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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 369th meeting

Held at Headquarters, New York, on Friday, 1 May 2015, at 3 p.m.

Chair: Mr. Seck (Senegal)

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The meeting was called to order at 3.15 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

Update on developments since the previous meeting of the Committee

2. **The Chair** said that, on 1 April 2015, Mr. Nickolay Mladenov had succeeded Mr. Robert Serry as United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority.

3. On 31 March and 1 April 2015, the United Nations Seminar on Assistance to the Palestinian People had taken place at the United Nations Office at Vienna.

4. On 1 April 2015, the State of Palestine had become the 123rd State party to the Rome Statute of the International Criminal Court.

5. On 21 April 2015, the Security Council had held an open debate on the situation in the Middle East, including the question of Palestine, at which he had delivered a statement on behalf of the Committee.

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process

6. **Mr. Mansour** (Observer for the State of Palestine) said that the 47 delegations that had participated in the Security Council open debate on 21 April 2015 had examined the situation in the Occupied Palestinian Territory and spoken frankly about the challenges facing the State of Palestine. They had also discussed the need to lift the blockade of Gaza and the importance of delivering the funding that had been promised for reconstruction in the Gaza Strip.

7. There had been no noticeable improvement in the situation in East Jerusalem or Area C of the West Bank. The blockade of Gaza was still in place and the territory's inhabitants continued to suffer. Regrettably, the Security Council had failed to shoulder its responsibility and to adopt a resolution establishing a time frame for ending the occupation of Palestine, particularly given that ending the occupation was a requirement for the implementation of the two-State solution. It was also disappointing that certain

delegations had advised his Government to wait until the new Israeli Government had been formed, or even until a framework agreement on the Iranian nuclear programme had been reached before pressing for the adoption of a resolution on ending the occupation of Palestine. However, his delegation welcomed the announcement by the Government of France that it would push for the adoption of such a resolution and appreciated the readiness of New Zealand also to work towards that end. An Arab ministerial committee was working with France and other Security Council members on the matter.

8. The resolution should include three key elements. First, it must establish a time frame for the conclusion of a peace agreement and the effective end of the occupation of Palestine. Second, it must set out the parameters for a political settlement, which must be in line with international law, the relevant United Nations resolutions, the Madrid Peace Conference, the road map and the Arab Peace Initiative. Accordingly, those parameters must include borders based on those of June 1967; the designation of Jerusalem as the capital of both States, with East Jerusalem as the capital of Palestine; and a just solution to the refugee question. Third, the resolution should outline a new negotiation process or mechanism that would involve Security Council members, the relevant Arab States and other States that could have a positive influence on the process and ensure implementation of any future agreement. Given that nearly 20 years of bilateral negotiations had been unsuccessful, it would be wise to attempt a multilateral negotiation process, as was being done in the cases of Ukraine, the Syrian Arab Republic and the Iranian nuclear programme. If a certain State with veto power would not accept such a solution, he hoped that the Security Council would agree to the convening of an international conference to implement the Arab Peace Initiative. If the super-Power in question did not find either of those solutions acceptable, it must explicitly state the course of action it wished to take to save the two-State solution, rather than continually claiming that it was reassessing or re-evaluating the situation.

9. His delegation had worked extensively with the organizations and individuals involved in the initial review of the report of the Secretary-General on children and armed conflict (A/69/926-S/2015/409), including the Special Representative of the Secretary-General for Children and Armed Conflict. The Israeli

armed forces met the criteria for inclusion in the list of offenders in annex I to the report, because they were guilty of grave violations against children as defined by the Security Council. During the war on Gaza in July/August 2014, Israeli forces had killed at least 540 Palestinian children, attacked 279 schools and damaged a large number of hospitals and clinics. Furthermore, the war had been an act of collective punishment against Palestinians living in the Gaza Strip, over half of whom were children. According to United Nations statistics, around 400,000 Palestinian children were still suffering trauma as a result of the war. He urged the Chair and the members of the Committee to lobby the relevant senior officials, including the Under-Secretary-General for Political Affairs, and call on them to ensure that the Israeli armed forces were included in the list of offenders. The handout prepared by his delegation that was now before the Committee contained information that could be of assistance in that regard.

10. His delegation welcomed the Secretary-General's summary of the report of the United Nations Headquarters Board of Inquiry into certain incidents that had occurred in the Gaza Strip between 8 July 2014 and 26 August 2014. The summary, which the Secretary-General had transmitted to the Security Council as an annex to a letter dated 27 April 2015 addressed to the President of the Security Council ([S/2015/286](#)), covered Israeli attacks against seven United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools in the Gaza Strip that had been sheltering a large number of civilians, including children. Nonetheless, his delegation believed that the Secretary-General had a moral obligation to also address the issue of protection and ensure that those responsible for killing 44 people and injuring 227 others at United Nations premises being used as emergency shelters were held accountable for their actions. The Organization must ensure that facilities flying its flag provided proper protection for civilians. He planned to meet with the Secretary-General and his senior officials to discuss justice for victims and their families and means of protecting United Nations facilities, and he encouraged Committee members to do likewise. He had also contacted Security Council members about those issues and had met with them to discuss the report. While his delegation welcomed the comments that the Permanent Representative of Jordan, whose country was the Chair of the Security Council at that time, had made to the

media on 28 April 2015 regarding the need for accountability and protection, it nevertheless regretted that Council members had not agreed on a common response to the Secretary-General's letter.

Briefing on the UNRWA@65 High-level Conference

11. **Mr. Wright** (Director, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Representative Office, New York) said that a conference entitled "UNRWA@65: Sustaining Human Development and Protecting Rights of Palestine Refugees" would be held on 2 June 2015 to mark the sixth-fifth anniversary of the commencement of UNRWA operations. Speakers would include the Secretary-General and a number of ministers and ambassadors. Representatives of the Agency's top three donors, Saudi Arabia, the United States and the European Union, and of the main host countries, Jordan and the State of Palestine, had been invited to speak.

12. The conference would consist of a plenary session followed by two panel discussions, which were expected to focus on protection challenges. The first panel discussion would examine challenges relating to the protection of children, persons with disabilities, youth and vulnerable groups, including women. The second panel discussion would address protection challenges related to armed conflict, particularly in the context of the immense difficulties faced by Palestine refugees as a result of the current armed conflicts in the Middle East. Six Palestine refugees would travel from Gaza, Lebanon, the Syrian Arab Republic and the West Bank to participate.

13. The huge effort by the international community, host countries, donors, Palestine refugees and UNRWA to promote the humanitarian element of the Palestine refugee situation and build the human capital of the refugee population over the past 65 years should be acknowledged and welcomed. However, there were tremendous challenges that must be addressed, including the growing gap between needs and available resources. The Agency was also facing emergencies in almost all of its fields of operation, the most serious being in Gaza and the Syrian Arab Republic. The displacement of Palestine refugees from the Syrian Arab Republic to Lebanon and Jordan was another significant challenge. The message that UNRWA wanted to convey through the conference was that the Agency needed backing and support so that it could

continue its important work and to serve as a stabilizing factor in the Middle East until a just and lasting solution was found to the Palestine refugee issue, in accordance with international law and the relevant United Nations resolutions.

Report on the United Nations Seminar on Assistance to the Palestinian People

14. **Mr. Emvula** (Namibia) said that the Seminar on Assistance to the Palestinian People, which had originally been scheduled to take place in February 2015 in Cairo, had been held in Vienna on 31 March and 1 April 2015. The Committee had been represented by the Permanent Representatives of Afghanistan, Indonesia and Namibia and the Permanent Observer for the State of Palestine. The theme of “Speeding up relief, recovery and reconstruction in post-war Gaza” had been timely, given the slow pace of reconstruction in Gaza and the mounting frustration of its population. Despite the other crises in the Middle East, there was a need to return international attention to Gaza. The seminar, which had been attended by representatives of 49 Governments, 3 intergovernmental organizations, 12 United Nations agencies and 27 non-governmental organizations, had also addressed the interconnected structural problems of the blockade, the housing and environmental crises and the energy and water deficits, all of which had been aggravated by the war of July/August 2014 and were threatening the viability of the territory. The Government of Austria had been particularly supportive of the seminar and had engaged in fruitful discussion with the representatives of the Committee.

15. In his opening message to the Seminar, which had been read by the Director-General of the United Nations Office at Vienna, the Secretary-General had warned of a humanitarian catastrophe and urged the Palestinians to overcome their divisions. The Chair of the Committee had stressed that the situation in Gaza would not be resolved until the occupation had been ended, the blockade had been lifted and a sovereign Palestinian State had been established. He had also called on donors to follow through on their pledges to fund reconstruction efforts in Gaza. The representative of the State of Palestine had said that the recently elected Israeli Government was even more right wing than its predecessor and was keen to destroy the possibility of a Palestinian State. The Palestinian leadership’s new strategy was to have the question of

Palestine addressed at the international level rather than through armed conflict or bilateral negotiations. To that end, the Palestinian leadership would bring the matter before the Security Council, use all legal options and seek diplomatic recognition.

16. In the plenary session, participants had discussed the immediate and longer-term humanitarian needs in the Gaza Strip, priority reconstruction tasks and the ending of the blockade. They had also highlighted the need for strengthened cooperation between all parties in order to provide relief, promote reconstruction and reignite economic development in Gaza. It had been furthermore noted that less than 7 per cent of the promised \$5 billion pledged at the Cairo International Conference on Palestine: Reconstructing Gaza had been delivered. On the other hand, the Gaza Reconstruction Mechanism was capable of delivering more materials if more aid were provided. The physical disabilities and emotional damage suffered by many Gazans had yet to be addressed, and as poverty and unemployment levels rose, residents were fleeing the territory in large numbers for the first time. One speaker had suggested the establishment of an internationally supervised seaport as means of providing employment. A desalination plant was urgently needed to prevent Gaza from running out of water, but the construction and operation of such a plant would require a reliable and large-scale source of energy. While offshore gas fields had the potential to provide the energy required to operate the plant, the development of those fields would require cooperation from Israel and other States of the region. Speakers had also called for the Palestinian national consensus Government to assume control in Gaza and for the blockade to be lifted. They had also urged donors to deliver the aid they had promised. In that connection, it had been pointed out that some large donors wished to see progress towards Palestinian reunification before releasing construction funds.

17. The Committee would follow up on the challenges discussed at the seminar in the coming months. It should be noted that the Committee’s support was being sought for the Gaza desalination plant project, which was being spearheaded by the Union for the Mediterranean.

United Nations Round Table on Legal Aspects of the Question of Palestine (working paper No. 2)

18. **The Chair** drew attention to working paper No. 2, which contained the provisional programme for the United Nations Round Table on Legal Aspects of the Question of Palestine, to be held at The Hague from 20 to 22 May 2015. The event would provide an opportunity to explore legal ways and means to promote the inalienable rights of the Palestinian people. It would also allow the Committee to contribute to capacity-building efforts for the State of Palestine following its accession to the Rome Statute of the International Criminal Court. Attendance would be by invitation only.

19. He took it that the Committee wished to approve the provisional programme for the round table.

20. *It was so decided.*

Accreditation of civil society organizations to the Committee (working paper No. 3)

21. **The Chair** drew the Committee's attention to working paper No. 3, which contained the applications for accreditation that had been submitted by civil society organizations. After reviewing the applications, the Working Group of the Committee had concluded that the organizations fulfilled the criteria for accreditation and recommended that they should be accredited.

22. *The requests for accreditation to the Committee received from UFree Network (Norway), Youth Vision Society (Gaza, State of Palestine) and Jerusalem Legal Aid and Human Rights Center (Ramallah, State of Palestine) were approved.*

The meeting rose at 4.05 p.m.