



# General Assembly

Sixty-fifth session

**53**<sup>rd</sup> plenary meeting

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Official Records

*President:* Mr. Deiss ..... (Switzerland)

*The meeting was called to order at 3.05 p.m.*

## Agenda item 37

### Question of Palestine

**Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/65/35)**

**Report of the Secretary-General (A/65/380 and Add.1)**

**Draft resolutions (A/65/L.14, A/65/L.15, A/65/L.16, A/65/L.17 and A/65/L.24)**

**The President** (*spoke in French*): We meet today to address the painful and persistent question of Palestine. Today, 29 November, we also observe the International Day of Solidarity with the Palestinian People. For that occasion, I addressed the Committee on the Exercise of the Inalienable Rights of the Palestinian People this morning. I recalled the sustained and resolute commitment of the United Nations General Assembly to the Palestinian people, the peoples of the region and the peace process.

It is in that same spirit of firm determination that I open the debate on the question of Palestine this afternoon. As the Assembly knows, 29 November is the day on which, in 1947, the General Assembly adopted resolution 181 (II), which divided the territory known as mandatory Palestine into two States; one Jewish, one Arab.

Since then, the General Assembly has consistently ensured that a peaceful settlement of the conflict continues to be a priority on the agenda of the international community. The Assembly has repeatedly stated that it considers that a solution in accordance with resolution 181 (II) would be the most viable — a solution whereby the Israelis and the Palestinians live side by side in peace and security within recognized borders. We must spare no effort in supporting both Israel and the Palestinian Authority in achieving a just and lasting solution after decades of confrontation, conflict and violence.

Today, after 63 years of suffering inflicted on the people of the region, we must ask ourselves how we will explain to future generations our inability, for all these years, to realize what all believe to be just and beneficial for all. We must come together to begin a credible and sincere dialogue and seek the compromise that will lead us to that solution.

I encourage the parties in their desire for engagement, but more must be done. It is necessary to go beyond good intentions and get past the deadlocks that have developed over time. Lastly, honest and fair negotiations must be conducted. Violence and acts of terror must cease. International law and United Nations resolutions must be respected. Any action that could worsen the situation and fuel a climate of suspicion and mistrust must stop.

That is not an easy task. Difficult choices and sacrifices will be necessary on both sides. But we absolutely must, finally, find the strength and courage

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to respond to the aspirations of the peoples of the region to live together in dignity and security. The time has come to make peace.

In the short term, we must take steps to relieve the suffering of the Palestinian people. The General Assembly has repeatedly expressed its concern about the humanitarian conditions in the Gaza Strip and the West Bank. Without swift progress, the humanitarian, economic and security conditions of the Palestinian people will continue to deteriorate. I call on all Member States to support the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. I encourage the international community to provide financial, technical and political support that will alleviate the distress of the Palestinian people. The stakes are high, but there is no alternative to a peaceful solution to the situation. Our debate today must affirm our determination.

I now give the floor to His Excellency Mr. Abdou Salam Diallo 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/65/L.14, L.15, L.16 and L.17.

**Mr. Diallo** (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*spoke in French*): It is my great honour and pleasure to address the General Assembly for the first time, in my new capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, on the important agenda item on the question of Palestine.

Allow me at the outset to express on behalf of the Committee my sincere appreciation to all who took part in this morning's special meeting of the Committee in observance of the International Day of Solidarity with the Palestinian People.

Before I introduce the four draft resolutions drafted by our Committee under the agenda item, I would like to make a few remarks about the situation in the occupied Palestinian territories, including East Jerusalem, and developments in the political process.

The situation of the Jewish settlements is receiving increasing attention, particularly as it affects the prospects for resuming direct Israeli-Palestinian negotiations. The Committee calls upon Israel to restore the settlement moratorium, extend it

indefinitely and apply it also to East Jerusalem. The Committee is deeply alarmed by the unilateral measures intended to alter the political, demographic and legal realities in that Holy City, as well as by movement restrictions and checkpoints aimed at creating a divide between East Jerusalem and the rest of the occupied West Bank.

The humanitarian crisis in the Gaza Strip, caused particularly by the Israeli economic blockade, continues to be a source of great concern to the Committee. That is why the Committee wishes to recall that the United Nations has a permanent responsibility towards the question of Palestine until it is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy.

For its part, the Committee intends to continue playing a constructive role in support of the international community's efforts to bring about a peaceful solution of the question of Palestine. Specifically, the Committee has been a strong supporter of the two-State solution, whereby an independent, sovereign State of Palestine will be established within the 1967 borders, with East Jerusalem as its capital, living side by side with Israel in peace and security. Such a solution should also bring peace and security to the Israeli people and open the way for Israel's full integration into the region, in keeping with the Arab Peace Initiative.

I would now like to introduce to the Assembly the four draft resolutions adopted by the Committee and circulated under this agenda item: A/65/L.14, A/65/L.15, A/65/L.16 and A/65/L.17.

The first three draft resolutions are related to the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights of the Secretariat, and the special information programme on the question of Palestine of the Department of Public Information, also of the Secretariat. They reaffirm the important missions entrusted to those entities by the General Assembly. As in the past, the Committee intends to make sure that resources made available to it are employed in the optimum manner for all authorized activities. The three drafts have been updated.

The fourth draft, A/65/L.17, entitled "Peaceful settlement of the question of Palestine", reiterates the position of the General Assembly with regard to the essential elements of such a settlement and refers to the

developments of the past year. It reaffirms, inter alia, the General Assembly's full support for the Middle East peace process based on the relevant United Nations resolutions, the Madrid terms of reference, in particular, the principle of land for peace, the Arab Peace Initiative, the Quartet's road map and the existing agreements between Israel and the Palestinians.

The four draft resolutions that I have just introduced outline positions, mandates and programmes that are of special importance. I would like to call on the General Assembly to vote in favour of them and support the important goals contained therein.

**The President** (*spoke in French*): I thank the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

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.

**Mr. Borg** (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: 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/65/35. Allow me to summarize each section of the report.

In chapters I through III, the report covers the Committee's mandate and objectives, as well as its general perspective on the events that have taken place in the course of the year. The Introduction to the report refers to the origins of the Committee, which this year marked its thirty-fifth anniversary, having been established in 1975.

It is to be noted that throughout its existence, the Committee, through its reports, has continued to stress that a comprehensive, just and lasting solution to the question of Palestine — the core of the Arab-Israeli conflict — must be based on the relevant United Nations resolutions and a series of essential principles. The most important of those principles are, first, that Israel, the occupying Power, must withdraw from the Palestinian territory occupied since 1967, including East Jerusalem, and from the other occupied Arab

territories. Secondly, the right of all States in the region to live in peace within secure and internationally recognized boundaries must be respected. Thirdly, the inalienable rights of the Palestinian people must be recognized and exercised. Moreover, the Committee has consistently supported a peaceful solution of the question of Palestine, welcoming, among other initiatives, the 1991 Madrid Peace Conference, the Arab Peace Initiative and the Quartet's road map.

Under chapter IV, the report reviews the situation relating to the question of Palestine, as monitored by the Committee during the year. It contains a detailed factual account of events that have taken place in the period under review. An important development to be mentioned in particular is the Israeli-Palestinian peace negotiations, which saw the critical role undertaken by the United States in May 2010 to facilitate indirect talks between the parties. This chapter also portrays in some detail the grave situation persisting on the ground, especially in and around Gaza, and the daily difficulties being faced by the population in the occupied territory as a result of restrictions, illegal settlements activities, demolitions, increased violence by Israeli settlers, the continued construction of the wall in the West Bank, including in and around occupied East Jerusalem, and the acute water shortage.

Chapter V reviews the action taken by the Committee, including the Chairman's participation in General Assembly and Security Council debates, statements issued by the Committee and its Bureau, and the continued dialogue between the Committee and intergovernmental organizations.

The chapter also reports on the mandated activities carried out by the Division for Palestinian Rights and on international meetings and conferences organized by the Committee and the Division with the main objective of raising international awareness of various aspects of the question of Palestine and international support for the rights of the Palestinian people and the peaceful settlement of the question of Palestine.

In that respect, it is important to note the convening last February in Malta of the International Meeting in Support of the Israeli-Palestinian Peace, which for the first time was co-organized with the Parliamentary Assembly of the Mediterranean, the seminar and the meeting of civil society held in Vienna in March, the international meeting and public forum

held in Istanbul last May, and the African meeting held in Rabat in July.

Chapter V also highlights the increase in the close cooperation between the Committee and intergovernmental organizations, with civil society organizations and with parliaments and interparliamentary organizations.

Of special mention in this chapter is the active and valid involvement of the Division for Palestinian Rights in the research, monitoring and publications programme, including dissemination through the Internet. User-friendly measures for the United Nations Information System on the Question of Palestine (UNISPAL) are being expanded and developed, including through the incorporation of additional multimedia content and RSS and Twitter feeds. That continues to improve and facilitate the use of modern technology in the transmittal of information to the international community at large on the unstinting efforts by the United Nations and the Committee on the question of Palestine.

Chapter VI provides an overview of the work done over the year by the Department of Public Information (DPI) in accordance with General Assembly resolution 64/18 of 2 December 2009 and in the implementation of its special information programme on the question of Palestine.

That chapter provides information on the valuable coverage given by DPI in the past 12 months to raise awareness of the question of Palestine, especially through UN Radio and the United Nations News Centre, the organization of the annual International Media Seminar on Peace in the Middle East, which was held in Lisbon this year, the training programme for young Palestinian journalists, the digitization of documents for UNISPAL, and the dissemination of information and the organization of outreach activities.

Chapter VII, the last chapter, contains the conclusions and recommendations of the Committee, in which, among other things, the Committee expresses its opposition to the resumption of the illegal construction in Israeli settlements in the West Bank. The Committee also expresses its concern over the continued construction of the separation wall and the impunity with which Israel's legal obligations, as confirmed by the advisory opinion of the International Court of Justice, have been flouted. It calls upon the international community to take the required action to

ensure respect for and compliance with the Court's ruling, the Fourth Geneva Convention, and the relevant United Nations resolutions.

The Committee expresses its serious concern about the situation in occupied East Jerusalem, including the acceleration of settlement construction and expansion, demolitions of houses, revocations of residency rights, eviction of Palestinian citizens, settler extremism and threats to Jerusalem's holy sites and historical heritage. The Committee reiterates its position that Israel's dangerous and provocative policies in East Jerusalem are prone to spark negative reactions on the ground and in the region and by Muslims worldwide, leading to violence and even armed conflict.

The Committee reiterates that East Jerusalem is an integral part of the occupied Palestinian territory, and a negotiated solution of the question of Jerusalem, based on international law, is essential to resolving the Israeli-Palestinian conflict and crucial for a durable peace in the whole region.

The Committee further reiterates its condemnation of the continued Israeli blockade of the Gaza Strip as a severe form of collective punishment of the entire population of Gaza. The Committee also reiterates its condemnation of the firing of rockets and mortar rounds by Palestinian militants from Gaza and reiterates its call for the release of Israeli corporal Gilad Shalit.

The Committee urges Israel to open all of the border crossings with the Gaza Strip for the flow of humanitarian aid, import and export of commercial goods, including reconstruction materials, and movement of persons in accordance with international humanitarian law, the November 2005 Agreement on Movement and Access and Security Council resolution 1860 (2009).

The Committee acknowledges the value of internal investigations into the Israeli military offensive against Gaza of 2008 and 2009 and the Free Gaza flotilla incident of May 2010, as well as their follow-up. At the same time, the Committee calls for a comprehensive, credible and independent investigation into the violations of international law committed and demands follow-up action.

It also appeals to all the high contracting parties to the Fourth Geneva Convention to fulfil their

obligations in accordance with common article 1, which requires the high contracting parties to respect, and to ensure respect for, the Convention in all circumstances.

The Committee welcomed the resumption of the direct negotiations between Israel and the Palestinians on all permanent issues and notes the important role played here by the United States, Egypt and Jordan. The Committee also stresses the importance of those negotiations being based on relevant Security Council resolutions, the Madrid terms of reference and the Arab Peace Initiative, and of regional partners being directly involved in them. In that respect, the continued support by the international community, in particular by the Quartet and its individual members, is key to moving forward the Israeli-Palestinian negotiations on all permanent status issues.

The Committee supports the Palestinian State-building efforts by advocating sustained and generous donor commitment, highlighting the actual needs on the ground and providing the Palestinian Authority with the opportunity to present its assessment to the wider international community.

The Committee, while remaining concerned that the divisions among the Palestinian factions profoundly affect the legitimate Palestinian national aspirations for statehood and peace, calls for invigorated efforts by all Palestinian factions to help reconcile their positions on the basis of the prevailing consensus on the need to achieve the two-State solution, which would lead to the exercise by the Palestinian people of its inalienable rights.

The Committee will focus its programme of international meetings and conferences for 2011 on widening international support for the permanent status negotiations and on contributing to the creation of a favourable international atmosphere for their conduct in good faith.

The Committee will aim to mobilize increased international scrutiny of developments on the ground, in particular as regards a halt to all settlement activities in the West Bank and East Jerusalem and an end to all other illegal Israeli policies and practices in the occupied Palestinian territory. The Committee also aims to support global campaigns to challenge Israeli impunity and promote the concept of Israeli accountability for its actions towards the Palestinian people. It will pay special attention to highlighting the

plight of the most disadvantaged Palestinians, such as Palestine refugees, Palestinians living in Gaza and Palestinian political prisoners. The Committee aims to contribute to efforts towards ending incitement on both sides, provide a venue for the narratives to be heard and reconciled and, with the help of civil society, promote peace education. It will place special emphasis on the inclusion and empowerment of women and their organizations in that process.

The Committee will undertake to further develop its cooperation with parliamentarians and their umbrella organizations, as it considers that lawmakers have a special responsibility to ensure that their Governments actively promote and support the realization of the two-State solution and ensure respect for international law in accordance with their international obligations.

Finally, the Committee will promote the continuation of civil society initiatives in support of the Palestinian people, and would encourage them to work closely with their national Governments and other institutions with a view to gaining their full support for the work of the United Nations, including the activities and programmes of the Committee, on the question of Palestine.

In conclusion, I would like to express the hope that the annual report of the Committee that I have just presented will be of assistance to the General Assembly in its deliberations on the question of Palestine.

**The President** (*spoke in French*): I now give the floor to the representative of the Libyan Arab Jamahiriya to introduce draft resolution A/65/L.24.

**Mr. Dabbashi** (Libyan Arab Jamahiriya) (*spoke in Arabic*): The General Assembly is once again considering the question of Palestine. It has done so continuously since 1947, without any hope of the Palestinians establishing their own State or of returning to their homeland, and without the international community's help to serve justice and avert threats to international peace and security in the region.

The particular nature of the question of Palestine imposes on the international community the obligation to deal with it differently — on the basis of historical facts, current practices and the search for solutions in the context of the principles of international law. Based on that premise, today the Libyan delegation seeks to

focus the attention of the international community on the right approach to resolving the question of Palestine, rather than continuing on a futile path of closed doors and dreaming of the mirage of the so-called two-State solution.

Allow me to go back in history — not to the past 3,000 years exploited by Zionism to create the tragedy we see today in Palestine; but to the past 100 years, evidence of which clearly still exists throughout historical Palestine — in order to demonstrate the extent of the injustice meted out to the Palestinian people and to find an exemplary way to serve justice and avert war and destruction in Palestine and the entire region.

In 1917 Jews made up 9 per cent of the population of historical Palestine, which was also comprised of Muslims and Christians. The Jewish population possessed only 2.5 per cent of Palestinian territory. Owing to intensified Jewish migration financed by the Zionist movement and encouraged by the British Mandate, in 1947 Jews accounted for 32 per cent of the total population of Palestine and possessed 6.2 per cent of territory.

In the same year, the General Assembly adopted resolution 181 (II), which divided Palestine into two States and by virtue of which 56 per cent of Palestinian territory was handed over by the Assembly to the Jewish minority. Palestinian Arabs, who made up more than two thirds of the population, received 44 per cent. However, the resolution did not please Zionist leaders, who had further ambitions. They wanted to benefit as much as possible from the sympathy of the great Powers because of what had happened to them at the hands of the Nazis.

The Zionist movement therefore established armed terrorist organizations, turned them into an army and declared the establishment of the State of Israel, which attacked all Arab territories in Palestine. Between 1948 and 1949 it dominated 77 per cent of Palestinian territory, following the bloody slaughter of Palestinians, the destruction of their villages and their expulsion from the occupied territories.

Not satisfied with that state of affairs, and while failing to implement the Assembly's resolution dividing Palestine and occupying additional territory, in 1967 Israel waged a ferocious war against Arab States during which it seized the rest of the historical Palestinian territory and parts of other Arab territories.

In that connection, I only wish to reaffirm that in 1917 the Jews possessed only 2.5 per cent of Palestinian territory. By 1967 the Jews possessed and dominated all of the Palestinian territory.

Let us now summarize what has happened to the Palestinians over the past 60 years. Seventy-five per cent of them left their land after it was occupied in 1948. About a quarter of a million Palestinians left the West Bank and Gaza after their occupation in 1967. About 400,000 Palestinians left the occupied territories because of the racist and illegal Israeli practices there after 1967, when all were either expelled or coerced into leaving their villages. Now about 5 million Palestinian refugees live in 59 refugee camps under the supervision of the United Nations, most of them in neighbouring States, while about 2 million live in various other countries.

Of course, the Israeli occupying authorities did not allow the return of any Palestinian refugees, despite General Assembly resolutions 194 (III), of 1948, and 181 (II), of 1947, whose provisions Israel was committed to implementing, since they were a condition for its admission as a Member of the United Nations.

Let us see what is happening now. Israel's policy based on force put pressure on the international community to forget the roots of the Palestinian question and recognize only 22 per cent of Palestinian territory as occupied since 1967. In other words, Palestinian leaders had to accept less than a quarter of their land on which their people had the right to establish a State. They had an agreement with Israel — in fact, more than 10 agreements between 1993 and 2005 — but Israel implemented none of them.

Instead, Israel persisted in its well-known policy of getting rid of the Palestinians by confiscating land, demolishing houses, prohibiting construction, razing fields, depriving the inhabitants of the necessities of life and limiting movement. Under that policy, Israel's occupying authority has seized about 50 per cent of the territory of the West Bank to build 149 settlements, along with the necessary infrastructure. It has also established special security and closed military areas and what are termed natural reservations, as well as special roads reserved for Jews, not Palestinians. And it is building the racist separation wall, which alone occupies about 10 per cent of the territory of the West Bank.

The Israeli occupying authorities in the West Bank control the water resources and deprive Palestinians of access to the waters of the Jordan River. They exploit 87 per cent of the groundwater in the West Bank for use by settlements, leaving 2.5 million Palestinians to live on the remaining 13 per cent. Palestinians receive less than 60 litres of water daily per person, while Jews receive between 274 and 450 litres.

We have here an anomaly whereby Israel has turned the international community's efforts to resolve the Palestinian question into a sort of theatre of the absurd, with the sole purpose of perpetuating a fait accompli, reinforced daily at the expense of the rights of the Palestinian people. There is no room to establish a Palestinian State side by side with Israel owing to the fact that Israeli settlements have ravaged half of the territory of the West Bank and dismembered it so that Palestinians are forced to live in separate cantons like the racist Bantustans of South Africa in the past.

That effort has been underscored by a recent series of laws and regulations that the Israeli authorities have sought to impose, among them a change in what is known as the citizenship law that forces non-Jews to declare loyalty to Israel as a Jewish State. Another law would deny residency rights to Palestinians who marry Palestinians living in the occupied territories since 1948, while another would prohibit incitement and imprison anyone who rejects the principle of Israel as a Jewish State. Another law, on acceptance into municipalities, would reject applications for residence in villages and towns if applicants' attitudes were considered to be inconsistent with those of the Zionist town in question. There is also a law to prohibit the establishment of associations that do not conform to Israeli policies. Those are but a few examples of some of the laws aimed at ethnic cleansing in Palestine, which are daily bolstered by concrete steps to demolish Palestinian homes and expel their inhabitants. Such practices have recently been concentrated on Jerusalem and the Jordan Valley.

In its resolution 3379 (XXX), of 10 November 1975, the General Assembly declared Zionism as a form of racial discrimination. This was not a fallacy, as some have unsuccessfully tried to prove. In reality, Zionism is the worst form of racism, given its practices of racial discrimination and its belief in ethnic cleansing in Palestine as a way of establishing an exclusively Jewish State there.

I have here the report of the Human Sciences Research Council of South Africa, which conducted a detailed legal study in the context of international law and the laws that applied in Palestine prior to and since the occupation, with a view to answering the question of whether or not Israel was a State that practised apartheid. The study, which has been published online, along with a summary, for those who wish to read it, concluded that

“Israel, since 1967, has been the belligerent occupying Power in the [occupied Palestinian territory], and ... its occupation of these territories has become a colonial enterprise which implements a system of apartheid.”

It has become clear that the Israeli entity refuses to recognize the rights of the Palestinian people and constantly attempts to render its full occupation legal, rejecting the establishment of a viable Palestinian State and seeking by any means to dominate every inch of Palestinian territory so that Israel can expand and become entrenched as a racist State with Jews alone living in it, all Palestinians having been expelled.

The two-State solution promoted by various United States Administrations, and enthusiastically received by many, is therefore rendered impossible because of Israeli intransigence and the overlapping of Jewish and Palestinian populations, including the shrinking and dismemberment of the remaining Palestinian land. Moreover, the two parties believe in their right to all the territories of historical Palestine. The Israelis claim that they were there 3,000 years ago, and the Palestinians base their claim on their continuous presence in the territories for hundreds of years.

Because of that deadlock, it has become critical to consider another solution, one that takes into account the principles of justice and is modelled on the elimination of apartheid in South Africa and based on the establishment of one State on the whole of the territory of historical Palestine: a State where all Palestinian refugees would return and where Arabs and Jews would live in peace, enjoy the same rights and bear the same responsibilities. That State would be disarmed and would live in peace with its neighbours.

The Israeli entity's practices leave no hope for any other than the one-State solution. Hence, we have to choose either the present racist State imposed by the Zionists and limited to the Jews alone or a democratic

State imposed by the international community, where the Arabs and the Jews would coexist and where they would have the same rights and responsibilities. That model reflects what has taken place in South Africa, where a democratic State was established on the rubble of the apartheid regime and where blacks and whites now coexist after long decades of animosity and bloodshed.

The Libyan delegation has prepared draft resolution A/65/L.24, concerning the one-State solution, which will be put to the General Assembly for a vote. We hope that it will receive the necessary support from all delegations and be adopted in the service of regional and international peace and security.

The draft resolution proposes that the General Assembly, proceeding from the principles of the United Nations Charter, reaffirm the principle of the inadmissibility of the acquisition of territory by force. It also stresses the inalienable rights of the Palestinian people, including their right to return to their homeland and to self-determination and to establish an independent State on their territory. It underlines the tragic consequences of Israel's policy of force and it refers to the failure of all the initiatives aimed at establishing a just and lasting peace between the Jewish and the Palestinian peoples, as well as to what the Palestinians suffer as a result of the occupation and the loss of the remaining Palestinian land.

The draft resolution seeks to achieve justice and to avert more tragedies and disasters in the region. It recognizes that the present situation in Palestine will not allow for the establishment of two viable States, as I have just explained. It notes that Jews have lived among Arabs and Muslims in peace and harmony for centuries in different countries, before the establishment of the Zionist entity, which has unfortunately created animosities between Muslims, Arabs and Jews.

The operative part of the draft resolution reads as follows:

“Confirms its commitment to attaining a just, lasting and comprehensive solution to the conflict in Palestine;

“Emphasizes the right of all inhabitants who were born in, or whose fathers or ancestors were born in, the historical territory of Palestine to live in the territory and recover their property and to

enjoy their human rights as proclaimed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, regardless of their religion or ethnic origin;

“Affirms the right of all refugees and displaced persons, as a result of the fighting which erupted in 1948 and 1967 and subsequent hostilities, to return to their homes and previous abodes;

“Also affirms that the time is ripe to find a peaceful, just, lasting and comprehensive solution to the conflict between the Palestinian and Jewish peoples that safeguards the legitimate rights of the two sides;

“Decides that there is no viable option other than the establishment of a single democratic, multiracial and multicultural State for both the Jews and the Palestinians, based on equal rights and equal obligations, which shall be disarmed and shall live in peace with its neighbours, and calls on the two parties to start, without delay and with support from the international community, negotiations for the realization of such a State;

“Invites all Member States and United Nations organs, including the Security Council, to provide support for the establishment of a single State for both the Jews and the Palestinians which upholds the right of return for all refugees and displaced persons and embraces the values of democracy, justice and human rights;

“Requests the Secretary-General to follow up on the implementation of the present resolution and to submit to the General Assembly, at its sixty-sixth session a report in that regard;

“Decides to remain seized of the matter.”

There is no doubt that this draft resolution reflects justice and seeks to establish peace. We believe that all delegations that represent peace-loving States and aspire to security will vote in favour of it, although we know that much pressure will be brought to bear on those States.

**The President** (*spoke in French*): I now give the floor to the Permanent Observer of Palestine.

**Mr. Mansour** (Palestine): At the outset, I wish to convey Palestine's appreciation to you, Mr. President, for your wise leadership and guidance of the important work of the General Assembly during the sixty-fifth session, including its efforts with regard to the question of Palestine, an item that has been on the Organization's agenda since its inception and that, tragically, remains unresolved and continues to demand urgent attention by the international community.

I also wish to reaffirm our deep appreciation to the members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, its Bureau and its current and previous Chairmen, respectively, Ambassadors Abdou Salam Diallo and Paul Badji of Senegal, as well as its Vice-Chairmen, Ambassadors Zahir Tanin of Afghanistan and Pedro Núñez Mosquera of Cuba, and its Rapporteur, Ambassador Saviour Borg of Malta. We are grateful for their tireless efforts to assist the Palestinian people in their struggle to realize their right to self-determination — a core principle of the Charter of the United Nations — as well as their efforts to mobilize international support for the just cause of Palestine and peace.

We thank the Rapporteur for his presentation of the Committee's report (A/65/35), which gives a thorough overview of the Committee's work, developments on the ground and the political process over the past year.

We also express our appreciation to the Division for Palestinian Rights and the Department of Public Information for their efforts to enhance international awareness of this serious issue in all its aspects. We also reiterate our appreciation to His Excellency Secretary-General Ban Ki-moon for his contributions on behalf of the United Nations towards a peaceful resolution of the question of Palestine and the Arab-Israeli conflict as a whole.

Today, 29 November 2010, marks 63 years since the General Assembly's adoption of resolution 181 (II), by which it partitioned mandated Palestine into two States — a decision that dramatically transformed the landscape and future of the Middle East. Although that resolution led to the establishment of the State of Israel, more than six decades later the independence of the Palestinian Arab State continues to unjustly be obstructed and the rights of the Palestinian people continue to be flagrantly denied and violated.

To this day, the Palestinian people continue to suffer the consequences of the 1948 Al-Nakba, in which they were uprooted and dispersed from their homeland, with more than half of the Palestinian population, now approximately 4.8 million people, continuing to live as refugees, the majority still in camps established to shelter them more than 60 years ago. The question of Palestine has thus remained at the core of the Arab-Israeli conflict, a burning issue on the international agenda and a symbol of injustice worldwide.

It is the very State that the Assembly created by resolution 181 (II) — Israel — that continues to deny the existence of the nation of Palestine and the rights of its people, including to self-determination and to return to their homes to live in peace with their neighbours. It is that State that continues to undermine all initiatives aimed at justly resolving the conflict according to international law and the relevant United Nations resolutions. Clearly, for Israel, the United Nations served its purpose in 1947 and 1948, only to be ignored, disdained and even vilified thereafter.

The inability of the international community to uphold the law vis-à-vis this conflict and to enforce consequences on Israel for its defiance of the Charter and its legal obligations has had a disastrous impact on the Palestinian people and the region. It has fostered a fervent sense of Israeli impunity which, since 1967, has allowed for the continuation of Israel's 43-year-long military occupation of Palestinian territory, including East Jerusalem since 1967.

The years have deepened the conflict, causing vast suffering and losses among the Palestinian people, both under occupation and in exile in the diaspora, and imposing a constant state of crisis, instability and insecurity in the region. That is the reason we are here once again today to appeal for measures to bring a halt to Israeli violations against the Palestinian people and for serious efforts to bring an end to this conflict on the basis of the relevant United Nations resolutions.

As we stand here before the Assembly today, our people in the occupied Palestinian territory, including East Jerusalem, continue to endure the systematic violation of their human rights by Israel, the occupying Power. They continue to be subjected to all forms of oppression, including collective punishment and mass imprisonment, and to the colonization and confiscation of their land by the occupying Power. It is a situation

that is both unsustainable and extremely volatile. Indeed, despite their resilience over the years, the Palestinian people are rapidly losing hope in the peace process and its prospects for delivering them from the prolonged state of conflict, suffering and dispossession imposed upon them and for restoring their rights and freedom.

Unfortunately, in spite of the international and regional efforts for peace in the recent period, including the efforts of the United States Administration of President Barack Obama and the other members of the Quartet, including the European Union, the Russian Federation and the United Nations, as well as the League of Arab States and all other concerned members of the international community, Israel remains intransigent in its pursuit of illegal policies and practices in the occupied Palestinian territory. The Israeli Government continues to prove that it is unable and unwilling to shake the mentality and behaviour of occupier and aggressor and to commit to the path of peace and the international consensus on the two-State solution. And there is an international consensus on the two-State solution.

It continues to use arbitrary, irrational, fictitious and even racist pretexts to absolve itself of its legal responsibilities, to distract the attention of the international community from the core issues, prolonging the conflict and further exacerbating the situation on the ground.

There is no more stark illustration of that point than Israel's continued pursuit of its settlement and colonization campaign throughout the occupied Palestinian territory, including East Jerusalem, in direct violation of international humanitarian law, United Nations resolutions and the Road Map obligation to freeze all settlement activities, including so-called natural growth.

Moreover, that policy is being carried out in total defiance of the global calls to completely cease that illegal and destructive campaign, which rejects the fundamental peace process principle of land for peace and blatantly contradicts the objective of the peace process.

Once again, Israel has chosen its expansionist agenda over the goal of peace and security by refusing to respect the circumstances that allowed the negotiations to be convened in September and refusing to extend its so-called moratorium on settlement

activities. Since expiration of the moratorium, settlement activities have intensified exponentially, especially in occupied East Jerusalem.

Israel's continued construction of settlements and the annexation wall, the confiscation of land and exploitation of natural resources, and the imposition of hundreds of checkpoints continue to destroy the contiguity, integrity and unity of the Palestinian land and are rapidly destroying the viability of the two-State solution.

The situation in occupied East Jerusalem, including in and around the Old City and the neighbourhoods of Silwan, Al-Bustan and Sheikh Jarrah, remains most critical, as evidenced by the recent Israeli announcement of plans for the construction of yet another 1,300 settlement units in the illegal settlement of Har Homa on Palestinian land known historically as Jabal Abu Ghneim.

It must be recalled that it was the construction of that settlement and the failure of the Security Council to address that illegal action that led to the tenth emergency special session of the General Assembly in 1997.

Israel's settlement campaign in and around the Holy City is clearly intended to dramatically alter the demographic composition and Palestinian Arab character and identity of East Jerusalem and to physically isolate and sever the Holy City from its natural Palestinian environs.

We condemn that unlawful campaign and all related measures and reaffirm our rejection of Israel's annexation of East Jerusalem, a measure that has not been recognized by the international community and has been determined by the Security Council and the General Assembly to be null and void.

In addition to the settlement activities, Palestinians in occupied East Jerusalem continue to be subjected to the demolition of their homes, evictions, revocation of their residency rights and other provocations by Israeli settlers, Government officials and even religious leaders, who continue immorally to glorify and justify that crime of colonizing another people's land.

Moreover, settlers, who increased by another 8,000 in number during the "moratorium" period alone, continue to terrorize and intimidate Palestinian civilians and to destroy and vandalize Palestinian

property, including homes, mosques and agricultural fields. All of that is fuelling already high tensions and inflaming religious sensitivities and gives further credence to the serious doubts about Israel's credibility as a peace partner.

At this point, we must reiterate: a halt to all Israeli settlement activities in the occupied Palestinian territory, including East Jerusalem, is essential for the resumption of a credible process aimed at achieving the two-State solution based on the pre-1967 borders.

What we are talking about is not some kind of Palestinian "precondition" for the peace process; rather it is a mandatory legal obligation binding on Israel, the occupying Power, under the Fourth Geneva Convention, which prohibits colonization activities, in accordance with numerous Security Council and General Assembly resolutions, the 2004 Advisory Opinion of the International Court of Justice, and the Road Map formulated by the Quartet, all of which have deemed Israeli settlement activities to be illegal and have called for their complete cessation.

At the same time, Israel continues to pursue other illegal measures and policies in the occupied Palestinian territory, subjecting the Palestinian civilian population to systematic human rights violations, collective punishment, displacement and constant affronts to their human dignity and completely violating the principle of an obligation for the protection of civilians in armed conflict, including situations of foreign occupation.

The occupying Power continues to arbitrarily detain and imprison thousands of Palestinian civilians, including children and women. Palestinian prisoners and detainees continue to be held in unhygienic and inhumane conditions, subject to physical and mental ill-treatment, including abuse, solitary confinement and torture, and continue to be denied family visits, adequate medical care and food, in violation of international humanitarian and human rights law.

The situation in the Gaza Strip also remains most critical. The continuing impact of Israel's blockade and the consequences of Israel's military aggression last year still gravely affect every aspect of life in Gaza, with the movement of persons and goods and recovery continuing to be impeded and poverty, unemployment and food insecurity still at high levels.

The trauma and destruction inflicted by Israel, the occupying Power, on the Palestinian civilian population, thousands of whom have been killed and injured, and its continued obstruction of Gaza's rehabilitation and reconstruction is gravely harming the well-being and stability of the society as a whole, particularly the most vulnerable, such as the refugees, who constitute the majority of the population there.

In that regard, we continue to call for accountability for the war crimes committed by Israel, the occupying Power, and continue our efforts to move action forward in the follow-up to the report by the United Nations Fact-Finding Mission on the Gaza Conflict, the Goldstone Report (A/HRC/12/48), emphasizing the need to end Israeli impunity and to realize justice for the victims.

We continue to call for the full lifting of the Israeli blockade in accordance with international humanitarian law, Security Council resolution 1860 (2009) and the Agreement on Movement and Access of November 2005. The persistence of that shameful situation continues to inflict suffering on the population in Gaza and to stoke feelings of injustice and despair and it must be ended.

That unjust situation has also prompted greater solidarity with the Palestinian people in Gaza from around the world, including those civilians that were on board the Gaza Freedom flotilla in May this year, attempting to deliver much-needed humanitarian aid.

We reiterate our condemnation of Israel's military attack on the flotilla, in violation of international law, including humanitarian and human rights law, which resulted in the killing of nine Turkish nationals, and we also reiterate our calls for accountability for that crime perpetrated against civilians in international waters.

We are undeniably at a crossroads in our long search for a just settlement of the question of Palestine and peace and security in the Middle East. The status quo is untenable, and we must choose a way forward, knowing that the path chosen will determine the future prospects for peace and stability in the Middle East region and beyond.

The first path is clear: to seize, with full determination, the opportunity before us to resume and accelerate the peace process on the basis of its agreed terms of reference. That path can move us forward towards the achievement of a final, just resolution of

all core issues in the Israeli-Palestinian conflict — the refugees, Jerusalem, settlements, borders, water, security and prisoners — bringing a definitive end to the Israeli military occupation that began in 1967, the independence of the State of Palestine, with East Jerusalem as its capital, a just and agreed solution to the plight of the Palestine refugees, and the establishment of peace and security between Palestine and Israel and throughout the Middle East. That is the path preferred and supported by the international community and it must be pursued with urgency.

The second path is also clear: to allow the violations and impunity of Israel, the occupying Power, to sabotage the prospects that remain for realizing the two-State solution for peace. If forced down that path, we will witness only more violence, suffering and instability for the Palestinian and Israeli peoples and the entire region and will be taken further away than ever from our noble goal of peace. The Palestinian people and their leadership reject that path and reaffirm their commitment to the first path with a view to achieving a just, lasting and peaceful settlement on the basis of the two-State solution.

We come, therefore, before the Assembly today to again urge the international community to uphold its responsibilities. Serious efforts must be undertaken, including by the Security Council, to uphold the international community's ongoing responsibility towards resolving justly the question of Palestine in all aspects. The political will and courage must be found to follow through on the legal positions adopted, the principled declarations made and the commitments and pledges made to uphold the law in all circumstances and to make peace a reality. Peace and security in the Middle East depend on it; the credibility of international law and of our international system, including the Security Council of the United Nations, depends on it.

The conflict is not an intractable one for which there is no solution, as the occupying Power would have us believe in the hope that the drive for peace will be abandoned and the status quo accepted. A just and viable solution can be found in the many relevant Security Council and General Assembly resolutions, including the resolution entitled "Peaceful settlement of the question of Palestine", which is adopted annually under this agenda item, as well as in the landmark Advisory Opinion of 2004 of the International Court of Justice. That solution is the clear

objective of the internationally supported Middle East peace process based on the relevant United Nations resolutions, the Madrid terms of reference, including the land for peace principle, the Arab Peace Initiative and the Road Map.

We fully understand, of course, the need for the negotiation of a peace settlement between the Israeli and Palestinian sides. While actively implementing our State-building programme, despite all obstacles, in preparation for our independence, which we believe has reached the point of inevitability, the Palestinian leadership has also repeatedly reaffirmed its readiness to resume the negotiation process in an environment that is actually conducive for achieving peace, that is, one in which actions that run counter to peace are halted, including settlement activities.

At the same time, however, we continue to reaffirm the duty of the international community to fulfil its international covenant to the Palestinian people, made decades ago, beginning with the League of Nations mandate and continuing with General Assembly resolution 181 (II) and all subsequent resolutions. As long as that covenant remains unfulfilled, peace will remain elusive, for peace cannot take hold in a land where injustice prevails. Israeli breaches of the law and contempt for the will of the international community can no longer be tolerated. Israel must be compelled either to choose the path of peace or to bear responsibility for its obstruction.

With such a commitment to international law and the true principles of justice and peace, it will be possible to overcome the current impasse and resolve the prolonged, tragic conflict in our region. But the window of opportunity is narrow, and we must act now. It is only with collective action that we can achieve the visionary goal set by United States President Barack Obama before this Assembly in September, namely, the realization in the coming year of the membership in the United Nations of an independent, sovereign State of Palestine, living side by side with Israel and all other neighbours in peace and security. We express our deepest hopes that that vision will indeed be the reality when the Assembly meets at the next session to address the question of Palestine.

In conclusion, on the occasion of this International Day of Solidarity with the Palestinian People, we express deepest gratitude for all of the support and solidarity extended to us over the many

years by the international community, a support that has been and will continue to be central to the resilience and steadfastness of the Palestinian people in the pursuit of their just cause for the fulfilment of their legitimate national aspirations and rights, including the independence of their State of Palestine, with East Jerusalem as its capital.

**Mr. Abdelaziz** (Egypt): I have the pleasure to address the General Assembly today on behalf of the 118 States members of the Non-Aligned Movement (NAM) on agenda item 37, entitled "Question of Palestine". Today is a very important day in that it coincides with the International Day of Solidarity with the Palestinian People and represents an opportunity to solidify the international community's resolve to achieve the legitimate inalienable rights of the Palestinian people, foremost of which is their right to establish an independent, sovereign and viable State of Palestine, with East Jerusalem as its capital, based on the two-State solution, the relevant Security Council and General Assembly resolutions, the Madrid principles and the Arab Peace Initiative.

Unfortunately, our meeting today also comes at a time when Israel continues to carry out its illegal actions in the occupied Palestinian territory, including East Jerusalem, seriously aggravating the situation on the ground and undermining efforts to revive the political process that will lead to a final solution of the conflict. Despite all serious efforts by concerned international and regional parties seeking to maintain continuous, effective direct negotiations on the Palestinian track and towards achieving just and comprehensive solutions on all core final status issues, progress continues to be obstructed by Israel's negative positions and unlawful actions.

The Non-Aligned Movement condemns Israel's persistence in continuing the construction and expansion process in many settlements in the West Bank, which has been most intense in and around East Jerusalem. The occupying Power's blatant contempt of the unanimous position of the international community and absolute disrespect for its obligations under international law, including international humanitarian law, has been more evident than ever since the expiration date of the so-called partial moratorium on settlement activities. It is widely known that such illegal colonization activities have caused grave damage to the contiguity and integrity of the Palestinian territory occupied by Israel since 1967,

including East Jerusalem, and grave damage to the prospects for physically realizing the two-State solution.

The Non-Aligned Movement is also alarmed by the continuous and persistent attacks by Israeli settlers against Palestinian civilians, Islamic and Christian holy sites and worship places, including the uprooting of thousands of olive trees, vandalism and theft of agricultural equipment and crops under the protection of Israeli forces.

Moreover, the NAM remains deeply concerned about Israel's practice of certifying and labelling products originating from Israeli settlements in the occupied Palestinian territory as "Made in Israel", in direct violation of international law, international trade law and other regulations on the rules of origin of various commodities. The Movement therefore calls upon the international community and Member States to take necessary measures to verify the origin of Israeli products, including enabling customs officials to travel to Israel and the occupied Palestinian territory to ensure that the entry of settlement products into their markets is brought to a swift and resolute end, thus halting subsidization of that illegal colonization enterprise.

Furthermore, the NAM demands that Israel remove all checkpoints and roadblocks from all parts of the occupied Palestinian territory. Those measures continue to restrict the movement of persons and goods, thus seriously fragmenting the Palestinian territory through an attempt to isolate East Jerusalem from its natural Arab surroundings in the West Bank. In that regard, the Movement also demands that Israel comply fully with the Advisory Opinion of the International Court of Justice and cease construction of its annexation wall, which is severely impacting the human rights of the Palestinian people and worsening humanitarian conditions in addition to its grave impact on the contiguity of the Palestinian territory.

The Non-Aligned Movement also expresses deep concern with regard to the serious and tense situation in occupied East Jerusalem as a result of ongoing settlement activities and other illegal measures. The Movement demands the immediate cessation of home demolition and revocation of the residency rights of yet more Palestinians, particularly those from Jerusalem, including elected Palestinian Legislative Council representatives. Those illegal actions represent clear

attempts to prejudge the outcome of the future permanent status negotiations and must be rejected.

The Non-Aligned Movement reiterates its call for the international community to be resolute in demanding that Israel, the occupying Power, abide forthwith by its legal obligations under the Fourth Geneva Convention, relevant United Nations resolutions and the Road Map. Israel must cease all colonization practices in the occupied Palestinian territory, including East Jerusalem — that means that it must completely freeze all settlement and wall construction and other related measures, including in East Jerusalem. Israel cannot continue to ignore and defy the international consensus in that regard, including calls from the United Nations, the United States, the European Union, the Quartet and other international bodies, without any consequences. That main obstacle on the path to peace must be removed.

The Non-Aligned Movement is also disturbed by the many United Nations and independent reports regarding human rights violations in the occupied Palestinian territory, which indicate that a culture of impunity has reigned leading to repeated illegal violations that have infringed on a wide scope of rights, including inter alia, the right to self-determination, the right to freedom of movement and the right to life.

The Movement strongly condemns the continued imprisonment of nearly 10,000 Palestinians in Israeli jails and other detention facilities, where ill-treatment and torture are widely used. It is the Movement's conviction that those prisoners, who include children and women, should be released immediately and that proper international inspection of their current condition should be a priority of the United Nations and the international community.

The Movement also remains gravely concerned by the situation in the Gaza Strip, which continues to be one of its top priorities. The continued imposition of collective punishment by Israel on the entire Palestinian civilian population has created a critical human rights and humanitarian situation there. The population continues to suffer and endure serious hardship as a result of the ongoing Israeli blockade and the impact of the brutal military aggression of 2008-2009.

In this regard, the Non-Aligned Movement demands that Israel completely lift its illegal blockade

and fully implement Security Council resolution 1860 (2009), General Assembly resolution ES-10/18 and all other relevant United Nations resolutions, and respect its obligations in that regard under international humanitarian law. Israel must open all of its crossing points with Gaza for the sustained and regular movement of persons and goods. The Movement also stresses the urgency of the reconstruction of Gaza and demands that Israel enable reconstruction and economic revival by allowing importation of reconstruction materials, including those necessary for reconstruction of United Nations facilities and the schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

While the Palestinian Authority has repeatedly affirmed its determination to pursue the path of peace and undertake all measures to ensure security, Israel continues to violate its legal obligations and blatantly impedes efforts to resume direct negotiations through a series of unlawful, provocative measures that have only inflamed the situation, including repeated inflammatory remarks by Government officials and the racist bill recently passed by the Israeli cabinet on the Jewish loyalty oath, in clear violation of the legal and religious freedoms of the Arab population in Israel.

Moreover, the passage of the most recent bill of the Israeli Parliament, which set stringent new conditions before any withdrawal from the occupied Arab territories illegally annexed by Israel can occur, contradicts and grossly violates, yet again, its obligations under international law. Despite preaching about peace, Israel continues to send clear negative messages to the world about its intentions to continue its occupation of the Arab lands occupied in 1967 and to entrench all of the obstacles that would prevent withdrawal, thus preventing achievement of peace in the Middle East.

The Non-Aligned Movement stresses that serious and genuine negotiations cannot be conducted, while Israel continues to carry out its illegal actions in the occupied Palestine territory, including East Jerusalem, particularly its settlements activities. We reiterate our demand to Israel to promote an environment conducive for peace, including by refraining from provocations and actions aimed at altering the status of the occupied Palestinian territory in the West Bank, particularly East Jerusalem, and from prejudging the outcome of the final status negotiations, and to constructively engage with international efforts to ensure the resumption of

negotiations and the achievement of a just, lasting and comprehensive solution to the conflict in the Middle East.

The international community must act to prevent the total demise of direct negotiations on the Palestinian track. The Non-Aligned Movement stresses the need for the international community to remain united in its demand that Israel respect its legal obligations as an occupying Power and ceases forthwith its violations.

Accountability at the current stage is imperative, and the international community must not waver in its demands. That is in the interest of both the Palestinian and the Israeli peoples, as well as of the Middle East region as a whole and beyond.

Indeed, such respect is imperative for achieving the two-State solution based on the agreed terms of reference, namely, Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008), the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Road Map, which will enable us to realize a just, lasting, comprehensive and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict.

The Non-Aligned Movement reaffirms its unwavering commitment to a just and comprehensive solution to the question of Palestine and to the immediate restoration of the inalienable rights of the Palestinian people, including their right to exercise self-determination and sovereignty in their independent, viable State of Palestine with East Jerusalem as its capital.

**Mr. Grauls** (Belgium): I have the honour to speak on behalf of the European Union (EU). The candidate countries Turkey, Croatia, and the former Yugoslav Republic of Macedonia; the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; as well as Ukraine, the Republic of Moldova and Armenia align themselves with this statement.

The relaunching of the negotiation process between Israel and the Palestinian side, which took place in Washington on 2 September 2010, gave rise to much hope and many expectations on all sides of the international community.

The High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, stated on 3 September that the parties must engage in that process with determination to overcome the obstacles and work fast and hard on all the final status issues to meet the Quartet's call for a negotiated settlement within one year.

Similar calls were heard from many other actors in the international community, and the importance of creating mutual trust and confidence between the parties was underlined many times, not least by the European Union. On 21 September 2010, the Middle East Quartet itself stated unequivocally that both parties need to promote an environment conducive to progress, including by refraining from provocative actions and inflammatory rhetoric.

Today, we meet at a moment when efforts are being undertaken to overcome the current deadlock in those negotiations. There is no alternative to a negotiated two-State solution. The European Union calls on all parties to seek earnestly for a satisfactory way to keep the negotiation process active and moving, and then, to gather momentum.

The European Union recalls that settlements in the occupied territory are illegal under international law, constitute an obstacle to peace and threaten to make a two-State solution impossible. We reiterate our call on Israel to end all settlement activities, including in East Jerusalem.

If there is to be a genuine peace, a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two States. The European Union continues to call for a complete stop to all violence, in particular, rocket fire and terrorist attacks.

When the Union's High Representative, Catherine Ashton, visited the region in the beginning of October, she discussed with the Palestinian Authority the work it is doing to build the institutions for statehood. The European Union takes note of the assessment made by the World Bank, which stated that, if the Palestinian Authority maintains its current performance, it is well-positioned for the establishment of a State at any point in the near future.

The European Union stresses the crucial importance of the continuation of the Palestinian State-building process, which the Union will continue to

actively support, including the implementation of the Fayyad plan. Political and financial support from the entire international community is essential. The Union urges those who have made financial commitments to deliver on their promises. All efforts in support of President Mahmoud Abbas aimed at achieving Palestinian reconciliation must also be accelerated.

The European Union welcomes recent measures taken to ease restrictions on movement in the West Bank and the entry of goods into Gaza, and stresses the need for further steps to be taken in that regard. Such steps would improve living conditions and could promote Palestinian economic development. The European Union reminds Israel and all other parties of their obligation to respect the human rights of the Palestinian population in the occupied Arab territories.

As regards Gaza in particular, the European Union calls for the full implementation of Security Council resolution 1860 (2009), for the full respect of international humanitarian law and for an immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza, including goods from the West Bank.

In that context, the European Union calls for the full implementation of the 2005 Agreement on Movement and Access. The Union welcomes the recent measures announced by the Israeli Government as an important step forward. However, more is needed.

The European Union calls for full implementation and complementary measures in order to achieve a fundamental change of policy that allows for the reconstruction and economic recovery of Gaza, including through exports. The European Union has offered its assistance for achieving that objective, and it calls for a solution addressing Israel's legitimate security concerns.

The European Union reiterates its readiness to contribute substantially to the comprehensive and sustainable solution to be found with the State of Israel and an independent, democratic, contiguous and viable State of Palestine living side by side in peace and security.

**Mr. Al-Jarman** (United Arab Emirates) (*spoke in Arabic*): I am pleased that we meet each year at this time to mark the International Day of Solidarity with the Palestinian People and to renew our commitment to

the realization of the inalienable rights of the Palestinian people, in particular their right to self-determination and their right to establish an independent State, like other peoples.

Today, more than six decades after the adoption of that resolution, we find that the question of Palestine remains unresolved. Despite all the sustained international and regional efforts made so far — including the recent intensive efforts sponsored by the United States, which led to the resumption of direct talks between the Palestinian and Israeli sides on 2 September 2010 after seven rounds of indirect primary talks — the situation remains critical and dangerous. Soon after those talks began, they were inevitably hampered by the ongoing illegal settlement activities in the Palestinian territories undertaken by Israel, the occupying Power. The most serious of those activities since the last session of the General Assembly was perhaps the construction of more than 600 housing units in 60 illegal settlements in the West Bank and East Jerusalem.

Israeli practices and acts of aggression against the Palestinian people are not limited to the serious expansion of illegal settlements in the Palestinian territories and the transfer of Israeli settlers to those settlements. They also include repeated military incursions into Palestinian territories, restrictions on the movement of Palestinian citizens, illegal detentions, the granting of impunity to extremist settlers responsible for acts of violence against the Palestinians and the ongoing blockade of the Gaza Strip. Such practices and acts further include the blocking of repair, maintenance and rebuilding plans for Palestinian homes and institutions destroyed during the Israeli war against Gaza in 2008, including infrastructure projects relating to electricity networks and sewage treatment plants, as well as educational, health and social institutions supervised by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and other United Nations programmes and international organizations.

Therefore, the United Arab Emirates renews its strong condemnation of all those Israeli practices. They warrant total rejection because they are undertaken in flagrant violation of provisions of the United Nations Charter and international law, as well as of resolutions of international legitimacy and international humanitarian law, in particular the Fourth Geneva Convention of 1949.

Furthermore, we wish to express our concern about the international community's ongoing inability to address those violations and their serious consequences.

While we reaffirm the primary and joint responsibility of the United Nations and its specialized agencies vis-à-vis the question of Palestine, we demand that the Security Council and the Quartet shoulder their responsibilities for addressing the Israeli violations. They must adopt a set of procedures and concrete measures that pressure Israel and compel it to implement the relevant international resolutions, including those calling for halting the illegal settlement campaign in the Palestinian territories, dismantling the separation wall, and halting measures of extreme violence and closures and its siege against the Palestinian people. Those steps must be taken in order to prepare the right climate for resuming direct negotiations, in compliance with Israel's obligations under the principles of the Oslo Conference, the understandings of Sharm el-Sheikh, the terms of reference of the Road Map and relevant United Nations resolutions.

While we look forward to seeing Israel abide by its recent decision to withdraw from the northern part of the Lebanese village of Al-Ghajar, in accordance with resolution 1701 (2006), we wish to emphasize that a just, permanent and comprehensive resolution of the Palestinian question and the Middle East problem can be achieved only through ending the occupation and through a full and unconditional withdrawal of Israel from all the Palestinian and Arab territories it has occupied since 1967, including East Jerusalem, the Syrian Golan Heights and the Lebanese area of Shab'a, and through the fair settlement of the Palestinian refugee problem and halting daily breaches of Lebanese sovereignty.

In that regard, we hope that current peace efforts are strengthened with a view towards reinvigorating Arab-Israeli peace negotiations in the region, in fulfilment of commitments under international law and the resolutions of international legitimacy and in accordance with the principle of land for peace based on the 1967 borders and the Arab Peace Initiative. The goal is to achieve the vision of establishing two States, Israel and Palestine, living side by side within secure borders and mutual recognition, bringing stability, prosperity, cooperation and development to the peoples of the entire region.

The United Arab Emirates will continue its support for the Palestinian people and the Palestinian Authority led by President Mahmoud Abbas as they endeavour to put an end to Israel's occupation of Palestine. We call upon the international community to increase its support of all kinds, including political and economic support, in order to alleviate the humanitarian suffering of the Palestinian people and to enable them to rebuild and reconstruct their Palestinian national institutions.

We hope that all members will vote in favour of the draft resolutions under agenda items related to the Palestinian question and the situation in the Middle East.

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*): My delegation wishes to express its appreciation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its Chairman, the Division for Palestinian Rights, and the special information programme on the question of Palestine of the Department of Public Information of the Secretariat for their efforts to implement the resolutions of international legitimacy on the question of Palestine, which resolutions all call for putting an end to the more than six decades-old plight and suffering of the Palestinian people.

This morning the international community reaffirmed its solidarity with the Palestinian people and its commitment to support them in their struggle against the Israeli occupation and in favour of self-determination, the establishment of their independent State and the restoration of the totality of their legitimate rights.

The suffering of the Palestinian people continues as a result of the continuing occupation by Israel and its racist settlement policy, as well as its acts of aggression, including the killing of children and women, the ravaging of holy places, collective punishment, the inhumane blockade, the building of the apartheid separation wall, the detention of thousands of innocent people and the cancerous settlement act that has been decreed in all the Palestinian territories, especially in occupied Jerusalem, aimed at erasing the cultural identity of that Holy City.

Despite the adoption by the United Nations of hundreds of resolutions calling on Israel to end its occupation of the Palestinian and Arab territories and

to stop its aggressive policies, Israel persists in defying international law and rejects compliance with international resolutions.

In the light of those tragedies, reflected in Israel's defiance and rejection of the will of the international community, on the one hand, and in the continuing plight of the Palestinian people, on the other, it is now more necessary than ever for the United Nations to face its responsibilities concerning the question of Palestine through the application of its relevant resolutions. Indeed, this international Organization was the very entity that adopted resolution 181 (II) in 1947. Consequently, all its Member States bear the consequences of the lack of its implementation thus far.

We would like to recall that resolution 273 (III), adopted on 11 May 1949, defined the conditions for accepting Israel's membership in the United Nations. Israel was to comply with the principles of the Charter and respect the relevant resolutions, especially Assembly resolutions 181 (II) and 194 (III), which both stress the right of the Palestinian people to establish an independent State on their national territory and the right of the Palestinian refugees to return to their homeland, from which they were expelled by coercion.

When accepting Israel as a Member of the United Nations, the General Assembly took note of Israel's statements before the ad hoc Political Committee and its commitment to implement the two resolutions just mentioned. However, that commitment has disappeared, as noted in the queries addressed by the international community to Israel. That sends the wrong message to Israel from the Member States and implies that Israel is above the law, consequently encouraging it to persist in its practices that violate all international laws and norms.

In Israel, they speak of peace with hypocrisy, but their acts reveal that hypocrisy. They commit acts that are in contravention of the simplest principles of peace. They continue in their condemned settlement policy, the most recent development being the declaration that they will build 1,300 settlement units in East Jerusalem. In Israel, they say that they seek negotiations for peace on the basis of the two-State solution. Those are mere words, without any actual meaning, given the wanton settlement campaign being carried out in that land, which they claim is going to be the land of peace.

We refer in particular to Israel's action in Jerusalem. It has intensified its efforts to Judaize the city, expel its Palestinian inhabitants and support and protect the extremist acts committed by hordes of settlers, thus jeopardizing the security and safety of that historic place.

We would like to address the tragic situation in Gaza. As everyone knows, it is a result of the Israeli act of aggression against Gaza, which resulted in the murder of hundreds of innocent persons. That has been stated in many international reports, including the Goldstone report (A/HRC/12/48), which stated frankly that Israel has targeted innocent civilians and described those acts of aggression as war crimes, serious violations of international humanitarian law and crimes that could be considered crimes against humanity. Israel imposed a brutal siege on the people of Gaza and blocked the entry of essential goods. That affected daily life inside the territory of Gaza and caused a great deal of human suffering.

That situation was condemned by the international community, including by countries friendly to Israel, which called for the lifting of the siege and the reconstruction of what Israel destroyed. But Israel persisted in its policy of siege through its act of aggression against the freedom flotilla that was on its way to Gaza on a purely humanitarian mission. It was an initiative by the international civil community to provide the necessary food, medicine, construction materials and educational supplies for the inhabitants of Gaza. Israel intercepted the flotilla's ships and killed nine peace activists on board, in addition to injuring and detaining hundreds more.

Here, we register our satisfaction at the objectivity of the report of the United Nations Fact-Finding Mission on the Gaza Conflict and we are awaiting the results of the international panel of inquiry established by the Secretary-General. That has provided, in particular, the legal framework for taking into consideration the fact that Turkey has presented its report, while Israel, as usual, has not presented any information to the panel.

At a time when the Arab States seek peace, Israel still responds by continuing its many inimical practices, which have recently reached serious stages. Thus, it shows its true face to the international community, which we have been trying to expose for decades. It still rejects peace and challenges those who

call for peace; it believes in racism, aggression, settlement and occupation. It leads the peace and security of the entire region into unknown territory.

My delegation calls on the international community to pressure Israel by all possible means so that it might cease its acts of aggression, the blockade and settlement activity, and withdraw from all the occupied Arab territories to the lines of 4 June 1967.

The Syrian Arab Republic seeks a just and comprehensive peace and respect for all Arab rights, including the total withdrawal by Israel from all the occupied Arab territories to the borders of 4 June 1967, the establishment of a Palestinian State with Jerusalem as its capital, the settlement of the question of Palestinian refugees in accordance with the relevant resolutions of international legitimacy, especially resolution 194 (III) and Security Council resolutions 242 (1967), 338 (1973), and the Arab Peace Initiative.

We reiterate the need to restore national unity in Palestine through national dialogue so that the necessary negotiations in Palestine can take place and so that the will of the Palestinian people to exercise their just rights can be achieved.

**Mr. Kleib** (Indonesia): Let me begin by expressing my delegation's appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its annual report (A/65/35), and to the Secretary-General for his reports on the peaceful settlement of the question of Palestine (A/65/380 and Add.1) and on the situation in the Middle East (A/65/379 and A/65/380 and Add.1).

My delegation wishes to associate itself with the statement made earlier by the representative of Egypt on behalf of the Non-Aligned Movement.

One year after we last met to deliberate on these two agenda items — the question of Palestine and the situation in the Middle East — the dynamics on the ground in the Middle East, with particular reference to Palestine, have not changed. The harrowing story of appalling and still deteriorating humanitarian conditions all over the occupied Palestinian territory continues.

In the West Bank and the Gaza Strip, Palestinians continue to be deprived and to suffer socio-economic dislocation and hardships. Obstacles and blockades that prevent access by the Palestinian people to their resources remain firmly in place. Mobility restrictions

and closure policies imposed by Israel have affected them socially as well as economically. Palestinians have had difficulties in accessing essential emergency humanitarian assistance. That collective punishment of an entire people is simply unjustifiable and should not stand.

One of the greatest challenges facing the Palestinian people is the unending growth in settlements. Israel's settlement policies and practices — which are aimed at altering the demographic composition, physical character and status of the Palestinian territory, including Jerusalem — are nothing but blatant violations of international law. Israel's determination to continue such obnoxious policies as illegal settlements, construction of the separation wall and restriction of the Palestinian people's rights is the greatest obstacle to establishing a physically viable, sovereign and independent Palestinian State, and thus to achieving peace.

The Middle East conflict, with the question of Palestine at its core, remains unsettled despite many efforts made in various quarters. It remains the most volatile conflict in the world today and continues to pose a clear danger to international peace and security. The intractability of the conflict is a matter of deep concern to my delegation. We believe that unprecedented steps should be taken by all parties concerned to end it.

Hopefully sooner, not later, there will come a moment when a once-and-for-all solution to the conflict is agreed on and found acceptable by all parties. At the present stage, however, it is hard to imagine the victory of peace emerging from an extraordinary, one-time, lofty solution. We can always hope for an Oslo or Madrid or Annapolis type of effort, but at this moment we have to appreciate and encourage positive developments, on any scale, that keep the peace process in motion.

Indonesia therefore joins others in keeping a close eye on the direct political negotiations that resumed between Israel and the Palestinians in September. We hope all the parties will take advantage of the opportunity and not let it slip from their grasp. We are therefore greatly concerned about Israel's failure to extend the moratorium on settlement construction, as that is an obstacle that the direct talks may not be able to surmount.

If Israel has a genuine commitment to peace, not mere propaganda statements, it must stop all settlement construction, expansion and planning in the occupied Palestinian territory, including East Jerusalem, and dismantle the settlements built there, in compliance with international law and the relevant Security Council resolutions. Israel must avoid putting any obstacles in the way of achieving peace and must operate within the ambit of international law, not outside or above it.

A truly comprehensive and lasting peace in the Middle East requires a solution not only to the conflict between Israel and Palestine, but also on the Israel-Lebanon and Israel-Syria tracks.

On the Israel-Lebanon track, much remains to be done in order to realize the goals of a permanent ceasefire and a long-term solution, as envisioned in Security Council resolution 1701 (2006). As one of the major troop-contributing countries to the United Nations Interim Force in Lebanon, Indonesia will continue to support the early achievement of those goals. Meanwhile, it is also obvious that negotiations on the Israel-Syria track require new vigour if they are to recommence. Signs of reinvigoration through indirect talks are now discernible, however, and we encourage them. A comprehensive peace in the Middle East must have progress on those two tracks, based on the relevant resolutions of the Security Council.

For far too long the Middle East conflict has been a blemish on international peace. For far too long it has been an obstacle to the creation of a peaceful and liveable region. For more than 60 years, the illegal Israeli occupation has made the region a theatre of tension and violence. The international community must raise its voice and rise in cooperation to ensure that Israel stops its inhuman policies and to bring the illegal Israeli occupation to an end.

Today's observance of the International Day of Solidarity with the Palestinian People therefore provides an opportunity for the international community to reflect on its role in and contributions to advancing the objective of a two-States vision. It is the day when the international community reaffirms its commitment to the Palestinian people and to the establishment of an independent, viable and sovereign State of Palestine, living side by side in peace and security with its neighbours.

Indonesia, for its part, is committed to the efforts to find a peaceful, just, lasting and comprehensive settlement to the conflict, based on the relevant Security Council resolutions, the Madrid terms of reference and the principle of land for peace, and the Arab Peace Initiative.

Let me conclude, Mr. President, by expressing our fervent hope that 2011 will be the year that the international community will fulfil its obligation to the Palestinian people, and a year of remarkable progress and transformation in the history of the Middle East.

**Mr. Alsaadi (Yemen)** (*spoke in Arabic*): At the outset, I would like to say that it is a pleasure to observe the International Day of Solidarity with the Palestinian People. This tradition has certain political, moral and humanitarian implications that have been put forth by our Organization for half a century. Foremost among them is support for those oppressed peoples struggling under the yoke of occupation. Today's celebration confirms once more the legitimacy of the struggle of the Palestinian people and their right to resist occupation and establish an independent State on their national territory, with Jerusalem as its capital.

The tragic situation in the occupied Palestinian territories results from assassination, genocide, State terrorism, policies of deportation and the construction of the separation wall on Palestinian land, as well as Israel's persistence in building settlements, enforcing isolation and siege and imposing collective punishment on an entire population. All such policies run counter to the principles of international law, the Fourth Geneva Convention and the relevant resolutions of the General Assembly and the Security Council.

All those aggressive practices could bury alive the peace process and the efforts of the Quartet, supported by the international community. In addition, real dangers result from such escalation that could plunge the region into a cycle of violence and terrorism and could jeopardize the stability and security of the region and the world.

My delegation appreciates the position declared by United States President Barack Obama in his statement before the General Assembly on 23 September 2010 (see A/65/PV.11), and we hope that it will be translated into action on the ground, including recognition of an independent Palestinian State along the borders of 4 June 1967, with Jerusalem as its capital.

We also call on the United States Administration to continue its efforts to pave the way for putting the peace process back on track, beginning with prompt and unconditional cessation of all settlement activities, including in East Jerusalem, so that the peace process can resume. The unprecedented construction of settlements in the occupied Arab territories is a provocation directed against efforts to revive the climate for a peaceful resolution and is an escalation of Israeli activity, while the peace negotiations have reached an impasse. That is proof of the Israeli Government's intentions to establish settlements, not a just and comprehensive peace in the region. Israel bears direct responsibility for the collapse of peace efforts through such provocative acts.

I would like to reiterate that a comprehensive and just peace can be realized only through complete Israeli withdrawal from the occupied Arab territories to the lines of 4 June 1967, including the Syrian Golan and remaining Lebanese land, and the establishment of an independent Palestinian State, with Jerusalem as its capital, in accordance with United Nations resolutions.

In that context, we call on the United Nations and the international community to shoulder their responsibilities to ensure the rights of the Palestinian people and to compel Israel to end its policy of violence and State terrorism and to act in accordance with the resolutions, agreements of international legitimacy and other initiatives, including the Arab Peace Initiative, so as to restart peace negotiations for achieving peace in the region.

For more than three years Gaza has been enduring the illegal and inhuman siege that has paralysed its economy and led to the deterioration of the living, health, human and social conditions of more than 1,700,000 Palestinian civilians. We therefore call on the international community to take the necessary steps to end the intolerable, oppressive and inhumane siege of Gaza as soon as possible.

**Mr. Salam** (Lebanon) (*spoke in Arabic*): In September, Barack Obama, President of the United States, declared from this rostrum his hope that a Palestinian State will have become a member of the United Nations by the next session of the General Assembly (see A/65/PV.11). There is no doubt that the establishment of a Palestinian State on Palestinian territory, together with the right of its people to

self-determination, are inalienable rights recognized by the United Nations in resolution 3236 (XXIX).

On this International Day of Solidarity with the Palestinian People, we wish to reaffirm in turn the central importance of establishing a Palestinian State, with Jerusalem as its capital, and the right of return of Palestinian refugees, in accordance with resolution 194 (III), as part of a lasting and comprehensive solution to the Arab-Israeli conflict. That requires the withdrawal of Israel from all occupied Arab territories, in accordance with the provisions of international law, the Security Council resolutions, the Madrid terms of reference and the principle of land for peace, and the Arab Peace Initiative. In that connection, we wish to commend the praiseworthy efforts of the international Quartet, particularly the United States of America, to resume the peace negotiations.

However, today we must question the nature of the obstacles that still prevent us from reaching a lasting and comprehensive solution, mainly to enable the Palestinian people to exercise their right to self-determination as enshrined in the Charter, which necessitates implementing the resolutions and respecting the provisions of international law. We wish to make the following 10 observations.

First, the Charter prohibits aggression and the use of force to resolve conflicts. Resolution 2625 (XXV), on the principles of international law concerning friendly relations and cooperation among States, prohibits military occupation by force and recognition of the legitimacy of acquisition of any land in that way. In fact, Israel, in defiance of those principles and the provisions of Security Council resolution 242 (1967), has persisted for 43 years in its occupation through its armed aggression against the Arab, Palestinian and Syrian territories and its annexation of East Jerusalem and the Golan.

Second, the second paragraph of Article 1 of the Charter and common article 1 of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights provide for respect of peoples' right to self-determination. The greatest obstacle to achieving this is Israel's continuing occupation of Palestinian land and other Arab territories.

Third, the General Assembly has called for putting an end to colonialism, in resolution 1514 (XV), and for suppressing the crime of apartheid and

punishing its perpetrators, in resolution 3068 (XXVIII). Article 7 of the Rome Statute of the International Criminal Court describes racial discrimination as a crime against humanity. We wish to mention that, in his report this year (see A/65/331), Mr. Richard Falk, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, like his predecessor, Mr. Jean Dugard, in his report to the Human Rights Council in January 2007 (see A/HRC/4/17), noted the ongoing Israeli occupation and that its perpetuation resembled colonialism and apartheid, owing to the continuation and expansion of the settler policy, on the one hand, and the adoption of laws, regulations and discriminatory policies on citizenship, ownership of property, courts of law and freedom of movement, on the other hand.

Fourth, in its resolution 446 (1979) the Security Council

“determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East”

and

“calls once more upon Israel, as the occupying Power, to abide scrupulously by the 1949 Fourth Geneva Convention, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories”.

Neither that resolution nor any of the many other similar ones that followed has stopped Israel from maintaining its settlement policy. The latest statistics show that the number of Israeli settlements in the West Bank has reached 144, the number of illegal posts has reached 102 and that the number of settlers has surpassed 517,000. That number has increased by 4.9 per cent annually since 1990, while the overall Israeli population growth was about 1.5 per cent annually.

Fifth, Security Council resolution 252 (1968), after recalling General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) and “reaffirming that acquisition of territory by military conquest is inadmissible”, states that

“all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid”.

It also

“calls upon Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem”.

Neither that resolution nor similar resolutions that followed it deterred Israel from its quest to change the demographic, legal and infrastructure situation in Jerusalem. It has intensified settlement in East Jerusalem, where settlers now number around 200,000. Moreover, Israel has brought pressure to bear on the native Palestinian citizens, aimed at expelling them by not renewing their residence permits and by demolishing their houses. More dangerous than that, Israel has annexed East Jerusalem and has considered that, by virtue of legislation it passed in 1980, Jerusalem is the unified, indivisible capital of Israel in perpetuity. That concept was condemned by Security Council resolution 478 (1980), but that did not deter Israel from continuing its attempt to Judaize East Jerusalem and its surroundings through intensified settlement activity and to harass its Arab inhabitants in Ras al-Amud, Sheikh Jarrah and Silwan, as we have recently witnessed.

Sixth, the Advisory Opinion of the International Court of Justice on the separation wall considers the construction of the wall to be in violation of international law, especially given Israel’s responsibility to respect the territorial integrity of the land it has occupied. It also undermines the Palestinians’ right to self-determination. Israel continues in wilful repudiation of international law to build the wall and to seize the territories between it and the Green Line, in preparation for annexing the settlements in that area.

Seven, article 49 of the Fourth Geneva Convention prohibits the occupying Power from moving parts of its own population into the territory it occupies. Article 33 of that Convention prohibits

collective punishment, a practice Israel has used in its blockade of Gaza since the middle of 2007. Article 55 of the Convention provides that “to the fullest extent of the means available to it, the occupying Power has the duty of ensuring the food and medical supplies of the population”. The regular reports issued by the United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territories indicate that the occupation authorities do not respect that principle of the Convention. Of the inhabitants in the whole occupied West Bank, 79 per cent lack food supplies. It is interesting that the percentage in the West Bank is greater than that in blockaded Gaza, where it is 61 per cent.

Eight, in addition to the fact that Israel does not respect the principles of international humanitarian law, it is no exaggeration to say that there is not a single aspect of human rights, as set down in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, that Israel is not violating. It violates the human dignity of people in subjecting them to discrimination, intimidation and arbitrary detention, disrespecting their safety and property, while depriving them of fair trials, personal freedoms and freedom of movement. All of those practices are affirmed in the periodic reports of international and United Nations bodies, and they are also noted in reports of international human rights organizations, such as Amnesty International and Human Rights Watch. Those practices also appear in last year’s report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48) under the chairmanship of Judge Richard Goldstone.

Nine, in its resolution 497 (1981) the Security Council, after

“reaffirming that the acquisition of territory by force is inadmissible, in accordance with the Charter of the United Nations, the principles of international law and relevant Security Council resolutions”,

decided

“that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect”

and demanded that

“Israel, the occupying Power, should rescind forthwith its decision”.

As is the case in East Jerusalem, Israel did not comply with Security Council resolutions and persisted in imposing its laws, jurisdiction and administration in the Golan Heights. In the West Bank it did not respect article 47 of the Fourth Geneva Convention to cease moving its inhabitants into the occupied territories, establishing 34 settlements in the Golan with about 20,000 settlers. Worse than that, Israel adopted a new law on 22 November that requires the agreement of two thirds of the members of the Knesset or a national referendum to approve any withdrawal from the Golan or East Jerusalem. Israel continues, thereby, to reject its international responsibility, as set out in the Charter of the United Nations and General Assembly and Security Council resolutions, in contravention of all provisions of international law.

Ten, Security Council resolution 1701 (2006), adopted after Israel’s aggression against Lebanon in 2006, calls for the withdrawal of Israeli troops from all Lebanese territories, but, in the four years following the adoption of the resolution, Israel has continued to occupy the north of the village of al-Ghajar and the area around it. It has not accepted to withdraw from the Shab’a Farms and the hills of Kfar Shuba. It has rejected our proposals to place those territories temporarily under United Nations supervision. Moreover, that is just part of Israel’s violation of the sovereignty of Lebanon by land, air and sea.

In the light of those obstacles that prevent the achievement of a comprehensive and just peace in the Middle East, the foremost of which is preventing the Palestinians from exercising their right to self-determination, there is no doubt that the best formula for showing solidarity with the Palestinian people would be for the United Nations to actually unite and overcome its inability to implement its own resolutions.

**Mr. Núñez Mosquera** (Cuba) (*spoke in Spanish*): Cuba aligns itself with the statement made by the representative of Egypt on behalf of the Non-Aligned Movement (NAM).

On this occasion, when we are celebrating the International Day of Solidarity with the Palestinian People, it is timely that the international community

reaffirms its support for the heroic efforts of the Palestinian people in their struggle to exercise their inalienable right to self-determination.

It is equally timely that we reaffirm our commitment to redouble our efforts to end that injustice and to resolve the question of Palestine in all its aspects, including a just solution to the difficult situation of the Palestinian refugees.

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

We note with deep concern the increased number of poor people in the occupied Palestinian territories whose basic needs are not being met. Currently, the poverty rate in the occupied Palestinian territory is 65.8 per cent and in the besieged Gaza Strip it has reached 80 per cent of the population. There, the majority depends on food aid in order to survive and more than 40 per cent are unemployed.

This year, the situation in the occupied Palestinian territory, including East Jerusalem, has continued to deteriorate. Israel has continued to violate international law, human rights and international humanitarian law. As a result of the Israeli operation Cast Lead towards the end of 2008 and the beginning of 2009, it was calculated that 280 of the 641 schools in Gaza were damaged and 18 were destroyed.

More than half of the inhabitants of Gaza are under the age of 18, and the interruption of their education owing to the damage caused during the operation and as a result of the Israeli blockade, has had a devastating effect.

Reconstruction work in Gaza following the war has still not begun, because of the array of bureaucratic procedures and restrictions that the Israeli Government has imposed on access to construction equipment.

As part of the inhumane blockade the residents of the Gaza Strip are subject to, Israel has continued to severely limit the movement of Palestinians, imposing a humiliating and discriminatory network of hundreds of control points and has continued its policy of closing crossings, erecting physical barriers on the roads used by Palestinians, limiting the movement both of persons and of goods, such as foods, medicine, fuel, among other essential humanitarian supplies.

Cuba condemns that aggressive policy that ignores the repeated calls by the international community and the successive resolutions adopted by various bodies of the United Nations. We call on Israel to immediately lift the Gaza blockade.

The impunity with which the Israeli Government acts is only possible because of the protection it receives from the super-Power that continues to provide it with financial resources and arms that sustain its aggressive policy.

Unfortunately, the Security Council remains unable to seriously address the Palestinian question, owing to the application of double standards and the exercise of the constant threat of veto by one of its permanent members with regard to any draft resolution that seeks to meet that objective.

Israel has continued to erect barricades throughout the occupied Palestinian territory, thus fragmenting and deeply undermining the territorial integrity and contiguity of Palestine. It has fully isolated East Jerusalem from the rest of the West Bank, which, in turn, has severely damaged Palestine's economy and society as a whole.

The occupying Power has maintained intensive colonization measures, such as the ongoing confiscation of large areas of land, the building and extension of Israeli settlements and the building of the wall, which is now 59 per cent completed. Israel has continued to build the wall, flagrantly flouting and defying the Advisory Opinion of the International Court of Justice and violating General Assembly resolution ES-10/15 of 20 July 2004, which reaffirms the illegal nature of the construction of the separation wall in the West Bank and East Jerusalem.

In spite of the moratorium decreed by the Israeli Government, settlement activities continue, in particular in the West Bank. Those activities are aimed at modifying the demographic composition, the character, and the nature of the Palestinian lands, leading to their de facto annexation through the confiscation of broad areas.

The building and extension of illegal settlements belies Israel's commitments to the peace negotiations and endangers the outcome of that process. In practical terms, those policies prevent the existence of a Palestinian State with pre-1967 borders and the

possibility of finding a just solution to the Israeli-Palestinian conflict.

Cuba condemns those policies and practices, which violate international law, including the Fourth Geneva Convention, United Nations resolutions and the Advisory Opinion of the International Court of Justice, and demands that Israel immediately end those illegal practices.

On this occasion, when we are gathered once again to address the Palestinian question, more than 60 years after the beginning of this debate, Cuba reaffirms its support for the just cause of the Palestinian people and their efforts to attain their legitimate national aspirations.

Cuba shall continue to support the Palestinian people in their struggle to put an end to the Israeli occupation that began in 1967 and in their quest for a just, peaceful and lasting solution to the Israeli-Palestinian conflict. We shall not rest until the Palestinian people exercise their inalienable rights, including the right to self-determination and to sovereignty as an independent State based on the 1967 borders and with East Jerusalem as its capital.

**Mr. Reuben** (Israel): What is most striking about today's debate is not its one-sidedness, nor its rote condemnations of Israel that are divorced from facts on the ground, nor the fact that the biased resolutions before us reflect nothing more than the negative political dynamics that exist in the United Nations. Instead, what really stands out this afternoon is how little today's debate accomplishes in assisting the Palestinian people to realize peace, pursue prosperity and enjoy self-determination in the context of a two-State solution.

As we have seen year after year, today's debate offers shallow support for its stated purpose; for it is clear that serious, direct negotiations are the fundamental road to security and prosperity for Israelis and Palestinians alike. Instead of working to bring the parties together in meaningful negotiations and preparing the Palestinians to make the tough choices that will be required to reach an agreement, this forum engages in the same ritual condemnation of Israel, thus feeding Palestinian notions of victimhood. So I say to my colleagues this evening: let us turn away from the destructive rhetoric that continues to characterize this annual Day of Solidarity and begin a new discussion

that provides meaningful support for the Palestinian people.

The modern State of Israel has made clear from its inception that we believe it is both necessary and possible to live in peace with our neighbours. This was solemnly emphasized in our Declaration of Independence and has been proven through our historic peace treaties with Egypt and Jordan. And our commitment to that principle remains steadfast as we continue to pursue peace in the region.

But it takes two to tango. Israel cannot achieve that peace on its own. We can only achieve peace with the Palestinians through compromise and direct, bilateral negotiations. We can only move forward through bilateral negotiations that address the concerns of both sides. Any peace agreement must be based on the fundamental principles of mutual recognition and security. After generations of denying the Jewish people's historic connection to the land of Israel, the Palestinians must unambiguously abandon their quest to make that land their homeland alone — both now and in the future.

Unfortunately, one can still raise questions as to whether the notion of living side-by-side with a Jewish State has been fully accepted by the Palestinian people. For example, in a recent poll, almost two thirds of the Palestinians expressed their hope that eventually a single Palestinian State would emerge in the region, even if they supported a two-State solution in the short term.

To establish lasting peace, the Palestinian leadership must be clear about their ultimate aims. They must recognize Israel as the Jewish State for the Jewish people and turn away from messages of hatred and delegitimization, in favour of educating future generations about peace and coexistence.

Any peace agreement must also clearly address Israel's legitimate security concerns, which stem from the difficult reality facing our citizens on the ground. Practically every day the Israeli civilian population is exposed to the serious threat of rockets and terror attacks from Palestinian militants, who are supported by the Iranian and Syrian regimes through training, financing and arms.

Let me mention in that regard that, after Israel dismantled all of its settlements in the Gaza Strip, it received only terrorism and rocket fire on its towns and

communities in return. Thousands of rockets have been launched from the Hamas-controlled area since 2001, with most of the launchings occurring after Israel withdrew from Gaza in 2005. Weapons continue to be transferred to terrorist organizations in Gaza daily.

Any future agreement must address those security threats. To that end, the international community must unambiguously confront those Member States that provide extensive support for the enemies of peace in our region. In particular, we must address the Islamic Republic of Iran, which continues to export violence, hatred and instability to the Middle East and beyond.

My country has continued to show throughout the past year that it is willing to take bold measures to pursue peace. Israel has helped to encourage impressive growth in the Palestinian economy and removed hundreds of roadblocks and checkpoints in the West Bank.

In the Gaza Strip, we relaxed the restrictions imposed on the passage of civilian goods into the area and expanded the inflow of materials available for projects under the supervision of international organizations, which provide humanitarian assistance for a Palestinian population that remains hostage to a hostile terrorist entity.

Given the opportunities before us, I feel compelled to once again call on the Palestinians and our other Arab neighbours to join Israel in making real compromises and taking courageous action to bring peace to our region. As such, we are hopeful that the Palestinian Authority will return, without preconditions, to direct peace negotiations with Israel, which were broken off two months ago.

It is clear that real dialogue around the negotiating table — and not the tired diatribe that has characterized this forum — is the only path to peace for our two peoples. However, establishing peace is not a one-way, but a two-way street. Compromises on both sides will be necessary for meaningful negotiations.

The General Assembly has a clear choice to make. It can continue to adopt the same distorted narrative about Israel in pursuit of a politicized agenda that does nothing to further the stated purpose of today's debate. Or it can take a more constructive approach and work to bring the parties together to pursue peace, recognizing that that is the fundamental way to support the rights of the Palestinian people.

*The meeting rose at 6 p.m.*