming for a comprehensive peace, since all issues in the Middle East are intertwined. Therefore, the Syrian and Lebanese tracks require our attention too. For the resumption of the Syrian-Israeli track, both parties should display the necessary will to make progress.

It is all the more difficult to move ahead on the path to peace when there is an ongoing tragedy in the region. The wounds caused by the Israeli operation in Gaza early this year are far from being healed and in fact are still bleeding. As the winter sets in, the dismal living conditions of the Palestinians in Gaza will be starkly manifested. The full implementation of resolution 1860 (2009) and the opening of the crossings is a must for putting an end to the persistent, unbearable situation in which Gaza's 1.5 million Palestinians are living. As long as there is no return to normal daily living and socio-economic activity in Gaza, efforts to build confidence and ensure stability in the region will have little chance of succeeding.

At the current stage, empowerment of the Palestinians is increasingly important. Member States must support Palestinian State-building. Prime Minister Fayyad's two-year plan in preparation for Palestinian statehood is very encouraging and requires our backing. Turkey is also determined to maintain its support and cooperation in this field.

Turkey will continue to make every effort towards comprehensive and permanent peace in the Middle East. As we go through yet another critical period in the Middle East, there is no alternative but to reactivate the peace process and carry forward with determination. We must work harder. Otherwise, another failed attempt will only sow greater anger and despair in a region already drowning in both.

Mr. Quinlan (Australia): Australia had hoped that this year's debate on the Middle East would have been preceded by genuine progress towards peace. But it has not. The tragedy of the Gaza conflict of last December and January was another compelling reminder of the simple, ineluctable truth that a lasting resolution to the Israel-Palestinian dispute can only be brought about through peaceful means. And yet we face a situation where the new dynamic that has been created by United States President Obama's efforts towards seeking a solution has not met with the success it merits, and we are facing a continuing humanitarian crisis in Gaza — a situation that is unacceptable.

Negotiations for peace need to be relaunched. They must be. This obviously requires strong political leadership and courage, as well as the vision that it is only by both sides taking substantive measures that we will achieve the confidence and trust necessary for genuinely productive negotiations.

There are some simple existential truths that underline this conflict. Israel has a sovereign right to exist within secure and internationally recognized boundaries. It has an unambiguous right to self-defence, under international law, including in the face of Hamas' rocket attacks into southern Israel. But equally, the Palestinians have an inalienable right to self-determination and to a viable, independent, secure State. So an enduring peace must be predicated on the viable two-State solution.

Australia's Deputy Prime Minister Gillard visited both Israel and Palestine earlier this year to meet with the Israeli and Palestinian leaderships in order to reaffirm the Australian Government's strong commitment to the Middle East peace process. We urge all parties to begin negotiations as soon as possible, addressing final status issues, including the status of Jerusalem and the settlements. We call on all parties not to undertake any unilateral actions that seek to predetermine the outcome of those negotiations. Our strong position remains that Israel and the Palestinians need to meet their obligations under the road map for Middle East peace.

Israel must halt settlement activity and work to normalize the day-to-day life of Palestinians. The Palestinians must continue to dismantle terrorist infrastructure and halt violence and incitement.

Australia has welcomed the Arab Peace Initiative as an important constructive contribution towards a comprehensive peace, and we look forward to the active, supportive engagement in the peace process, of Israel's neighbours. We support those who are standing strongly against others who only offer the nihilism and the dead end of confrontation, violence and terrorism. Hamas' continuing rejection of the Quartet principles and its refusal to recognize Israel is a major obstacle to peace.

We commend the positive role of Egypt and the Arab League and the role they have played in Gaza. The situation in Gaza remains dire, as I have said — unacceptable. It should be of real concern to all of us. It must be addressed. Israel must do all it can to help increase the flow of humanitarian goods and necessary supplies into Gaza. It should continue to ensure the safety of United Nations and humanitarian workers. Equally, arms smuggling must stop. We call on Hamas to release unconditionally Gilad Shalit without delay.

Australia welcomed the announcement of the formation of Lebanon's new unity Government on 9 November. The successful holding of parliamentary elections in June was an important and positive step in Lebanon's democratic development. Australia will remain firm in our support for the sovereignty, political independence and unity of the Lebanese State and its people.

We reiterate our call for Hizbullah to disarm, in accordance with Security Council resolution 1559 (2004). We also welcome the efforts being undertaken to bring new life to discussions between Israel and Syria. Syria must continue to move towards playing a constructive, regional role — a role that it should have.

Australia remains concerned by International Atomic Energy Agency (IAEA) reports of undeclared nuclear material in Syria and urges Syria to provide maximum cooperation and transparency to the IAEA to allow it to complete its assessment.

Australia will continue to provide what help we can to achieve peace. We recognize that a viable Palestinian State will require strong and effective institutions.

We commend the efforts of the Palestinian Authority to strengthen those institutions, and we remain committed to supporting those efforts. Over the last two years we have donated more than \$A75 million in development and humanitarian assistance to the Palestinian territories and over \$A40 million since the Gaza conflict earlier this year. We will remain a longstanding contributor to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and form part of the United Nations Truce Supervision Organization and other peacekeeping operations in the region.

To conclude, Australia again urges the parties to recommence negotiations that address final status issues as soon as possible, and we urge people to move now so as to stop the unacceptable humanitarian crisis in Gaza.

Australia will do what it can to support this process and we urge all Member States to do the same. The absence of peace in the Middle East is a threat to all of us and frankly, our failure to achieve it, despite the burden of more than 60 years of conflict, should shame all of us.

Mrs. Rubiales de Chamorro (Nicaragua) (*spoke in Spanish*): Nicaragua aligns itself with the statement made by the Permanent Representative of Egypt on behalf of the Non-Aligned Movement.

The situation in the Middle East continues to seriously deteriorate owing to the expansionist and colonialist policies of Israel, which persists in disregarding the will of the international community, in violation of international law and all United Nations resolutions in that regard.

The illegal occupation in Palestine and in the occupied Arab territories of Syria and Lebanon must cease immediately. That is the only way to put an end to all the flagrant violations of human rights in the Middle East.

We wish to express our appreciation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and of its Chairman, who have been playing a very important role in the establishment of an independent, free and sovereign Palestinian State. As a member of the Committee, Nicaragua co-sponsored all the draft resolutions that are before us on those issues.

The question of Palestine is at the heart of the deteriorating situation in the Middle East. General Assembly resolution 181 (II) divides Palestine into two, one Jewish State and the other Arab. After so many years, the Palestinian people are still waiting for their independent State to be established. Since the 1980s, Nicaragua has recognized the Palestinian State.

The greatest desire of the Palestinian people is to find peace and to live in harmony with its neighbours in a free, independent and viable State. However, that cannot be achieved as long as the Israeli occupation and aggression continue and the Palestinian people, who are struggling heroically and resisting in very difficult conditions, is unable to regain its legitimate ancestral rights and to recover its occupied lands.

The intolerable situation to which the Palestinian people are subjected has deteriorated even further since the armed aggression of Israel, the occupying Power, from 27 December 2008 to 18 January 2009, which resulted in nearly 1,500 dead, the majority of those innocent civilians, and several thousands injured. Moreover, it caused a serious environmental crisis owing to the toxic chemical gases and the white phosphorus used by the occupying Power and the waste

products produced by other high-explosive missiles, which will affect the Palestinian people, in particular children, for many years because of the contamination that they have produced. The international community demands that the perpetrators of those massacres and disasters be tried by impartial courts.

Despite the various criticisms in international forums, Israel, with the complicity of certain permanent members of the Security Council, continues to violate the most fundamental rights of the Palestinian people, including ongoing violations of the right to life and of the Palestinians' personal safety through the indiscriminate use of force, which violates international law, international humanitarian law and the most basic norms of human rights. That, in turn, has created an extremely difficult economic, social and humanitarian situation in the occupied Palestinian territory, including East Jerusalem, where Israel continues to expel the population of Palestinian origin from their homes and to extend its illegal settlements.

Nicaragua believes it important to adopt urgent confidence-building measures necessary in order to promote effective negotiation by the parties, making it possible to progress towards ultimately achieving a just peace based on the recognition and existence of two free and sovereign States.

There is a need for a politically just solution to the Palestinian problem, based on the various resolutions adopted by the United Nations, in particular the resolution that establishes the Palestinian refugees' right of return (resolution 194 (III)) and those that demand Israel's withdrawal from the Arab territories occupied in 1967, in full accordance with the principle of land for peace, established at the Madrid Conference, and the Arab Peace Plan, which would allow the establishment of a Palestinian State.

Yesterday, we commemorated the International Day of Solidarity with the Palestinian People, and I would like to conclude by quoting part of the message of the President of the Republic of Nicaragua, Commander Daniel Ortega Saavedra, on that occasion:

“The Government of Reconciliation and National Unity of Nicaragua and the Nicaraguan people support the just cause of the Palestinian people as a question of principle, and, together with the rest of the international community, we deem it necessary to enhance international efforts in pursuit of a peaceful solution that results in the

establishment of an independent Palestinian State, with East Jerusalem as its capital, in order to achieve a just and lasting peace in the Middle East.”

We also express our solidarity with the peoples and Governments of Lebanon and Syria in their struggles for and defence of the sovereignty and territorial integrity of all their territories occupied by Israel. In order to achieve a climate of peace and justice, Israel must cease its expansionist policies and immediately withdraw from those territories. All the measures or actions that Israel has taken or those new steps that it tries to impose on those territories are null and have no legal effect.

As in previous years, jointly with the rest of the international community, we reaffirm our hope and commitment to seeking a solution to the Palestinian problem, which lies at the heart of the Arab-Israeli conflict, as well as in all the occupied Arab territories, and to the need to achieve a comprehensive, just and lasting peace in the Middle East.

Mr. Cabral (Guinea-Bissau) (*spoke in French*): We all concur in recognizing that the Palestinian question is at the very heart of the conflict in the Middle East. Quite simply, no Arab country or citizen of that region of the world can feel free as long as the Palestinians, the Palestinian people, continue to suffer the torments of the illegal occupation by Israel.

In 1981, the Security Council adopted resolution 497 (1981), which demanded Israel's immediate withdrawal from the Golan Heights. It is now December 2009 and, to date, nothing has happened to encourage us to believe that that problem will soon be settled.

It is absolutely crucial that we realize the need to rally together, given the obstinate refusal of the Israeli authorities to recognize that in today's world — we are in the twenty-first century — one cannot base one's relations with one's neighbours on any principle other than those recognized under international law and enshrined in the United Nations Charter.

Not being able to acquire territories by force has become a fundamental principle. I would like to explain myself. The inadmissibility of the acquisition of territories by force is stipulated by international law. We cannot accept the fact that since 1967 the Israeli authorities have illegally occupied Arab territories.

Clearly, our Israeli friends need to realize that we must all work to achieve a lasting peace. Together we must persuade them that it is necessary to look objectively and constructively at what has to be done right now to preserve present and future generations.

We, the international community, have wasted too much time. We have missed many important occasions and caused many hopes to fail. There are people there who are suffering and cannot wait any longer. There are generations of Palestinian refugees stagnating in the camps. Yesterday, some of us attended an exhibition of photographs highlighting the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has existed for 60 years. Can you imagine that that agency has been dealing with the Palestinian people and their fate for 60 years? That shows the extent of the efforts we must make together to resolve the issue. In order for peace to be restored to the Middle East, each and every person must shoulder the necessary responsibility.

Now I wish to address our friends the Arab countries. Unity must exist as a tangible reality in the Arab world. Together, the countries that stand for unity in the Arab world must support the Palestinians and make their resources available to the Palestinians, in order to complete the necessary reconstruction.

But our friends must also be able to express to our Palestinian friends — as I said this morning and allow me to return to that important aspect of the issue — that the Palestinians need to come back together and reconcile with each other. They need to unite around the essential issue, which is the liberation of their people.

We need to say to our friends from Hamas that they need to return to reason. Today, at the beginning of the twenty-first century and given the distribution of power in the world and all that we understand and must accept — we cannot deny the existence of Israel. I say that here with sincerity. We must recognize the existence of Israel. That is something many Arab countries have done. We need to base ourselves upon that principle in order to see the future and to see the prospects for this important region of the world, which is also at the epicentre of contemporary international relations.

I encourage each and every person making efforts in this area. This morning I spoke about the efforts that continue to be made, and incidentally, successfully, by

the Quartet. But I also wish to say here that we greatly appreciate the efforts of President Sarkozy of France to ensure that even in the heart of the Arab family reconciliation can prevail, in particular in the relations between Syria and Lebanon.

As my colleague noted earlier, we are also delighted by the accession of the unity Government in Lebanon. That can make a significant contribution to peace in the Middle East.

But we will continue to reiterate that Israel must recognize that it is in the interest of its own people to build a lasting peace in the Middle East. It is in the interest of the countries in the region to realize that building peace is necessary. No individual can close himself off within the territorial boundaries of his country. No one can live in isolation today, given the status of international relations and the links that exist between the countries of the international community. We cannot live in isolation. We cannot fail to take into account events taking place in our neighbouring countries. We must take the steps needed to ensure that together we can build a lasting peace in the Middle East.

Much has already been done since the Oslo conference and then the Madrid conference, the Arab Peace Initiative and other equally valuable and pertinent initiatives; but there have been many failures as well. Despite all of those, we have not seen an encouraging result that might lead us to think that we have emerged from the crisis.

For that reason, we have continued year after year before the General Assembly and also in the Main Committees to stress the need to strengthen the efforts to ensure that international legal standards are recognized and to make it possible for Israel to withdraw from the Syrian Golan Heights and from the occupied Lebanese territories. That must be done, because we cannot accept — as I noted at the outset of my statement — Israel's continued occupation of the territories, as has been the case since 1967. That is not admissible; it is unacceptable.

It would be counter-productive here to focus solely on pointing a finger at the events or people deemed to be responsible for the situation in that area of the world. We are all responsible in some manner, because as the international community we must encourage everybody to sit down around a table and to have a dialogue. All wars all over the world have ended

around a negotiating table and with the signing of an agreement — unfortunately after the parties have torn each other apart. And why do these parties continue to tear each other apart? Why should we allow men and women to continue to die? Why should we allow the situation in Gaza to exist today, where children continue to die of hunger or from lack of medication or vaccinations? That is inadmissible. It is a situation that strikes at our universal conscience and the conscience of each and every person here today.

That does not require taking a stance in favour of Hamas. No. It requires taking a stance in favour of the human condition and defending human beings — men, women, children and the elderly — in those territories who continue to suffer the effects of unimaginable violence. That is what we must do.

Again I wish to thank the Secretary-General, who, on behalf of us all, is undertaking ongoing and praiseworthy efforts and who deserves not only our support but our deep appreciation. We encourage him to continue his efforts to ensure that dialogue continues unhindered, over and beyond the distractions, hesitation and procrastination that were alluded to earlier.

We encourage each and every person to gather around a table; because ultimately, it is not only the people in the region who will reap the benefits of those efforts. As people who believe in peace and justice in the world, we will become the great beneficiaries of the era of peace and national reconciliation in that region of the world. Because we cannot continue to impassively witness the injustice meted out against the people of that region of the world. We said this morning that we cannot only observe the suffering of the Palestinian people. We cannot continue to only observe the arbitrary confiscation of private property, the destruction of houses, the cordoning off of people. We cannot observe this without reacting to the suffering of human beings. We are all alike, you and me, and we must do something.

We need to encourage the Israeli authorities and our Arab friends to unite and to get together so that they can speak with one voice. We need to encourage them to foster the unification of the Palestinians. The Palestinians must be able to speak with one voice. Furthermore, the Palestinians who consider themselves hardliners need to realize peace will not come from the barrel of a gun or through launching rockets against

innocent Israeli civilians. That must also be denounced and we must be courageous enough to denounce those actions and, in that manner, support peace.

Yes, we do criticize Israel when it should be criticized. But that criticism must also address those who launch rockets indiscriminately against innocent civilians. Because human life — whether that of an Israeli child or an Arab child or a child from Guinea-Bissau or from Pakistan — is the same throughout the world. And I believe the same strength, determination and vigour should be used to defend peace worldwide, based on the principles of the United Nations Charter, which all of us as Member States uphold.

Mr. Manjeev Singh Puri (India): It is indeed an honour to address the General Assembly, and to do so twice in one day is indeed very special. I am honoured by this. But I speak with a heavy heart because, the reason for my speaking twice today before the General Assembly is because of these two interlinked agenda items, which have festered on our agenda for decades.

As a nation with age-old historic and cultural ties with the Middle East, India has an abiding interest in the early resolution of the unresolved issues that have troubled the region since the inception of the United Nations.

The West Asian region is of vital importance to India. It is home to nearly 5 million Indians and is an important source of India's energy and fertilizer needs. India's commitment to the Palestinian cause and its solidarity with the Palestinian people are well known. Our ties with the friendly people of Palestine are rooted in our common history and go back to the days of our struggle for independence. India remains unwavering in its support to the Palestinian people in their struggle for their legitimate rights.

The conflict in West Asia being essentially political in nature cannot be resolved by force. We have consistently supported the Middle East peace process on all its tracks and wish to see the creation of an environment conducive to the earliest possible resumption of dialogue in the Middle East peace process.

We favour a negotiated solution wherein a sovereign, independent, viable and united State of Palestine can exist within secure and recognized borders, side by side and at peace with Israel, as

endorsed in the Quartet road map and Security Council resolutions 1397 (2002) and 1515 (2003).

We are also supportive of the Arab Peace Initiative and have called for an end to Israeli settlements in the occupied Palestinian territory along with early easing of restrictions within Palestine on free movement of persons and goods.

India is aware that genuine peace in the region also requires resolution of other issues on the remaining tracks of the Middle East peace process, including restoration of other Arab lands that remain under occupation. Progress on the Lebanese and Syrian tracks of the peace process is important for achieving comprehensive and durable peace in the region. Our leadership is in touch with our interlocutors in the region at the highest level.

India remains steadfast in its commitment to rendering assistance to the Palestinian people, including in capacity-building and national reconstruction. We have also contributed to United Nations peacekeeping efforts in the region.

Given the complexity of the task, unprecedented determination, goodwill and capacity to offer and accept compromises and concessions are needed on all sides. It is here that the members of the international community have a collective duty to help in creating a favourable environment within which the negotiations can move forward. Concerted and all round action is necessary to invigorate the peace process, with the objective of achieving a durable, comprehensive and just settlement. We remain convinced that lasting peace in the region will contribute to global stability and prosperity.

The Acting President: We have heard the last speaker in the debate on agenda item 15. At the request of the sponsors, the General Assembly will take action on draft resolutions A/64/L.24 and A/64/L.25 under agenda item 15 tomorrow morning at 10 a.m., immediately after taking action on the draft resolutions under agenda item 16, "Question of Palestine".

One representative has requested to speak in exercise of the right of reply. May I remind members that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second and should be made by delegations from their seats.

I call on the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syria) (*spoke in Arabic*): My colleague, the Permanent Representative of Australia, mentioned my country by name in his statement and called upon my country to play a positive regional role. He also expressed what he called his country's concern with regard to the contents of the International Atomic Energy Agency (IAEA) report on the presence of nuclear activities in Syria.

I wish to clarify to the Assembly and to my colleague, the Permanent Representative of Australia, the following: first, it seems that the Permanent Representative of Australia missed the point in that the agenda item before the Assembly today is entitled, "The situation in the Middle East". It is an item that, according to the dozens of statements we have heard, is basically focused on the Israeli occupation of Arab territories and the ways and means to put an end to that occupation and to the repeated Israeli aggression against the Palestinian people and its neighbours Syria and Lebanon.

Consequently, the representative of Australia deviated from the subject of the debate, thus diverting attention from the main focus of the debate. In addition, his statement avoided the issue of the expansionist occupation policies of Israel, which contravene efforts towards peace, by referring to issues that are of no relevance to the content and form of the agenda item.

Secondly, it is clear that the Permanent Representative of Australia favours swimming against the tide. He is acting outside the consensus that we have seen yesterday and today as the Assembly addressed issues concerning the question of Palestine and the situation in the Middle East. He went completely off the track. In his intervention he called on my country to play a positive regional role, and with that unfortunate call he ignored the reality of the political situation and all of the important political achievements that have made Damascus a hub for Arab, regional and international politicians. The Permanent Representative of Australia has shown a complete lack of knowledge of the positive changes that have taken place in our region as a result of the dynamic and wise policies of the Syrian leadership, which have had a positive effect on the geopolitical dynamic in our region.

Only two months ago, the IAEA adopted two important resolutions on Israel's nuclear weapons arsenal. The resolutions called on Israel to submit its nuclear facilities to supervision and monitoring by the IAEA and to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as a party that does not possess nuclear weapons. The resolutions also called on the Director General of the IAEA to carry out that international request.

Regrettably and as usual, the Israeli Government has rejected the two resolutions. David Danieli, Deputy Director General of Israel's Atomic Energy Commission, stated after its adoption, "The State of Israel will not cooperate in any matter with these resolutions".

One can imagine how concerned we are that the Permanent Representative of Australia has ignored the real and current threat posed by Israel's nuclear weapons in our region and beyond and has distracted attention from the Israel's violations of international

law and the provisions of the United Nations Charter in its aggression against Syria.

This twisted behaviour shows that Australia supports Israel's excessive and grotesque actions in the area of nuclear proliferation and is seeking to cover up the military nuclear programmes of Israel, which threaten peace and security in the region and globally.

I remind my colleague, the Permanent Representative of Australia, of the position of my country with regard to the NPT and nuclear non-proliferation: my country's position on nuclear non-proliferation is clear, steadfast and transparent and cannot be upset by any smokescreen issues raised by one representative or another in the service of Israel.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 15.

The meeting rose at 5.25 p.m.