United Nations S/PV.5488



Provisional

5488th meeting Thursday, 13 July 2006, 3.25 p.m. New York

President: Mr. De La Sablière (France)

Members:ArgentinaMr. MayoralChinaMr. Liu Zhengmin

Japan Mr. Oshima

PeruMr. Pereyra PlasenciaQatarMr. Al-QahtaniRussian FederationMr. ChurkinSlovakiaMr. Mlynár

United Kingdom of Great Britain and Northern Ireland Sir Emyr Jones Parry

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 29 June 2006 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/2006/458)

Letter dated 29 June 2006 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/2006/462)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.



The meeting was called to order at 3.25 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 29 June 2006 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/2006/458)

Letter dated 29 June 2006 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/2006/462)

The President (spoke in French): I should like to inform the Council that I have received a letter from the representative of Israel in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Gillerman (Israel) took a seat at the Council table.

The President (*spoke in French*): I should like to inform the Council that I have received a letter dated 13 July 2006 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2006/520 and which reads as follows.

"I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council being held on Thursday, 13 July 2006, regarding the situation in the Middle East, including the Palestinian question."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to

participate in the meeting in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mansour (Palestine) took a seat at the Council table.

The President (*spoke in French*): The Security Council will now continue its consideration of the item on its agenda.

The Security Council is meeting in response to the requests contained in letters dated 29 June 2006 from the Permanent Representatives of Algeria and Qatar addressed to the President of the Security Council, documents S/2006/458 and S/2006/462, respectively.

Members of the Council also have before them document S/2006/508, which contains the text of a draft resolution submitted by Qatar.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, China, Congo, France, Ghana, Greece, Japan, Qatar, Russian Federation, United Republic of Tanzania

Against:

United States of America

Abstaining:

Denmark, Peru, Slovakia, United Kingdom of Great Britain and Northern Ireland

The President (*spoke in French*): The result of the voting is as follows: 10 in favour, one against and four abstaining. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Security Council.

I shall now give the floor to those representatives who wish to make statements following the voting.

Mr. Bolton (United States of America): We are all aware of the delicate situation in the Middle East, where new and major developments are unfolding as we speak.

In the light of the fluid and volatile nature of events on the ground, the United States believes that this draft resolution was not only untimely but already outmoded. We have just recently witnessed a major escalation by Hizbollah. On top of that, we have the announcement that the Secretary-General will be sending a team to the region to help resolve the situation. These important new developments should be reflected in any text we consider.

Notwithstanding these new developments, there were many other reasons to reject this draft. The draft resolution before the Council was unbalanced. It placed demands on one side in the Middle East conflict but not the other. This draft resolution would have exacerbated tensions in the region and would have undermined our vision of two democratic States — Israel and Palestine — living side by side in peace and security.

Adoption of the draft would also have undermined the credibility of the Security Council, which itself must be seen by both sides as an honest broker in the Middle East conflict. In that regard, public statements of United Nations officials must also accurately reflect positions agreed by Member Governments.

The United States worked hard with other delegations to achieve a more balanced text, one which acknowledged that Israeli military actions were in direct response to repeated rocket attacks into southern Israel from Gaza and the 25 June abduction of Israeli Defence Forces Corporal Gilad Shalit by Hamas. Regrettably, we were not able to reach agreement.

While we remain gravely concerned about the deterioration of the situation in the West Bank and Gaza, we remain steadfast in our conviction that the best way to resolve the immediate crisis is for Hamas to secure the safe and unconditional release of Corporal Shalit.

Establishing the foundations for a lasting peace, however, will require us to focus our attention not just on Hamas but on the State sponsors of terror that back them, particularly Syria and Iran. Let us be clear: without the financial and material support of Damascus and Tehran, Hamas would be severely crippled in carrying out its terrorist operations.

We call on Syria and Iran to end their role as State sponsors of terror and unequivocally condemn the

actions of Hamas, including this kidnapping. We yet again call upon Syria to arrest the Hamas ringleader, Khalid Mishal, who currently resides in Damascus. We stress again our condemnation of Syrian and Iranian support of Hizbollah, which has claimed responsibility for the other kidnappings along the Blue Line, between Israel and Lebanon.

We further call on the Palestinian Authority Government to stop all acts of violence and terror and comply with the principles enunciated by the Quartet: renounce terror, recognize Israel, and accept previous obligations and agreements, including the road map. The failure of the Palestinian Authority Government to take these steps hurts the Palestinian people.

We are obviously concerned about the duration of the present difficulties and the lack of a solution, but the issue for us is whether action by the Council makes such a solution more or less likely, not simply whether or not the Council seems to be "engaged".

The United States remains firmly committed to working with others to establish the foundations for a lasting peace in the region, a foundation that would have been undermined had this draft resolution passed.

Mr. Pereyra (Peru) (*spoke in Spanish*): Peru abstained in the voting because it believes that the draft resolution does not adequately reflect what is happening in the Middle East.

First, the draft resolution does not take account of the fact that elements of Hizbollah, considered a terrorist organization, have kidnapped two Israeli soldiers and have launched rockets, causing civilian casualties and provoking a response by the Israeli Defence Forces.

Secondly, the draft resolution does not take account of the Quartet's requirements that the Palestinian Authority Hamas-led Government recognize Israel, renounce violence and respect the agreements previously entered into by the Palestinian Authority. Non-compliance with those requirements is at the root of the crisis and is preventing the parties from resuming diplomatic negotiations leading to the peaceful coexistence of two States, Israel and Palestine, in accordance with the provisions of the road map.

Peru deplores the escalation of violence and the loss of innocent human lives. It calls for the release of the kidnapped soldiers, including the two soldiers

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taken hostage in Lebanon, as well as of the elected Palestinian officials who were recently illegally detained.

Peru recognizes Israel's right to defend itself. However, Israel must do so in accordance with international humanitarian law, avoiding causing harm to civilians and damage to the infrastructure of Lebanon and Gaza. We urge Israel to avoid the excessive use of force and deplore the harm caused to Palestinian and Lebanese civil society.

Ms. Løj (Denmark): Regrettably, Denmark was not in a position to vote in favour of the draft resolution just considered. The draft resolution addresses issues of great concern to my Government, and, if it had included a more thorough recognition of the complexities on the ground, my delegation would have liked to vote in favour of the draft resolution.

Denmark is very concerned about the situation in the Middle East, which has further deteriorated over the past few days. In particular, Denmark is seriously concerned at the loss of civilian life caused by the escalating military operation and its consequences, including the deterioration of the humanitarian condition of the population in Gaza. We therefore call on both parties to alleviate the desperate humanitarian situation of the civilian population.

Moreover, my Government continues to urge both parties to abstain from any action that violates international law and on Israel to exercise utmost restraint and to avoid disproportionate action. Denmark continues to be concerned about the detention of elected members of the Palestinian Government and legislature and calls for their immediate release. Those detained should be accorded their full legal rights in accordance with international law.

Denmark continues to call on the Palestinian leadership to bring an end to violence and terrorist activities, including the firing of rockets into Israeli territory.

The abducted Israeli soldier should be released immediately and unconditionally.

Recent developments, including in relations between Israel and Lebanon — which we will be discussing tomorrow — underline more than ever that political negotiations are the only way to achieve a just and lasting settlement. Both parties must urgently demonstrate an active commitment to the search for a

negotiated two-State solution and respect existing agreements and obligations.

Mr. Mlynár (Slovakia): Unfortunately, my delegation was not in a position to support the draft resolution on the situation in the Middle East as it was put before the Security Council today.

Slovakia is very concerned about the events that have been taking place recently in the Gaza Strip. We are especially concerned about the deaths of civilians, both Palestinians and Israelis, and about the destruction of basic power-supply infrastructure in the Palestinian territories. We therefore take this opportunity to once again appeal to both sides for the release of all detained and abducted persons. Both parties should refrain from any action that could cause further deterioration or escalation of the situation.

We believe that all the decisions of the Security Council regarding the region of the Middle East are very important and that they have a direct impact on the situation and on future developments. In that sense, any action taken by the Council should be considered very carefully, with the aim of making a balanced appeal to all parties and with the final goal of achieving a just and lasting peace.

We are very sorry to again note with concern—as we did in the Council just on 21 June—that the Palestinian Government, which was formed and is being led by Hamas, has still not committed itself to the three principles laid out by the Quartet in its statement of 30 January. We remain convinced about that and reiterate the need to meet and implement those three principles: non-violence, recognition of Israel's right to exist and acceptance of existing agreements and obligations.

As that crucial element and several other very important issues — in particular the condemnation of terrorist acts — were not, in our view, sufficiently reflected in the draft resolution, we were not in a position to support it. We would also have welcomed a reference to the most recent developments between Lebanon and Israel.

As we have done previously, we once again call on both parties to exercise the utmost restraint. We urge them to commit themselves fully to the goal of a negotiated two-State solution in accordance with the provisions of the road map.

Sir Emyr Jones Parry (United Kingdom): The United Kingdom is deeply concerned about the crisis in Gaza, which is undermining prospects for peace in the Middle East and causing a severe deterioration in the humanitarian situation of the Palestinian population. We are contributing nationally to efforts to resolve the crisis, through contacts in the region and with our key partners. We are urging all parties to do all they can to address this crisis and to prevent the situation from worsening. Only through negotiation can a viable solution be achieved.

We reiterate our call for the immediate and unconditional release of Corporal Shalit. We call on the Palestinian Authority to bring an end to the violence and terrorist activities, including the firing of rockets into Israeli territory.

We are very concerned about the suffering of the Palestinian population. While Israel has every right to act in self-defence, it should do so in a way that does not escalate the situation, that is proportionate and measured and that conforms to international law and avoids civilian deaths and suffering.

British Foreign Secretary Margaret Beckett made a statement today expressing her concern about the situation in Lebanon.

It is important that any statement from the Council should support the efforts of those most closely involved in trying to resolve the conflict. Any text must therefore be balanced and carefully reflect all relevant aspects of the situation. While we appreciate the efforts of the sponsors to reflect some of our concerns, we still do not believe that the text before us was sufficiently balanced or that it recognized the complexity of the situation. We therefore regret that further time was not allowed to try to resolve the outstanding differences and to reach a text on which we could all agree. We therefore abstained in the voting.

Mr. Al-Qahtani (Qatar) (spoke in Arabic): As is well known to everyone, Qatar, in the light of its responsibilities regarding towards the question of Palestine, submitted a balanced draft resolution that reflected the views of the majority of the Council. We took into consideration the views and comments of all Council members. However, the Council was nonetheless unable to adopt that balanced draft resolution due to reasons that have become clear to us.

Peace-loving countries will be able to judge the objectivity of those reasons.

We have on numerous occasions failed to rise to our responsibility to protect the Palestinian people, who cry out for our support. When our response is weak, it seems as if we are shirking our responsibilities to protect civilian lives, notably those of helpless women and children. The images of unarmed innocent people being mercilessly killed and slaughtered will forever be in our minds and in the minds of all peaceloving peoples.

We should put an end to flagrant violations of international humanitarian law. The failure of the Security Council today to assume its responsibilities as regards the deteriorating situation in the occupied Palestinian territories and to put an end to aggression will only encourage the aggressor and lengthen the duration of the cycle of violence. The fact that the Council is not taking action on such a deteriorating situation will not only serve to exacerbate the situation, it will also cast doubt on the ability of the Council to implement international law.

Peace-loving peoples who are victims of war continue to hope that the Security Council will assume its full responsibilities and carry out its fundamental mandate of maintaining international peace and security. The day will come when the Council will adopt decisive resolutions against the aggression and violence to which the Palestinian people are being subjected.

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

Mr. Mansour (Palestine): At the outset, allow me to thank you, Mr. President, for your adept leadership and guidance of the Council during this critical period, as well as throughout the many consultations prior to the vote on the draft resolution today. At the same time, I wish to express our deep appreciation to the delegation of Qatar for all its efforts, as a member of both the Council and the Arab Group, in steering our long and often difficult negotiations on the draft resolution.

We express our thanks in that regard as well to Saudi Arabia, in its capacity as Chair of the Arab Group for the month of July, and convey our appreciation to all those who have supported our just efforts throughout this process, aimed at having the

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Security Council, in accordance with its authority and responsibilities, take action to address the crisis situation that continues to prevail in the occupied Palestinian territories, including East Jerusalem.

We believe that all possible efforts were exerted to arrive at a balanced and reasonable draft resolution addressing the major issues facing us at this time. We thank the members of the Council that voted in favour of the draft resolution, upholding their responsibilities as members of the Council and, at the same time, upholding international law, including international humanitarian law, which is being grossly violated and gravely breached by Israel, the occupying Power, as it carries out its relentless military assaults against the defenceless Palestinian civilian population under its occupation, particularly in the Gaza Strip.

The downward spiral of developments and the dramatic deterioration of the situation on the ground in recent weeks, including the decline of the already dire humanitarian situation as result of Israel's lethal military aggression and continuing escalation of violence against the Palestinian people and their leadership, gave urgency to this matter and to our efforts to have the Council be seriously engaged in guiding this crisis towards its resolution.

We are highly disappointed and frustrated at the Council's continued inability to act while innocent Palestinian civilians continue to be brutally killed by the Israeli occupying forces. The failure to adopt today's draft resolution will not help to calm the situation or contribute to resolving the current crisis, and it seriously harms the credibility of the Council at this crucial time, sending the wrong message to the occupying Power and further fueling the disastrous culture of impunity that has allowed Israel to continue breaching international law for all these years, and through to today, without being held accountable for its actions.

Indeed, even as we meet in this Chamber, Israel, the occupying Power, continues deliberately and wantonly to cause more human carnage and physical destruction, turning the besieged and impoverished Gaza Strip into a devastated humanitarian wasteland of death, rubble and misery. The Israeli occupying forces continue wantonly to destroy Palestinian homes and property, agricultural land, vital infrastructure and institutions, including, just today, the bombing of the Ministry of Foreign Affairs in Gaza City.

Far worse, innocent Palestinian civilians continue to be brutally killed daily by the Israeli occupying forces in a barrage of air strikes and artillery bombardment launched against the defenceless civilian population. Yesterday alone, at least 23 Palestinians were killed by the occupying forces, among them nine members of the Salmiya family — a mother, a father and their seven children — cold-bloodedly murdered in their own home when the Israeli occupying forces deliberately dropped a quarter-ton bomb on their home. That is State terrorism against a captive civilian population, and all of those acts clearly constitute war crimes. All such acts must be condemned. Action must be taken to compel the occupying Power to cease such grave breaches and to abide by its obligations under international law, including the Fourth Geneva Convention, and the perpetrators of those crimes must be held accountable and brought to justice.

There is no doubt that the situation is seriously worsening with each passing day, compounding the suffering and hardship being endured by the Palestinian civilian population, and that tensions and frictions continue dramatically to rise, resulting in the further destabilization of the situation, not only in the area, but beyond in the region. The overall situation that is now prevailing clearly requires the immediate attention of and concerted action by the international community before it deteriorates even further and plunges the entire region into an uncontrollable cycle of violence and conflict. This is a matter of international peace and security, and it calls for serious measures by the international community, including foremost this Council.

We continue to believe that the Council should uphold its duties in the maintenance of peace and security and in the protection of civilians in armed conflict with regard to the situation of the Palestinian people under Israeli occupation in the occupied Palestinian territories, including East Jerusalem, and we believe that, in the face of this ongoing tragedy, it ultimately will. It is that conviction, based on the principles enshrined in the Charter and on our belief in the rule of international law, which has brought us back to the Security Council time and time again, and not any other reason, despite the claims made by some in that regard. What other recourse does a people have when it has been oppressed, subjugated, weakened and denied its most basic human rights under a belligerent foreign military occupation for more than 30 years?

The question of Palestine cannot, among the many conflicts, crises and tragedies being faced by the international community, be excluded from the Security Council's mandate and responsibilities. The repeated failure of the Council to act can only prolong the conflict, rather than end the vicious cycle of violence, resulting only in more bloodshed, suffering and loss for the Palestinian people at the hands of their occupier and in greater instability throughout the region, and taking us further from the realization of the just and lasting peace that we all desperately seek.

In conclusion, it is therefore our strong hope that, ultimately and very soon, this Council will find the determination to implement its resolutions, uphold the rule of law and take the necessary course of action to address this growing crisis and to pave the way for a final, peaceful resolution of this long and tragic conflict, for the sake of both the Palestinian and the Israeli peoples and for the sake of the region as a whole. It is not too late to act. Too many human lives, the future of an entire people and the prospects for peace and stability in the region are at stake.

The President (*spoke in French*): I give the floor to the representative of Israel.

Mr. Gillerman (Israel): At the outset, allow me to congratulate you, Sir, on your able stewardship of this Council during the difficult month of July. May I also take this opportunity to extend to you and to your people an early but very happy wish for a happy 14 July.

I would also like to take this opportunity to thank the United States for its bold stand and to express our appreciation to those countries that, by their vote, showed the understanding we had hoped all the international community would show.

Allow me to recall a very different time in two very different places. Nearly a year ago, Israel disengaged from Gaza. The disengagement was not an easy process for us; it took place under dramatic and heart-wrenching circumstances and came at a huge political and personal price to Prime Minister Sharon, who took that brave decision. At that point in time, the Palestinians had two choices. The first was to care for their own people, raise their standard of living, improve their quality of life, and concentrate on the welfare and well-being of their own people. The second was to turn Gaza into a terror base and a launching pad for deadly rockets into Israel. Tragically,

the Palestinian leadership chose the latter, making their own people hostage to their terrorist agenda.

And, over six years ago, Israel completely withdrew from southern Lebanon. That withdrawal was not an easy process for us either and was questioned internally. At that point in time, the Government of Lebanon, too, had two choices: to care for their own people and to rehabilitate their country after decades of a civil war, or to allow their sovereign territory to become a terror base from which Hizbollah terrorists could launch attacks against Israeli civilians. Tragically, the Lebanese Government also chose the latter.

In both cases, the respective Governments chose to make their own people hostage to the path of terror, destruction and bloodshed. There is no reason for violence from these two places from which Israel has completely withdrawn. Israel cannot and will not permit these areas to be used as a breeding ground for terrorists or a launching pad for terrorist actions. Israel will not be held hostage to terror.

Let us consider who is Hamas. What are their strategies and intent? The Hamas, leading the Palestinian Authority, is an entity that not merely sympathizes with terrorists; it is itself an internationally recognized terrorist organization. Think of the significance of the fact that this is the recognized leadership of the Palestinian people. Think, also, of the way it has conducted itself since assuming power, showing no sign of changing its ways and rejecting the international community's demand to renounce terror, recognize Israel and honour all previous international agreements.

Weeks ago, terrorists infiltrated the area of Kerem Shalom, near the border crossing. The attackers killed two Israeli soldiers and kidnapped a third, Corporal Gilad Shalit, who was taken into the Gaza Strip. During that very same week, Palestinian terrorists also kidnapped an Israeli teenager and brutally executed him. Israel has been under attack for weeks. But only after all international efforts to mediate in the crisis failed did Israel take the steps necessary to defend itself and quell the ceaseless assaults.

Let me be perfectly clear. What we are seeing are the actions of Hamas and Hizbollah. But they are merely the fingers of the bloodstained hands and the executioners of the twisted minds of the leaders of the

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world's most ominous axis of terror, Syria and Iran. This axis of terror, which we have warned against repeatedly, including in the Security Council, is constituted of Iran, whose President repeatedly denies the Holocaust while preparing the next one, and Syria, a host country to the world's major terrorist organizations. Iran, Syria, Hamas and Hizbollah are a threat not just to Israel and to the region, but to the entire free world. Several days ago, the Hamas terrorist leader, Khaled Mashaal, who is warmly harboured in Damascus by the Syrian Government, thanked the Syrian leadership for resisting international pressure to help a peaceful solution to the kidnapping of the Israeli soldier Gilad Shalit. Another member of this axis, Iran, is repeatedly calling for the annihilation of Israel while acquiring the nuclear capability to carry it out.

Both the Syrian and Iranian Governments have a long, documented history of sabotaging efforts towards peace in the region. They actively support radical elements and weaken voices of reason. They host terrorist organizations and finance their deadly acts. We must recognize these regimes by their words and deeds. They are instigators and supporters of international terrorism, and their heinous acts know no moral bounds. No nation should turn a blind eye towards the Governments of Syria and Iran simply because their actions have not yet touched its own citizens. Left unchecked, these terror regimes soon come to menace even those with whom they have no quarrel. History tries to teach us a lesson that we too often forget: appeasement and silence make a perilous strategy.

We have been hearing the Palestinian observer and other Arab delegations repeatedly state that Israel is — and here comes the mantra — "the occupying Power". Let there be no confusion with reality. We disengaged from the Gaza Strip precisely because we do not want to be an occupying Power. We do not want to control Palestinian lives. Let it be made very, very clear: it is not Israel, but terror, that is the occupying power of Israelis, Palestinians and Lebanese alike. They are all held hostage to that occupying power of terror.

We are doing what we can under the circumstances to balance our duty as a Government to free our kidnapped soldiers and protect our citizens

from further attacks, as any responsible Government would do, with a wish to minimize any negative impact this duty might have on civilian populations. But let me point out to the Council the very clear difference between the two sides, when it comes to civilian casualties — and there is a very clear difference.

On the one hand, you have a terror organization committed to the destruction of Israel who specifically targets civilians, innocents, women and children. On the other hand, you have a democratic State acting in self-defence and, as happens in war, especially when the attacks are launched from densely populated civilian areas, sometimes, unfortunately, tragically, painfully, civilians get hurt. But there is another difference. For us, every dead Palestinian child is a mistake and a tragedy. For them, every dead Israeli child is a victory and a cause for celebration.

Israel cannot be held hostage to terrorism in its various forms, including kidnapping, suicide bombings, rockets or any similar threats. We urge the international community to continue applying all possible political pressure on the Palestinian Authority and on the Hamas terrorist organization, including its members and sponsors in Damascus, so as to ensure the immediate and safe release of Gilad Shalit and to finally bring an end to the use of Palestinian territory as a base for terrorist operations.

In conclusion, Mr. President, as we sit here during these very difficult days, I urge you and I urge my colleagues to ask yourselves this question — what would you do if your countries found themselves under such attacks? If your neighbours infiltrated your borders to kidnap your people and if hundreds of rockets were launched at your towns and villages, would you just sit back and take it? Or would you do exactly what Israel is doing at this very minute, making every effort to protect its people and allow them to live in the peace and security that they long for and that all the people in the region have for so long been deprived of by the forces of terror.

The President (*spoke in French*): There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.10 p.m.