



Security Council

Fifty-second Year

3745th Meeting

Thursday, 6 March 1997, 3 p.m.

New York

Provisional

<i>President:</i>	Mr. Wlosowicz	(Poland)
<i>Members:</i>	Chile	Mr. Larraín
	China	Mr. Liu Jieyi
	Costa Rica	Ms. Incera
	Egypt	Mr. Elaraby
	France	Mr. Thiebaud
	Guinea-Bissau	Mr. Cabral
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Republic of Korea	Mr. Choi
	Russian Federation	Mr. Fedotov
	Sweden	Mr. Linden
	United Kingdom of Great Britain and Northern Ireland	Mr. Richmond
	United States of America	Mr. Wood

Agenda

The situation in the occupied Arab territories



The meeting was suspended at 1.20 p.m. and resumed at 3.20 p.m.

The President: The next speaker is the representative of Morocco. I invite him to take a seat at the Council table and to make his statement.

Mr. Snoussi (Morocco) (interpretation from French): I would like at the outset to extend to you, Mr. President, the congratulations of the Kingdom of Morocco on your assumption of the presidency of the Security Council. I also take this opportunity to extend to your predecessor my country's compliments for the wise manner in which he conducted the work of the Council last month.

I would also like to offer you my sincere congratulations for having dealt expeditiously with the problem that has brought us together today: the decision of the Israeli Government to establish new settlements south-east of the Holy City of Al-Quds, the third Holy Place of the Muslim religion and the cradle of the three revealed religions.

We have once again been unpleasantly surprised by the decision of the Israeli Government to establish a new settlement on the Jabal Abu Ghneim hill, also known as Har Homa. We can readily imagine the negative effects that such a decision might have on a peace process that is already fragile but which we had dared think to be well under way.

There is no doubt that this decision is a flagrant violation of international law and of the various Security Council resolutions on Al-Quds, which prohibit any decision tending to alter its legal status, demographic composition and cultural nature.

From the standpoint of international law, everyone is aware that the status of East Jerusalem is exactly the same as that of the West Bank. This is an occupied territory to which applies the Fourth Geneva Convention, which prohibits the occupying Power, in this case Israel, from making permanent changes in the territory it occupies or from settling any part of its population on it.

Any intention of using this action to launch a new annexation campaign should be denounced by the entire international community, because it is a violation not only of a State's agreements, but also of its word. It represents a deliberate attempt time and time again to call into question the peace process and the protocols signed in

Washington in full view of the entire international community.

As members know, the Arab Group at the United Nations, of which we are a part, unanimously condemned this decision and detailed in its letter its concerns and position in this regard. As they also know, the view of the Arab countries is dictated by legal and political reasons alike. We believe that the recent Israeli decision must be seen as a new defiance of the international community, since it threatens the fragile trust that we took so many years to build.

The Arab Inter-Parliamentary Union, which is headed by Morocco, also took the opportunity last Thursday to ask the Council to intervene immediately to prohibit Israel from implementing its settlement plan.

Furthermore, at a meeting held on 3 March, the Islamic Group of the Organization of the Islamic Conference expressed its deep concern about the unlawful measures taken by Israel and called upon the international community and the Security Council to take urgent steps to persuade the Israeli Government to rescind its decision and renounce all settlement activities in all the occupied Arab territories, particularly East Jerusalem.

Must I remind the Israeli authorities of the great effort that was necessary from countries of good will, such as my own, to stitch together this policy based on trust? Casablanca, Amman and Cairo were not mere conferences or simple meetings; they were truly giant steps that were taken following the signing of the Washington agreement. What the Israeli authorities seem to forget is that the capital that has been wasted will, unfortunately, be the most difficult to regenerate. Indeed, all those countries that had been hesitant are now telling us that they were right to hesitate. We told them that the Washington and Oslo momentum was under way and they eventually believed us. The international community hoped to see peace achieved with Syria and Lebanon. However, for equally inexplicable reasons, this peace has not yet come about.

The Israeli decision to establish new settlements, thereby seriously modifying the demographic composition of that area, came on the heels of the tunnel incident but before the recent Israeli decision to close four Palestinian offices in Jerusalem. It took endless cajoling and interventions for Israel finally to agree to sign the Hebron agreements. Arabs now remember this, too, as proof of bad faith.

My country deplores this blind attitude, just as it profoundly regrets the fact that the Israeli authorities are taking no account of either the impact of their own unfortunate actions nor of the harmful consequences these will have on the hopes we had so cherished.

The peace process was launched in a climate of confidence. However, we will now need several miracles, not just one, in order to convince all the parties concerned to embark once again on the path of genuine peace, as this peace is daily being called into question. We fear not only confrontations between Palestinians and Israelis, but also the doubts now being sown in the minds of Arabs with regard to the peace process for which all of us here have fought.

Israel, which once made communication its basic weapon, should today realize that international opinion is growing familiar with this new face of Israel, which through its reckless acts is now bringing to nought all the efforts made to achieve what was hailed as the event of the century.

The international community today cautions Israel and calls on it to show wisdom and respect for the commitments it has undertaken.

The Kingdom of Morocco, host country of the Al-Quds Committee, which is chaired by His Majesty King Hassan II, remains convinced that the Security Council, charged with the maintenance of international peace and security and the rule of law, is duty-bound to impose its will by compelling Israel to rescind its decision.

Let me quote His Majesty King Hassan II, who on the national holiday marking the anniversary of his coronation, on 3 March, said that

“Peace cannot be built where feelings of frustration, hatred and fear remain”.

Let us — let the Security Council — ensure that the decisions that the Council adopts remind Israel that no one can defy the international community, and that no one can enter into commitments one day and go back on them the next. Let us give our peoples the genuine peace for which so many generations have hoped. We must not play with fire: let us not foment hatred and fear among ourselves, for these are our worst enemies.

The President: I thank the representative of Morocco for the kind words he addressed to me.

The next speaker is the representative of Cuba. I invite him to take a seat at the Council table and to make his statement.

Mr. Nuñez Mosquera (Cuba) (*interpretation from Spanish*): I wish on behalf of my delegation to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. We also convey our appreciation to the Permanent Representative of Kenya for the manner in which he presided over the work of the Council last month.

Barely five months ago, on 27 and 28 September 1996, the Security Council met to discuss the situation in the occupied Arab territories. At a meeting with the participation of the Ministers of Foreign Affairs of a number of Member States, the Council adopted resolution 1073 (1996), in which it called for the immediate cessation by Israel of all acts which had resulted in the aggravation of the situation in the area and which had negative implications for the Middle East peace process.

Today the Council is meeting once again, and we note that resolution 1073 (1996) has yet to be implemented; to the contrary, the international community is witnessing a fresh escalation by the occupying Power, which is again jeopardizing the entire peace process in the region.

The decision of the Israeli authorities to establish new settlements in the southern part of East Jerusalem is yet another example of the obstacles being placed in the path of the peace process. These settlements, moreover, constitute a flagrant violation of the most basic rules of international law and run counter to the letter and the spirit of United Nations resolutions, including those of the Security Council itself, on the Arab-Israeli conflict and the Palestinian question; these resolutions continue to be completely ignored.

Once again, the Middle East peace process is in jeopardy, along with the fate of the occupied Arab territories. Once again, the United Nations must without delay take a firm stand against this challenge. The Security Council must act without delay and with unmistakable clarity to demand that Israel put an end to the construction of settlements in the occupied Arab territories in general and in Jerusalem in particular. The policy of modifying the legal status, demographic composition and geographical character of Jerusalem is unacceptable.

Cuba reiterates its firm position in favour of the return of all Arab territories occupied by Israel, and hopes that the Security Council will shoulder the responsibility entrusted to it under the Charter — and will do so with the same vigour and alacrity it has displayed with respect to other items it has considered.

The President: I thank the representative of Cuba for the kind words he addressed to me.

The next speaker is the representative of the Sudan. I invite him to take a seat at the Council table and to make his statement.

Mr. Erwa (Sudan) (*interpretation from Arabic*): I congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. We are well aware of the wisdom and skill you bring to bear in guiding the work of the Council. I also thank your predecessor, my brother, the Permanent Representative of Kenya, for the excellent way in which he led the work of the Council last month.

There is no doubt that a just and comprehensive peace in the Middle East is the goal of all peace-loving States, a goal which those countries seek to reach on the basis of the principles of justice and equity. The failure to live up to commitments entered into is inconsistent with a genuine desire for peace, and undermines efforts to achieve that peace. The destruction of the chances for a just, lasting and comprehensive peace owing to the practices of the Israeli forces of occupation in territory that does not belong to them constitutes one clear proof that occupation and peace are incompatible.

The decision taken by the Government of Israel on 26 February 1997 to build a new 6,500-unit settlement at Jabul Abu Ghneim in East Jerusalem — in occupied Palestinian territory — adjacent to lands expropriated in 1991 and 1992 is part of an Israeli policy to build a series of settlements encircling Al-Quds with a view to isolating the other Arab areas of the West Bank. The purpose is to Judaize Al-Quds and to change its legal status and demographic composition, in contravention of Security Council resolutions, including resolution 478 (1980). Nor can we forget Israel's other systematic steps in the same direction, such as the opening of a tunnel west of the Al-Aqsa Mosque in Al-Quds, and the ensuing violent repression of innocent protesters.

Israel has not complied with Security Council and General Assembly resolutions; it has ignored international

declarations and broken commitments it has itself undertaken; it continues to disregard the views of the international community. All of this reflects Israel's refusal to comply and its lack of respect for the peace process. It will inevitably lead to severe consequences with respect to the other States of the region and will have a negative effect on the peace process and on world peace and security.

Sudan expresses its concern over the steps taken by the Israeli Government. Based on the need to respect the international agreements, instruments and conventions concluded between the two parties and freely consented to by them, Sudan asks that the Security Council shoulder its responsibility fully and, in order to safeguard international peace and security, ask Israel to rescind its decision and put an end to any steps that might harm the city of Jerusalem, a city where the holy places of the faithful of three religions can be found.

For all these reasons, we must work together to preserve the special nature of that city, which is so dear to the hearts of all who cherish the holy places and who are imbued with the spirit of peace. That is why the Council must adopt specific, concrete measures to compel Israel to go back on its decision and to put an end to any steps that might constitute acts of provocation in the occupied Arab territories, including Jerusalem, the occupied Syrian Golan and occupied southern Lebanon.

Sudan, on the basis of its solidarity with the struggle of the Palestinian people for their inalienable rights and for justice, and to strengthen the right to justice and fairness, asks the Council to shoulder its responsibility and not adhere to a double standard, and to strengthen its credibility by working to implement the resolutions relevant to the Israeli-Arab conflict, with the goal of achieving a just and comprehensive peace. This is the only way to guarantee stability in the region and throughout the world.

The President: I thank the representative of the Sudan for the kind words he addressed to me.

The next speaker is the representative of Qatar. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Khalifa (Qatar) (*interpretation from Arabic*): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I wish also to congratulate your predecessor, Ambassador

Mahugu, on his excellent performance last month. Finally, I should like to thank you for convening this important meeting at the request of the Group of Arab States.

This is a critical time. The occupied Palestinian territories once again face an extremely grave situation, which is seriously endangering the Middle East peace process. The Israeli Government's decision to build a new settlement of 6,500 housing units in Jabal Abu Ghneim is a deliberate attempt to cut off Arab East Jerusalem from the remainder of the Palestinian West Bank. It is a move calculated to alter the legal status and demographic composition of Jerusalem. This is a new development in a disturbing pattern of decisions and actions aimed at imposing a *fait accompli* prior to the opening of final-status negotiations this month.

Since coming to power, the present Israeli Government has acted to strip the peace process of its content. It has even exploited the process to serve its own political objectives. First, it announced that it would not be bound by agreements signed by the previous Government and the Palestinian National Authority. Then it ruled out any compromise on East Jerusalem or on a Palestinian state. It has repeatedly delayed withdrawal from occupied areas, and in September 1996 its decision to open the tunnel under the Western Wall of the Al-Aqsa Mosque precipitated a well-known crisis, which led to serious violence. The decision to build this settlement is yet another step in a premeditated policy of creeping annexation of Arab lands.

As Chairman of the Group of Arab States for this month and on behalf of my own country, I should like to express to the Security Council our outrage and dismay at this arrogant move, which undermines the basic principle of land for peace that was agreed to at the Madrid Conference. We strongly condemn this decision by the Israeli Government. It is a decision that constitutes a flagrant violation of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949). It is also a serious infringement of United Nations resolutions and flouts numerous relevant resolutions of the Security Council. In this respect, we should like to recall resolution 242 (1967), which calls on Israel to withdraw from all Arab territories occupied in 1967, and resolution 252 (1968), which declares that all legislative and administrative measures taken by Israel, including the expropriation of land and properties, that alter the status of Jerusalem are null and void, and calls upon Israel to rescind all such measures taken and to desist from further actions affecting the status of Jerusalem.

In the same context, we would recall Security Council resolution 446 (1979), which determines that the Israeli policy of establishing settlements in the territories occupied since 1967, including Jerusalem, constitutes a serious and illegal obstruction to achieving peace in the Middle East. The resolution calls once more upon Israel 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.

We would like also to recall a series of resolutions in which the Security Council deplored Israel's refusal to comply with international law, as well as the Council's repeated calls to Israel to abandon its intransigent and expansionist policies. These resolutions include 267 (1969), 271 (1969), 298 (1971) and, in particular, resolution 476 (1980). This resolution asserts that the application by Israel of the so-called basic law on Jerusalem is a violation of international law; it affirms the applicability of the fourth Geneva Convention to all the territories occupied by Israel since 1967; and it rejects Israel's claim to Jerusalem, along with other actions by Israel that alter the status of Jerusalem. Furthermore, settlement activities violate the 1993 Oslo accords and the 1995 Interim Agreement between Israel and the Palestinian National Authority on the territories occupied since 1967.

For the past five years, there has been a genuine movement forward towards the achievement of a lasting peace in the region. We have witnessed progress, from the Madrid Conference on to Oslo on to the peace agreement with Jordan. Our hopes for the future were raised by three economic conferences on the Middle East and North Africa, held in Casablanca, Amman and Cairo, respectively. A fourth conference is scheduled to be held in Doha, the capital of Qatar, this year. The goodwill, dedication and courage invested by those committed to achieving peace must not be squandered. This reckless move highlights the lack of Israeli commitment to the peace process and threatens to reverse all our efforts.

It is the responsibility of the international community and of the co-sponsors of the peace process to ensure that Israel complies with all its commitments. Furthermore, we want this debate in the Security Council to send a clear-cut message to the Israeli Government that its persistent policy of building settlements and delaying the implementation of existing agreements is categorically unacceptable.

In conclusion, I would like, on behalf of the Arab Group and my country, to express my appreciation to those representatives who declared their Governments' rejection of the Israeli decision, which violates international legality and constitutes an obstacle to peace in the Middle East.

Proceeding from genuine concern for the future of peace, we call on the Council to take the necessary actions to ensure that no settlement activities will be implemented in the occupied Arab territories, including in the Holy City of Al-Quds/Jerusalem, and in particular to ensure that the Israeli decision to establish this settlement at Jabal Abu Ghneim will not be implemented, so that the resolutions of the Security Council will be upheld and the peace process preserved.

The President: I thank the representative of Qatar for the kind words he addressed to me.

The next speaker is the representative of Argentina. I invite him to take a seat at the Council table and to make his statement.

Mr. Petrella (Argentina) (*interpretation from Spanish*): Allow me, Sir, to convey our best wishes for success in your term as President of the Security Council for the month of March. Allow me also to congratulate you for convening this formal meeting and to convey the warm feelings that Argentines have for Poland, a country to which we are linked by strong ties of friendship and cooperation. Likewise, I am pleased to extend our appreciation to the Permanent Representative of Kenya for his outstanding leadership of the Council last month. The work of Ambassador Mahugu not only does credit to him and to Kenya but also lends prestige to the developing world.

My delegation is taking part in this Security Council debate with renewed sadness and concern. After only five months, the organ with the ultimate responsibility for world peace and security is obliged to meet to urge the parties not to depart from the peace process.

In the resolution of any conflict, the antagonists must be parties to the peace process. That role not only carries obligations but also calls for specific attitudes, such as not altering the climate of understanding necessary to move ahead in any negotiation.

The decision of the Israeli Government to build settlements in East Jerusalem is viewed with the greatest concern. Argentina shares that feeling, and we hope that

Israeli politicians will reflect on the consequences that these measures are having on the future of the peace process. The settlements in occupied territories run counter to international law and run counter to resolutions adopted by this Council in the past.

Much progress has been made toward peace in the Middle East, and many lives have been sacrificed in that cause. Accordingly, the efforts and commitments of the international community should not waver but should rather grow stronger. We hope that at this stage the Israeli Government will refrain from adopting decisions that can lead to altering the de facto situation in Jerusalem or to hampering the success of the negotiations on the final status of that city. We should all be aware of the importance that Jerusalem has for the various cultures that have been a part of its history.

As was stated by the Minister for Foreign Affairs for Argentina, Guido Di Tella, in the previous debate on the situation in the occupied Arab territories:

"The security of peoples depends on moderate policies, and certainly not on extreme formulas of any kind". (*S/PV.3698 (Resumption 1)*, p. 24)

Today, once again, we feel at one with those States that are committed to the cause of peace, which wish to give their support to the negotiating process that began in 1992, and want to preserve the climate of understanding that is required for that purpose.

The President: I thank the representative of Argentina for the kind words he addressed to me.

The next speaker is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Valle (Brazil): I would like, first of all, to congratulate you, Ambassador Wlosowicz, on your assumption of the presidency of the Council for the month of March. We are confident that under your skilled guidance the work of the Security Council will be conducted with great efficiency. Let me also take this opportunity to thank your predecessor, Ambassador Mahugu, for the competence with which he presided over the Council during the month of February.

In recent years a lot has been done to bring peace to the Middle East. From the Madrid Conference of 1991 to the Declaration of Principles signed in Washington in

1993, from the Agreement on the Gaza Strip and the Jericho Area of 1994 to the Agreement on the Preparatory Transfer of Powers and Responsibilities of 1994, many milestones in the direction of the attainment of a durable peace have been established.

However, we have had to face occasional obstacles which stand in the way of the realization of our best hopes. The peace effort is a confidence-building process. Parties to this process should refrain from any action or measure which could lead to mistrust and to a gradual erosion of a carefully and laboriously designed peace process, jeopardizing the intense efforts which have been made. In this context, it is with concern and apprehension that we witness the latest developments related to the decision to initiate new settlement activities in East Jerusalem.

The Brazilian Government wishes the parties involved in the peace process to immediately resume the positive track of dialogue and compromise, on the basis of agreements already reached and observing legal obligations and responsibilities under universally accepted international instruments. Only through the renewal of mutual trust among the parties will it be possible to surmount this difficulty while continuing to strive for durable peace in the region.

The President: I thank the representative of Brazil for the kind words he addressed to me.

The next speaker is His Excellency Mr. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite him to take a seat at the Council table and to make his statement.

Mr. Ansay (Organization of the Islamic Conference): I would like, Sir, to extend to you my warmest congratulations on your assumption of the presidency of the Security Council for this month. We are confident that your rich experience and known professional skills will serve the Council well in the successful discharge of the very complex task currently facing it. If the cordial relations that have historically existed between your country and the country I come from prevailed among the nations today, we would all be living in a much less troublesome world.

I should like to take this opportunity also to thank your predecessor, Ambassador Mahugu, the Permanent Representative of Kenya, for his able performance in

steering the work of the Council during the month of February.

On behalf of His Excellency Mr. Laraki, Secretary-General of the Organization of the Islamic Conference (OIC), I thank you for giving me the floor to address the Council on the situation in the occupied Arab territories.

At the outset, let me say, as I have said before, that I wish I were taking the floor under better, instead of what have become bitter, circumstances. For we in the OIC joined forces with the international community in supporting the peace process in the Middle East in full measure, despite some of the disadvantageous elements that the relevant agreements contained affecting Palestinian interests. We were even beginning to feel hopeful about the future of peace in the area because of those few achievements that had already emerged during the early stages of the implementation of the Oslo accords. We were very pleased, last January, when agreement was finally reached on the redeployment of Israeli troops from Al-Khalil, and we were prepared to continue to lend our full support to the attainment of the agreed goals and objectives of the peace process.

Regrettably, our hopes, together with those of well-wishers in the international community, have been shattered by the unfortunate turn of events in Palestine, the responsibility for which must lie with Israel and Israel alone. The turmoil has been brought about by an accumulation of violations of various elements of the peace agreements by Israel, and the Israeli decision on 26 February 1997 to build a new settlement in Jabal Abu Ghneim in East Jerusalem. The latter constitutes the latest attempt by Israel to preempt the outcome of the negotiations on final status by changing the legal status and demographic composition of Jerusalem/Al-Quds Al-Sharif, a city that is of central importance to the Arab and Muslim worlds, as it is the first *kiblah* and the third holiest city of Islam, to the three major religions, and to the international community at large. The Israeli decision not only violates the relevant resolutions of the Security Council and the General Assembly, the Declaration of Principles and subsequent agreements, but threatens to undermine the progress that has been achieved in the Middle East peace process.

In this regard, the Islamic Group at the United Nations, at its meeting held on 3 March 1997, called on the international community, including the Security Council, to take urgent steps to ensure that the Government of Israel reverses its decision and renounces

all settlement activity in all the occupied Arab territories, in particular in East Jerusalem.

In the spirit of our solidarity with the peace process in the Middle East, we condemn this latest decision by the Israeli Government concerning East Jerusalem, just as we condemned the opening of the tunnel under the western wall of the holy Al-Aqsa Mosque.

I would like to take this opportunity to reaffirm the position of the OIC that a comprehensive and lasting peace in the region cannot be achieved without the full implementation of Security Council resolutions 242 (1967) and 338 (1973) which, *inter alia*, emphasize that Jerusalem is part and parcel of the territories occupied since 1967.

In this context, we in the OIC would like to request the Council to implement all of its relevant resolutions, including resolutions 252 (1968), 267 (1969), 465 (1980), 476 (1980), 478 (1980) and 1073 (1996), all of which concern Jerusalem; to take all necessary measures to prevent Israel from altering the geographical and demographic status of Jerusalem; and to prevent it from taking any action that in any way affects the status of Jerusalem, the final status of which is to be discussed in the subsequent stages of the peace process.

We would like the Council to take the necessary measures to bring an end to the continuation of Israeli expansionism and settlement policies in the occupied Palestinian and Arab territories, including Jerusalem, and for it to consider all these Israeli policies and practices as violations of all relevant United Nations resolutions, of international agreements, especially the Fourth Geneva Convention of 1949, and of international law.

We would also like to request the international community to persuade Israel to lift the siege around Jerusalem and to stop the implementation of all decisions and practices that adversely affect the interests of the Palestinian people, especially the confiscation of Palestinian lands, the demolishing of Palestinian properties and houses, and the withdrawal of identity cards issued to Palestinians, designed to expel them from Jerusalem. We also request the international community to prevent Israeli excavations around the Al-Aqsa Mosque and to make Israel cease forthwith the violations of Islamic and Christian holy places in Jerusalem.

In conclusion, I would like to assure this Council, through you, Mr. President, that as soon as the necessary measures to restore peace and security in the area have

been undertaken, improving the environment for the resumption of the peace process, the OIC and its 54 member States, representing the very serious concerns of more than one billion Muslims all over the world, will also reaffirm their wholehearted support for the peace process, in fulfilment of their collective desire to see peace and tranquillity return to the area.

The President: I thank Mr. Ansay for the kind words he addressed to me.

The next speaker is the representative of Colombia. I invite him to take a seat at the Council table and to make his statement.

Mr. García (Colombia) (*interpretation from Spanish*): I should like, at the outset, to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. I should like also to extend our congratulations to Ambassador Mahugu of Kenya for the very able manner in which he conducted the business of the Council last month.

My delegation has anxiously watched the development of the Middle East peace process, especially the most recent events. Despite undeniable strides made in recent years, the fate of the process is still a source of concern, as the road to full independence and self-determination for the Palestinian people is at a critical juncture. We saw the recent signing of the agreement on Hebron as an important step towards the definition of a conclusive peace settlement that would include the status of Jerusalem, legal settlements and refugees. Today, unfortunately, we are forced to acknowledge a different situation that strains the atmosphere of the process and constitutes a further obstacle to the consolidation of peace in the region.

As the international community has stated, and as has been made clear today, the policy of settlements in the occupied territories constitutes a serious obstacle to peace. Insistence upon the creation of *faits accomplis* on matters as essential to the forthcoming permanent status negotiations as Jerusalem and the settlements can be interpreted as a desire to prejudge the result of the negotiations, and thus inevitably and seriously affect the climate of trust so urgently needed for the peace process.

It is fitting to recall today what was said on the subject of Jerusalem by the Heads of State or Government of the 113 countries members of the Non-Aligned Movement at the Cartagena Summit in 1995. They

expressed their unqualified support for the legitimate struggle of the valiant Palestinian people to guarantee respect for its inalienable right to self-determination and independence and reiterated the demand that Israel withdraw from all occupied Arab and Palestinian territories, including Jerusalem.

The Heads of State and Government also expressed regret at Israel's decision to confiscate Palestinian lands and properties in Jerusalem and its attempts to alter the religious and historical character of the Holy City. In that regard, they endorsed all the Security Council and General Assembly resolutions on Jerusalem and deemed null and void all Israeli actions that run counter to those resolutions. They also called for the complete and scrupulous implementation of the agreements, in particular the provisions contained in Security Council resolutions 242 (1967), 338 (1973), 465 (1980), 478 (1980), and underscored the need for the mechanism dealing with the question of Palestine established by the General Assembly to continue to function effectively. They then expressed their support for the appeal made by the Jerusalem Committee at its meeting in Ifrane, Morocco, in January 1994 to the Security Council, and especially to the two sponsors of the peace process to take the necessary measures with a view to demanding that Israel refrain from establishing settlements, Judaizing the Holy City of Jerusalem and making any geographic or demographic change to the city. Israel was also asked to comply with the agreements and conventions on the preservation of Palestinian institutions and the Islamic and Christian holy places in the Holy City of Jerusalem, in keeping with the relevant resolutions of the Security Council.

On 25 September 1996, in this city, the Ministers for Foreign Affairs of the member countries of the Non-Aligned Movement met during the fifty-first session of the General Assembly to commemorate the thirty-fifth anniversary of the founding of the Non-Aligned Movement. In their joint communiqué, the Ministers for Foreign Affairs and Heads of delegations expressed their concern at the deterioration of the situation in the region, and particularly at the difficulties encountered by the peace process. They expressed their unconditional support for the legitimate struggle of the Palestinian people to secure their inalienable rights to self-determination and independence and reiterated their appeal that Israel withdraw completely from all the Palestinian territories and other occupied Arab territories, including Jerusalem.

To conclude, my delegation wishes to reiterate its support for the peace process in the Middle East and to

urge the Security Council to adopt measures conducive to respect for international law with a view to the establishment of comprehensive peace and common prosperity in the region.

The President: I thank the representative of Colombia for the kind words he addressed to me.

The next speaker is the representative of the Philippines. I invite him to take a seat at the Council table and to make his statement.

Mr. Mabilangan (Philippines): Allow me to extend to you, Sir, my congratulations on your assumption of the presidency of the Council and to pay tribute to your predecessor, the Permanent Representative of Kenya, for his successful term.

The Philippines expresses its deep concern about the Israeli Government's decision to proceed with construction in the eastern part of Jerusalem/AI-Quds.

This action, sadly, is not in conformity with the spirit of dialogue and reconciliation which has otherwise characterized the tenor of relations between the Governments of Israel and Palestine as they engage themselves in the Middle East peace process. Let us recall the great progress made between Israel and Palestine in the peace process, with the joint Declaration of Principles signed in 1993, the Interim Agreement of 1995 and, more recently, the Hebron protocol, concluded just two months ago. We are most anxious that this recent development may and will pose a serious obstacle to the final status negotiations scheduled to commence in the next few weeks.

The Philippines has long held that the Holy City of Jerusalem is the sacred treasure of the faithful of Christianity, Islam and Judaism. Thus, there is no room for unilateral action with respect to the administration and development of the city. We reiterate our view that further settlement in the occupied territories in Jerusalem is contrary to the spirit and intent of the agreements concluded between the Israeli and Palestinian authorities.

For its part, the Philippines has learned from its own experience that parties to a peace process must at all times have mutual consideration for each other's interests, as well as a sincere willingness to make sacrifices for the greater good. There certainly can be no greater good than a secure and lasting peace.

The Philippines joins the Secretary-General and the global community, which has spoken with unanimity in this Chamber, in urging the Israeli Government to reconsider its decision in the interest of peace for all peoples in the region. The Philippines reiterates its unwavering support for the inalienable rights of the Palestinian people, as expressed in our consistently voting in favour of all resolutions pertaining to Palestine in the General Assembly.

The Philippines also renews its call for the implementation of the resolutions on the Middle East situation and the occupied territories enacted in this very Chamber, particularly Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and for the successful conclusion of the peace process bravely embarked upon by the Israeli and Palestinian peoples and their neighbours. Though the path may be arduous, let us continue to move forward.

The President: I thank the representative of the Philippines for the kind words he addressed to me.

The next speaker is the representative of Malta. I invite him to take a seat at the Council table and to make his statement.

Mr. Pace (Malta): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council. Our congratulations also go to the outgoing President for the excellent manner in which he presided over the Council.

Peace has been the long-desired goal of the international community. It requires of us all a demonstrable commitment to the ideals enshrined in the Charter of the United Nations and respect for the various proclamations by both the Security Council and the General Assembly on the various items which have been the subject of deliberations in this Organization.

The issue under consideration today is not new; nor is it one to which the international community has failed to respond. It touches on the very nerve of a process which has taken root in recent years; it threatens to undermine the arduous path to peace. The Middle East has been blessed with hope for a different future, one in which communities and generations can live together in confidence and mutual trust.

Actions which contravene the very spirit on which the peace process has embarked cannot but be strongly deplored. The recent decision by the Government of Israel

to undertake the construction of new housing units in the Har Homa/Jabal Abu Ghneim area of East Jerusalem not only impacts on the more immediate consequences arising from such actions, but will have long-lasting repercussions on the ability to achieve a just and lasting peace in the region.

The recent Hebron accord is a signal by the parties of their willingness to build peace. As stated by my Deputy Prime Minister and Minister for Foreign Affairs in a letter to Prime Minister Netanyahu and President Arafat on the signing of the accord,

“This historic accord is yet another manifestation of the fact that quiet diplomacy succeeds where other measures, in failing, leave only pain, disappointment and bitterness”.

The decision taken on the construction of new housing units stands in stark contradiction to this spirit. It contravenes the relevant resolutions of the Security Council and the General Assembly, as it seeks to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and it contravenes the fourth Geneva Convention of 1949. The status of East Jerusalem remains subject to the principles enshrined in Security Council resolution 242 (1967), notably the inadmissibility of the acquisition of territory by force.

The Government of Malta joins the rest of the international community in calling on Israel to demonstrate the resolve required in sustaining the momentum achieved in the past years and days, and to rescind its decision. Any change to the status of Jerusalem prejudices the final status negotiations and could lead to the reversal of a process of peace.

Malta joins others who have called on the leaders in the region and beyond for a recommitment to the objectives of peace. It is through the committed courage of leaders that peoples may come to reap the benefits of peace — a peace which we hope can become a reality for the generations of Israelis and Palestinians who have lived under the shadow of mistrust for too long.

The President: I thank the representative of Malta for the kind words he addressed to me.

There are no further speakers on my list.

I would like to take this opportunity again to thank representatives for their kind words addressed to

Ambassador Mahugu and to me in the course of this debate.

The next meeting of the Security Council to continue the consideration of the item on the agenda will be fixed in consultation with the members of the Council.

The meeting rose at 4.25 p.m.